



Ref: 276/REL

Rome, 9th November 2011

REPORT OF THE WORKING GROUP ON THE REFORM OF THE CFP
CORINTHIA MARINA HOTEL, MALTA 20 SEPTEMBER 2011

The list of participants is attached to this report.

Coordinator: Giampaolo Buonfiglio.

Attached documents: Agenda, slides presented by Fabrizio Donatella, slides presented by Massimo Spagnolo.

1. The working group on the reform of the Common Fisheries Policy met in Malta on 20th September 2011 to examine the Regulation proposal on the CFP presented of 13th July 2011. The Meeting participants discussed the critical aspects of this proposal in relation to the specific situation of the Mediterranean, discussion of the more general aspects was postponed for another occasion.
2. The Executive Secretary of the RAC MED opened the Meeting and thanked the participants, the associations and the Maltese Minister for their presence. The Executive Secretary recalled the procedures established for the RAC MED working groups, especially concerning the double role of the coordinator in directing the group and informing the Executive Committee on the results attained. The Agenda was approved and Mr Giampaolo Buonfiglio of Agci Agrital was nominated coordinator.
3. Mr Buonfiglio gave his thanks and passed the floor to the representative of DG MARE, Fabrizio Donatella, for the slideshow presentation of the proposed reform of the CFP. Before beginning the presentation of the basic innovative points proposed within this reform, Mr Donatella recalled that RAC MED is the only RAC to have organised a working group that aims to study the CFP reform in greater depth. The two principle elements of the reform concern the proposal for the basic regulation and the financial instrument that will be presented at the end of November.
4. The coordinator thanked Mr Donatella for having underlined that RAC MED was the first to deal with the reform proposal and underlined that this RAC should focus on the effects that this proposal will have within the Mediterranean fisheries sector. Furthermore he expressed his hope that this meeting would be an occasion for the participants to discuss and evaluate these issues so as to produce a draft document to send to the Executive Committee members for comment and approval.
5. After the coffee break the coordinator passed the floor to professor Massimo Spagnolo of IREPA who provided a detailed analysis of the socio-economic impact of the reform proposal.
6. Professor Spagnolo began by stating that, in his opinion, the draft regulation represents the legal basis for a compromise in order to achieve the established EC objectives (sustainability, improved governance, enhancement of the revenue from fisheries and aquaculture etc.), moreover he emphasized that it is not conceivable that this regulation be applied in the same way to the seas of north Europe and also to the Mediterranean without



considering the specific characteristics of each area. These preliminary remarks put emphasis on the traditional, small-scale nature of Mediterranean fisheries, and should a reduction of fishing effort be foreseen it would be essential to take into account the potential socio-economic impact and plan suitable assistance to the sector.

7. The coordinator thanked professor Spagnolo and gave the floor to Mr Antoni Garau of FBCP who participated on behalf of Mr Dahlander of FNCP, whose commitments made it impossible for him to participate in the working group. Mr Garau summarised the position of the FNCP which has always expressed its opposition to the application of Individual Transferable Quotas (ITQ), especially for small scale fisheries which risks marginalisation caused by the concentration of rights (or concessions) in a few large enterprises with greater financial capacity.

8. The coordinator thanked the newly associated FBCP for the presentation and opened the debate in the light of the presentations made. He proposed that the discussion should focus on some specific issues: the ecosystemic approach between politics and fisheries and the environmental policies concerning maximum sustainable yield (MSY) which is one of the cornerstones of the policy reform. Another sensitive issue is the prohibition of discarding at sea, considering that the draft regulation states that from 2016 all unwanted catch of demersal species in the Mediterranean will have to be landed. Where transferable fishing concessions are concerned, even if the transactions are voluntary, it should be considered that the free market (especially given the particular conditions present in the Mediterranean) could prove to be distorted by commercial pressures, the debt load of small companies, etc. If these concessions are extended to vessels of 12 m or less – a choice which is left to the individual Member States – the application of TFCs in the Mediterranean could have a significant impact on the structure of the whole fleet and on the coastal communities in which small scale fisheries are of particular importance. In this context the coordinator recalled that in the Green Paper the EC had stated that small scale fisheries require special consideration and that the sector should be defined more appropriately than by vessel length alone. Unfortunately at the moment in the draft regulation there is no new definition. The use of just one parameter in the classification of small scale fisheries (12 meters vessel length), is restrictive and unsuitable given the reality of the sector. It was further pointed out that the socio-economic impact of this reform of the CFP should not be underestimated, in particular the reduction of the fleet that would come about with the introduction of transferable fishing concessions as also highlighted in professor Spagnolo's presentation. The sale of transferable concessions would in many cases imply the definitive withdrawal of the fishing unit(s) concerned; the fact that the holder of the fishing concession will be compensated by the market (and no longer by the contributions for demolition) will not resolve the issue of unemployment for the crew, who would only be eligible for social security contributions should these be foreseen in the financial instrument and these, if compared with those planned in the FEP will be wholly inadequate.

9. The coordinator passed the floor to the representative of KGZS, who described the position of the Slovenian fisheries sector declaring that, if the regulation is approved as it is proposed, there will be negative consequences, not to mention that one of the aims from the green paper of the CFP reform which is also in the draft proposal concerns regionalisation which should emphasize specific aspects of regional fisheries. Furthermore opposition was expressed to the application of a system of transferable individual concessions; lastly it was highlighted that the reform should guarantee adequate economic development which does not in fact appear to be present.

10. The president of PEPMA stressed that it is entirely acceptable that one of the aims of the reform should be the improvement of sustainability of the resources, however it should be hoped that to achieve this goal other factors would be taken into consideration, such as climate change in the Aegean Sea that is causing tropicalisation of the waters with the consequent impoverishment of the endemic species; or the increase in tourism and the rising population that are creating greater demand for fishery products. In the draft regulation on the reform of the CFP there is no mention of the socio-economic impact. It would also be necessary to set up the measures required to preserve traditional small scale fisheries, it is not conceivable that the subsidies and benefits will be eliminated without planning a replacement tool in the future financial instrument. Lastly agreement was expressed with the position upheld by the other participants that the sole parameter of 12 mt was not sufficient for the definition of small scale fisheries.



11. The representative of CNPMMEM intervened, sharing the opinions stated beforehand on the applicative difficulties surrounding the elimination of all discards, considering that the vessels which operate in the Mediterranean cannot be adapted to comply with this obligation, above all due to their size. The hope was also expressed that RAC would take a stance on the matter of individual transferable concessions because it is necessary that governance be regionalised and thus brought closer to the fisheries sector operators themselves.

12. The representative of Lega Pesca recalled that a meeting was held in Brussels on the possibility to redefine traditional small scale fisheries and underlined that it is fundamental that any such redefinition take into account the differences in the various basins and that the Mediterranean fleets should be clearly distinguished from those of northern Europe. Where the EC regulation proposal is concerned, considering the applicative difficulties of, for example, the individual transferable concessions and the total cessation of discards, he proposed that pilot projects be created to evaluate the effects of the new regulations to be introduced and consequently to make any necessary changes. It should not be forgotten that in the Mediterranean basin there are only 7 EU countries and the other countries that are not part of the EU do not have the same legislation and this leads to disparity in the fisheries activities even where there are many shared stocks.

13. The WWF delegate took the floor and proposed that the problems be dealt with differently, not limiting discussion to criticism but opening the meeting to the possibility of finding applicable solutions to the ban on discards and to the achievement of sustainable fisheries using local management plans so that every fishery area is covered.

14. The CEPESCA representative expressed the opinion that eliminating discards altogether would be impossible and seconded the proposal of the WWF. Furthermore, as already stated in previous interventions, if the EC requests a reduction in fishing effort through the abolition of part of the fleet, it is inconceivable that an adequate support policy is not envisaged. On the issue of the definition of small scale fisheries other than the vessel length and engine power factors such as the number of fishing days should be taken into account.

15. The delegate from ANAPI PESCA expressed agreement with the analysis provided by the coordinator and underlined that the fisheries sector is a very important part of all food production. The definition of small scale fisheries should be given by the fishing effort and not by technical parameters.

16. The EAA representative stressed that recreational fisheries should be exempt from the mechanisms of transferable fishing concessions. Furthermore the meeting was reminded that, in the proposed regulation on the CFP reform, the solutions planned with the aim of reducing the unwanted catch (bycatch) are not clear, for example the use of more selective fishing gear.

17. The delegate from the French ministry, Mr Philippe Maraval, recalled that the system of individual transferable concessions has only achieved positive results in some North Sea countries, while in others, such as in Iceland, considerable applicative difficulties have been encountered. France is in favour of a system of individual quotas managed by the national administration. He also declared that it would be best to postpone the achievement of maximum sustainable yield to 2010 instead of 2015 as proposed in the EC regulation. Where the Mediterranean is concerned the French administration is in favour of regional management; agreement was also expressed with the opinions already stated on the need to improve the definition of small scale fisheries.

18. The coordinator gave the floor to the RAC MED Executive Secretary who read the proposed opinion on the reform of the CFP resulting from the working group discussion.

19. The coordinator thanked all participants for their contributions to the discussion; where discards are concerned he suggested that the proposed opinion should include more technical aspects, not only the problem of conservation on board and after landing (relative to the cold chain) but also the divergence in quantities according to the area and the season without forgetting that the EC also requires that undersized specimens (which cannot be destined for human consumption) should be landed as well as those species that are not accepted by the market.



These should be sent to animal food industries however in this case large, concentrated quantities are required which should come from the same, known source. Therefore there are many practical difficulties, for example the creation and management of suitable structures to receive and store such discards after landing, which in the OCM reform should be organised by the Producers' Organisations. How could such organisations manage these processes and with what funding? The solution that was suggested by the then Fisheries Commissioner Joe Borg involved the setting up of pilot projects on discards. A final word on regionalisation recalled that the fisheries director Lowri Evans in recent meetings in Brussels explained that the Commission's legal services had brought forward several problems and that EC procedures do not allow decisions to be delegated to decentralised bodies.

20. The representative of DG MARE Fabrizio Donatella thanked the working group for the interesting debate. He recalled that at the beginning of the proposal's elaboration one of the problems was how to guarantee regionalisation and give more space to the stakeholders. The meeting was also informed that the legal consultants of PE and of the Council had stated that the existing treaties should be respected and therefore the regulation proposal had to comply with this directive. The Mediterranean basin has obtained a certain level of governance which gives more space to the Member States, there is no similar system in place at the moment in other areas.

21. The coordinator closed the meeting and informed the participants that the draft opinion on the reform of the CFP would be sent by email by the RAC MED Secretariat, successively it would be presented at the coming Executive Committee meeting to be held in Bari on 20th October 2011.

