

CFP Reform 2002

ANALYSIS OF EU FISHERIES POLICY REFORM PROPOSALS AND COMMUNICATIONS



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COMMUNITY ACTION PLAN FOR THE CONSERVATION AND EXPLOITATION OF FISHERIES IN THE MEDITERRANEAN SEA UNDER THE COMMON FISHERIES POLICY (COM(2002)535)

'[the Mediterranean] specificity may have become an excuse to fail to apply measures that are just as important and necessary as in other parts of the Community. It is clear that the commitment of the Community to regulate fisheries in the Mediterranean is no less than for other fisheries.' (COM(2002)535)

Introduction

The EU Member States bordering the Mediterranean – France, Greece, Italy and Spain - have important and often locally significant fisheries sectors, operating in an environment that is characterized by high biological diversity.

Despite the existence of a 'common' EU fisheries policy, Mediterranean fisheries have traditionally not been subject to the same EU fisheries management measures that apply in the north-east Atlantic region. This situation can be explained on a number of grounds, including the particular geo-political situation in the Mediterranean region, and the fact that jurisdiction has generally not been extended out to fisheries or exclusive economic zones (EEZ) as in the rest of the EU. Only Spain has extended its management of fisheries resources beyond coastal waters by declaring a Fisheries Protection Zone. The Mediterranean (excluding the Adriatic Sea) also has a narrow continental shelf, making about 90 per cent of fishing in the region coastal. In effect this means that although the majority of the surface area of the Mediterranean falls within international waters, most fishing activities take place within territorial waters.

The Commission's proposed Community Action Plan for the Mediterranean Sea gives an overview of the special characteristics of Mediterranean fisheries and sets out several actions to be taken over the next few years to strengthen EU fisheries management in the region.

The Mediterranean Fisheries Sector

The Mediterranean fisheries sector employs more than 106,000 people and is characterized by a large number of small vessels – nearly 32,000 vessels or 80 per cent of the fleet is under 12 metres in length. These artisanal vessels are active close to the coast, where the highest biodiversity occurs. Larger vessels, however, are responsible for a large proportion of total catches, including economically very

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important species such as swordfish and tuna. Overall, Mediterranean landings make up just 12 per cent of the Community total in tonnes, although considerably more in terms of value.

Resource management

Most of the Mediterranean fishery resources 'have long been considered overexploited', according to the Commission. Daily catch rates per vessel have fallen dramatically when compared to catch rates of some decades ago, despite the fact that the power and efficiency of the vessels has increased in recent times. Catch quality has also changed, with bigger and older fish now practically absent. There is also a significant problem with discards due to the low selectivity of small mesh size trawl gears and a mismatch between legal mesh sizes and minimum landing sizes. According to the Commission, more than 60 per cent of the catch is regularly discarded, and about 50 per cent of this consists of edible species of commercial value.

Environmental concerns

The Action Plan identifies two main types of environmental threat posed by fisheries: damage to biodiversity and damage to physical habitats. The first relates to high levels of bycatch and discards due to the use of small mesh sizes, as well as excessive fishing of commercial species. If fishing effort were reduced, this would have a beneficial effect on the marine environment as a whole. But additional measures would also be needed, particularly to address threats to marine mammals, birds and reptiles. Even if the main threat (eg to turtles) is posed by other activities, fishing may increase the danger for these populations.

In relation to flora and the sea bottom, the widespread use of dredges and bottom trawl gears have been identified as being most problematic. The use of the St Andrew's cross for extracting red coral, for example, has been forbidden but there are suggestions that the ban is not being properly enforced. It is also suggested that poisons and explosives are still in use in some parts of the Sea.

Identifying new objectives for the region

The Action Plan makes clear that the general objectives of the Common Fisheries Policy are equally applicable to the Mediterranean. However, the specific characteristics of the sea call for additional objectives to be identified, to address areas where greater emphasis is needed. These include the following:

- *Community leadership* – the Community should promote conservation and management within the regional management forum - the General Fisheries Commission for the Mediterranean, but should also take unilateral action even if regional measures have not been agreed.
- *Management at the appropriate level* – this is effectively a restating of the subsidiarity principle, with the Commission identifying clearly when the Community should act. For highly migratory stocks, the Community should



act in cooperation with international organisations (GFCM and ICCAT); for shared demersal or small pelagic stocks, the regulatory framework should be set by the Community and if necessary GFCM; for primarily national stocks, management should continue to be the responsibility of the Member State as long as there is no significant bycatch of shared or highly migratory stocks.

- *Environmental integration* – in support of Article 6 of the EC Treaty, bycatch of the remaining monk seals needs to be avoided, as well as of turtles and certain seabirds in the longline fisheries. For habitats, protection of seagrass beds is a priority, along with ham mussels beds, deep-water white coral and the biodiversity on hard bottoms. Good liaison between environmental and fisheries organisations is needed, at the national and Community level.
- *Building on experience* – the Commission stresses the value of management measures and regimes, including those agreed by fishermen’s organisations, particularly as regards effort limitations and daily landing limits. The objective is to build on these experiences, potentially through regional advisory committees that have been proposed as part of the review of the basic CFP regulation (COM(2002)185).
- *Enforcement* – several issues make control and enforcement in the Mediterranean particularly challenging, including the fact that most of the sea remains in international waters open to fishing by vessels from other (including non-Mediterranean) countries. In addition, the numerous small landing sites and often direct sales from fishermen to consumers, makes control of landings more difficult. A future CFP is to include a stronger commitment to control and enforcement. To this end, there is to be strengthened involvement of fishermen’s organisations and other stakeholders, not least to increase their commitment to management measures.
- *Integrated use of management measures* – the conservation and management of fisheries needs to be delivered through a combination of different tools, although the Commission limits these to effort limits and technical measures.
- *Social importance of fisheries* – better health and safety conditions are to be achieved, and by securing a sustainable and more profitable and economically viable sector, more young people are to be attracted to the sector.
- *International cooperation* – the paper re-emphasises the need for international efforts and cooperation in managing Mediterranean fisheries. Existing bilateral and regional cooperation programmes should be used to support fisheries management in non-Community Mediterranean countries. In addition, some new regional efforts are proposed.



Fisheries management actions

The Commission Action Plan sets out a number of specific actions that should be taken to deliver on the above objectives, as well as those objectives applying to the CFP as a whole.

- Addressing jurisdictional questions - the extent to which Member States have declared national jurisdiction varies, with France and Italy declaring 12 mile territorial waters. 'The declaration of FPZs [Fisheries Protection Zones], of up to 200 miles from baselines, could be an important contribution to improving fisheries management', although the Commission makes clear that a common approach among all Mediterranean States would be preferable to unilateral Community action. The next step would be to convene a Ministerial Conference including all the coastal states.
- Reducing fishing pressure and applying catch limits - the Commission proposes several concrete actions. Both capacity and effort control regimes will have to be developed further. The current technical measures (Regulation 1626/94) will be revised in the beginning of next year. The use of quotas and TACs is likely to be extended to other migratory species, such as swordfish. The option of area or seasonal closures to protect high concentrations of juveniles and spawners is also to be examined. Possible solutions to the discard problem have been set out in the recent Communication on discards, to be followed by legislative proposals at the beginning of next year. The correlation between mesh sizes and landing sizes is also likely to be strengthened. Because of the large number of recreational fishermen in the region, their resource use, as well as the type and dimension of gear, will also have to be regulated.
- Addressing environmental impacts – some of the environmental concerns are likely to be addressed through the revision of technical measures, others through better implementation of current EU environmental legislation. According to the Commission, integrated coastal zone management is particularly relevant for the Mediterranean Member States. Special attention will be given to the protection of sharks and birds, contributing to EU work required under the FAO International Plans of Action.
- Improving control and enforcement - strengthening the role of the GFCM, starting with a commonly agreed control scheme for highly migratory fish stocks. Solutions to some of the overarching problems will have to be found on a multilateral level, and within the context of national jurisdictional issues. The extension of the VMS system to all vessels of more than 10 metres length should also help improve control and enforcement. In addition, a better match between vessel characteristics, fishing licenses and fishing permits is proposed. To address the last issue, the Commission proposes a development of the market structure aimed at concentrating on first sales; the change will be supported through structural measures. It is clear that this will be useful from a management perspective, since it will simplify both the collection of catch data and the control of landings, but it



is also likely to add more levels to the marketing structure and might therefore result in lower profits for fishermen, as well as a disappearance of local infrastructure in less developed areas.

- Strengthening of scientific advice - the need to improve scientific research in the region to underpin management decisions is gradually being addressed through the establishment of the GFCM Scientific Advisory Committee in 1999, and a new subgroup to the Scientific, Technical and Economic Committee for Fisheries (STEF) called SGMED. The Commission is to continue to support improvements to scientific advice for the Mediterranean, and further suggestions will be included in the forthcoming Communication on scientific advice and in a revision of the EU data collection framework (Regulation 1534/2000) at the end of next year.

At the international level, the Commission will continue to support the work of the Regional Fisheries Organisations and current sub-regional FAO projects. A multilateral conference for Mediterranean fishermen is also to be organised in 2003, in the hope of establishing a Mediterranean-wide fishermen's association that can improve cooperation and awareness of regional management issues among sector interests.

Conclusions

The Community Action Plan provides a balanced assessment of Mediterranean fisheries and their special characteristics, but without using this as an excuse for weak conservation and management measures. The discussion of introducing Fisheries Protection Zones is particularly welcome. This is clearly a sensitive issue but one that could make a significant contribution to management in the region. The Plan also includes important references to recreational fisheries and the recent tuna ranching developments.

The Plan does not however make sufficient use of the full range of policy instruments at the Community's disposal, that would support more effective conservation and management, and counter-act some of the weaknesses inherent in monitoring and enforcement of the sector. In particular, the role of Structural Funds and markets to deliver conservation objectives, as well as socio-economic objectives, deserves more thorough exploration.

Finally, in relation to the various jurisdictional issues, the Commission should clearly emphasise that all fisheries have to comply with EU environment and nature conservation objectives, even if specific management measures are in fact agreed at the local level. The CFP should ideally set minimum standards for all fisheries, such as prohibiting bottom trawling on sea grass beds, in line with the EU Habitats Directive. Member States would then be free to build upon this basic level of protection.