

A reformed EU Common Fisheries Policy?

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What is the EU?

EU is a treaty based organisation

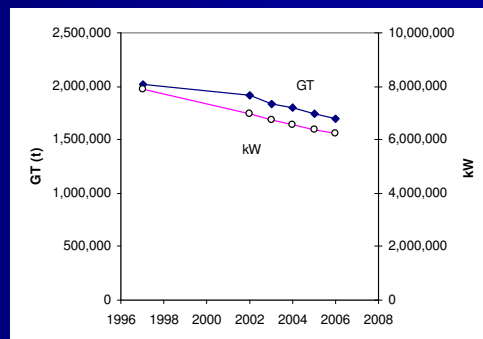
- "EU" has no direct control over management
 - Subsidiarity of CONTROL and MANAGEMENT functions to Member States
 - EU is not a flag state – Member States are flag states
 - National and flag state control is paramount
 - European Commission cannot close EU fisheries
 - International negotiations are conducted by the EC but implementation is by MS
- Decisions by meetings of Member States (Council meeting)
 - Relative Stability in ALLOCATION
 - National interests intrude in decision-making

2001 Green Paper Primary causes of CFP failure

- Failure to address overcapacity in the fleet
- Fragmented monitoring and control
- Systematic tendency for Council to set catch limits (TACs) higher than scientific advice
- Ignoring ecosystem effects of fishing
- Poor governance - lack of engagement of stakeholders

Fleet capacity

- Regulation 2371/2002
 - New vessels with aid → 35% reduction
 - Decommission → permanent reduction
- Annual reduction 3%
- Annual capacity creep 4%



Euro 15 Member States only: total capacity with new Member (2004) is now 1.87 million tonnes

Economics

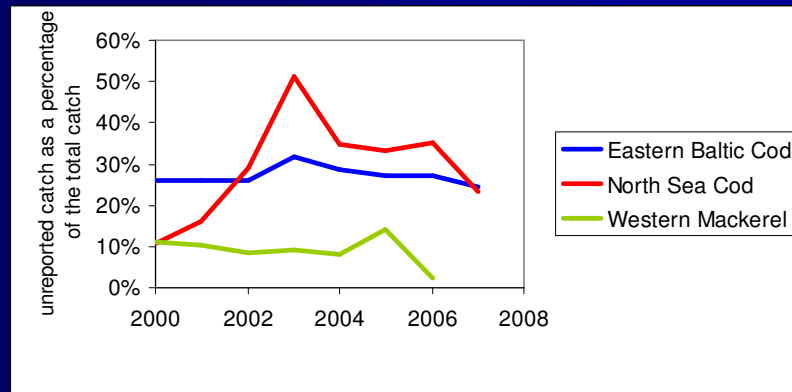
- Average fleet profit 6% of landed value

http://ec.europa.eu/fisheries/meetings_events/events/archives/events_2007/140507/mastracchio_ppt_en.pdf

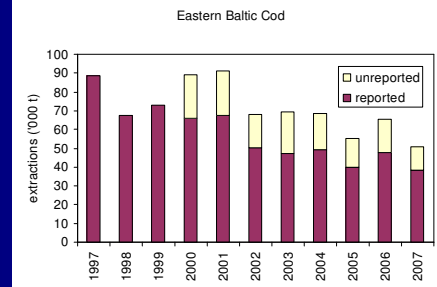
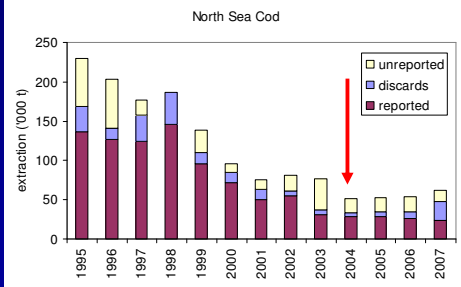
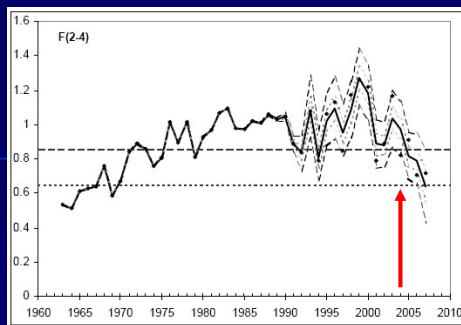
Control

- Damning criticism from Court of Auditors (2007)
 - “catch data are neither complete nor reliable, and the real level of catches is thus unknown...the Commission is not in a position to identify errors in the data”
 - Inspection systems are inconsistent across the EU and “do not provide assurance that infringements are effectively prevented and detected...and attract penalties”
 - “overcapacity detracts from the profitability of the fishing industry and in a context of decreasing authorised catches is an incitement to non-compliance”
- Compliance is still poor
- Significant unreported catches have been holding back recovery of key stocks

Under-reporting

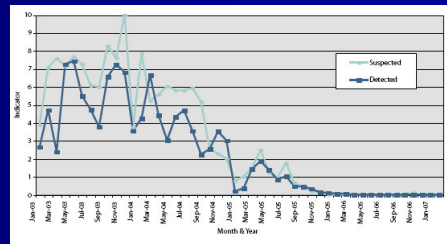


Source: ICES ACFM reports



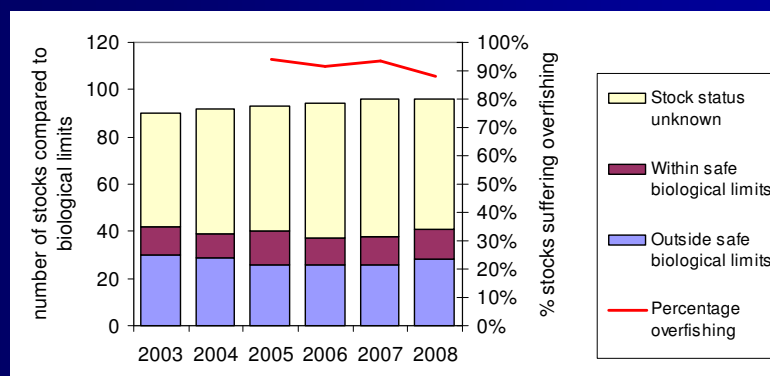
Recent successes

- Commission triggered closure of Eastern Baltic cod fishery July 2007
- Community Fisheries Control Agency actions in Baltic and North sea



Source: Scottish Fisheries Protection Agency Annual Report 2006-7

State of the stocks



COM(2008) 331 final. Brussels, 30.5.2008

Overfishing = fishing mortality greater than Maximum Sustainable Yield rate

TAC setting

- Council still sets TACs higher than sustainable advice for 48% of stocks
- Some evidence that Council is more likely to accept advice consistent with multi-annual plans
- Multi-annual or recovery plans with Harvest Control Rules only for only 30% of stocks

Ecosystem approach

- EU support for UNGA vulnerable marine ecosystem protection, acoustic deterrents for cetacean protection, mitigation measures in RFMOs
- Undermined by slow adoption of conservation measures for EU deep sea stocks and discard policy

Stakeholders

- Creation of Regional Advisory Councils has introduced more accountability and confidence

IUU fishing

- 500,000 t of IUU product enters the EU annually (€1.1bn out of €14bn)
- High profile nationals still active – Vidal Armadores
- Continued accusations of large quantities of West African IUU entering the EU via Las Palmas
- IUU proposal nearing agreement
 - Requirement for flag state catch certificate for landing and import
 - Establish black list of countries hosting flags of non-compliance
 - Tougher action against nationals

COM(2007) 601 final

The future – tackling the fundamental problems

- Capacity
 - EU capacity must be much reduced and fleets made economic
 - One approach successful elsewhere is introduction of tradeable rights based systems
 - Could be implemented nationally or regionally

The future – tackling the fundamental problems

- Becoming less of an RFMO
- Subsidiarity
 - Regional cooperative agreements for control and harmonisation of sanctions must be developed even in the absence of “emergency recovery plans”
 - Good templates now with JDPs
- Political intervention and objectives
 - Pre-agreed, tested management strategies must be implemented for all stocks
 - Higher importance for sustainability and ecosystem objectives – start by generating recoveries!
 - Annual management decisions could be handled administratively, regionally, involving stakeholders, except where international negotiation is required