

## Reaping the benefits from the new EU fisheries policy



By Mogens Schou November 23, 2012

We at ClientEarth are very grateful for this guest blog from Mogens Schou, Danish Ministers' Adviser for Fisheries and Aquaculture. *Liane Veitch, Science and Policy Adviser.*



### Promises of the reform

The reform of the Common Fisheries Policy (CFP) is in the final phase. The Commission and the Council of Ministers have given their opinion in the "General Approach" and it is now up to the European Parliament to speak its piece.

The most distinctive stamp of sustainability on the policy agreement on the table is: "all catches shall be counted against quotas". It stands in absolute contrast to present policy where fishing and discarding of over-quota fish is allowed, even prescribed.

Present policy involves overfishing, poor data for assessment of fish stocks and a giant loss of wealth and food supply for EU. And it is in dire contrast to lesson number one for management of fisheries resources: How much can we take from the stock every year without compromising the productivity of the stock.

With Catch Quota Management (CQM) the EU will obtain a precise outtake of the stocks – and catches discarded and unaccounted for will be in the past. However, the change of EU policy does not lie with the simple obligation of full accountability alone. The driving force is the change of mindset it will set off. If a fisher must count all catches against his quota he will exchange his discarding behavior with selective fishing to avoid the unwanted catches in the first place. New fishing methods, innovation and new technology will mark a development where the fisher is the driver in getting the highest value out of the total catches. And his interest in minimising discards will be aligned with the EU obligation to land all fish.

How much can we gain from sound management? Recent reports show a yearly € 2-3 billion increase in fishermen's income. The retrieval of these values will generate jobs and activities in harbours and may offer fishing a new role as a net contributor to European economy.

### New management tools

CQM is results based management. The public is responsible for setting the quotas. The decisions on how or when to catch the fish is handed to the fisher to obtain effectiveness and equity as he has the knowledge of the trade, the eye on the changing conditions at sea and the incentive to increase value within the given quotas. Public micro management must cease as it will stand in the way of "on-deck management". It follows that the fisher must then establish a reliable documentation showing that he is in fact counting all fish against quotas.

When introducing CQM trials with full CCTV documentation in Denmark 4 years and more than 100.000 fishing hours ago, I went to the harbour to see one of the participating fishermen. His gear was on the pier and he was inserting a large-mesh panel. "The area I will fish in for the next two months has a lot of small cod" he said, "having to count all catches I will use the panel for that period to avoid the juveniles. It takes me two hours to change gear but if you guys had to do it we would have to wait two years for Parliament and Council to act, and the situation would be quite different". I made a primitive record of his change of gear here

<http://www.youtube.com/watch?v=nHocUZ817WQ>

Today I estimate that 70 vessels from Denmark, Germany, the UK and the Netherlands are participating in CQM, the most extensive EU trial ever to form the basis for the new policy. Results are very convincing. The trials show that the principle of full accountability and CCTV documentation works, that participating fishermen change behavior and gear to optimize catches and that they support the CQM principle. Reports of the trials can be found at [http://www.fvm.dk/cqm\\_\(catch\\_quota\\_management\).aspx?ID=42783](http://www.fvm.dk/cqm_(catch_quota_management).aspx?ID=42783) Fisheries organizations are more cautious – often expressing an appreciation of CQM followed by some skepticism with regard to the EU's ability to deliver "the full package" in the form of better advice showing the state of fish stocks and a fundamental

simplification and removal of public command and control.

I will point to three decisive challenges for the new CFP. First, the scientific advice on fish stocks and ecosystem effects should be improved in order to balance use and protection. The CFP proposal on the table prioritises scientific input, but as science institutes are member state responsibility, a coordinated and focused effort is needed. Second, installing the new policy requires careful transformation. In my mind the most critical factor is the phasing in of industry responsibility and phasing out of public regulation – especially the risk of deregulation being too slow, thereby stalling the incentive effects of CQM. Thirdly, the “choke species problem”: In present management, the fisher discards if he has no quota and in CQM he must stop the mixed fishery if he lacks quota for any species in that fishery. There is a hierarchy of solutions to this problem starting from biological advice that takes account of species interaction, flexible quota leasing mechanisms within and between member states, and selective fishing.

Selective fishing is a lot about gear – and more about behaviour. As another fisherman in the trial told me “when I came out of the harbour I saw the current was wrong for the catch I want, so I decided to go back and wait for the next day”.

Matching catches with quotas through selective fishing, and matching quota with catches through quota transferability, are key tools for establishing an efficient and balanced harvesting. Much research and innovation is taking place in gear design and assisting technologies. See for example [www.eftp.eu](http://www.eftp.eu). On transferability, the Danish pool system is probably the most efficient system in the EU <http://puljefiskeri.dk/>. As a member of the pool you may land and sell accidental bycatch – or any catch – for which you do not have a quota, as long as you lease the necessary amount before the end of the quota year. The system is industry driven with the necessary safeguards, and public control just has to make sure that the pool as such does not exceed the total catches of its members. This system has been a superior and flawless asset in Danish management for now six years. The pools are part of the Danish TFC management, an account of which is found on [www.fvm.dk/yieldoffish](http://www.fvm.dk/yieldoffish).

### **Some policy issues**

The General Approach has the necessary tools for a transformation of present micro management to results based management. This, however, will take some time, and the CFP framework must encompass both the present and the future paradigm for the time being. This unfortunately blurs the fundamental policy questions and forces EU politicians to deal with micro issues. The more than 2.000 amendments put on the table in the Parliament’s fisheries committee illustrate this.

I think it is fair to highlight the perception of the MSY concept as one of the most important policy issues in the CFP discussion now. The EU is committed to ensure that fish stocks are restored and maintained at levels capable of producing Maximum Sustainable Yield from the populations of harvested stocks. While the concept of MSY is relatively simple if you look at just one stock, the dynamic nature of MSY in an ecosystem context is not fully understood. Science is working to produce the tools to determine the economically optimal level of exploitation of European ecosystems. The interested reader may have a closer look here: [www.defineit.dk/](http://www.defineit.dk/). The MSY application must be geared to achieving MSY, conditional on fishing practices (such as size selection) and environmental and ecological factors (such as prey predator relationship), and it must allow for a regional MSY balancing.

For that reason it is a sound strategy to establish the MSY principle and keep the door open for its practical implementation. The General Approach seems clear on the principle and sufficiently flexible with regard to implementation – for one thing it covers the need to consider fisheries with mixed species. Some see this flexibility as a weakness as the guarantees for a “real MSY are too weak”. Some argue that the principle may be interpreted rigidly, with the result of closing mixed fisheries if their MSY-quotas do not match actual catches. Many observers see this policy discussion as a struggle between conservationist forces and forces not accepting limits to fishing. I don’t think this is the issue. MSY in its nature is a tool to obtain high yield and to generate wealth; I see a broad agreement to this objective. The issue at hand is about strategy and refusal to change.

Establishing MSY as the growth objective and full accountability as the strategy are seen as unwelcome challenges for those industry fractions whose business plans do not include the fish stocks as an asset to be nursed, do not appreciate change and innovation as a way to growth and are blind to market requirements for sustainably sourced products. This defensive approach should not lure the policy discussion into the trap described by philosopher Soren Kierkegaard “Everybody wants development; nobody wants change”.

Europe wants development and appreciates change as a necessary step. The General Approach adopted by the Council is a convincing statement on that.