



Reform of the CFP

RACCE committee evidence session

RSPB Scotland is part of the global network BirdLife International¹ which is the world's largest partnership of conservation organisations, operating in over one hundred countries and territories worldwide. The network strives to conserve birds, their habitats and global biodiversity, working with people towards sustainability in the use of natural resources. Birdlife Europe works extensively within the EU, including advocating measures to protect marine species and habitats within the process of CFP reform².

Economically viable fisheries

RSPB Scotland is committed to working towards ecologically sustainable fisheries for the benefit of the wider marine environment *and* economically viable livelihoods for fishermen and their communities. We do not believe these are mutually exclusive.

By revising fisheries management policy so that the environment is at the heart of decision-making, Scotland and the EU can deliver healthier and more biologically diverse seas. This in turn ensures that Scottish businesses benefit from strong markets which increasingly demand that suppliers have the best environmental credentials, providing the foundations for an economically viable Scottish fishing industry. Conversely, a Common Fisheries Policy which fails to take an ecosystem approach to fishing also fails Scottish businesses and the communities which rely on them. Enabling recovery in stocks and habitats which are depleted will also increase our marine environment's resilience to the impacts of climate change which, if left unmitigated, could lead to the loss of important breeding and nursery areas for commercially important fish.

The value of food harvested from UK seas to the economy has been estimated at over £650 million per year (not including secondary businesses such as processing and transport). The Scottish fleet is responsible for landing 66% of the total UK volume of fish and the most valuable fisheries (nephrops and mackerel) operate mainly in Scottish waters³. Fish and shellfish are a part of our marine ecosystem which is entirely dependent on the functioning marine food chain. A continued decline in marine biodiversity will directly impact on Scotland's fishing industry and related businesses such as processing and transport. Damaging fishing practices are not only unprofitable, but also damage the livelihoods of other, more forward thinking businesses, who understand they must manage marine resources carefully for the long term. A government which takes this ecosystem approach to fishing will send a clear signal that it values sustainable Scottish businesses over those which are unsustainable and environmentally harmful. To achieve such a sustainable system, however, requires investment in fisheries and marine science, and in fit-for-purpose data collection, monitoring and compliance - this investment will result in a financially viable, successful industry, free from discards, and ensure that fleet capacity is balanced with available resources.

¹ <http://www.birdlife.org/>

² http://www.birdlife.org/eu/EU_policy/index.html

³ Charting Progress 2, published by UK Government and Devolved Administrations in July 2010

CFP reform process

Since the European Commission published its Green Paper on reform of the CFP in April 2009, RSPB has been working closely with other NGOs in the UK and Europe to develop a common position on the major reforms essential to deliver sustainable fisheries – necessary for restoring ocean health, the viability of the fishing industry and food security for consumers. Together, we have sought measures to prioritise environmental objectives, to prevent bycatch of non-target species, specifically seabirds, to ensure a restructured EU fleet with a light environmental footprint in balance with available resources, and forbidding the setting of catch limits above scientifically-recommended levels.

On July 13, Fisheries Commissioner Maria Damanaki announced the European Commission's package of reforms, including a new basic CFP regulation, a proposal for a new organisation of the market and a communication on the external dimension (i.e. addressing the activity of EU vessels outside Community Waters). The new CFP is due to enter into force on 1 January 2013. Between now and then, given that fisheries policy is for the first time subject to co-decision, the proposals will be scrutinised and amended for adoption by both the European Parliament and the Council.

The July proposals include a number of major innovations but fall well short of the ambition of the Green Paper which stated: *"This must not be yet another piecemeal, incremental reform but a sea change cutting to the core reasons behind the vicious circle in which Europe's fisheries have been trapped in recent decades."* In our estimation, the reform proposal critically fails to break this vicious circle by not providing the necessary framework, tools and safeguards to reduce overcapacity of the fleet and guarantee a genuine shift towards ecologically sustainable fisheries.

A striking key feature of the proposal is its vagueness in many areas, repeatedly prompting the question 'who should do what and by when?' The Commission states that this is deliberate openness on their part, reflecting an aim to decentralise, shifting responsibility to Member States and stakeholders to develop detailed approaches within the broad framework set by the Commission. This is challenging enough but is made even more so by the lack of clarity on how this bottom-up model will work in terms of roles and responsibilities, and how to ensure that this approach is successful, with the prize of a sustainable and profitable EU fleet.

Specific reform measures

RSPB Scotland welcomes a number of the proposed measures, including a **clear target on the conservation of fish stocks**, namely: the CFP *"shall aim to ensure, by 2015, that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield."* We strongly support the unconditional objective to implement an ecosystem approach to fisheries, and we want to see a requirement for the impacts of fishing on marine habitats and species to be minimised.

The proposed objective to integrate the CFP with EU environmental legislation sadly fails to go beyond current requirements. We want to see clear objectives which commit the CFP to contributing to the goals of the Birds and Habitats Directives, and explicit mention of the need for the CFP to contribute to the achievement of good environmental status of EU waters by 2020. RSPB Scotland is also disappointed by the failure to prioritise the objective of achieving ecological sustainability as a pre-condition for delivering social and economic sustainability within reform proposals. The Commission has argued that the Lisbon Treaty prevents such a hierarchical approach, and yet decision-making in the CFP is rife with examples of socio-economic concerns over-riding ecological sustainability, not least in the setting of inflated TACs and quotas above scientific advice. The 'principle of good governance' to establish 'measures in accordance with the best available scientific advice' is currently not strong or explicit enough to prevent the Council from setting TACs and other

fishing effort ceilings at levels which exceed the official advice of scientists. We hope that this will be strengthened as proposals are developed.

Discards

We wholeheartedly support the fishing industry and consumers in calling for measures to stop the wasteful practice of discarding fish, and we support the Commission's proposals for an incremental discard ban. At first sight, discards may seem beneficial to seabirds, as some species scavenge on these, but RSPB regards this as yet another human disruption of the marine ecosystem, which has artificially altered the balance of the overall seabird community. Therefore, we support curbing discards as a means of helping to restore fish stocks and to rebuild a more sustainable food web for seabirds and other marine wildlife.

However, we are concerned that the Commission's current proposals focus overwhelmingly on the issue of landing all catches, rather than on ways of **avoiding 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 risks removing the incentive for fishermen to avoid catching them at all. Another problem with the proposal is its piecemeal approach which fails to address problems in some mixed fisheries.

In addition, the proposal focuses entirely on the unwanted catches of commercial fish species, and fails to recognise and address the capture and discarding of non target species such as seabirds. RSPB does not believe this to be a major problem in Scottish fisheries, but other EU fisheries are known to catch and kill hundreds of thousands of birds, including critically endangered species. We welcome the Scottish Government's support for the EU Action Plan to stop seabird bycatch.

Other welcome proposals include a commitment to establish management measures in accordance with the best available scientific advice, and a fast-track process for adopting fisheries measures for Natura 2000 sites, avoiding co-decision (which can take up to 2 years). Multi-annual plans are to be established as a priority, setting targets for fishing mortality, timeframes, and technical measures, including for minimisation of impacts of fishing on the ecosystem. It is also long overdue that the EU considers the impacts of the CFP on the rest of the world. Proposals to strengthen external fisheries policy will improve partnerships between the EU and third countries, and contribute to establishing a governance framework in those countries to ensure effective monitoring, control and surveillance of their fisheries.

Transferrable Fishing Concessions

The use of tradeable fishing rights as a mechanism for reducing fleet capacity is poorly developed and raises concerns. To drive down fleet capacity (estimated across the EU at 2-3 times greater than needed for balance with fish resources) and overfishing, the Commission proposes a market scheme allowing larger vessels (>12m) to trade fishing rights. The idea is that the less efficient operators in the market will sell their fishing rights (and drop out of fishing altogether) to the more efficient ones, resulting in progressive reduction of overall fleet capacity. This mechanism has certainly succeeded to an extent in some EU countries and elsewhere in the world but has never before been attempted on such a grand scale with such fleet diversity and across so many Member States. We have several serious concerns about this approach, including the lack of safeguards to ensure that it will deliver the 'right' balance in the EU fleet. We want to see an allocation of fishing rights based on environmental and social criteria, 'rewarding' those who fish in the most environmentally and socially responsible way, and excluding those who do not.

Committee members might wish to ask MEPs:

How will Scotland and the UK fight to retain the positive environmental objectives, strengthen others, and oppose inappropriate measures as laid out in our briefing?

How can Scotland and the UK lead by example within Europe, building alliances with Member States and MEPs, to ensure the CFP reform is bold, ambitious and delivers profitable sustainable fisheries?

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RSPB Scotland is part of the Royal Society for the Protection of Birds, the UK-wide charity which speaks out for birds and wildlife, tackling the problems that threaten our environment. Nature is amazing - help us keep it that way.