



Ref.n.:338/COM

SPEECH BY THE RAC MED PRESIDENT OF THE MEETING ON THE IMPLEMENTATION OF THE MEDITERRANEAN REGULATION – STATE OF PLAY AND NEXT STEPS

13 November 2013, Brussels

The CFP Reform

The Common Fisheries Policy in the Mediterranean currently faces a difficult situation in which, generally speaking, the resources are over-exploited, the implementation of Management Plans has experienced considerable delays and there is a significant level of instability in the third party countries to the south of the Mediterranean that does not facilitate control, cooperation and dialogue.

The situation is complex and it is not possible to intervene with simple or radical solutions due to the characteristics of the sector in the Member States: a clear predominance of small-scale fisheries carried out by thousands of small and medium sized enterprises (micro enterprises according to EC parameters); a large part of the sector dedicated to trawl fisheries; multi-specific catching patterns with seasonal trends that differ in terms of quantity and quality of the catch (and of the by-catch); an extremely high number of landing points dotted along the tens of thousands of km of coast and on the countless islands of the basin; a highly ramified market structure that differs greatly according to the context, from the more traditional (archaic even) to the auction systems that are present in the better-organized ports; there is also modern, large-scale distribution that is more relevant to imported products than local production. Together, all these elements describe a long and often fragmentary production chain, with fishermen representing the most fragile and lowest paid link in this chain.

Today, the knowledge on the state of the resources, albeit limited by the number of stocks evaluated (about 50) and by the time lapse of about 2 years between data collection and the results of the assessment, describes a serious situation in which 95% of the stocks studied proving



to be over exploited. The most worrying aspect in this context is the apparent discrepancy between the significant reduction on fishing effort (where capacity is concerned) in the last decade and the reduction in fishing mortality that remains too high, with worrying fluctuations and almost no reductions.

There are several hypotheses and interpretations that can be formulated:

- Inefficiency or insufficient enforcement of the measures set out in the current CFP;
- An increase in fishing effort in various GSA by the fleets from third countries;
- Technological innovation that has increased catch-ability;
- Widespread illegal fisheries;
- Inefficiency (or late/non implementation) of the management plans ex Reg. 1967/06 and in the EFF;
- Others (?)

These are all plausible hypothesis that should be applied within the specific situation of the single stocks and fishing systems under scrutiny, given the considerable differences between the characteristics and problems of trawl fisheries, or seine fisheries, long lines or the many other gears used in small-scale fisheries. This heterogeneous mosaic needs close analysis and specific policies for each aspect, through the approach already established in the management plans for each GSA and fishery system, which are strengthened further by the CFP reform.

It is maybe (and I hope so) that the alarming data from stock assessment are due to the fact that any inversion in this trend due to the implementation of management plans has not yet been detected since the last period evaluated was 2011, before the start up of several management plans.

In consideration, however, of the severity of the situation described by the last stock assessment carried out, it is clearly urgent to discover the underlying problem. It is also necessary to verify the efficiency of the mix of measures that should make up each management plan, accelerating their implementation and improving their efficiency through initiatives at regional, sub-regional or GSA level.

This is the framework in which the new reform will begin to intervene from 2014, with several measures to be implemented and funded through the European Management and Fisheries Fund (EMFF), which is being examined with the trilogue discussion currently underway. In spite of uncertainty in some issues, where the points of view of the opinions of the co-decision makers still requires agreement and compromise, some clear strategies are emerging, such as the greater role to be given to the Advisory Councils, which the reform describes as a meeting point for the various



stakeholders (professional and recreational fishers, workers unions, NGOs, consumers and processors), the research community, and Member States, from whom not only opinions but useful indications on the implementation of the CFP are expected.

Given this background, and the situation described previously, the Mediterranean Advisory Council needs and wants to deal with the challenges and opportunities posed by the reform, giving priority to the most sensitive issues:

- Regionalisation
- Landing obligations
- Management Plans

These aspects will be considered in the programme without abandoning the work already begun in our WGs on socio-economic aspects and the diversification of activities, recreational fisheries, and the management of large pelagic fisheries.

The Memorandum of Understanding endorsing strengthened collaboration with the GFCM, which has now been raised to the status of management authority, will provide the crucial link with the non EU countries in the basin. It will also offer the basis for a working environment committed to compatibility and awareness of the evolution of fisheries in the Mediterranean, with particular reference to the recommendations and management plans that has still to be finalised for the various GSA.

The landing obligations.

The landing obligation, is without doubt the most complex challenge presented by the reform, as well as the organization of structures and specific activities dedicated to this aspect, it will also require a change in the fishers' mentality.

It is clear that the practices carried out on board of each single vessel up to now (the selection and packing of the catch and the elimination of the unmarketable part of the catch from the vessel) will have to be changed, and the part of the catch that is not prepared for commercialization will have to be stored on board, landed and registered.

It is important now to recall the new requirements where the Mediterranean is concerned and their progressive entry into force:

- a) **In general the landing obligation in the Mediterranean regards all the species which are subject to catch limits and minimum landing sizes as defined in Reg. 1967/2006.**

The obligation therefore concerns Bluefin tuna and undersized specimens (ex Reg. 1967/2006) of target species of the catching system and of the by catch (where this is



composed by species subject to minimum sizes). A product that, prior to the new regulation, would have been rejected due to damage, or because these products were not marketed by the company, or not accepted for reasons linked to the local markets.

b) From 1/1/2015 the landing obligation in the Mediterranean will concern pelagic species.

This will therefore entail landing of undersized or over-quota Bluefin tuna catch (unless ICCAT provides different indications), undersized anchovy and sardine specimens, as well as bycatch as defined before, comprising *Scomber spp.* and *Trachurus spp.*. Only these four are the small pelagic species subject to minimum landing sizes as defined in Reg. 1967/2006.

c) From 1/1/2019 the landing obligation in the Mediterranean will concern all the other species which are subject to minimum landing sizes as defined in Reg. 1967/2006.

This will cover a further 16 species of fish and 4 crustaceans (several of which are also targeted by trawl net as well as fixed gear used in small-scale fisheries, while some are targeted by just one of the two systems); there are also three species of bivalve molluscs caught using hydraulic dredgers.

Any exemptions from the landing obligation will only concern those species which it is forbidden to catch, or those which scientific research has demonstrated have a high survival rate if caught and thrown back into the sea (i.e. clams). Provisions for *de minimis* exemptions of up to 5 % (which can be increased by 2% in the first two years and by 1% in the following two years) can be agreed in specific conditions (for instance in the presence of difficulties in increasing selectivity that have been recognized by scientific research and in the case of excessive costs to process a very small amount of bycatch in comparison with the whole catch).

Details on the implementation of the landing obligation will need to be specified in multiannual management plans (as described in art. 9-10) and in any case all *de minimis* rejects will need to be registered.

Where the multiannual plans mentioned above or management plans (ex .18 Reg. 1967/2006) are not in place, or in the case of non-compliance, the Commission will adopt delegated acts.

There are several issues to be tackled in formulating a plan for the application of the discards ban and to carry it out (and we hope that by enforcing this ban it will not develop a new market for undersized and juvenile fish, causing an eventual clear contradiction with the aim of the CFP of the last two decades):

1) Given that the product that now must be landed has been illegal (undersized or over quota) there are no data on its quantity, distribution or on seasonal trends (other than the



data that can be extracted from reports of penalties imposed by the maritime authorities or observed in scientific campaigns carried out with observers on board that describe all the bycatch and not the undersized component). This entails objective difficulties in quantifying the phenomenon and thus organising the necessary on-board equipment, the storage structures, the activities and the freezer units on land.

2) On-board activities: registration of undersized specimens caught (measurement/weight), inclusion in the landing declarations, separate storage on board, occupation of refrigeration units or use of ice (during longer fishing trips this sort of “volumetric and ice competition” with commercial products could be a problem).

3) Activities on land: storage (freezing) and management of sales and delivery to industries (processing, cosmetics, lubricants etc.) that only collect large quantities for each trip so as to economise on transport costs. When daily quantities are small time spent in freezer units and the relative costs will necessarily be prolonged, leading to an inevitable increase in cost/tonne. The alternative would be to concentrate this product in “stations” that handle more than one landing point, but in this case there would be additional transport costs unless existing distribution networks with sufficient capacity could be used.

4) If there is no availability or interest from industries to collect the product, then provisions will need to be made for special waste disposal (actually in Italy at a cost of around 0.10 – 0.15 Euro/kg) and funding sources will need to be identified.

5) The economic aspects (cost/earnings) will need to be carefully assessed in each local situation. This to avoid additional costs and negative impacts on fishery enterprises, and so on employment. It is clear that, if there are no other management bodies, it will have to be the fishing enterprises in each maritime district that deal with the storage management and sales of this product. Several *formulae* can be considered: consortiums, obligatory consortiums, Producers’ Organizations, third parties (private companies), fish markets, service cooperatives, other bodies with mixed public (municipal)/private participation. On the basis of the different *formulae*, of the existing available structures and of the annual quantity of fish products to be supplied to industry, it will subsequently be possible to establish the necessary investments and the industrial management plan, as well as identifying the areas in which credit will need to be sought and the relative co-guarantee systems.

These five issues must be dealt with by RACMED in the various Member States by identifying a working group in each country and a member to be in charge. This step will be required both in an initial investigative stage and when proceeding with feasibility studies to be carried out in representative maritime districts. Reference will need to be made to the panorama of fisheries in each State in relation to each catch systems use (and it is hoped for that there will be the full



collaboration of the administrations and the national research institutes).

This kind of operative approach is necessary, at least where pelagic fisheries are concerned, (therefore the entry into force of the regulation from 01/01/2015), due to the tight schedule for the Member States' presentation to the EC of their plans for the application of the landing obligations. If we consider that the EMFF will come into force mid-2014 (if not later), it is clear that there will not be sufficient time to plan, have approved, financed, and implemented pilot projects and get results in time to provide indications to the EC and the Member States for the formulation of the plans.

It will certainly be possible to follow this procedure in view of when the landing obligation on non-pelagic species comes into force from 01/01/2019.

Regionalisation.

Article 18 of the new regulation provides the Member States (which are interested in managing measures that the EC can adopt through delegated acts) with the possibility to present joint recommendations in order to achieve the objectives of the EU conservation measures, or the multiannual plans or the specific plans for landing obligation.

In order to put the Member States in a position to take advantage of this opportunity, the EC will not proceed with the adoption of the delegated acts within the time limit established for each measure. Collaboration between States will be facilitated, guaranteeing where necessary that scientific contributions are provided by the relative institutes and, where third countries are concerned, the necessary cooperation will be fostered.

If the conditions of article 18 are met, these joint recommendations could be adopted by the EC.

In other words, where the EC has the power to adopt measures by means of delegated or implementing acts, the Member States have the possibility, within a given time-frame, to agree and jointly formulate measures that would then be adopted by the EC.

This would bring about the possibility to regain the conditions present prior to those that determined the EC's power to proceed by delegated acts, as well as the possibility to formulate measures that, as they would be adopted by the EC by means of delegated or implementing acts, would not need to follow the long co-decision procedures.

The advantages are clear for the Member States (that are able to cooperate and agree joint measures on shared resources or on a shared geographical area). In order to achieve these aims, however, the Member States should start partaking in dialogue that is not always usual, especially where multiannual management plans are concerned that have often (or always) been the subject of agreement between the single States and the EC only.



So, in order to take the opportunity presented by regionalisation in the context of the reform, it is necessary to identify moments for meeting and discussion between the Member States on the specific issues that affect common areas and resources for the respective fleets, (on the basis of the legitimate interests of the stakeholders, and the assistance of the relevant scientific institutes).

The Advisory Councils are therefore the possible catalyser for this process, as they contain all the necessary elements to achieve the objective of regional cooperation for the formulation of joint recommendations that can be adopted by the EC.

In order to work towards these objectives, RAC MED will need to exert, with the help of the EC, the maximum level of “appeal” possible to ensure steady participation by the Member States in its activities. It will therefore be necessary to intensify contact between RAC and the Ministries in the coming months.

This may be more likely to succeed if working procedures are flexible and take into account the specific sub regional issues and the relative member organisations and national administrations, activating separate online working groups for example, for the Adriatic, the Gulf of Lions, the Sicily Channel and the Ionian Sea.

The development of a favourable environment to establish relations between the administrations interested in common measures, encouraged by the bottom-up appeals made by the various stakeholders in their respective countries, is one of the priorities for RACMED; in the near future it will be necessary to identify the sensitive areas and issues to be dealt with on regional level.

Giampaolo Buonfiglio

