

**Evidence to the Environment and Sustainability Committee Task & Finish Group inquiry
into the proposed reforms to the Common Fisheries Policy**

October 2011

Wales Environment Link (WEL) is a network of environmental and countryside Non-Governmental Organisations in Wales, most of whom have an all-Wales remit. WEL is officially designated the intermediary body between the government and the environmental NGO sector in Wales. Its vision is to increase the effectiveness of the environmental sector in its ability to protect and improve the environment through facilitating and articulating the voice of the sector.

WEL welcomes this opportunity to present written evidence to the Environment and Sustainability Committee's Task & Finish Group inquiry into the proposed reforms to the Common Fisheries Policy. Given WEL's remit, we have focussed our comments on the environmental aspects of the Commission's proposal. Further details on these top-line issues and other elements of the reform package can be found in the evidence papers submitted by individual member organisations from WEL's Marine Working Group. We look forward to elaborating on our written submission at the Committee's oral evidence session.

General Comments

The proposals for the new CFP released on July 13th 2011 address many of the issues that are vital to achieving sustainable EU fisheries and demonstrate that the Commission has attempted to move some way towards their vision outlined in the 2009 Green Paper. As such, WEL believes that the proposal offers some welcome improvements on the current system of fisheries management. However, there are several vital elements lacking in the proposal, including the clear linkage between conservation/management objectives and the action required to deliver these objectives. Critically, we believe that the proposal currently lacks the guidance and coherence that will enable Member States and stakeholders to fulfil their obligations to deliver ecologically sustainable fisheries.

The proposal is vague in many key areas, especially in respect of "who should do what and by when?" While this largely reflects the Commission's decentralization of

decision-making to Member State level where stakeholders can tailor detailed approaches within the broad framework set by the Commission, the proposal lacks clarity on how this bottom-up model will work in terms of roles and responsibilities.

WEL would like to highlight the following key elements of the proposal that we believe are critical to securing the reform needed to deliver sustainable EU fisheries and a healthy marine environment.

1. Application of the Ecosystem Approach

WEL welcomes the clear commitment to implement an ecosystem based approach to fisheries management and to limit the impact of fisheries on the marine environment. In practical terms, it should require Member States to take into account multi-species interactions and minimise the impacts of fishing on wider ecosystem functions and conditions. This must include any habitat degradation and mortality of non-target species (other fish species, birds, marine turtles, etc.) Management measures should be adopted in the context of fisheries level multi-annual management plans developed by stakeholders, which take account of the Marine Strategy Framework Directive (MSFD) requirements to co-ordinate strategic management of European marine regions.

2. Integration with other European and marine environmental policies

The new CFP must ensure that fishing plays a role in the delivery of international, EU and other commitments. We welcome the objective on the “integration of the Union environmental legislation” (Article 2.4) but wish to see more explicit reference to compliance with the Birds and Habitats Directive and with MSFD commitments to achieve and maintain Good Environmental Status (GES) in the General Objectives of the proposal. As it stands, the proposal does not recognise that achieving ecological sustainability is a pre-condition for delivering social and economic sustainability and, as such, the impacts of fishing activities on the marine ecosystem must be minimised.

3. Maximum Sustainable Yield (MSY)

WEL welcomes the clear commitment in the proposal to restore and maintain populations of harvested species above levels which can produce the Maximum Sustainable Yield (MSY) by 2015. WEL also appreciates the inclusion of MSY goals in Articles 10, 11 and 14 on multi-annual plans and technical measures. We would oppose any weakening of the MSY objective.

4. Multi-annual management plans

We believe that multi-annual management plans at the fishery level will be the principal vehicle for delivering fisheries policy and an ecosystem-based approach in the future. In EU waters, the plans must be compliant with the MSFD and, accordingly, be developed on a regional level by a stakeholder-led process.

Whilst we welcome the commitment in the proposal to multi-annual plans for managing fisheries sustainably, we are disappointed by the lack of detail as to who would draft the plans, how this would be achieved and by when. There needs to be a clear

commitment to develop and establish multi-annual plans as a priority for all regions and fisheries no later than 2015. Without this there is a real risk of inertia. We also believe that each plan should be required to undertake an assessment of both capacity and of environmental impact for the fishery in question. These assessments will help the plans set clear goals and targets in line with central policy objectives and identify the specific management measures needed to meet these objectives within the multi-annual plans.

Moreover, there is no explicit recognition of the legitimate role of stakeholders such as fishers, scientists and NGOs at regional level. This lack of any framework for genuine „co-management“ is compounded by the lack of clarity on regionalisation.

5. Regionalisation

Without genuine decentralisation of fisheries management and the recognition of the key role of stakeholders at a regional level, it is difficult to imagine that the sustainable management of EU fisheries will be achieved. As such, the issue of regionalisation is a key element to the success of the new CFP. There needs to be a shift towards a fisheries management policy where outcome-based macro-level objectives are set at EU level and delivered at a regional and Member State level with clear accountability and stakeholder mechanisms built into the system. This approach would provide stakeholders with a greater sense of ownership for the management of the resource. WEL believes a much more explicit commitment to multi-annual plans being a central mechanism for the delivery of regionalisation is needed, alongside details on exactly how this will be achieved.

6. End the wasteful practice of discarding and minimise by-catch

WEL welcomes the Commission's intention to end the wasteful practice of discarding within a specific timeframe. We also welcome the intention that specific measures to address this problem should be included in the package of technical measures under the multi-annual plans. However, there needs to be much more focus on tailored solutions, on a fishery-by-fishery basis, for minimising the capture of potentially discardable fish in the first place. Avoiding discards is more important than the creation of new markets through the landing of unwanted catch, which removes the incentive for fishermen to avoid catching such fish. Catches of undersized or over-quota fish should never translate into economic profits for the fishing industry. Care should be taken to ensure that the CFP, and its supporting financial instrument, contain adequate safeguards to avoid such perverse outcomes.

7. Addressing overcapacity

The CFP should tackle head on the problem of fishing overcapacity and set a vision for realigning capacity with available resources. As such, WEL are disappointed by the lack of a clear vision for realignment of the fleet in the proposal and how this will be achieved. The CFP must introduce adjustment goals for the fishing fleet, at the national or regional level, that are delivered through the multi-annual management plans for each fishery.

The existence of some form of rights to fish is a necessary attribute of any rational fisheries management system. However, the only tool offered by the proposal is that of

mandatory Transferable Fishing Concessions (TFCs), which is presented as stand-alone tool and is not clearly linked to a main delivery framework. Multi-annual plans should allow for the choice of a full range of different Rights Based Management (RBM) options allowing for individual and tailored solutions. As such, transferability of rights should remain optional for Member States, depending on the fishery concerned and the objectives to be met.

8. Science base for fisheries management

Sound science must form the basis of the new CFP. Given that a key means of managing EU fisheries will be the adoption of multi-annual plans there needs to be some reference to the data being provided in a way that will support the plans. The application of an ecosystem-based approach to these plans, and compliance with the MSFD, demands a wider scope of data collection than currently enabled by the Data Collection Framework which is confined to the impact of fisheries on fish stocks. This data deficiency must be addressed to help provide the environmental impact and capacity assessments needed to inform the management measures required by multi-annual plans.

9. Small-scale fisheries

WEL wants to see a sustainable fishing industry that supports livelihoods alongside conservation outcomes. The CFP should ensure that communities which depend on fishing have access to fisheries resources as long as they comply with sustainability criteria. While no different ecological or management standards should be adopted for small or larger fleets, it may be necessary to apply flexible approaches to meet these objectives as management necessities in many Member States are clearly different between small and large-scale fishing. Small scale artisanal fishers must also be adequately represented in decision-making processes.

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The following WEL members support this document:

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RSPB Cymru

Wildlife Trusts Wales

Marine Conservation Society.