



Joint submission to the 2012 review of the Common Fisheries Policy by the HELCOM Contracting States that are also members of the EU, in consultation with the Russian Federation

With this joint submission, the Contracting States¹ of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992 (from now on HELCOM Contracting States) that are also Member States of the European Union, in consultation with the Russian Federation, would like to give a Baltic input to the consultation process for a reform of the EU Common Fisheries Policy (CFP).

The HELCOM Contracting States, being EU Member States welcome the [EC Green Paper on the future CFP](#) and consider it an opportunity for constructive development of the CFP. In the Green Paper, the EC in general describes the present fisheries policy as unsatisfactory, in particular from the point of view of overfished fish stocks, deteriorated habitats, poor economic performance of the fleet and lack of trust.

In 2007, the HELCOM Contracting Parties adopted the HELCOM Baltic Sea Action Plan (HELCOM [BSAP](#)) where they commit to specific actions aimed at achieving a Baltic Sea in good environmental status by 2021. The HELCOM BSAP is based on an ecosystem approach to the management of human activities, thus committing the HELCOM Contracting Parties to address all major pressures affecting the Baltic Sea marine environment.

As regards fisheries, the HELCOM Contracting States that are also Member States of the EU agreed *"to make a joint submission, in consultation with the Russian Federation, with the view to ensure that fisheries are managed in a sustainable manner compatible with the environmental objectives of the HELCOM Baltic Sea Action Plan, to the 2012 review of the EU's Common Fisheries Policy"*. In line with the HELCOM BSAP, the Convention on Biological Diversity and the objective to halt biodiversity loss which was adopted by the Heads of States and Governments at the 2002 World Summit on Sustainable Development, the HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, stress the need to reflect and achieve biodiversity conservation objectives more effectively in all policies having an impact on the marine environment, including fisheries policy.

The implementation of an ecosystem approach in fisheries management implies that goals are set up at the ecosystem level and that scientific advice is provided accordingly. Well-based ecosystem based fisheries management calls for a wider knowledge base and additional research on the ecology of the Baltic Sea. Lack of knowledge should, nevertheless, not be used as a justification for not taking measures to protect components of the ecosystem that are under threat.

Because the implementation of the ecosystem approach to the management of human activities in the Baltic Sea region is the central pillar of the HELCOM BSAP, the HELCOM Contracting States, being EU Member States welcome the questions and opportunities presented by the EC in the Green Paper as regards the implementation of the ecosystem approach. Our joint submission focuses on two central themes highlighted in the Green Paper that we believe will be crucial if the future CFP and the Agreement between the European Community and the Government of the Russian Federation on cooperation in fisheries and the conservation of the living marine resources in the Baltic Sea, are to enable the implementation of the ecosystem approach to the management of fisheries and to guarantee sustainable use of fish resources and sufficient level of protection to biodiversity:

¹ Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, the Russian Federation and Sweden

- the reformulation of policy objectives,
- the adaptation of the decision making-framework.

The reformulation of policy objectives

In the Green Paper, the European Commission highlights the issue of policy objectives and identifies the need for prioritized policies that give clearer guidance to management decisions.

The HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, agree that there is a need to reformulate the policy objectives of the fisheries policy. The HELCOM BSAP stresses the need for ecosystem based management of human activities and the need to take into account the impacts of activities on the marine environment in all policies and programmes implemented in the Baltic Sea region.

In addition to the BSAP, at the EU level, the Marine Strategy Framework Directive (MSFD) underscores the ecosystem approach to management of human activities as one of its basic principles.

The current CFP includes an operational objective to gradually implement the ecosystem approach in fisheries management. The role of the CFP in implementing an ecosystem approach to marine management has also been stressed by the Commission of the European Communities in a [communication to the Council and the European Parliament](#)¹. The core issues and next steps identified in this communication are of relevance to the Baltic Sea and therefore, the HELCOM Contracting States that are also members of the EU, in consultation with the Russian Federation, share the views that are put forward in the communication and consider that its intentions should be taken into account in the CFP and the [Agreement between the European Community and the Government of the Russian Federation on cooperation in fisheries and the conservation of the living marine resources in the Baltic Sea](#).

In line with the EU communication on implementing an ecosystems approach to marine management, the HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, would welcome if the reform of the Common Fisheries Policy were to include explicit reference to the effect that fisheries may have on other components of marine ecosystems.

For example, in the Green Paper no mention is made of by-catch of marine mammals and birds. HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, are convinced that this type of a problem can only be dealt with successfully if the fisheries sector is more directly and actively engaged. Addressing the issue within the Common Fisheries Policy would therefore be an excellent way to ensure that biodiversity conservation is seen as the responsibility of all stakeholders, rather than merely of the environment authorities.

Thus, the HELCOM Contracting States that are Member States of the EU, in consultation with the Russian Federation, propose that the ecosystem approach is made the basis of the reformed fisheries policy. We further propose that the objectives of the fisheries policy be prioritized making ecological sustainability a basic premise for the economic and social future of European fisheries.

How the ecosystem approach is implemented at the various scales when managing fisheries deserves further discussion. Much can be done within the framework of the current policy and in close cooperation with relevant regional organisations in particular the BS RAC.

The EC has already heralded the HELCOM BSAP as a pioneer scheme for European seas. The European Commission has recognized that the HELCOM BSAP will be instrumental for the successful implementation of the EU MSFD in the Baltic Sea region, including the concept of pilot projects. The importance of HELCOM's work is also recognized in relation to

¹ COM, 2008. The role of the CFP in implementing an ecosystems approach to marine management. COM(2008)187

the EU Maritime Policy, and the EU Strategy for the Baltic Sea Region draws heavily from the HELCOM Baltic Sea Action Plan in its environmental as well as safety and security pillars. The HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, understanding the interlinkages and complementarities between these instruments, welcome the opportunity to support the implementation of these processes in the Baltic Sea region.

The adaptation of the decision-making framework

The European Commission presents in the Green Paper a critical view on the present decision-making process. The HELCOM Contracting States that are Member States of the EU, in consultation with the Russian Federation, share the critical view of the EC and agree that it is necessary to distinguish between the decision-making level that focuses on policies, principles, goals and guidelines and the level designing instruments and regulations for their implementation. The Green Paper and the revision of the CFP provide new possibilities for addressing fisheries governance at the regional level.

The HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, are in favour of a regionalization of fisheries management. The evolution of an institutional framework in congruence with the ecological boundaries of the Baltic Sea is considered an appropriate step to enable the implementation of an ecosystem based management approach. At the same time, it will also strengthen regional cooperation and facilitate the mainstreaming of environmental objectives in fisheries.

There is evidence that bringing management closer to the practical realities of Baltic Sea fisheries and the ecosystems can accelerate the implementation of adopted policies and regulations, increase compliance and improve communication between managers, scientists, the industry and other stakeholders. From the perspective of the HELCOM BSAP, bringing certain aspects of fisheries management closer to the regional level will provide a more effective framework for coordinating fisheries with other marine policy aspects and marine sectors as well as facilitate the implementation of the EU Strategy for the Baltic Sea Region and the application of maritime spatial planning.

The debate on regionalization has recently started and the evolution of any institutional frame, its possible structure and functions, deserves further analysis and discussion by the HELCOM Contracting States, the EU, the BS RAC and other relevant actors.

The HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, also draw the attention to the specific needs of small-scale coastal fisheries. Together with the impacts of modernization, the present decision-making framework as described by the European Commission in the Green Paper has partly contributed to marginalize the small-scale coastal fisheries from management decisions. While these fisheries generally have a small impact on fish stocks and the ecosystem, they form an important socio-economic element of the coastal communities and rely often on collective action which can be instrumental to management.

The Green Paper suggests the adoption of a differentiated regime to small-scale coastal fisheries. The HELCOM Contracting States that are Member States of the EU, in consultation with the Russian Federation, find the idea of differential regime for the small-scale fisheries of the Baltic Sea interesting and meriting further analysis and discussion as a part of the CFP reform process.

To conclude, the HELCOM Contracting States that are members of the EU, in consultation with the Russian Federation, believe that a reformulation of the policy objectives of the fisheries policy affecting Baltic fisheries and a restructuring of the decision-making framework will support the implementation of the ecosystem approach to the management of fisheries, and other human activities, in the Baltic Sea region.