## Opening and welcome. Introduction to the theme

## Tammo Bult, president EFARO

EFARO chairman Tammo Bult opened the seminar and welcomed guests, invited speakers and all participants. Moderator Maarten Mens asked the audience about their expectations for this day’s seminar.

## A scientific view on the present CFP, what went wrong and what went well and why? - Poul Degnbol, Adjunct Professor Aalborg University

Poul Degnbol introduced the ideas that lay behind the process of the latest CFP reform. For the first time the revision of the Common Fisheries Policy (CFP) had to deal with the process of co-decision between Parliament and Council.

One issue concerned the reversal of the burden of proof: where fishermen have the obligation to prove that they are fishing sustainably, instead of detailed rules, rule enforcement and expensive data collection by the authorities and the European Community. Discards were also a problem that had to be handled.

Although the concept of Maximum Sustainable Yield (MSY) is outdated, it is the only rule that is incorporated in international law. Therefore it was decided that the CFP should make the best of it. This also parallels to the alignment of the CFP with the ecosystem approach and the Marine Strategy Framework Directive (MSFD).

One of the real big problems of the outcome of the CFP is the regionalization. This has developed into a non-transparent processes involving civil servants within different member countries. Additionally, there are split interests within the scientific community. As a result, there is unfortunately a non-transparent route for the scientific advice.

The link between access rights (industry) and the obligation to prove sustainability has not been achieved. There is unfortunately still a culture of setting detailed and technical rules, a paternalistic approach, pro micro-management.

## An analysis of the present CFP and EU fisheries management as opposed to the situation in the US/Canada – Ernesto Peñas-Lado, Principal Advisor to the Director-General of DG MARE

Ernesto Peñas-Lado’s presentation puts the CFP into perspective. In the US, there is the Magnusson-Stevens act and fisheries management, which resembles the CFP. One main difference is that recreational fisheries is clearly integrated in the data collection and management in the US. The MSY concept is included, and scientific information for this is collected. The allocation of fishing segments is decided within management units, also depending on fishing efficiency, stock variations, and other contingencies. Costs and benefits of different segments are considered, also with respect to different communities (indigenous people etc.). Bycatch is taken into account.

The Safety of Life at Sea Act, and some other acts, complement the management.

In conclusion, a flexible management regime is applied, that contains a range of management options, taking into account uncertainty and variation.

As a comparison, in the EU, co-amendments are made to biomass thresholds, adopted by co-decision by the EU Council and Parliament. But e.g. the North Sea plan leaves F-ranges to be ‘determined by ICES’. It is worth to consider what FMSY actually implies – a target (if things go well), or a limit (if there are problems)?

How is overfishing defined? Both the US and the EU have their definition of F > FMSY. In the US, overfishing is defined as when mean estimated biomass is <1/2 BMSY. The EU is less precise. Also in the US there is the Fish Stock Sustainability index (calculated by NOAA).

Multi-species management is a key concept for the future. This could imply management by species aggregates, or ‘stock portfolio’.

The recreational fisheries needs to be more clearly integrated in management in the EU.

Concerning discard reduction – the US has a very variable percentage of bycatch. E.g., in shrimp fisheries (southeast), bycatches may be >100% of landings.

The US management includes recommendations on all policy aspects. Scientific advice has a high rate of acceptance by Federal Governance. A capacity to strike private deals, which are openly presented, exists. However, there is a view that management has very variable levels of quality and influence. The North Pacific Alaska council is often referred to as the ‘gold standard’.

During the discussion, the following issues were raised. Concerning the fishing industry as a partner: The fishery see scientists as a threat. Consequences are that quality of data is decreasing. Some ships do not allow observers on board. This problem might also be related to the landing obligation in particular. One big reason for disappointment is the culture among decision makers of ‘power grabbing’. It is suggested that the industry must play a greater role in policy making. Policy makers should allow the industry to come up with solutions. The current practice is difficult to change, partly because a (mutual) lack of trust. The lack of trust also involves the Parliament / Council / Commission / and EU member states.

Can the scientific community cope, facing the future challenges? Other, non-fishery experts are needed. Such experts are hard to find and mobilize. Scientists and managers must also try to make things simpler to facilitate communication. This is also a matter of scientists to interact more with the commission. These issues are of the highest relevance for EFARO.

There has been a workshop with the EU and the US, focusing on the different structures of fisheries councils in the EU and the US. In the US, there are three members per state, one policy maker and two others. What is the reason for a high rate of recommendations being accepted in the US? The reason for the success rate may well be the opinions within the industry and environmental NGOs. Antagonism is important, but one key to success is to build bridges and be able to make common agreements. In the US, this includes package deals, including elements of control. The EU scope of interaction is more narrow.

Concerning the data collection problems: The opinion was expressed that the least you can demand is to get good quality data for common resources spent. Therefore, there should be a coupling between access rights and obligations (at sea observations etc.).

The ‘Green paper’, (underpinning the 2013 CFP reform) was inspired by the US – e.g., regionalised decision making. We need to get the regional processes right. The question is how? Advisory councils have provided fora where parties with (previous or present) conflicts, that need to talk to each other, can meet. The regionalization presents challenges, especially for certain regions (e.g., Mediterranean). The rate of success is increasing. Unfortunately, certain member states may be using the regionalization principle to cater for to their own interests.

## The future of the CFP: Design, governance and implementation. What can we learn from the past for the future - Linnéa Engström, Member European Parliament

The report “Food from the oceans” by the Scientific Advice Mechanism (SAM) High Level Group investigates how more food and biomass can be obtained while not depriving future generations of their benefits. We need to change habits, and fisheries management needs further improvement.

Inconsistency in applying rules, and setting new rules without proper control does not deliver. Ideas include different ocean stressors in determining yield (MSY); tailored taxation on catches; and development of public responsibility for sustainability by the industry.

There is a need for transparency, to demonstrate where our money goes. The parliament is faced with closed Council meetings. The wish was expressed to let the fishing community and the wider public be more informed on what goes on in these meetings.

## How can innovation and advances in science & technology help in designing a better CFP - Gerard van Balsfoort, President Pelagic Freezer-trawler Association

The pelagic segment catches 500 000 – 600 000 tonnes of fish, frozen at sea, representing 10% of consumption, mostly fished in EU waters, but also in West Africa and SE Pacific. The fisheries sector itself should be more actively engaged in the chain, including the governance! There has been a previous clash between flatfish fishermen and scientists; by establishing a shared project, this gap was bridged. Data from fishermen is coming into the system. The industry should do more research. In Ireland, the United Kingdom, Denmark, Sweden, Germany, the Netherlands, research projects are ongoing. It may be especially useful to use the industry to collect information on data poor stocks.

MSY should be the core principal of management. ICES translated this into fishery mortality (FMSY). Concerning Article 15 (the landing obligation) – it is at present not clear to the industry whether it is really serious. If there is a crisis, people start to move! (In other words, make it more clear that the landing obligation applies.) Although it helps to make resources available for research on selectivity, survival etc., the sector is still suspicious. And, who wants a clash with the industry? The industry itself does not want it. It is worthwhile to look at the Norwegian example. However, this adaptive system (flexible landing obligation etc.) involves one country, and is therefore less complicated. If Article 15 should be revised (which has been indicated), there should be something ambitious in it, concerning bycatch and selectivity. According to the speaker, there is no need for a new reform, but a need for revision of parts of the present CFP, e.g., Article 15.

On the suggestion that the industry should show what is going on on aboard, what is actually happening out at sea, it is indicated that there have been attempts to convince ship owners to do so, which has come half way. It is a necessity to take competition within the industry into account. There are concerns within the industry concerning bycatch of mammals, and if only one picture of that comes out and is spread, this would result in large problems for the industry. An important issue is how to handle the pictures/films recorded on board.

## Towards new Governance: How can we achieve better coordination and integration across policies and sectors as basis for ecosystem-based management - Vera Coelho, Officer European Marine Programme at the Pew Charitable Trusts

Next to the direct fisheries management issues, there are other aspects of the fisheries policy; e.g., social, and human. There is a bigger role of these issues in the present CFP compared to the previous one, thanks to the participation of such organizations. In the process where the present CFP was developed, there was an expressed interest in healthy oceans and sustainable fishery, where, e.g., The PEW foundation could play a role could play a role. Co-decisions are possible. This requires creation of a coalition, as well as fundamental civil society engagement. This is currently missing in the CFP.

The CFP is a product of negotiation. It is a solid basis, and has the right principles. The question is how far has it been implemented? There are presently many discussions about the landing obligation, with the risk that other elements and issues are forgotten. In this way, the landing obligation might be hindering other objectives. There are numerous social issues concerning fisheries. More ambitious objectives are possible concerning these issues.

The MSY concept can be questioned. We could start talking about the next CFP, but there is a worrying trend that we have not even reached the goal of reaching MSY within the present CFP. The last report even shows a tiny reversal of the progress. Ministers are not keeping to their commitments. 57% of Total Allowable Catch (TAC) are set above the limits set by the advice. The progress is way too slow. We should all ask ourselves what our organization could do to speed up the progress.

It is important to point out what is going well but also what needs to go better or faster. Transparency is central. Media attention often falls out of focus. Ambitions get watered down. There are rules on how to set the annual fishing limits, but not rules for the real implementation. When there is uncertainty, conflicts or confusion, there is a risk to fall back into previous policy and practice.

NGOs are refused access to documents. The motivation is that giving out documents is that it would hinder the decision making. There is an apparent lack of transparency of especially the EU council, which is a big problem.

Questions to speaker: Is it economically and scientifically possible to reach MSY for all EU stocks? What would the economic cost-benefit be? Can all stocks reach MSY at the same time? Answers: It is not needed to reach MSY for all stocks. Stocks do not have to be fished at FMSY simultaneously. In addition, the advisory council could be less divided, which could improve dialogue in general.

## Panel discussion “The future of fisheries and aquaculture in Europe”

The main topics the audience felt should be addressed are:

1. Accountability (making decision-makers accountable)
2. Ecosystem approach
3. Stakeholder involvement in decision making. Links between CFP and international commitments on fisheries management

Key issue is to appreciate the opinions of others, especially as we are dealing with complex problems. There is a certain lack of trust between different parties. Once overcome, this could speed up the processes.