



European Commission

No 41 January 2009



FISHERIES AND AQUACULTURE IN EUROPE



 **Reform of the control system:**
from the net to the plate

 **Agency:**
broader powers

 **Common Fisheries Policy:**
on course for 2012

Shows and exhibitions

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2 **Calendar**

3 **Editorial**

4-10 **Fact File**

**Fisheries control moves
into the 21st century**

11 **In the news**

**CFP: laying foundations
for the future**

12 **In brief**

Note to readers

We welcome your comments or suggestions at the following address: European Commission – Directorate-General for Maritime Affairs and Fisheries – Information, communication, inter-institutional relations, evaluation and programming Unit – Rue de la Loi/Wetstraat 200 – B-1049 Brussels or by fax to: (+ 32) 2 299 30 40 with reference to *Fisheries and aquaculture in Europe*.
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For further information on maritime affairs and fisheries, please consult the following sites:

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<http://ec.europa.eu/fisheries>

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Fisheries and aquaculture in Europe is a magazine published by the Directorate-General for Maritime Affairs and Fisheries of the European Commission. It is distributed free on request (see subscription coupon on page 12). *Fisheries and aquaculture in Europe* is published five times a year and it is also available on the Maritime Affairs and Fisheries DG website: http://ec.europa.eu/fisheries/publications/magazine_en.htm

Editor: European Commission, Directorate-General for Maritime Affairs and Fisheries, Director-General.

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Towards a long-term fisheries management policy

The Common Fisheries Policy (CFP) was reformed in 2002 to strengthen Community action in support of sustainable fisheries. The idea was to tackle overfishing, which had come to pose an increasing threat to stocks. The key components of the problems affecting the fisheries sector were already apparent at the time: overcapacity of the fishing fleet, weakened stocks and ecosystems, growing difficulty for fishermen to turn a profit on their work tool.

Real progress has been made as a result of the 2002 reform. The introduction of long-term planning, notably recovery plans for very vulnerable stocks, has already produced visible results in some cases. The principle of fisheries management based on maximum sustainable yield (MSY) rather than short-term considerations was adopted⁽¹⁾. Regional Advisory Councils have been put in place to involve all stakeholders in decision-making, so that decisions are better adapted to the realities on the ground and applied more effectively. Headway can also be seen in efforts to curb illegal fishing and discards, the Community Fisheries Control Agency was created, and so on.

But the fact remains that the situation has yet to evolve satisfactorily. Fishing fleets are still in overcapacity, which makes it particularly hard to implement measures to reduce pressure on stocks. Controls are inadequate, not well adapted or too piecemeal to create a climate of compliance with rules in the sector. The economic profitability of fishing is threatened precisely because of this overcapacity and its effect on stocks, which explains why the recent increase in fuel prices dealt such a strong blow to the fisheries sector.

To respond promptly to these structural problems, the Commission prefers to launch the reflection process now, ahead of the thorough CFP revision set for 2012. Why start the reflection and consultation process today? First, because it is urgent to act more effectively in the interest of the CFP's objectives. Next, the experience over the last six years with application of the reformed CFP makes it possible to realise what works and what does not and therefore to improve the CFP's performance without delay. Lastly, the recent creation of the European Union's integrated maritime policy provides an important new framework to guarantee greater consistency between the CFP and other Community policies having an impact on the sustainable development of oceans and seas.

It is this determination to act rapidly that led the Commission to propose without delay a reform of the fisheries control system, a problem that could not be put off any longer. That is the theme of this issue. Without prejudging the upcoming reflections and consultations, one thing seems certain: the revised CFP will have to result in a fisheries management policy based more on the long term than is the case today. In spite of the progress made towards a multiannual approach through long-term management plans, too many decisions are still dominated by concerns over the short-term social and economic impacts of measures taken to tackle overfishing, disregarding the objective of the long-term viability of the resource. As a result, the sustainability of fishing activity is now in jeopardy.

In the interests of the sector, the revised CFP has to establish a clear hierarchy of priorities, placing ecological sustainability above all others as a fundamental condition for economic and social sustainability.

The Editor

(1) A policy of maximum sustainable yield is based on a management system that allows catches of the largest amount of fish possible every year without endangering the catches of following years.

Fisheries control moves into the 21st century



The reform of the control system includes focusing a larger part of inspections on the supply chain ashore, but without neglecting inspections at sea which remain vital. The aim is to ensure continuous control, from the net to the plate.

Without an effective control system, rules cannot produce the anticipated effects. This is the predicament of the Common Fisheries Policy. Despite all the measures taken over the years, the state of the resource is increasingly alarming and the sector is plagued by serious economic difficulties. One cause of this situation is the lack of sufficiently effective controls and dissuasive sanctions for those who break the rules. The European Commission aims to put an end to this state of affairs with its proposal for a new regulation on control and inspection.

Many fish stocks have dropped below the biological limits that guarantee their renewal, the fishing fleet is too big for available resources and restriction measures must be taken to protect stocks and guarantee sustainable fisheries. That is why fleet reduction, quotas, recovery plans, long-term stock management and technical measures are all essential actions.

However, the race for immediate profits pushes some fishermen to disregard the rules and restrictions put in place. In 2006, inspectors from the different Member States detected 10 362 serious infringements⁽¹⁾ by European vessels. Unauthorised fishing activities, undeclared catches, non-standard nets, quota overruns, falsified registration

data, non-compliance with rules on minimum catch sizes and unlawful discards: all these practices have damaging effects on the Common Fisheries Policy (CFP), which aims to create the conditions for sustainable fisheries.

Inspection and control as implemented to date have detected only a small fraction of fraudulent practices. That is the conclusion reached by the European Commission in a report dated April 2007 on follow-up of the Member States' implementation of the Common Fisheries Policy. This analysis was confirmed by the European Court of Auditors in its report on data collection, control and implementation under the CFP, published last October⁽²⁾.

(1) Reports from Member States on behaviours which seriously infringed the rules of the Common Fisheries Policy in 2006.

(2) Special Report No 7/2007 on the control, inspection and sanction systems relating to the rules on conservation of Community fisheries resources, together with the Commission's replies.



To have a good grasp of the situation, it has to be clear from the start that it is the Member States' responsibility to carry out controls and inspections and to enforce CFP rules. Until now, they have had total freedom in the organisation of inspections and the nature of the sanctions imposed for violations.

However, the Commission and the Court of Auditors have observed that national catch registration, control and inspection systems leave a lot to be desired. Basic data are incomplete and unreliable and vary between the member states, which makes it impossible to ensure a fair and effective control and sanctions policy.

Inaccurate registration data

The shortcomings begin with catch registrations. By definition, the system of total allowable catches (TACs) and quotas requires a reliable registration system: without accurate data on landings, the system cannot be effective. The malfunctioning starts here: catches do not have to be weighed, the deadline for submitting declarations is so long that fishermen have enough time to know whether or not they will be inspected before completing them, there is a 20% margin of tolerance on declarations, some States omit part of the fleet or certain fishing zones in their statistics, etc. In general, notes the Court of Auditors, *'the regulatory framework and the procedures in force [in the Member States] guarantee neither that the data collected are complete, nor that inconsistencies are detected when it is validated. For its part, the Commission is not in a position to identify satisfactorily errors and misstatements in the data forwarded by the Member States'*.

And these weaknesses in the registration process are not offset by an outstanding inspection system. Inspections do not meet common criteria from one State to the next and generally fail to provide a dissuasive effect. *'The inspection systems do not provide assurance that infringements are effectively prevented and detected; the absence of general control standards is an impediment to adequate control pressure and optimisation of inspection activities in the Member States'*, states the Court of Auditors.

Inspectors and coordination are lacking

The Member States often do not have enough inspectors. What is more, their inspectors sometimes perform a variety of tasks and can only spend part of their time controlling fishing activities. In Community waters, the likelihood of a fishing vessel being inspected at sea is less than 1%, so the chance of an inspector being present when a fraudulent act is committed is negligible. Inspectors do not always have a VMS⁽³⁾ terminal allowing the detection of vessel movements by satellite. Standards, procedures and uses also vary from one State to another, creating legal uncertainty and the possibility for operators to complain about discriminatory practices.

The lack of coordination between the inspection services of the different States also leaves the door wide open to fraudsters: in no case do inspectors from a given country have access to data registered by the other Member States (catches landed in another country, VMS positions of foreign vessels before they enter the waters of the inspecting country, etc.).

Of course the Commission's inspectors cover the length and breadth of the European Union to ensure that regulations are being enforced. But they are few in number and their role has so far been limited to 'inspecting the inspectors', i.e. ensuring that the national services meet their obligations, without being empowered to intervene directly in a given situation or to impose sanctions themselves.

Inadequate sanctions

Lastly, for the rules to be enforced, dissuasive sanctions have to be imposed when serious infringements are detected. But at present there is no harmonised system of sanctions. In some countries, 90% of detected infringements are not sanctioned; warnings are simply issued. Very few infringements are registered in a data base, and since Member States do not share their information authorities from one country cannot take into account infringements detected by another Member State. Where sanctions are imposed, they vary widely in amount but the average is only EUR 1 548 in the European Union, a level that is hardly dissuasive⁽⁴⁾. The total amount spent by the fisheries sector on sanctions is equal to around two thousandths⁽⁵⁾ of landing value. This low level allows fraudsters to treat such sanctions like ordinary operating costs.

The Commission therefore launched a public consultation on how to improve and strengthen the CFP control system. In their submissions, many stakeholders clearly took a stand in favour of reforming the inspection and control system. A new proposal for a regulation was presented to the Council of Ministers in November. Its broad outlines are presented below.

A new common approach to control and inspection

The first line of action is the creation of a new common approach to control and inspection. A larger part of the resources earmarked for inspections will be allocated to the shore-based links in the supply chain, but without neglecting inspections at sea which remain crucial to ensure control throughout the chain, from the net to the plate. In practice, this means on the one hand that at any link in the chain (catch, landing, wholesale trading, processing, transport, fish shop or restaurant), the owner of the fish must be able to produce documents proving that the product was caught in conformity with the rules and that it observes a principle of product traceability already in force in many other areas, especially in food legislation. On the other hand, it means organising inspection and control in a strategic way based on

(3) Vessel Monitoring System: all fishing vessels over 15 metres in length must be fitted with this equipment.

(4) Reports from Member States on behaviours which seriously infringed the rules of the Common Fisheries Policy in 2006.

(5) Reports from Member States on behaviours which seriously infringed the rules of the Common Fisheries Policy in 2004 (COM/2006/0387).

systematic risk analysis, concentrating control on problematical fisheries and periods, where there is a greater risk of detecting infringements. This more rational approach will reside in the use of modern technologies for data collection (in particular via satellite) and sharing; information collected on the ground must be entered into interconnected data bases without delay. Thanks to systematic cross-checking of information, it should be possible to identify zones where the risk of infringement is particularly high. The use of these new technologies should also make it possible to simplify administrative formalities for both fishermen and the administrative authorities and should provide a reliable real-time picture of the situation, notably on catches and compliance with quotas.

The Commission also proposes a number of measures that take into account developments and needs that have emerged in the framework of control: specific control measures will be taken for protected maritime zones to ensure that they are respected; real-time closing mechanisms for fisheries will

be introduced to protect immature fish; specific controls will be introduced to monitor engine power as a way of limiting overcapacity of the fishing fleet; and sport fishing, which has an increasing impact on stocks, will be covered by specific measures

A culture of compliance with the rules

The new approach proposed by the Commission is also meant to help build a culture of compliance with the rules by all stakeholders. To ensure success, controls and sanctions have to be stepped up, but the parties concerned also have to support measures designed to protect their long-term interests.

The Commission therefore sees the need to simplify and streamline the legislative framework. Its complexity undercuts the CFP's credibility and legitimacy among operators, which hardly provides incentive to play by the rules commonly imposed.



A points-based licensing system will be introduced, under which a given number of points will be deducted for every serious infringement. In case of repeated violations, the fishing permit can be suspended or withdrawn.



The reform foresees the introduction of dissuasive and harmonised sanctions. A list of serious infringements is established, together with a minimum fine applicable in all the Member States. The principle of this minimum fine is to confiscate the economic profit made by operators who break the rules.

Points-based licensing, similar to the system used in many countries for traffic violations, will be introduced: every serious infringement will cost the license holder a certain number of points. In case of repeated violations, the fishing permit can be suspended or even permanently withdrawn.

Enhanced cooperation

Operational and administrative cooperation between the Member States is also a cornerstone of the new control policy, together with systematic exchange of information on infringements committed or suspected, better coordination of surveillance actions and rules for the inspection of vessels outside of Member States' waters. Every Member State will enter all relevant information and control data into a national website, to which the Commission, the Community Fisheries Control Agency (CFCA) and the other Member States will have either public or secure on-line access. All existing obligations on confidentiality and protection of personal data must of course be observed.

The mandate of the CFCA, which became operational in 2007, will also be revised to expand its role in control and enforcement of rules adopted under the CFP (see article p. 10).

Bolstering the Commission's powers

In general, the powers of the Commission and its inspectors must be stepped up to guarantee that regulations are applied identically throughout the Union and to enable the Commission to intervene in case of poor application of control measures on the ground.

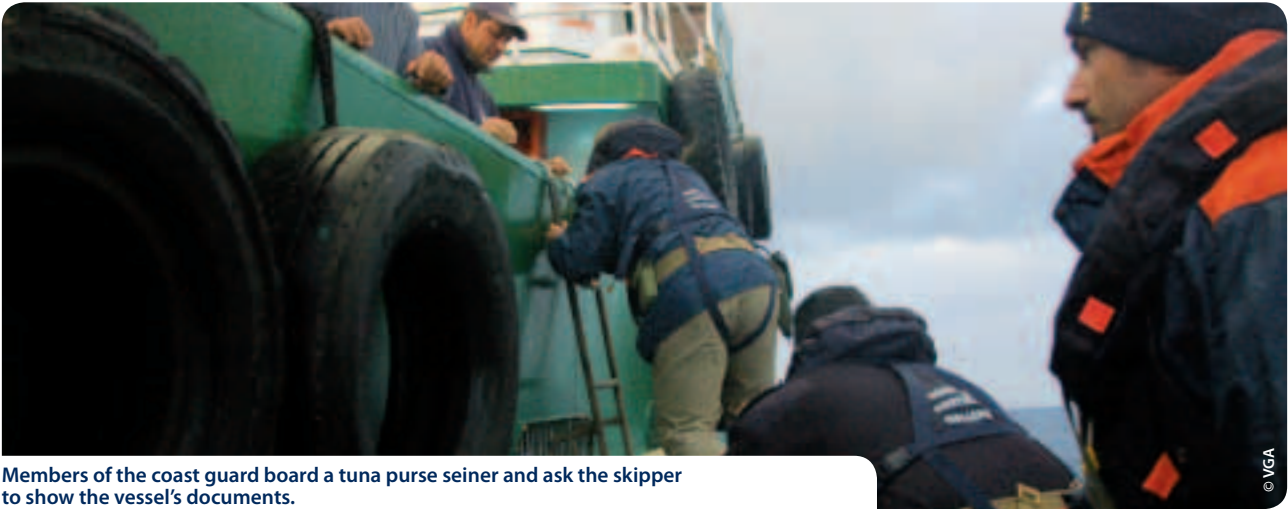
The current regulatory framework does not offer the Commission a satisfactory manner to ensure compliance with the rules. The reform will remove restrictions and allow it to control Member States' implementation of the CFP. The Commission's inspectors will be given the same powers as national inspectors. Where there is strong reason to believe that irregularities are occurring in the enforcement of CFP rules, the Commission must be able to carry out independent inspections and audits of Member States' control systems. The States can then remedy the problems detected. If need be, the Commission can draw up a specific action plan in cooperation with the Member State concerned to set out the measures needed to redress the situation. These on-site controls will also assist the Member States directly with checks of operators' compliance with the rules. This will require a redefinition of inspectors' powers and the implementation of a cooperation mechanism between the Member States and the Commission.

The reform will also introduce a number of mechanisms to ensure that the Member States respect the CFP's objectives and implement the control measures necessary to that effect. For example, the proposal allows the Commission to suspend Community aid under the European Fisheries Fund or the Community contribution to Member States' control expenditure in case of failure to comply with CFP rules. This type of system already exists in other policy areas, notably agriculture. The Commission will also have the possibility to close certain fisheries where cases of non-compliance with rules for multiannual plans constitute a serious threat to the stocks concerned. In cases of repeated overfishing, the Commission will be able to impose a temporary ban on quota transfers.

The Common Fisheries Policy wishes to reform the way controls are conducted and abuses sanctioned, failing which the stability of the entire sector and of all marine ecosystems will soon be endangered. This reform will enter fully into force in 2010 and the most important impacts are expected to be felt between the medium and the long term, namely in five to ten years. One thing is certain though. In the medium to long term, effective enforcement of CFP rules will result in stock recovery and a general increase in biomass, which will in turn lead to better fishing possibilities for the sector and a better market supply for consumers.

Policing fisheries at sea

The role of inspections at sea carried out by the Member States is to check compliance in situ with European and national fisheries laws and regulations and to sanction offenders. This delicate mission is rendered difficult by the immensity of the sea, weather conditions and sometimes by the limits imposed by international rules. *Fishing and aquaculture in Europe* accompanied an Italian inspection mission in the Mediterranean.



Members of the coast guard board a tuna purse seiner and ask the skipper to show the vessel's documents.

The Italian Coast Guard's Second Air Brigade is based at the Catania airport, on the eastern coast of Sicily. In spring 2008, one of its assignments is to control the bluefin tuna fishery in Italian and international waters south of Sicily.

The weather is gloomy on this morning of 19 May. The sky is so leaden that Mount Etna, which usually towers over the city, is completely invisible. The captain of the frigate, who commands the brigade, pores over the weather forecasts. *'Tuna vessels have been reported in the vicinity of Pantelleria'*, explains the pilot, showing the map of VMS positions. *'But it's raining in that area. It's pointless to go out now. We wouldn't see a thing. The weather will surely clear up this afternoon.'*

The forecast proved exact. At around 2 o'clock that afternoon, the small aircraft takes off for a reconnaissance flight. Four fishing vessels are spotted and the aircraft flies over them one after the other. They are bottom trawlers fishing for shrimps, another important resource in the waters south of Sicily. The tuna vessels have left the area...

If violations are spotted or fraud suspected, it is impossible to take action from the air, however. So the problem is reported to a naval patrol boat that gives chase to the vessel and boards it for an inspection.

The Peluso's missions

The next day, the Peluso, the Italian Coast Guard's deep-sea patrol boat, is docked at the port of Catania. It has been assigned a mission in the bluefin tuna fishing zone, 10 hours'

navigation time southwards. Reporting for duty at 8.00 in the morning, the crew awaits the commander's orders. Departure is set for that afternoon. At 5.00 p.m. the Peluso leaves the port of Catania. Destination: the waters south of Malta.

At around 1.00 a.m., a fax arrives from Rome giving a list of Italian vessels in the zone. They are detected by radar and several are already in sight by 4.00 in the morning. The Peluso is around 50 miles south of Malta. The calm sea makes it easy to launch the inflatable craft, which is boarded by the sub-lieutenant and three other crew members. The speedboat rushes off in the direction of the two Italian seining vessels.

Two inspectors climb over the rail and board the vessel. They quickly head towards the bridge where they ask the captain to show his ICCAT⁽¹⁾ fishing licence, the vessel's logbook, the VMS *blue box*, etc. The vessel has just started its season and everything is in order. The atmosphere is relaxed. The inspectors offer advice on how to complete declarations correctly. They take a quick look at the hold, which is empty.

'It's good that controls are carried out', exclaims Pietro Giordano, one of the fishermen. *'There are too many who fish and who can't!'*

Controls at sea are of course indispensable, but this escapade reveals their limits: vessels that break the rules have a slim chance of being caught. That is why reform of the control system will stress shore-based controls, from landings to marketing, in addition to controls at sea.

(1) International Commission for the Conservation of Atlantic Tunas, a regional fisheries organisation with 46 contracting parties concerned with tuna fishing. Its regulations are applicable to fishermen from all the Member States.



□ Fisheries inspectors: an evolving job

The inspectors in charge of fisheries controls operate at three different levels: in the Member States, the Community Fisheries Control Agency and the European Commission. With the reform of the control system, the role of inspectors employed by the Commission and the Control Agency will be strengthened and national inspectors will take on a more strategic role.

The Commission's inspectors

At present – The main role of the Commission's inspectors is to monitor the national control systems through one-off missions. These audits are notified as a rule and target a specific objective such as a management plan. The inspector makes enquiries about the control systems put in place by the Member State and accompanies the national inspectors, but is strictly an observer and is not authorised to intervene. The idea is to check whether procedures are well designed, whether landing notifications are being sent and received, whether the vessels operating in the fishery concerned are playing by the rules on licensing, declarations, VMS, etc. and whether everything is being done to ensure that they do. The Commission's inspector records the shortcomings in a report addressed to the authorities concerned. This role is very important because it encourages an outside view of national inspectors' work and promotes correct enforcement of regulations.

In the future – To exercise the new powers granted under the reform of the control system, the Commission must be able to rely on a corps of inspectors whose role is not limited simply to recording the irregularities they observe. They should have the same powers as national inspectors, with the possibility to intervene directly on the ground. In addition to serving as consultants charged with auditing Member States' control systems and identifying their possible weaknesses, they will also be able to carry out their own investigations (without advance notice) in cases where they suspect improper enforcement of legislation. The Member State concerned should then be obliged to respond and to remedy the situation, otherwise sanctions will be imposed.

The Agency's inspectors

At present – The specialists who work in the Community Fisheries Control Agency do not have the title of 'inspector'. They are coordinators assigned with the task of helping national control services to work together within the framework of joint deployment plans⁽¹⁾. In some cases, they can be assisted in this coordination work by national inspectors posted to the Agency for an assignment of limited duration.



For national inspectors, what will change is not the extent of their powers but the way these are exercised. They will have to enhance the impact of controls through better strategy and more thorough planning.

In the future – Since the Agency's role will no longer be limited to coordination (see article p. 10), it should have a larger staff, including a corps of Community inspectors, to carry out its own investigations and control operations, independently of the Member States. These Community inspectors will be empowered to inspect vessels, demand explanations from players in the sector – from the net to the plate –, access legal documents, detain a refrigerated truck to examine its cargo, etc. In short, here too, they will enjoy the same powers as national inspectors.

National inspectors

At present – The inspectors of the Member States' control services are currently responsible for the direct control of fishing activities. This involves controls at sea, primarily to check licences, declarations and gears, and inspections in port to check quantities landed and compliance with minimum landing sizes.

In the future – What will change is not the extent of the inspectors' powers but the way they are exercised. The aim is to develop a culture of compliance with the rules by enhancing the impact of the control system thanks to better strategy and more thorough planning. The effectiveness and impact of controls will be heightened by concentrating checks on problematical fisheries and on the shore-based part of the supply chain, rather than on inspections at sea, with the final objective being to ensure traceability. The collection of declarations will be improved and they will be managed through the use of data bases to multiply cross-checks that can single out fraud.

(1) Joint deployment plans are control initiatives developed jointly by the control authorities of several Member States to provide more effective and more uniform control of a given fishery.

Fisheries Control Agency: more extensive powers

The main role of the Community Fisheries Control Agency today is to coordinate the agents and resources made available by the Member States for the control of specific fisheries, to harmonise inspection procedures and, at the request of the Commission, to assist the European Union and the Member States in their relations with third countries and regional fisheries organisations. The Commission wants to extend the Agency's mandate to give it greater power of initiative on risk assessment and management.

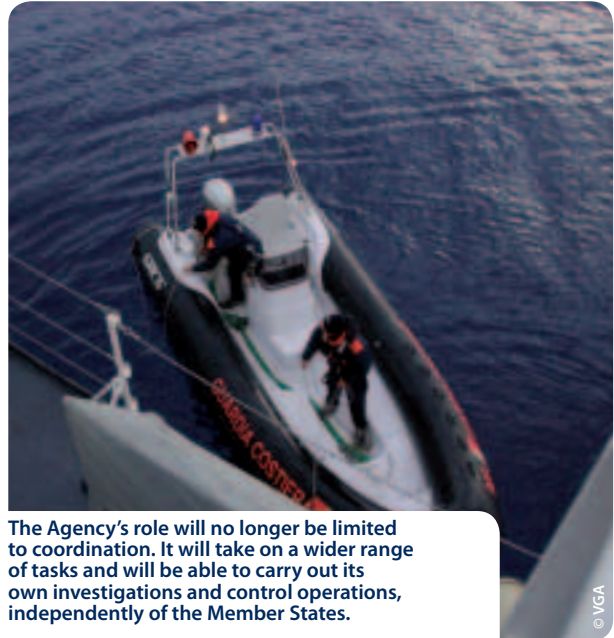
Set up in April 2005, the Community Fisheries Control Agency (CFCA) aims to contribute to uniform enforcement of the rules and harmonised control in all zones where the European fleet operates. Accordingly, the CFCA's role is to help the Member States cooperate by coordinating their control and inspection activities. The idea is to establish cooperation between several Member States (joint deployment plan) to optimise control in a given fishery, so that all vessels operating in the fishery are inspected in the same way and according to the same criteria, irrespective of the flag they fly.

The CFCA has developed and implemented several joint deployment plans. In 2008, for example, it monitored application of the North Sea and Baltic cod recovery plans and the East Atlantic and Mediterranean bluefin tuna recovery plans⁽¹⁾, and regulations in force in the high-seas NAFO⁽²⁾ zone. These joint deployment plans allow uniform control because, in addition to pooling means for a shared objective, they allow, for example, an English patrol boat to control a Belgian trawler in a Dutch zone, or a French inspector to be sent on mission aboard a Spanish patrol boat in the Mediterranean.

As part of the new fisheries control regulations, the Commission wants to take a further step by enlarging the Agency's mandate to give it more leeway. The Agency will no longer be restricted to coordinating Member States' resources and staff and developing inspection procedures. Its new responsibilities will include the possibility to carry out its own investigations and control operations, independently of the Member States.

Going back up the supply chain

The Agency's field of activity, currently restricted to inspections prior to first sale, will also be expanded: it will be able to organise controls and inspections throughout the supply chain, meaning both during ground transport and on markets. Its agents will be authorised to carry out thorough investigations, following suspect products up the traceability chain to determine where the fraud originates.



The Agency's role will no longer be limited to coordination. It will take on a wider range of tasks and will be able to carry out its own investigations and control operations, independently of the Member States.

The reform also expands the Agency's powers of investigation. The inspectors working for the Agency will be able to inspect vessels, demand explanations of players in the sector, including the public and private organisations involved in fisheries management such as producers organisations, fish auctions and wholesale markets, secure access to legal documents, detain a refrigerated truck to examine its cargo, and so on.

The Agency will also have an important role to play in crisis situations, at the request of the Commission, i.e. where a major risk threatens resource management and the risk cannot be reduced or eliminated by the action of a single Member State. The typical example of such a situation is a general failure to comply with a recovery plan for an endangered stock exploited by fleets from several Member States in Community or international waters. The Agency will be responsible for investigating and identifying different options for eliminating or reducing the risk.

The Agency will also play a role in implementing the EU's integrated maritime policy, in particular through the creation of a European surveillance network by making data available to the Commission, other agencies and the Member States.

(1) See *Fishing and aquaculture in Europe*, No 39, August 2008, pp. 10-11.

(2) Northwest Atlantic Fisheries Organization.

CFP: laying foundations for the future

The Common Fisheries Policy began life back in the 1980s. At that time, the main issue for Europe's fisheries managers was how to maintain access for the Member States' fleets to their traditional fishing grounds, at a time when nations around the world were extending their Exclusive Economic Zones (EEZs) to 200 nautical miles from the baseline. Many fleets had long traditions of fishing far from home. By granting each other free mutual access to their national waters, the CFP forestalled conflicts which had the potential to cause major social and economic disruption. Also, as fish are mobile and cross national borders in the sea, the fish taken by one fishing fleet are effectively fish lost to other fleets. There was therefore a need to agree between countries about how much should be taken and by whom.

Over time, the CFP has been called upon to play an ever more complex role. The last decades have seen growing awareness of the pressure which modern industrial fisheries place upon a renewable, but finite resource. At the same time, the demand for greater protection of the marine environment has focused attention on the complex interactions between fishing and the wider ecosystem of which fish are just one part.

These issues were addressed by the 2002 Reform of the Common Fisheries Policy, which introduced the principles of long-term planning, and a precautionary, ecosystem-based approach to fisheries management. In the six years which have passed since then, a number of concrete steps have been taken to achieve these goals. Many key commercial fish stocks are now harvested under long-term plans, and the commitment made at the Johannesburg World Summit on Sustainable Development in 2002 to manage fisheries for maximum sustainable yield is increasingly being put into practice. We have cases where a recovery plan has effectively restored a depleted fish stock. New policies to eradicate pirate fishing and eliminate discarding are now in place and will contribute further to the health of our oceans. And, perhaps most importantly, the creation of the seven Regional Advisory Councils (RACs) has vastly improved understanding and dialogue between stakeholders, scientists and fisheries managers throughout the EU.

However, much more still needs to be done. Most European fish stocks remain overfished, and the EU fleet still suffers from substantial overcapacity. Catch limits continue to be set significantly higher than scientific advice would recommend, and the industry is economically inefficient, as the recent crisis sparked by rising fuel prices has amply demonstrated. European fisheries are still locked in a vicious downward cycle, in which shrinking resources mean that more and more effort is required to catch the same number, or less, of smaller, less valuable fish. As a result, the short-term interests of the industry are no longer aligned with the pre-requirements for the long-term sustainability of the sector.

The conservation and fleet policies of the CFP are subject to mandatory review by 2012 at the latest. In view of this obligation, and given the persistent problems which affect the European fishing industry, the Commission believes it is necessary to start the process of review now. Even as we continue to implement the 2002 Reform, we need to be thinking about the larger, structural weaknesses which prevent even our best policy initiatives from realising their full potential.

In particular, we need to look at those structural and institutional drivers which encourage short-term decision making by both politicians and stakeholders, and which act as obstacles to the practical implementation of a genuinely sustainable approach to fisheries management.

The experience of recent years demonstrates conclusively how decisions made to further short-term economic interests are not just bad for the ecosystem, but bad for the business of the EU fleet, too. Without ecological sustainability, the social and economic objectives of the CFP can only ever be a pipe dream. We need to ensure that our decision-making procedures are aligned with that priority. And we need to create a framework in which the industry can take greater responsibility – and in which it is held more fully accountable.

Consultations on what shape such a Reform might take will begin in the first half of 2009, when the Commission plans to publish a major discussion document. We look forward to a comprehensive and frank debate, and would encourage all stakeholders to contribute to it in full.



In brief

□ Ministers encourage new reform of CFP

In the context of the future reform of the Common Fisheries Policy, the Fisheries Ministers, meeting in Council on 29 and 30 September, encouraged the Commission to continue the work begun with its adoption of a preparatory note (see article p. 5). This document announces the future reform due to take place no later than 2012 and reviews the achievements of the 2002 reform and the policy aspects that still have to be addressed. On the positive side: greater transparency in the CFP's scientific basis, improved dialogue with stakeholders, a large number of long-term management plans, better control over illegal fishing and a strategy to tackle the problem of discards. On the negative side: the remaining obstacles prevent genuinely sustainable fishing in EU waters. These include overcapacity of the EU fleet, operators' lack of responsibility in terms of the sustainable use of a public resource, and the complexity of EU regulations. Maritime Affairs and Fisheries Commissioner Joe Borg stressed his determination to encourage a fishing industry that is economically, socially and environmentally sound, *'which depends on healthy stocks and a fleet that corresponds to fishing possibilities'*. The debate will continue in 2009 on the basis of a Commission green paper and with the participation of the Member States, the sector, stakeholders and the general public.

Mediterranean RAC up and running

The Regional Advisory Council (RAC) for the Mediterranean became operational on 15 September 2008, thus completing the list of seven RACs that share the waters and resources exploited by European Union fishermen. The RACs were set up to facilitate the sector's cooperation on resource management with the Commission and scientists. Mediterranean fishermen now have a forum in which to make their views known to the Commission and Member States, and to issue opinions and recommendations on anything related to fisheries management. Like the other RACs, it includes representatives of fishermen, fish farmers, the processing industry, traders, sport fishermen, environmental organisations and consumers.

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