



THE FISHMONGERS' COMPANY

NC/CB

21st December 2009

Directorate-General for Maritime Affairs and Fisheries
"CFP Reform"
European Commission
B-1049 Brussels
Belgium

Dear Sir/Madam

REFORM OF THE COMMON FISHERIES POLICY

The Fishmongers' Company welcomes the publication of the European Commission's Green Paper on the Reform of the Common Fisheries Policy (CFP) (COM (2009)163) and acknowledges the importance of the document. We appreciate the invitation to interested parties to comment on the Green Paper and, on behalf of the Company, I enclose a note summarising our views.

I would be grateful if you would acknowledge receipt of this letter and its enclosure.

Yours faithfully

Nigel Cox
Clerk (CEO - equivalent)

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THE FISHMONGERS' COMPANY

REFORM OF THE COMMON FISHERIES POLICY COMMENTS BY THE FISHMONGERS' COMPANY

Introduction

The Fishmongers' Company, a corporation established by Royal Charter, is one of the City of London's ancient guilds, with long-standing Charter and statutory powers regarding the fisheries industry in the United Kingdom. It has adapted and its role has changed over the years but a central aim remains the promotion of a healthy, prosperous and sustainable fish and fisheries sector for the long-term benefit of the United Kingdom.

The Company supports the fish and fisheries sector in many ways, including by making charitable and other grants for scientific research and educational purposes. It is an independent body, not reliant on any particular interest group, and seeks to encourage rational, science-based debate of important issues. Partly because of its own long history, it attached particular importance to issues of sustainability.

The Company welcomes the publication of the European Commission's important Green Paper on the Reform of the Common Fisheries Policy (CFP) (COM (2009)163) and its invitation to all interested parties to comment on the questions set out in it.

General

We welcome the general approach of the Green Paper, notably:

- its recognition that the current policy, despite the high cost of managing the system, has failed to prevent overfishing, fleet overcapacity, heavy subsidies, low economic resilience, a decline in fish stocks and in the volume of fish caught;
- the recommendation for whole-scale and fundamental reform of the CFP;
- the identification of all issues in a clear and concise way for open consultation through detailed questions.

The Company notes that the Green Paper draws on the earlier report to the European Commission entitled 'Reflections on the Common Fisheries Policy' of July 2007 [http://www.fishsec.org/downloads/1193925814_63294.pdf], which analysed the evolution of the CFP since 1982 and concluded that important aspects were no longer fit for purpose and that it was necessary to challenge its values, principles, goals and mechanisms.

Both papers assume continued equal access to a common resource as a prerequisite of any reform, and this response is based on that policy.

The Fishmongers' Company believes that:

- **all European Union fish stocks should have integrated fisheries management plans, with a clear vision and goals for achieving sustainability. This should be achieved by means of renewable long-term and short-term objectives, including ecosystem objectives, agreed and accepted by managers and stakeholders alike.**

Even in the case of data-poor species and fisheries, such plans should still be developed on a precautionary basis.

We recognise that management of multispecies fisheries is complex, and that the reductions in fishing mortality and capacity still needed to achieve sustainable harvesting objectives, such as maximum sustainable yield (MSY), have significant short-term social and economic implications, with all the problems of compliance already identified by the Commission. But this is essential to achieve what we believe should be the ultimate goals of:

- obtaining the formal accreditation of EU fisheries as sustainable, and
- resolving problems of CFP resource allocation and industry economic problems.

The Company recognises the accuracy and pertinence of the many operational questions raised in the Commission Green Paper, but will confine its comments to the following key issues:

- (a) Institutional arrangements, ownership and participation;
- (b) Separation and management of inshore fisheries;
- (c) Discards, landing of catch and enforcement;
- (d) Independent science, fishery management plans and Maximum Sustainable Yield;
- (e) Subsidies.

The response focuses largely on inshore fisheries where our historic purposes incline, but the management principles apply to all EU fisheries.

Institutional arrangements, ownership and participation

Overall policy principles for the operation of the CFP will of course remain at European Union level, but we believe that:

- **control and management powers should be delegated to Regional Management Bodies, comprising both industry and Government agencies, and advised by independent fisheries science.**

This would correct the present over-centralised decision-making, lower costs and reduce political interference in management. The participation of fishermen would improve transparency and increase their 'buy-in' to reducing fishing mortality/capacity.

Such Regional Management Bodies might lead to a system based on individual Member States determining allocation of effort, in place of the current mechanism for distributing fishing opportunities among Member States (relative stability), thus resolving the problems of quota swaps and flag ships, and the imbalance between effort allocated to States and the needs of their fleets.

We believe that open transfer of fishing effort or rights between States must be resisted to prevent fishing access being monopolised or dominated by very few companies or a single Member State.

Such regional management should make it easier to secure commitments from fleets to science-based management plans for each resource, moving from the current crisis- management of a few species to long term ecosystem management, which would address the socio-economic implications of reduced fishing mortality and the problem of achieving effective compliance.

Separation and Management of Inshore Fisheries

The Green Paper identifies a need to protect fragile coastal fishing communities and raises the possibility of establishing a differential management regime for inshore fisheries with greater emphasis on social objectives.

- **We agree that to secure a future for coastal, small-scale commercial and recreational fishermen, and for the rural communities dependent on them, control of the 0-12 nautical mile zone of each Member State should be fully managed by that State.**
- **We also agree that such management should involve science-based species management plans, with targeted MSY in the context of the whole ecosystem.**
- **We recommend that National Inshore Advisory Councils should be established, operating in the same way as offshore Regional Advisory Councils and cooperating with them on shared stocks.**

It should be noted that pressure on inshore fisheries declines if offshore fisheries are managed properly, avoiding transfer inshore of under-utilised offshore effort.

Inshore fisheries are the main shellfish areas and they are nursery grounds for most fish species, so even greater emphasis should be given here to environmentally sensitive fishing, generating fresh fish landings to local community fish markets.

- **We believe that all commercial fisheries within 12 mile territorial waters should be designated and managed separately from the openly shared offshore fleets.**
- **Vessel size should be restricted to 10m, or possibly 12m in some areas for safety, and preferential fishing effort allocations should be granted, to ensure that rural fishing is economically viable and that communities are protected.**

- **Rural fish markets should be supported and used to regenerate rural fishing communities.**
- **Recreational fishing should similarly be allocated fishing effort and security of access, but should also be constrained by the need to respect conservation objectives.**

(Such inshore community activities, with strong recreation and tourism implications, do not require the same measures as are necessary to control effort offshore.)

- **We believe that all vessels in the 0-12 mile zone should be required to comply with the fisheries laws and regulations of the individual Member State**

At present vessels from different States fish alongside each other to different regulations (eg. regarding pair trawling for bass), or with only national vessels observing the minimum landing sizes imposed by the individual State for better resource conservation (eg for crab and lobster).

Standard technical measures for all vessels prosecuting a defined inshore fishery are essential for credible management. Each Member State should control and manage locally variable inshore technical measures through its Inshore Management Body.

- **We would welcome a reciprocal cancellation by Member States of their historic fishing opportunities in the 0-12 mile zone of other States.**

Some may see national regulation of the 0-12 mile zone and reciprocal cancellation of historic practice as idealistic, but the present system has failed and we believe that the proposition must be considered. Preserved historic practices in inshore fisheries relate little to current capacity, as efficiency of vessels, electronic detection and gear has resulted in an estimated six-fold increase in catch efficiency. Similarly development of recreational angling has increased exploitation, and this fishing effort may need to be quantified for inclusion in assessments.

Cancellation of historic practices would remove the present anomalous situation of preferential and discriminatory access, which is contrary to the principles of equal access set out in the Nice Treaty. It would be particularly welcome if it resulted in a **restriction of effort in the zone to vessels of the individual Member State**, producing a system which would be easier to manage and less costly to enforce, as well as actively promoting rural fishing communities. It would also remove the current management void in the 6-12 mile zone. However we recognise that early consensus for this is unlikely because of access imbalances between States.

- **We believe that the CFP should actively encourage research and technical development of shellfish farming, security of tenure for producers and promotion of the health benefits of eating most shellfish species.**

Aquaculture is the only significant development opportunity in the inshore sector, particularly for molluscan farming (culture of other species eg salmon, bass, cod, is commercially established).

Discards, landing of catch and enforcement

- **We believe that the EU should adopt the Norwegian model to address discards.**

The current CFP regime of TACs, quotas and mesh sizes unintentionally encourages the discard of undersized, lower value or non-allocated fish, targeted or untargeted (by-catch), as vessels struggle to maximise economic return. Such fish, up to 50% of catch, is often not recorded or reported for stock assessment and is a total waste to the fishery, invalidating management of effort.

- **It is imperative that all fish that is caught that would not survive return to the sea should be landed and recorded within allocated fishing effort (ie currently the quota) and that discarding of any fish should cease.**
- **The present quota/relative stability system for mixed fisheries should be replaced by effort control through a combination of fishing method and vessel size, allocated by each Member State according to the amount of fish it contributes to overall pool landings.**
- **Each Member State should allocate the national effort to its fleet.**

Although ownership of fishing effort by individual vessels might be desirable to achieve obvious reductions in fishing mortality, there are serious risks that making effort tradeable could result in individual States or companies monopolising a fishery.

- **Stringent controls should be introduced to minimise by-catch, notably by ensuring that mesh sizes allow a much higher proportion of each species to achieve the mean size for maturity than is currently the case.**

The issue of using bigger mesh sizes to improve selectivity, especially for the larger gadoids, is a real issue that should not be confused or hidden. Indeed, the first cycle of regeneration must be protected for all species as a minimum condition. For example this would require a mesh size of well over 160mm for cod. To deal with the mixed fishery issue haddock fishing may then have to be restricted to areas with low concentrations of cod, and it is possible that seasonal cod and separate haddock areas will have to be developed and designated. Many Nephrops fishermen have diverted from cod fishing, and gadoid by-catch is significant to profitability: this can only be minimised by gear modifications to enable the fish to escape, and more work needs to be done on gear design, regional distribution and diurnal variation in catch. Similar conflicts apply to the plaice/sole fisheries. Some unintended catch is inevitable, but all fish must be landed and included in data submitted.

- **We believe that reform of the CFP should aim for full compliance at lower cost by engaging the full participation of fishermen and securing their trust in the management system.**

- **Although some form of ownership of fishing would encourage this, we agree that a sufficient incentive may be a charge (cost) for effort allocation, with provision for partial repayment for obeying rules. A combination of intensive at-sea observation, zero tolerance and such negative subsidies would initially be necessary, but the long-term aim must be self monitoring compliance.**

Independent Science, Fishery Management Plans and Maximum Sustainable Yield

Existing scientific data on both offshore and inshore fish and shellfish stocks are often inadequate to assess stocks or predict recovery times accurately. This is a particular problem for data-poor stocks that are economically important but are currently outside the ICES advisory system. Nevertheless there is consensus that many inshore and offshore stocks are over-exploited or fully-exploited and that significant reduction in fishing effort is required to generate maximum sustainable yield.

- **For data-poor stocks commonsense precautionary management principles should apply, and political support should be given to short-term adaptive management, capping effort and adopting a truly precautionary approach.**
- **It would be preferable to base management plans and targets on fishing mortality, not biomass.**

(The present basing of plans on biomass can result in a single strong year class entering a depleted stock being confused with recovery.)

- **We welcome the Green Paper's target of achieving MSY by 2015, but recognise this is ambitious.**
- **We believe that resources should be made available by both the EU Commission and individual Governments to ensure that the detailed science is adequately funded both at national level and by the International Centre for Exploitation of the Sea (ICES), in a process totally independent of the political process.**
- **This should be geared to establishing long-term fisheries management plans towards MSY for all stocks, and sustainable accreditation for all key species including those in the inshore zone, since accreditation is a growing requirement in the market place.**
- **While the principal target objective is MSY, a multispecies ecosystem approach requires that pursuing this should not be at the expense of the environment or other fish species.**

European law on protection of the marine environment is robust, possibly too much so, and the reformed CFP should concentrate on fish stock management to achieve MSY, whilst recognising

environmental impact and the requirements of environmental legislation. Minimising negative impact on the environment and by-catch must be secondary objectives of the CFP.

Global warming has had, and will continue to have, a major impact on the population dynamics and distribution of all species. As yet, this is little understood but research will need to be integrated into fisheries management plans.

Subsidies

Little benefit has been derived from the subsidising of fishing industries worldwide and it has contributed to over-exploitation of fish resources. Demand for fish exceeds supply, so there is little incentive to produce quality products. Fisheries grant aid in the UK has assisted purchase of crab pots in an overexploited fishery and scallop dredging gear for an environmentally challenged fishery; decommissioning has rarely removed the most seriously offending vessels; and it is hard to justify fuel or other subsidies for an overcapacity fishery.

- **We believe that in place of general subsidies, with all their distorting effects, targeted grant aid is needed to address the following key problems: :**
 - (a) **Establishment of delegated Management Bodies for the Inshore and Offshore sectors;**
 - (b) **Funding of stringent, zero-tolerance enforcement mechanisms aiming towards self-compliance in the longer term;**
 - (c) **Support for small scale rural fishing communities including:**
 - Optimising inshore fleets;
 - Establishment of rural community fish markets;
 - Aquaculture and its security of tenure;
 - Possibly buying out of imbalanced historic practices.
 - (d) **Support for fisheries science:**
 - Fisheries management plans by species towards MSY;
 - Sustainable resource accreditation;
 - Impact of global warming on species recruitment and distribution.
 - (e) **Design and application of environmentally sensitive fishing gear to avoid by-catch and protect the environment.**

Summary

The Fishmongers' Company proposes:

- **An overall European Commission precautionary fisheries policy of ecosystem based fisheries management plans towards MSY and sustainable accreditation;**
- **Delegation of control and management to Offshore Regional Management Bodies (beyond 12 miles) and National Inshore Management Bodies (0-12 miles);**
- **Controls towards total compliance;**
- **Separate and renationalised 0-12 mile inshore management with support for small scale fleets, rural fish markets and molluscan aquaculture;**
- **Ban on all discards, improved selectivity and establishment of an effort control regime;**
- **Enhanced independent fisheries science, especially for data-poor fisheries;**
- **A greater willingness to take precautionary and adaptive management decisions;**
- **The redirection of subsidies and support to the establishment of Fisheries Management Bodies, support for small scale rural fishing communities, fish science and aquaculture.**

The Fishmongers' Company
London.

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