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Brussels, 14 October 2009

Answers to the questions in the Green Paper on the reform of the Common Fisheries Policy (COM(2009)163)



I. General remarks

Europêche and COGECA welcome the Commission's Green Paper, which has been published well in advance of the proposals for CFP reform. This is seen as an assurance of good governance. Due to the large amount of questions it contains, this somewhat provocative document constitutes an interesting starting point for beginning discussions and allows maximum influence to be exercised on the deliberations which will ultimately lead to reforming the CFP.

Europêche and COGECA consider that the Commission is painting too bleak a picture of the situation, in a pessimistic or even alarmist manner, again to the detriment of the sector's image. This needs to be enhanced in the future CFP, with the Commission adopting a more positive and nuanced communication strategy. Not everything is negative - starting with fish stocks which vary considerably across marine regions and fish species.

The Commission should avoid generalising the situation regarding overfishing and fleet overcapacity, at least basing its judgement on studies or technical reports and high-quality independent scientific opinions compiled for individual fishing zones and fisheries. In order to assess to what extent the CFP has been effective, one should refer to the objectives stipulated in article 2 of (EC) regulation n°2371/2002 in terms of precautionary biomass rather than in terms of Maximum Sustainable Yield (MSY).

The 2002 CFP reform introduced changes, which have left generally positive traces:

- Stakeholders are now executing some influence on the policy's development and its management, in particular through ACFA and the RACs although additional improvements can be done to integrate them better in the different stages of the policy;
- A large number of fish stocks are now subject to long-term management plans;
- Several Member States have scaled down their fleets, which now better match current stock levels;
- There is a gradual move towards a more streamlined and coherent policy.

This being said, it is particularly regrettable that the reform of the CMO, long expected by the sector, has been postponed whereas the reform of the control system will be done hurriedly. Europêche and COGECA still believe that the reform of these two important aspects of the CFP should be synchronised with the one of the CFP.

Europêche and COGECA cannot accept that the blame for the majority of ills is systematically placed on the fishing industry, or that the industry is in most cases held solely responsible for the damage to the marine environment and is the only one to carry the burden of the reforms simply because the effect of the other human activities on the marine ecosystems evade any common policy really integrated. Fishermen are concerned to maintain the permanence of their activity and especially the preservation of stocks which constitute their future capital. In consultation with their national administrations, they have gone ahead – and continue to do so – with fleet reductions wherever necessary. There are other exogenous factors or economic activities influencing fish stock levels and fishing opportunities, including climate change, pollution, interaction between species, oil and gas exploration and drilling, seafloor mining, offshore wind farms, etc.. Member States and the Commission also share responsibility for the degree of achievement of the objectives agreed in 2002 to ensure the viability of fisheries (respect of control mechanisms, bureaucracy, the abundance and complexity of regulations, etc.).

Europêche and COGECA note the fact that the Commission has no preconceived ideas as to ways and means of reforming the CFP that it has no taboos and is open to discussion. It should however be noted that it is already planning to make drastic changes to the current policy, in itself a clear positioning, that it will certainly be differentiating between the treatment of small-scale coastal and industrial fishing, that it seems a priori interested in individual transferable quotas and in the idea of a system of resource management by fishing effort, that it is raising the question of maintaining relative stability in its current form and that it has its doubts about the benefit of fishing partnership agreements (FPAs).



II. Particular remarks

A. Overcoming the five structural failings of the policy

1. Addressing the deep-rooted problem of fleet overcapacity

- Should capacity be limited through legislation? If so, how?
- Is the solution a one-off scrapping fund?
- Could transferable rights (individual or collective) be used more to support capacity reduction for large-scale fleets and, if so, how could this transition be brought about? Which safeguard clauses should be introduced if such a system is to be implemented? Could other measures be put in place to the same effect?
- Should this choice be left entirely to Member States or is there a need for common standards at the level of marine regions or at EU level?

As a preliminary remark to the replies mentioned hereunder, Europêche and COGECA underline that the situation of the fleet varies in such a way within the different regions of the EU Member States, that it is impossible to provide a unique solution to the questions put forward.

It can be useful to limit the fleet capacity via EU legislation, knowing that in some cases, market forces may constitute a significant criterion to take into account. In any case, an up-to-date report on fishing fleets sizes in the various Member States should be made available beforehand, as the data currently available is more often than not outdated. A survey needs to be conducted by marine regions and fleet segments in the different Member States, identifying criteria other than gross tonnage to measure and define capacity, taking into account the efforts already made in Member States to reduce their fleets and the need to control the problem of IUU fishing. As a reminder, any limiting of gross tonnage has a negative impact on working and living conditions, and safety on board ships.

A centrally managed EU scrapping fund would be desirable as a temporary measure available to economic agents on a voluntary basis, as the provisions contained in the EFF and Regulation (EC) No 744/2008 are too bureaucratic and often impractical in their implementation. Moreover, they frequently lead to unequal treatment between Member States from which a commitment should always be obtained regarding co-financing.

Although it would be wise to foresee a sense of ownership of fishing rights in favour of fishermen, opinions are divided on the appropriateness of using transferable fishing rights: some representatives of small-scale coastal fisheries are against such, fearing some form of financial management and quota bargaining. They see a privatisation of fishing rights leading to these being concentrated in the hands of powerful corporations, with the risk of small-scale coastal fisheries disappearing. This would be incompatible with certain Community principles such as the relative stability of fish stocks and freedom of access to them. Furthermore, they would be difficult to monitor. Some representatives of large-scale operators are in favour, stating that they contribute to better empowering fishermen (promoting better governance), enable shipowners and fishermen to better organize their work during the year, provide stability and some legal security, can offer better socio-professional conditions, facilitate fleet adaptation to the available fishing resources as well as the reduction of overcapacity when it exists and contribute to the reduction of discards. In any event, if transferable fishing rights are to be used, safeguard measures at the discretion of Member States will be needed to prevent the possible adverse effects of any excessive concentration of such rights (for example, by a maximum limit on ownership rights in any fishery).

The choice of management system must be left to Member States, with wide range of such systems constituting a valuable asset in itself (individual quotas, days at sea, licences, etc.).



2. *Focusing the policy objectives*

- How can the objectives regarding ecological, economic and social sustainability be defined in a clear, prioritised manner which gives guidance in the short term and ensures the long-term sustainability and viability of fisheries?
- Should the future CFP aim to sustain jobs in the fishing industry or should the aim be to create alternative jobs in coastal communities through the IMP and other EU policies?
- How can indicators and targets for implementation be defined to provide proper guidance for decision making and accountability? How should timeframes be identified for achieving targets?

It seems that the Commission has already made its choice on the strategic objectives as it uses the term "prioritised" in stating the question. With fishing a legitimate viable and profitable activity, the catching sector that we represent expects the Commission to define a regulatory framework adapted to such needs. We advocate retaining the three objectives on an equal footing, as stated in Article 2 of Regulation (EC) No. 2371/2002. This states that, although it may be necessary to separate the socio-economic objectives from the environmental one, it is imperative that the latter be robust, evidence-based and dependable from a scientific perspective. It should be noted that the social objective, already absent from the 2002 CFP reform, is once again absent from the Green Paper.

In the course of the current CFP, we have already been through a number of restructuring measures affecting the sector and the Commission itself acknowledges that "bringing and keeping the capacity of the fishing fleets in line with fishing opportunities will inevitably lead to less overall employment in the catching sector" (see the contents §2 of item 5.1 of the Green Paper). In this respect it is worthwhile drawing attention to the fact that the Commission is currently reviewing the social framework for more and better jobs in the EU. On the other hand, the Commission indicates, in an impact assessment of its proposal aimed at reforming the control system within the framework of the CFP, that "if the measures are implemented (...), the net additional benefits (...) would lead to a net increase in employment, amounting to up to 4000 new jobs in all sub-sectors." Where does the truth lie? In any case, it is worth remembering that, in the past, the retraining programmes foreseen by the FIFG were no great success. A subsequent survey on the image of the sector conducted by *Europêche* among professionals revealed that 80% of fishermen preferred to avoid reconversion, among other things due to the lack of sufficient and well adapted accompanying measures, remaining thus faithful to the sector. To maintain employment and promote the recruitment of young people, which we believe should be a priority issue in any future CFP, it is important to encourage multi-purpose maritime training. This must go hand in hand with the establishment of programmes and training schools. These remain widely lacking in many regions and EU Member States. In this context, it is to be regretted that the STCW-F convention has not yet been ratified by enough countries for it to come into force.

CFP indicators and implementation targets need to be defined on a scientific basis and in close collaboration with fishermen. With regard to any timeframes for achieving the targets, these must be flexible and revisable at regular intervals. Nothing stays constant in the oceans, with many factors influencing the state of stocks and the economic situation of the sector. The measures under the CFP (TACs and quotas, allowable fishing effort, etc.) all have an effect on the state of fish stocks. This effect is measurable and consequently enables the status of CFP implementation to be controlled.

3. Focusing the decision-making framework on core long-term principles

- How can we clarify the current division of responsibilities between decision-making and implementation to encourage a long-term focus and a more effective achievement of objectives? What should be delegated to the Commission (in consultation with Member States), to Member States and to the industry?
- Do you think decentralised decisions on technical matters would be a good idea? What would be the best option to decentralise the adoption of technical or implementing decisions? Would it be possible to devolve implementing decisions to national or regional authorities within Community legislation on principles? What are the risks implied for the control and enforcement of the policy and how could they be remedied?
- How could the advisory role of stakeholders be enhanced in relation to decision-making? How would ACFA and the RACs adapt to a regionalised approach?

The current system of decision-making and implementation of Community legislation should be adapted as follows: the work of the Council and the European Parliament (subject to Lisbon Treaty ratification) would be limited to the adoption of general principles on guidelines and regulatory frameworks, with CFP management competence, as set down in the Commission's proposals, being transferred to a large extent to decentralised management bodies established by marine regions (or by sector of activity when the concept of marine region is not relevant in terms of fisheries management: pelagic fisheries for instance), in which the appropriate representatives from the industry would sit. In this context, the industry requests that the decisional power be not centralised excessively in the Commission's hands.

Moving from the current approach of centralised micro-management at the highest political level (Council) towards a decentralised system with greater industry involvement (implementation of complex technical measures in the field, etc.) seems in our opinion to be a step in the right direction. It is nevertheless a significant challenge, involving institutional and cultural change. To be properly implemented, this will undoubtedly require a transition period. It will also be necessary to avoid the emergence of disparities within the EU (different measures for similar fisheries in various maritime regions) and to foresee adequate supervision.

The Commission is currently evaluating the way ACFA works and its advisory role. Europêche and COGECA are active members of this body. While generally in agreement with the actions envisaged in the short and long term to strengthen the ACFA's role and satisfied with the availability of the Commission's services at these meetings, we request that ACFA opinions be taken into regular account, or at least that they are subjected to a critical analysis or reacted to by the Commission. It is not normal for RACs to receive special Commission attention, consistently receiving detailed responses to their positions. The decision establishing ACFA does not foresee any provision in this regard and this should be changed. Furthermore, the EU Council of Ministers, having in June 2007 acknowledged the high quality of work accomplished by the RACs, has transformed their start-up funding, initially to be phased out after five years, into a permanent annual grant to support their activities. Will the same happen to the ACFA in the future? Europêche and COGECA consider it necessary to coordinate and in particular to better define the respective roles of ACFA and the RACs. ACFA should be the sole formal consultation body for fishery and aquaculture stakeholders on a European level for all horizontal issues, while the RACs should be expected to express

their views on issues concerning conservation and resource management issues in the context of the maritime regions they cover. In so doing, it is important to avoid increasing the number of consultations in all directions.

Finally, Europêche and COGECA express their surprise that the Green Paper makes no explicit reference to the role of social partners in Community decision-making. They call for the social dialogue committee for the sea fishing industry to be systematically consulted on the socio-economic consequences of the Commission's legislative proposals and that its opinions be taken into due account.



4. Encouraging the industry to take more responsibility in implementing the CFP

- How can more responsibility be given to the industry so that it has greater flexibility while still contributing to the objectives of the CFP?
- How could the catching sector be best structured to take responsibility for self-management? Should the POs be turned into bodies through which the industry takes on management responsibilities? How could the representativeness of Pos be ensured?
- What safeguards and supervisory mechanisms are needed to ensure self-management by the catching sector does not fail, and successfully implements the principles and objectives of the CFP?
- Should the catching sector take more financial responsibility by paying for rights or sharing management costs, e.g. control? Should this only apply to large-scale fishing?
- When giving more responsibility to the industry, how can we implement the principles of better management and proportionality while at the same time contributing to the competitiveness of the sector?
- Are there examples of good practice in particular fisheries that should be promoted more widely? Should incentives be given for the application of good practices? If so, which?

As a prerequisite for the industry assuming a greater role in the implementation of the CFP, it is necessary for it to have the right to take over responsibilities for the exploitation and management of a public resource, as it has long been calling for. In this respect, the new control policy envisaged by the Commission, strongly diverging from the “bottom-up” approach will most certainly be incompatible with the increased responsibilities expected by the industry. Examples have shown that, in giving fishermen greater empowerment, policy outcomes can become convincing (quota management, the increased role of POs in the market, the application of sanctions, the “blue contracts”, etc.). Furthermore, in response to the Commission's 2008 guideline document for specific environmental initiatives to be taken by the fishing industry and the "Guardians of the Sea" development project, Europêche and COGECA have listed a whole set of experiments and initiatives illustrating the role and responsibilities taken by fishermen in the protection of the marine environment, often on their own initiative (EP (08) 61rev4 / SP (08) 1689: 5). To accomplish these on a voluntary basis, it is important for the Commission to provide co-financing for the actions listed.

The POs constitute the base elements of the CMO, ensuring its decentralised operation. With demand becoming increasingly concentrated, the pooling of supply structures within these organisations is more necessary than ever to strengthen the position of producers in the market. Though the PO model has not always been followed everywhere and uniformly, it is important that other forms of associations can assume the functions they carry out in line with Community regulations.

The catching sector, belonging as it does to the primary economy, is already subject to numerous costs associated with the exploitation of a public resource and has never been submitted to date to any payable rights. Whether industrial or small-scale coastal fishing, it cannot be made to pay for fishing rights at a time when it is in crisis, where the CFP is already cutting a large part of public financial aid and is showing signs of questioning partnership agreements on fishing.

In addition, the sector already contributes to the management costs of fishing control activities. This is a major burden for companies (time devoted to reporting, sorting, weighing, inspection at sea, landing, hygiene measures, VMS and electronic logbook, etc.).

Good practice examples in a number of fisheries are contained in the *Europêche / COGECA* document referred to above in the 1st paragraph.



5. *Developing a culture of compliance*

- Can data collection systems be improved in the short and medium term to ensure coherent information for enforcement purposes?
- Which enforcement mechanisms would in your view best ensure a high level of compliance: centralised ones (e.g. direct Commission action, national or cross-national controls) or decentralised ones?
- Would you support creating a link between effective compliance with control responsibilities and access to Community funding?
- Could increasing self-management by the industry contribute to this objective? Can management at the level of geographical regions contribute to the same end? What mechanisms could ensure a high level of compliance?

Research work, together with systems for collecting data, must continue to be developed in order to improve the industry's scientific knowledge. However, data collection is a costly and complex operation. We should therefore be operating at both levels. In particular we need to encourage Member States to prevent the total amount of payments allocated to fishing continuing to decline. As advocated by the European Parliament, it is necessary to work as a European network, since marine research is often dependent on a wide range of infrastructures where the sharing of facilities facilitates the exchange of information between industry and research organisations.

Europêche and COGECA express their surprise that the Commission has doubts about the compliance mechanisms, particularly as the proposed Council regulation establishing a Community system of control to ensure compliance with CFP rules - which has been widely commented by both organisations (EP (09) 48final/SP (09) 1811final) - already provides for a set of mechanisms under discussion at Council level. We see the proposal as falling squarely within the old philosophy of "a centralised, complex, bureaucratic system, with measures often difficult to implement and costly for businesses." This is why the catching sector would have preferred a synchronised approach, reforming the control system together with the CFP. It is convinced that the proposed approach belongs to the past and is not the best way of fostering the development a culture of compliance desired by all.

As stated in their document containing reactions to the proposed "control" regulation, Europêche and COGECA consider it unacceptable for a Member State to have access to EU funding withdrawn for a whole sector. This would mean that all operators within it would be penalised due to a few administrations or operators failing to comply with regulations.



B. Further improving the management of the EU fisheries

1. A differentiated fishing regime to protect small-scale coastal fleets?

- How can overall fleet capacity be adapted while addressing the social concerns faced by coastal communities taking into account the particular situation of small- and medium-sized enterprises in this sector?
- How could a differentiated regime work in practice?
- How should small-scale fisheries be defined in terms of their links to coastal communities?
- What level of guidance and level-playing field would be required at EU level?

An adaptation of the overall fleet capacity must go hand in hand with assessments of the socio-economic impact. On the basis of these, accompanying measures will need to be foreseen for all fleet segments. In doing so, particular attention should be given to small and medium companies. To take into account the social issues affecting coastal communities, several possibilities could be explored. These include promoting micro-credits, training fishermen's wives in management, information technology, the regulatory framework governing fishing / tourism, promoting the industry's image by developing tourist circuits in ports, including such ideas as promoting the local cuisine or creating fishing museums.

Before even deciding on the appropriateness of a management regime differentiating between the two fleet segments and, more importantly, looking at how it would function, there should be agreement on the precise and realistic definition for each fishery of what constitutes an industrial fleet (or high sea fleet) and what is understood under "small-scale coastal fishing" as defined in Article 26 of the EFF Regulation. The physical and geographical parameters are not sufficient. Aspects linked to the market and to the economy of each fishery should also be taken into account in order to avoid any distortion of competition in a differentiated regime. What would industrial fishing consist of? Fishing by large ships, working with large crews, operating in distant waters, catching species often destined for processing, owned by holding companies and where the captain is not the ship's owner? And what would small-scale coastal fishing consist of? Fishing by mostly small and medium scale units, working relatively close fisheries, away from their home ports for less than 24 hours? In any event, it is important to support small-scale coastal fishing **throughout Europe** (no specific treatment of any fleet segment **within any defined territory** such as islands or areas highly dependent on fisheries), at the risk of having a consistency and management problem between the two fleets targeting the same resource. We also need to ensure that recreational fishing does not compete directly or indirectly with small-scale coastal fishing. Given its socio-cultural character (maintaining sustainable employment in the fishing industry), this form of fishing is of particular importance in the Mediterranean (cf. the Prud'homies model in France, the brotherhoods in Spain), for which the Commission published an action plan in 2002. In line with the findings of various Ministerial Conferences and the objectives of the Barcelona Convention, this provided support for the creation of the professional association Medisamak, founded in 2004. But how often has the Commission made use of this instrument for dialogue with fishing

representatives from the southern Mediterranean shore on issues common interest, such as stock management, the blue fin tuna crisis or problems with Libya? How many workshops have been organised to promote the harmonisation of technical measures in the Mediterranean? How many applications for co-financing, submitted by Medisamak with the aim of improving resource management in the Mediterranean, have been approved by the Commission?

Any study of the characteristics of small-scale coastal fisheries is dependent on the criteria used to define such (see above).

From a socio-cultural perspective, Europêche and COGECA consider that maintaining and promoting small-scale coastal fishing lies within the responsibility of Member States and not European policy. That said, it is up to the EU to ensure a level playing field for the different fleet segments. If a management system based on transferable rights should be chosen in any particular Member State (the Commission is called upon not to interfere in the selection and implementation thereof), safeguards measures should be foreseen to protect small-scale coastal fisheries.



2. Making the most of our fisheries

- How can long-term management plans for all European fisheries be developed under the future CFP? Should the future CFP move from management plans for stocks to fisheries management plans?
- Should we consider reforming the CFP in two steps, with specific measures to move to MSY prior to 2015 followed by measures to maintain MSY as the upper exploitation level after that date?
- How could the MSY commitment be implemented in mixed fisheries while avoiding discards?
- What should the main management system be for Community fisheries and to which fisheries should it apply? Catch limitations? Fishing effort management? A combination of the two? Are there any other options?
- What measures should be taken to further eliminate discards in EU fisheries? Could management through transferable quotas be useful in this regard?

Europêche and COGECA are in favour of long-term management plans for all European fisheries, based on sound and regularly updated scientific advice, rather than reacting with short-term measures. As core elements of the new CFP, these plans should provide for greater flexibility between calendar years for exploiting quotas. In this context, Europêche and COGECA recall the importance to maintain a reasonable degree of stability in the TAC level, in particular the importance of sticking to the maximum inter-annual variation of 15% upwards and downwards (the maximum upwards corresponding to what the market can bear, the maximum downwards corresponding to what the industry can bear). They stress the need to fully involve the sector when developing these management plans and recall that many fisheries are already managed by long term plans (hake, cod, herring, coalfish, according to some fishing areas, etc.). Contrary to the widely spread idea, many fishing possibilities are already fixed in total agreement with scientific advice.

The objective of achieving the MSY by 2015 is an international political commitment and not a legally binding act. Since this objective offers a certain amount of interpretation regarding the modalities of its implementation and since it could turn out to be difficult to achieve in mixed fisheries (with different species of fish interacting, and catch rates, as the determinant of the level of fishing effort, not matching the MSY of each individual species), it would be better to go about achieving this objective flexibly, based on scientific evidence and measuring its socio-economic consequences.

Europêche and COGECA recall their interest in conducting a comprehensive comparative study of different systems of managing fishing effort, TACs and quotas existing in all Member States with an EU coastline, thereby assessing their suitability dependent on the type of fishery. *A priori*, a system of catch limits may be suitable for pelagic fisheries, while an independent evaluation of other management systems (limitation of effort, etc.) would enable the best option suitable for mixed fisheries to be found.

Europêche and COGECA are in favour of a gradual reduction of discards to a minimum level, fishery by fishery and in all maritime regions, through pilot projects involving the industry. One idea under consideration would be to establish quotas for fish caught (instead of quotas for fish landed in ports) and to increase catch limits by adding a mean estimate of discards. In addition, according to the results of the study commissioned by the Commission analysing systems of fishery management in different Member States (February 2009), stock management making use of transferable quotas in mixed fisheries may help to reduce discards.



3. *Relative stability and access to coastal fisheries*

- How could relative stability be shaped to better contribute to the objectives of the CFP? Should it be dismantled or if not should it become more flexible and if so, how? How could such alternatives be set up?
- Should access to the 12 nm zone be reserved for small-scale fishing vessels?

Relative stability has remained an essential pillar of the CFP since its establishment in 1983. EU fisheries ministers have always been in support of this principle as the basis for the allocation of quotas between Member States. The allocation key has been adapted over the years to reflect the rights of new Member States. As indicated by the Commission, the principle of relative stability has both its advantages and inconveniences. It is by no means perfect but rather than getting rid of it would be wiser to make it more flexible by the use of mechanisms allowing operators from several Member States of EU to trade quotas on an annual basis, thereby encouraging the full use of TACs and meeting the requirements for changes that have built up since the establishment of the first criteria (catches during the 1973-1978 reference period, the so-called "Hague Preferences" granted to certain fleets in Scotland and Ireland). The pros and cons of such trade mechanisms should also be examined as regards European non-Community countries (reciprocity Northern agreements). Europêche and COGECA therefore consider it inappropriate to alter the principle of relative stability.

The current modalities governing access to waters within Member States' 12 nm zones should not be questioned, although agreement must be reached at a European level on the definition of what a small-scale coastal fleet is.



4. Trade and markets – from catch to consumer

- How could market mechanisms be used to encourage the development of fisheries that are market efficient as well as sustainably exploited?
- How can the future CFP best support initiatives for certification and labelling?
- How can traceability and transparency in the production chain be best supported?
- How could the EU promote that fisheries products come from sustainably managed fisheries, providing a level playing field for all?
- How can the POs better work to match production with market needs? Which new market based policy instruments could be implemented through POs? How can fishermen improve their position towards processing and distribution?
- What is the role of trade policy in balancing the interests of producers, consumers and our relations with exporting countries?

Current market mechanisms within the CMO do not always adequately reflect reality (the rules for setting prices, for example) and need to be simplified or revised (market intervention, certain ratios and percentages). The measures identified by the Commission in its 8.07.2008 Communication COM (2008) 453 final point in the right direction when it comes to strengthening fishermen's commercial position, improving production planning and consumer information, promoting quality initiatives, developing tools for analysing the food chain and the price level of fish, especially at the first sale. To be used, it is particularly important that Member States give stakeholders the opportunity and financial means to implement them under the EFF and the CMO. At present this is far from being the case everywhere in Europe.

It is important first to clarify the concepts (sustainability, organic, etc.). The next step must then be to establish a mechanism for promoting fishery and aquaculture products **at a European level**, by organising transnational campaigns promoting such products. In addition, as with the mechanisms and financial instruments already existing in the agricultural sector, it would be good to promote specific regional products in the rest of the EU, with the aim of increasing *per capita* fish consumption in the new EU Member States. These are seen as interesting potential markets. Because of the focus put on sustainable products throughout Europe, national and EU authorities should keep on the current EFF provisions regarding economic and tax incentives or tax exemption for the introduction of eco-labels. The current status of the proposals on eco-labelling for fishery and aquaculture products in Europe (COM (2008) 401 final and the 02.04.2009 joint position of the Council and Parliament) gives the industry cause for concern. It considers them to be bureaucratic and spread over too long a period. The industry is of the opinion that the CFP should support certification and labelling initiatives by proposing a clear framework of minimum standards.

Europêche and COGECA attach great importance to the marking and labelling of fishery and aquaculture products in the interest of traceability, transparency and food safety. Consumers increasingly want to know where the products they buy come from, how they are produced (wild / farmed, sustainable conditions) and which nutritional components they contain.

This is especially true and necessary given the fact that significant quantities of wild and farmed fish are often supplied to Europe from third countries in which social dumping, and low economic, environmental and health standards exist. This obviously leads to price erosion for EU fish at the first sale. The new Community instrument aimed at preventing, deterring and eliminating IUU fishing, which will be implemented shortly, will certainly help promote the supply of products complying with CFP regulations.

Since POs play a key role within the CMO, it is necessary to solve problems linked to competition rules in order not to hinder their efficiency and well-functioning. The same should apply to professional organisations. In order to help match production with demand, they require financial and regulatory means enabling them to meet market expectations in terms of quantity, quality and regularity of supply. They must also, through the instrument of operational programmes, aim to better control downstream operations, reducing the number of intermediaries throughout the producer-consumer chain. By doing so, higher prices at first sale could be achieved, without affecting consumer price levels.

EU trade policy on fishing should allow the processing industry to source from other countries when EU production falls short. In such cases, the customs regime provided for under the CMO states that customs tariff duties may be suspended in whole or in part for certain products. Reference prices are also fixed, below which the duties will not be reduced or suspended. Finally, safeguard measures and anti-dumping measures consistent with WTO rules can be implemented if imports of fishery or aquaculture products cause serious market disruption. The application of these instruments must ensure a balance between the interests of producers, processors and consumers, which is not always easy.



5. Integrating the Common Fisheries Policy in the broader maritime policy context

- In which areas does the fishing industry interact closely with other sectors? Where specifically is integration within the IMP required?
- How can the future CFP contribute to the continued access of fisheries, including both fishing fleets and aquaculture, to marine space, within an integrated spatial planning framework?
- How can the future CFP best ensure consistency with the Marine Strategy Framework Directive and its implementation?
- How can the future CFP support adaptations to climate change and ensure that fisheries do not undermine the resilience of marine ecosystems?

There is close interaction between the fishing industry and other fields of maritime activities in areas as diverse as marine protected areas, sea-mining, exploration and drilling for oil and gas, offshore wind farms, etc. To avoid any potential conflict of interest, this requires the planning and spatial management of seas and oceans. The Framework Directive on the strategy for the marine environment, the “Habitats Directive” and the “Birds Directive”, although not strictly belonging to the PCP, include aspects making it necessary to ensure an integrated approach to the management of marine resources under the Integrated Maritime Policy.

The CFP was designed with the aim of allowing an exploitation of living aquatic resources creating and fostering the necessary conditions for sustainability in the economic, environmental and social areas. It is therefore only right that the fisheries and aquaculture sectors continue to access marine resources in a regulated manner, with their activities contributing to the EU economy and providing the population with healthy, nutritious and high quality products. Guaranteeing access will necessarily involve developing a policy aimed at striking an equitable balance between the legitimate needs of all sectors and not acting to the detriment of the fisheries and aquaculture sectors. To do this, it is essential to establish a constructive dialogue at inter-ministerial level in the Member States on the one hand (ministries of transport, environment, energy, fishing, etc.) and with the stakeholders from the sectors involved on the other. As one example, we point out that, in many Member States, plans to build offshore wind farms have been completed without any consultation with the fishing industry.

To ensure coherence between the Framework Directive on the strategy for the marine environment and the implementation of the future CFP, Europêche and COGECA request to be consulted in any forum specifically dedicated to this policy, so that they can express their views when proposals for regulations with a possible impact on fishing activities are formulated. The catching sector represented by us has a better knowledge than anyone else on the marine environment, habitats, etc.

As part of its October 2007 action plan on an Integrated Maritime Policy for the EU, the Commission said it wants to develop a strategy for adapting to climate change, with particular attention to coastal areas. Europêche and COGECA call for the on-site players, who know best of all the effects of climate change on the marine environment and its biodiversity, to be duly consulted before any action is taken and with due regard for activities already underway in Member States. The two organisations also point out that it is essential to continue funding investments in energy efficiency improvements (cleaner engines, etc.) within the framework of the EFF. Similarly, fishing should continue to feature in future EU research framework programmes to support initiatives in this area.



6. *The knowledge base for the policy*

- How can conditions be put in place to produce high-quality scientific research regarding fisheries in the future, including in regions where it is currently lacking? How can we best ensure that research programmes are well coordinated within the EU? How can we ensure that the resources are available and that young researchers are educated in this area?
- How can the resources available best be secured and utilised to provide relevant and timely advice?
- How can we better promote stakeholder involvement in research projects, and incorporate stakeholder knowledge in research-based advice?

High quality scientific research is essential if policy decisions are to be based on solid foundations. Underlining this, scientists acknowledged, in the discussion on fishing opportunities for 2010, that they were unaware of the status of some 59% of stocks. Research needs to go beyond issues related to biology and the demography of fish species, addressing the status of the marine ecosystem and climate change. To meet these objectives requires additional financial and human resources. Given the amount and diversity of EU-funded research, research programmes within the EU need to be coordinated. This is naturally the responsibility of the Commission, which may deem it expedient to move towards an integrated European research strategy, or even to create a specific European agency here. Moreover, following the example of the ICES with its geographical coverage extending to the United States and Canada, via Norway and Russia, Europêche and COGECA are proposing the creation of an International Institute for Fisheries Research for the Mediterranean Basin, which would bring together all existing research projects and bodies (cf. Copemed, Adriamed, the GFCM scientific committees, ICCAT, etc.) and produce, in constant contact with the base, research work meeting the needs of sustainable resource management in the Mediterranean.

Recent initiatives by industry stakeholders on a European technology platform for aquaculture on the one hand (platform created) and for fishing on the other hand (platform currently being set up) and the support for these granted by the Commission give rise to hope that specific research projects, mobilising available resources and involving stakeholders, will be undertaken to enhance the industry's competitiveness.

With the experience fishermen have in the marine environment and their thorough knowledge of fish stocks and their behaviour, increased communication between them and scientists is more necessary than ever as already proven by partnerships in the field of scientific research. In this context, industry professionals are proposing creating a network of fishery scientists (national centres, universities, independent researchers, etc.). This would respond to specific requests for stock evaluation or contamination (marine pollution, algae, etc.), in such a way that legislation could then become based on consistent opinions.

7. Structural policy and public financial support

- What should be the top priorities for future public financial support and why? What changes can the sector not manage to bring about on its own and therefore require public financial support?
- How can we change the focus of EU financial resources to promote innovation and adaptation to new policies and circumstances? Does any new policy area require funding? Should public financial support be focused on specific transitions such as eliminating discards in the fishing industry?
- How can synergy and coherence of possible CFP funds with other EU and national instruments be ensured?
- How can a synergy between the pillars of a future CFP be achieved? Should public assistance be conditional on Member States' achieving policy objectives?
- How can EU financial resources be developed to provide the flexibility needed to respond swiftly when a crisis occurs?
- Should public financial support apply equally to all sectors (small and large scale)? Should the European Fisheries Fund continue to distinguish between convergence and non-convergence regions?
- Should indirect support such as services related to fisheries management (access, research, control) continue to be provided free to all sectors of the industry?
- Should permanent fisheries subsidies be phased out, maintaining, on a temporary basis, only those aimed at alleviating the social impacts of the restructuring of the sector?

The scope of the future EFF should enable all elements of the future CFP to be covered. In particular it should contain measures to support and enhance the partnership relations between scientists and stakeholders. The aim would be to improve the credibility and quality of scientific reports and of initiatives aimed at protecting the marine environment, particularly those taken by the fishing industry (cf. the "Guardians of the Sea" development project on which *Europêche* and *COGECA* have expressed their position). The EFF should also be used primarily to fund innovative measures, (multipurpose) training measures, everything to do with such issues as energy-saving, the search for more selective equipment, the gradual elimination of discards, the acquisition of electronic equipment and training in its use, support for dialogue and bridge-building with industry representatives from third countries operating in the same maritime regions, aid for joint ventures (which have been removed), support measures for technology and know-how transfer to third countries, or the export of fish species highly dependent on external markets (pelagic species, for example). Furthermore, the sector requests that financial means be made available so as to ease its adaptation to the requirements of the future CFP (regionalisation, pilot projects, new governance, etc). Finally, as part of the primary economy and with the organisational costs involved in managing an unpredictable natural resource, it cannot be totally cut off from public funding.

Any reorientation of EU funding will be dependent on the potential new objectives assigned to the future CFP. The current EFF regulations already allow funds to be reprogrammed by adapting the operational programmes of Member States, as was the case when countering the effects of the fuel crisis.

Thanks to its audit and control tools, its assessment and monitoring committees, the Commission, in liaison with Member States, is the main guarantor for the synergy and necessary coherence between funds coming from the CFP and other Community instruments.

The pillars of the future CFP will probably be very similar to those we know today and which are set out in Article 1 of the Basic Regulation establishing the CFP. They will necessarily provide for consistent measures through coordination mechanisms, if they are to form part of a common policy. *A priori*, each Member State sets its own strategic objectives containing its long-term vision of how its policy will evolve in the areas of fisheries and aquaculture. In theory, it is logical to think that public aid would be conditional upon the achievement of such objectives. In this regard, Europêche and COGECA continue to call for them to be defined in close consultation with the economic and social partners represented at the national, regional and local levels. To gain greater clarity, agreement must be reached on what is actually meant by "the achievement of strategic objectives" (level of achievement, nature of the objectives, that does the evaluation, how is it done, etc.).

In July 2008, the EU Council adopted temporary exceptions to EFF regulations to counteract the economic consequences caused by the crisis in the industry, with special attention being given to high fuel prices (Regulation (EC) No 744/2008). It needs to be stated here that Member States had little or no recourse to this instrument due to its bureaucratic complexity. It is therefore vital to simplify the rules to make them accessible, also to promote the reprogramming of EFF funds and make them easier to use.

Public financial support should be provided in the same way to all sectors, with particular attention given to small-scale coastal fishing. The EFF itself must not continue to distinguish between regions covered by or outside the convergence objective, as adjustment needs of the fisheries and aquaculture sector are required all over Europe, irrespective of macro-economic criteria regarding economic and social cohesion

Permanent subsidies for the fishing industry should be considered on a flexible case-by-case basis, particularly when it comes to helping fishermen adopt more selective fishing techniques, supporting them in steps towards greater sustainability, in their initiatives for more safety, in measures targeting the recovery of resources (temporary closed periods), or finally, through measures of common interest, etc.



8. *The external dimension*

- The core objective of the CFP is to promote responsible and sustainable fisheries. Is there any reason why the external dimension of the CFP should be driven by different objectives?
- How could the EU strengthen its role on the international stage to promote better global governance of the sea and in particular of fisheries?
- How can the EU cooperate with its partners to make RFMOs more effective?
- Contrary to the current free access principle in international waters, should fishermen pay for the right to fish in the high seas under the governance provided by RFMOs?
- How can objectives such as investment promotion (creation of joint-ventures, transfer of know-how and technologies, investments and capacity management for the fishing industry ...), creation of jobs (on vessels, in ports, in the processing industry) or promoting good maritime governance be pursued in the framework of future international fisheries agreements?
- Are the FPAs the best instrument to achieve sustainability beyond EU waters or should they be replaced by other forms of cooperation? Should the regional perspective be explored and either substitute or complement a streamlined bilateral one?
- How could we make scientific research to assess the sustainability of fish stocks and the control of the fishing activity more transparent and efficient?
- How can we assure better cooperation and compliance with new regulations in developing countries?
- Should EU operators cover all the costs of their fishing activities in third country waters or should the Community budget continue to support part of these costs?
- How could we contribute to increasing the fisheries management capabilities of developing countries, e.g. through targeted assistance?
- Should the integration of European fishing fleets and interests in third countries be actively pursued as an objective of the external dimension of the CFP with a view, in particular, to support the development of the concerned partner countries?
- How can we reinforce the synergies between the different forms of support and the different partners in the fisheries sector reinforced and the development strategies of coastal states?
- Should aquaculture be included in future partnership agreements?
- How could the potential of small-scale fisheries in third countries for sustainability, ecological and social benefits be enhanced?

The external dimension of the new CFP should have the same objectives as those found in the current CFP (cf. Article 2 of the Basic Regulation). In doing so, it must continue to target upholding Community fishing fleets' interests in third countries, promoting their access to surplus resources available in such waters, through reciprocal agreements or partnerships as appropriate, and enabling the development of commercial operations oriented towards establishing responsible and sustainable fishing practices in the partner countries.

As other international partners do, the UE should absolutely strengthen its role at the international level by ensuring its presence and active participation in the international fora (UN, FAO) and in all the RFMO's so as to promote good governance in international fisheries and the fight against IUU fishing. Such cooperation implies necessarily sufficient financial and human resources.

In our view, fishermen should not have to pay for a right to fish in the high seas within the governance framework established by RFMOs, for reasons already outlined above (access to a public resource, etc.).

Achieving such objectives as promoting investment, creating jobs or promoting good governance could be helped by the DG MARE accessing such programmes as Proinvest, ESIPP, SADC, etc., and taking up funding available for fisheries in other DGs or institutions (AIDCO, RELEX, CDE, etc.). Indeed, the role and importance of these instruments are significant in the field of cooperation and development with third countries and should therefore be reaffirmed and made better known among companies in the industry. In addition, the organisation of technical meetings between fishing industry operators from certain third countries and interested EU Member would be an additional asset (cf. the Forum for Partnership in the fisheries sector between the EU and the Islamic Republic of Mauritania held in February 2000 and 2004).

The Commission seems to be bent on questioning the Fisheries Partnership Agreements (FPA) in the context of the future CFP, stating that they require intensive monitoring, that they are sometimes difficult to implement and that the take-up of the assistance provided is slow or nonexistent. Européche and COGECA are strongly opposed to the disappearance of such FPAs. Before the 2002 reform the Commission was acknowledging in other documents their value, praising the merits of bilateral fisheries agreements. The two organisations believe that such agreements are not just a way of helping EU businesses to maintain employment in Europe and to gain access to surplus resources, thereby supplying the EU market with protein-rich products beneficial to health, but that they also contribute to supporting and developing the fishing industry in the partner countries. By creating jobs in third countries, European companies are helping fight poverty, thereby slowing down migration to the EU. From their point of view, the procedures for negotiating such agreements should take into account the expertise of companies in the field. Furthermore, the Commission is requested to ensure that commitments made within the framework of FPAs (such as the construction of infrastructure and port facilities) are actually met, with the necessary financial and technical support being provided. Finally, technical conditions of the FPA should be improved and one should make sure that third countries fulfil their commitments as stipulated in the protocols.

To enhance the transparency and efficiency of scientific research, particularly in the scientific committees of the RFMOs, Européche and COGECA advocate a greater dialogue between fishermen and scientists, even if they sometimes hold diverging opinions, and greater transnational cooperation. In this regard, the participation of stakeholders, even as observers, within existing structures (ICES, CSTEP) is considered essential. Given that the Commission is legally required to base its proposals regarding the CFP on sound scientific advice and the precautionary approach, Européche and COGECA call upon the Commission to constantly emphasize the importance of research and to disseminate existing scientific research results on the state of the sea and fish stocks.

The FPAs and joint ventures are certainly instruments for improving cooperation with developing countries. The latter are more often than not the partners in such agreements and thus benefit from technical and financial support in developing and consolidating their fishing industries on a sustainable basis.

The costs incurred by operators when fishing in third country waters should continue to be partially covered by the EU budget when such activities go beyond simply catching fish, involving participation in broader local development programmes with a social impact. In addition, funds also target improving infrastructure, port facilities, control, training, etc., particularly within the public domain.

Joint ventures, technical assistance and the training of administrative staff in fisheries management can all help improve management competences in developing countries. Workshops for the exchange of experience between administration staff from EU and developing countries are also a way of achieving this objective.

Strengthening synergies between the various forms of support, the numerous partners of the industry and the development strategies of coastal States necessitates the coordination of the different actions deployed by the Commission's DGs (other than the DG for Maritime Affairs and Fisheries) responsible for external relations and the different Community funds and programmes to which operators can have access. In our view the responsibility here lies with the Commission.

If necessary, aquaculture can be included in the FPAs, since the CFP explicitly provides for coherent measures in this sector.

By their very nature small fisheries, whether situated in Europe or third countries, play an important role with regard to the social and environmental benefits they bring. This is in addition to the advantages they provide in terms of employment and spatial planning. For example, small fisheries are often chosen to monitor marine protected areas. They should therefore be promoted, for example by giving them priority access to resources by prioritising certain companies in accordance with sustainability criteria to be identified by all actors involved (cf. management by results). Such criteria could include for example the use of selective fishing techniques, fuel efficiency, etc.).



9. Aquaculture

- What role should aquaculture have in the future CFP: should it be integrated as a fundamental pillar of the CFP, with specific objectives and instruments, or should it be left for Member States to develop on a national basis? What instruments are necessary to integrate aquaculture into the CFP?

While developing strongly in the rest of the world, the evolution of aquaculture in Europe has remained sluggish in recent years. Given the increasing global demand for fish for human consumption, aquaculture has an important role to play in the future CFP, especially since it is also economically and socially important within the EU and has many advantages - such as advanced research and innovation, highly qualified entrepreneurs and farmers and strong market potential. All these reasons have recently led Europêche and COGECA to fully back the contents of an opinion given on 17.06.2009 by ACFA (AQ (09) 4011) on the Communication from the Commission to the European Parliament and the Council entitled: "Building a sustainable future for aquaculture - A new impetus for the Strategy for the Sustainable Development of European Aquaculture (COM (2009) 162). This opinion contains 9 objectives and instruments, which, in the view of ACFA, must be adopted in the short term.

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