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Editorial

The Hungarian Presidency


The EU Presidency rotated into the Hungarian one for the first half of 2011, when the Commission's proposal for the CFP reform is due to be released. The Hungarian Ministry of Rural Development clarified that the Presidency is determined to work closely with the Commission for the proposal to be ready in due time to allow a proper discussion among all stakeholders.

The Ministry illustrated to the European Parliament Committee on Fisheries the priorities of the Presidency in terms of fisheries and aquaculture. The focus is on sustainability, with attention to long term plans for fisheries and environmentally friendly methods for aquaculture. Effort will be put in the renewal of expiring Fisheries Partnership Agreements and in finding a viable solution on the mackerel issue.

Moreover, the Presidency has demonstrated to be aware of the difficulties of putting in motion the institutional system resulting from the Lisbon Treaty.

The above described priorities showed the intent, in this critical period of pre-reform of the CFP, to achieve a fair balance among all the



		<p>interests involved and the aim to work for a smoother cooperation among all the institutions.</p> <p>The fact that Hungary is a country with no tradition in fisheries could be an advantage allowing objectiveness in balancing all the involved sensitive interests, or could lead to a low profile attitude of the Presidency towards these issues.</p> <p>This is a big challenge. EBCD will monitor the political development, always with special attention towards science-based solutions and the participation of all stakeholders in the decision making.</p>
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Executive Summary

After the end of 2010 heated by the sensitive decisions taken by the Fisheries Council, January has been a relatively calm month.

The **Hungarian Presidency of the European Council** started with the beginning of the new year.

The **European Parliament Committee on Fisheries (PECHE) met on the 25th and 26th January in Brussels**. This was the occasion for the presentation by the new Presidency of the priorities in terms of fisheries and aquaculture by the Hungarian Ministry of Rural Development, Sándor Fazekas (see page 4-5). He focused on sustainability and on the need to have the Commission package proposal on the reform of the CFP in due time, in order to allow a proper discussion.

The Committee on Fisheries also held a **Hearing on Fisheries in Iceland in the afternoon of the 25th**. A vivid and interesting exchange of views occurred between the Committee and the Icelandic delegation, comprised also of representatives of the fishing industry (see page 6-8).

The **European Parliament** adopted on the 19 of January a legislative resolution in which it gives its **consent to the conclusion of the Interim Partnership Agreement between the European Community and the Pacific States** (see page 9-10). The Resolution also highlighted the side effects of the implementation of the derogation of the rules of origin contained in the Interim Economic Partnership Agreement (IEPA) and calls the Commission to draft an evaluation report granting the involvement of all the stakeholders.

With the beginning of the new year EBCD is pleased to inaugurate a new section of the newsletter: **“the interview of the month”**. For the February issue we have the pleasure to explore the point of view of a scientist with a long standing experience in the assessment and management of fisheries worldwide, **Serge Michel Garcia** (see page 11-14).

Finally you can read the latest **questions for written answers** formulated by Members of the European Parliament and addressed to the European Commission; and **one answer by Commissioner Damanaki** (see page 15-21).

The EU Hungarian Presidency: fisheries and aquaculture priorities

In January 2011 the Hungarian EU Presidency started.

During the meeting of the Committee on Fisheries of the European Parliament, on the 25 January, the Hungarian Minister of Rural Development, Sándor Fazekas, presented the priorities of the Hungarian Presidency in the field of fisheries and aquaculture.

He clarified that sustainability of fisheries policy is the priority.

He underlined that the fact that Hungary does not have such a tradition in fisheries can be an advantage: this will allow a sight of the policies from the outside. Most of the MEPs attending the Committee agreed and welcomed this likely more balanced approach, especially considering that the six months period of the Presidency coincides with the finalization of the reform package.

The Hungarian Presidency considers the CFP one of the most important policies, facing now new challenges: to comply with food security and food safety, maintaining coastal community and creating new jobs. Regarding the CFP reform, the Hungarian Presidency will witness

The Council is the EU's main decision-making body. It represents the member states, and its meetings are attended by one minister from each of the EU's national governments. Which ministers attend which meeting depends on what subjects are on the agenda.

The Council Presidency

The Presidency of the Council rotates every six months. In other words, each EU country in turn takes charge of the Council agenda and chairs all the meetings for a six-month period, promoting legislative and political decisions and brokering compromises between the member states.

the presentation of the reform package by the Commission.

Minister Sándor Fazekas promised that the Presidency is working for the proposal to be delivered in due time, in order to have time for a proper debate on it. He declared in front of the PECHÉ Committee that the success of the proposal for the Common Fisheries Fund will be the responsibility of his Presidency.

The development of EU aquaculture is considered to be an essential part of the CFP. The Presidency will promote aquaculture at the EU level, supporting the efforts towards the use of environmentally friendly methods. Attention will be given to consumers' requests in terms of health and quality of the products, with special focus on labelling of products. The Ministry also stressed the opportunities of inland aquaculture for countries with no coasts, like Hungary.

The Hungarian Minister clarified that the Presidency will work to develop multi annual plans (for horse mackerel and anchovy), fundamental to achieve long terms objectives. The

focus will be in the Baltic Sea where plans should be considered for all stocks. He referred to the ecosystem approach as the guiding principle in this regard.

The renewal of the expiring Fisheries Partnership Agreements will be another political priority of the Presidency, with a special focus on the Moroccan one, which at the moment is the most important. He showed to be well aware of the European Parliament position on this agreement. He suggested that the EU should coordinate with the UN in its work on human rights in the Western Sahara.

On the mackerel crisis the Ministry promised that the Hungarian Presidency will work to achieve a common position in the Council: he stressed the need to achieve an agreement between the Council and the EP.

According to the *Europolitics* the Hungarian Presidency decided to benefit from Spain's assistance, so Spanish experts will be responsible for the Council's technical groups.

The Presidency will organize in May a high level EU Conference on the

issue of discards: news will be soon available in the Presidency website.

The PECHE Committee welcomed with satisfaction the centrality of sustainability and the ecosystem approach in the Hungarian Ministry's speech. The MEPs welcomed positively also the focus on long terms plans.

The Hungarian Ministry showed awareness of the inter-institutional impasses, between the Commission and the Parliament sometimes, and between the Parliament and the Council on some other issues: the impression is that efforts will be devoted to smooth these tensions. To this regard, he stressed the importance of horizontal circulation of information among the Institutions.

You can visit the website of the Hungarian Presidency:
<http://www.eu2011.hu/>

Fisheries in Iceland

The European Parliament Committee on Fisheries (PECFE) hosted, on the 25 January, a hearing on fisheries in Iceland.

Distinguished panel of experts, featuring both sides' chief negotiators as well as representatives of the Icelandic and EU fisheries sector, discussed with the Committee members the Icelandic model of fisheries management and the state of play of accession negotiations. Divergent views surfaced in the debate on future perspectives for the shared management of migratory stocks in the Atlantic, in particular related to the mackerel dispute and to the issue of whaling.

Ambassador Stefán Haukur Jóhannesson, Chief Negotiator, recalled the common history and heritage of the EU and Iceland, and underlined that Icelandic transposition of the *acquis communautaire* into national legislation is proceeding without major obstacles. He stressed the importance of fishing activities for the economy of Iceland (even more so during the actual crisis) – which catches 30% of EU's total catches– and the consequent necessity of managing the resources in a sustainable way. He underlined that

Iceland presented application to join the EU on the 17th of July 2009. In February 2010 the European Commission submitted to the Council and the European Parliament a positive opinion recommending opening accession talks. In June 2010 the European Council opened the negotiation. The screening process started in November 2010, chapter by chapter, to evaluate Icelandic compliance with the “acquis communautaire”. Chapter 13 deals with fisheries and it is the most critical. The basis of the negotiation is the current CFP.

The Icelandic nation will have the final say in a national referendum on the accession treaty.

Iceland is member of the EU's internal market through the 1994 Agreement on the European Economic Area.

Iceland is managing fisheries in a sustainable way and in a multispecies stock system, according to the best scientific assessments. He then declared that, with the necessary flexibility, Iceland can implement the Common Fisheries Policy, within the common goal of sustainable fisheries.

Kolbeinn Arnason, Chairman of the Icelandic Negotiation Committee on Fisheries, described the most critical element of the CFP that are of difficult acceptance by the fisheries management system in Iceland. Discarding fish is unacceptable for Icelandic fishermen (it is forbidden in Iceland); the fishing sector does not benefit of any subsidies and there is a limitation for foreigner to invest in fisheries in Iceland. Considering that 70% of the resources are found in the exclusive economic zone (EEZ) the Icelandic Parliament wants to discuss governance over Iceland's EEZ. Finally, considering straddling

stocks, Iceland wants to find a way to maintain the competence to negotiate on behalf of Iceland in bilateral agreements and in the international context.

Ambassador Jóhannesson tried to evoke flexibility within the CFP and recalled some examples of Member States which acceded to the EU without implementing all the rules of the CFP.

Tómas Heidar, Legal Adviser at the Ministry for Foreign Affairs, also stressed the will of Iceland to have its voice heard at the global level in the international context, where it has been very active (UNCLOS, UNFSA, FAO and RFMOs). He stressed the need for Iceland to continue sustainable whaling in the EEZ, according to scientific advice.

On the mackerel crisis the Icelandic delegation claimed, and this has been apparently accepted by the Commission, that the issue is to be considered a separate issue from the accession to the EU. Several MEPs were not of the same opinion, neither Ian Gatt, from the Scottish Pelagic Fishermen's Organisation, who, on behalf of *Europêche*, called for the negotiation talk to be suspended until the mackerel dispute is solved out with the satisfaction of the Member States reliant on this stock. Both Iceland and the EP however underlined the need to find a solution for the sustainable management of this resource. The European

Commission expressed its willing to reach a balanced agreement, but not at any price, as it has been declared by Commissioner Damanaki in several occasions. Carla Montesi from DG MARE (European Commission) recalled the failure of the management of blue whiting by Iceland and the consequent collapse of the stock (that did not recover yet), and declared that the intent is to avoid the occurrence of the same situation.

Kristján Thórarinnsson, representing the Federation of Icelandic Fishing Vessel Owners, convened the point of view of the Icelandic fishing sector. He clarified that the sector is willing to keep doing business with the EU, but his Federation opposes Iceland's accession to the EU. Mr. Thórarinnsson's presentation was very clear in listing 10 reasons why the fishing sector does not want to join the EU and adopt the CFP. These reasons touch upon the already mentioned issues of the exclusive competence of the EU in conservation of marine resources; discards; subsidies; the impossibility of keeping limitation towards foreign investment; the loss of negotiating power in the framework of international fishing *fora*. Moreover he referred to the absence of any example of permanent exemption from the CFP, implicitly answering to the confident reliance in flexibility expressed by Ambassador Jóhannesson.

Ms. Elín Björg Ragnarsdóttir, General Manager of the Icelandic Federation of Fish Producers and Exporters, besides stressing that the accession to the EU would raise competitiveness, she pointed out the lack of transparency, the non-sustainability due to discards and the overcapacity of the EU management system.

During the debate some MEPs questioned the model of sustainability and adherence to scientific advice presented by the Icelandic delegation, underling that in 2008 and 2009 data showed overfishing, over scientific advice ceilings. Some other MEPs questioned also the reasons to support whales hunting, putting at stake the very existence of a market for these products, and also the health of the storages of whale meat. The representative from the European Commission – DG Environment – clarified that under current EU law commercial whaling is not allowed in EU waters and for EU vessels. One MEP recalled that fin whales are listed under Annex I of CITES and IUCN Red List of Threatened Specie, and Mr. Heidar pointed out that the fin whales are comprised of two main stocks with no relation between them, the Pacific one (endangered with extinction) and the North Atlantic one which is in good status.

During the debate some MEPs raised question on the willing to accede to the EU of the public

opinion in Iceland, given that the final word will be given to a national referendum on the accession Treaty, and also given the clear opposition of the fishing sector. The Icelandic delegation referred to the last survey (dated 24 January) in Iceland whose outcome demonstrated that 2/3 of the population is in favour of the accession.

Ambassador Jóhannesson concluded the hearing by saying that the attitude of the public will depend on how the delegation will manage to conclude the negotiation: he stressed that all the stakeholders are represented in the sub-groups of the delegation; therefore they have direct access to the negotiation process.

Through the discussion, it became apparent that Icelandic claims of sovereign management over their resources do not easily fit in the exclusive competence over the conservation of marine biological resources which is part of the Common Fisheries Policy in the EU. The fundamental principle of equal access to EU waters for all Member States (beyond 12 nautical miles) is another obstacle.

“Rules of origin” are the criteria used to define where a product was made. They are linked to the application of trade measures such as quotas, preferential tariffs, anti-dumping actions and countervailing duties (WTO).

The Interim Partnership Agreement between the European Community and the Pacific States

The European Parliament (EP) adopted, on the 19th of January in Strasbourg, a legislative resolution in which it gives its consent to the conclusion of the Interim Partnership Agreement (IEPA) between the European Community and the Pacific States.


The EP expressed its position on the conclusion of this Agreement in a joint resolution adopted on the same day, tabled by the Committee on International Development.

The Resolution stresses that the IEPA aims at keeping the market open for exports from Papua New Guinea and the Fiji Islands, and allowing negotiations on a comprehensive EPA if so desired by the states concerned. The IEPA can be regarded as a first step towards a full EPA, but in legal terms it is a completely independent international agreement that may not automatically lead either to a full EPA or to all the initial signatories of the IEPA signing the full EPA.

The derogation from the rules of origin, negotiate in the interim EPA by the EU and the ACP countries, covers the entire production chain, from extraction of raw materials to processing, marketing and export.

The Resolution adopted by the EP stresses that the purpose of the specific provisions on rules of origin for fisheries products is to develop onshore fish processing capacity in the ACP Pacific states, so as to generate local employment and income. The Parliament showed concerns towards some measures adopted by Papua New Guinea authorities' within the environmental legislation, which in practice waive the requirement to submit environmental reports for projects dealing with the development of fishing capacity.

The derogation from the rules of origin for processed fishery products, actively used by Papua New Guinea, has turned that country into a genuine hub for the processing of huge quantities of tuna from a variety of sources (including the Philippines, Thailand, China, the United States and Australia). As reported by the Western and Central Pacific Fisheries Commission (WCPFC), third countries – in particular China – have been investing in large-scale industrial projects in Papua New Guinea. A part from not favouring the development of local fishing industry, this risks to be counterproductive for the sustainability of the resources favouring over-fishing and



sometimes also illegal, unreported and unregulated (IUU) fishing.

Moreover, the Parliament draws attention to the fact that the derogation from the rules of origin may have a destabilising effect on the EU's fish processing and canning industry. Accordingly, it calls on the Commission to present to Parliament as soon as possible a report on the management of fish stocks in the Pacific, including sustainable development practices. It calls on the Commission to initiate the consultations, and to provide for the suspension of the exceptional arrangements regarding the rules of origin in the event that the assessment report demonstrates a destabilising effect on the EU's fish

processing and canning industry. This report, to be prepared in 2011, must look at the economic, social and environmental impact of the global sourcing derogation on the population of Papua New Guinea, particularly coastal communities. Parliament calls for a full stakeholder's involvement within this consultation process.

(Source: European Parliament webpage)

Interview of the month: Serge Michel Garcia

By Arianna Broggiato

- As a scientist what would you say it is the main problem to be solved to ensure sustainable fisheries?

The main problem is overcapacity. Most of the other fisheries problems (e.g. overfishing, poor economic performance, excessive ecosystem impacts) are, to a large extent, consequences of this problem. Overcapacity has been an issue for more than 50 years (the first Conference on Overfishing was held in London in 1946). Since then we have been trying to solve the secondary consequences of this problem without seriously addressing its root institutional causes. Solutions exist, that have been tested and that a growing number of States are trying to implement.

During the last decade another “dormant” problem merged: the ecosystem impact of fisheries. Every fishing activity alters unavoidably the marine ecosystem to some extent. Some effects are positive (e.g. increased productivity). Some are negative (e.g. increased fluctuations and reduced spawning potential). The problem is not new but has not been fully addressed in practice until the adoption by FAO of the precautionary approach to fisheries,

Serge Michel Garcia is an accredited scientist with long standing experiences in the assessment and management of fisheries worldwide.

He worked in West Africa from 1968 to 1979 for the French Institute of Research for Development, IRD (formerly ORSTOM).

He joined the FAO Fisheries Department in 1979 where he was successively responsible for West African fisheries resources, Head of the Marine Resources Service and Director of the Fisheries Management Division. He contributed, inter alia, to the conception and development of the Code of Conduct for Responsible Fisheries and championed the precautionary and the ecosystem approaches to fisheries. He retired from FAO in March 2007.

He is a member of the Scientific Committee of the French Institute for Research and Exploitation of the Sea (IFREMER), the Steering Scientific Committee of the Census of Marine Life (CoML), the Global Forum on Oceans Coasts and Islands and the Board of the European Bureau for Conservation and Development (EBCD), as well as chair of the Fisheries Expert Group of IUCN (IUCN/CEM/FEG).

in 1995, and of the ecosystem approach to fisheries, in 2001. It will take some time before a global functional system is in place to deal effectively with the issue but efforts are being made. Considering that human societies cannot ecologically afford to replace the 230 million tonnes of aquatic “meat” by terrestrial production, fisheries are necessary and a societally acceptable level of impact must be determined and agreed with which fisheries will need to comply.

- When does a Marine Protected Area (MPA) improve fisheries management?

Protecting an area for the purpose of fisheries resources conservation is a very old practice: it has been used to protect juveniles or spawning concentrations. In the absence of a control on fishing capacity, however, their efficiency was poor and they

progressively lost their role on management strategies. Protected areas have always been a central instrument of conservation strategies and are central to the CBD implementation of the general Ecosystem Approach. However, the extension of the concept to large and deep aquatic ecosystems raises particular conceptual and implementation problems.

For the sake of brevity, let's just say that, in order to be useful for fisheries management, MPAs require specific characteristics. First, they should allow fishing within the area, under particular sustainable conditions. Alternatively, and depending on their size, they should be fully integrated into the fishery management plan with a specific fisheries-related objective (e.g. protect juveniles, serve as refuge for large adults, etc.). Their location should take account of bioecological as well as socioeconomic implications and be decided in a participatory and adaptive management process involving all main stakeholders. They need that fishing capacity be controlled and maintained at acceptable levels. Finally, it should be scientifically shown that they will be ecologically and socioeconomically more effective than existing conventional measures.

The real objectives of a candidate MPA should be clearly spelled out. And its potential effects supported by

best scientific evidence, as required for any other fishery management measure. It is obvious that, in a fluid environment, MPAs will work better (or only) with static resources of life stages. However, fisheries have used mobile areas (management boxes) for quite a long time for mobile resources with some success.

It goes without saying that MPAs may also be used for non-fishery objectives, such as for general protection of biodiversity. In this case, however, they should be assessed as such with all the collateral effects they may have on the natural and human components of the ecosystem.

Finally the key question is: what is the total impact of an MPA in the ecosystem? Impacts inside an MPA are not sufficient to measure their effectiveness for fisheries management. They have to be assessed in relation to their effect on complex the set of fisheries with which they may interact and at ecosystem level. This is true also for any fishery management measure but it still very rarely done.

- What is missing, if something is really missing, for an effective implementation of the ecosystem approach in fisheries?

In absolute terms, nothing is missing, in the sense that nothing impedes the countries to put the ecosystem

approach in place. All the tools to implement it are already available, and countries need only to choose which one to put in place according to their level of capacity. The measures to be taken can be either very sophisticated or fairly simple and the implementation process must be adaptive, participative and progressive, evolving with the country capacity. The qualitative Risk Analysis (QRA) promoted by FAO, for example can be applied at different capacity levels, in highly quantitative computerized mode -in capacity-rich countries- or in a qualitative and participative mode, using stakeholders' knowledge when capacity is limited, as in small island countries.

A simple examination of the spectrum of species caught in an area to identify species potentially listed in the IUCN Red List is a useful and easy first step, for example. A rapid assessment of the gears used in such areas and their potential impacts on the marine environment as well as a mapping of the fishing areas, are also examples of rather easy starting points. It cannot be overstressed, however, that the central measure of any ecosystem approach is the control and reduction of fishing capacity.

The ecosystem approach calls for a lot of data, but in case of lack of complete data documentation, qualitative data and data from the fishermen can be used to implement


it in precautionary mode, with their active participation.

The ecosystem approach does not need to (and cannot) be implemented in one day: every country should do the best it can to start the process now, with the available resources and technologies. There are no reasons for the countries to postpone implementation.

- Selectivity versus balanced harvest: has this new point of view changed your approach to fisheries management?

Yes, in the sense that I realized more fully, that lots of conventional measures the effectiveness of which we take for granted, might not be that effective.

The concept of balanced harvest raises a number of questions for which we need more research and lots of creativity in finding new management measures (or combinations of existing ones) that can be effective in terms of maintenance of ecosystem structure and function as well as in terms of fisheries performance and food security. Scientists, fisheries managers and decision makers need to be creative and innovative to find good solutions without overloading the societal costs and socio-economic stress on vulnerable communities. This is a big challenge. However, if Governments were really



serious when adopting the ecosystem approach in fisheries, they need to face the consequences of that adopted approach, adapting the management and fishing patterns to the new requirements they have established for themselves.

EP written questions and answers

According to the **Rules of Procedure of the European Parliament** (title IV - chapter 3 - rule 115-118), any Member of the Parliament may formulate **oral and written questions**. The written ones can be addressed to the President of the European Council, the Council, the Commission or the Vice-President of the Commission: the oral ones only to the Council or the Commission.

The written questions are to be answered within three weeks of being forwarded to the addressees if they are priority questions, six weeks if they are not-priority questions.

Questions and answers shall be published in the Official Journal of the European Union.

Question to the Commission By Carmen Fraga Estévez (PPE) Subject: Requirements for the export of fishery products to the EU

It is becoming apparent from meetings of regional fisheries organisations (RFOs) that certain contracting or cooperating parties, especially from coastal states, are in many cases failing to fulfil RFO obligations or directly obstructing the adoption of management measures required in order to maintain stocks at sustainable levels.

Specifically, at the recent meeting of the WCPFC, held in Honolulu (USA) during the first week of December 2010, the bloc of island coastal states vetoed the adoption of major management measures such as data gathering and transmission and a freeze on fishing capacity when scientific reports so recommended; as far as the bigeye tuna (*Thunnus obesus*) was concerned, the meeting not only ignored the scientific recommendations to cut the fishing effort by 30 %, but even went so far as to approve a 40 % increase. Another management measure rejected at the meeting was the adoption of a catch documentation system, an essential means of preventing IUU fishing.

The island coastal states take the view that RFO decisions should be enforceable only in international waters, but not within their own EEZs. Given that these countries are islands, their

EEZs encompass almost all of the waters administered by the RFO. What this means is that virtually no surveillance is brought to bear on tuna fisheries in the part of the Pacific concerned, where fleets, mainly from south-east Asia, can do as they please, since they are accountable only to countries which have neither the wherewithal nor the will to supervise them.

Many of the island states, however, export their fishery products to the EU under the highly favourable conditions afforded by the European policies of lowering tariffs and waiving rules of origin.

Bearing in mind that the situation described above is diametrically at odds with Regulation (EC) No 1005/2008 on the prevention of IUU fishing, can the Commission specify the minimum requirements applying to certificates for fishery products exported to the EU?

Answer given by Ms Damanaki on behalf of the Commission - 28 January

The IUU Regulation⁽¹⁾ was introduced as a response to increased IUU fishing activities with the aim of sending a strong message to the international community that the EU will not tolerate weak control of fishing activities. The Commission is actively promoting the implementation of a similar system at international level in regional fisheries management organisations (RFMOs)

which will extend the area of application. Several RFMOs have adopted catch documentation schemes compatible with the IUU Regulation which gives us sufficient grounds to persevere this type of development.

The Western Central Pacific Fisheries Commission (WCPFC) has not yet adopted a catch documentation scheme which can be compared with the EU catch documentation system. As a consequence, in application of the IUU Regulation, any import of fish caught in the WCPFC area is allowed into the EU only if accompanied by a complete catch certificate validated by a notified competent authority. In addition, the control and inspection measures taken by Member States at the importation stage must ensure that no consignments stemming from non-notified countries can enter the EU market.

Question E-000835/2011 to the Commission

By Chris Davies (ALDE)

Subject: Timetable for Common Fisheries Policy reform

Will the Commission indicate the timetable to which it is working in order to put in place new regulations under the Common Fisheries Policy by 31 December 2012?

What deadlines must be met variously by the Commission, Council and Parliament if proposals for CFP reform are to be approved through the normal legislative process by the end of next year?

What will be the consequences for fisheries policy, and what action must be taken, if new regulations are not agreed by this time?

Question E-000792/2011 to the Commission

By Oriol Junqueras Vies (Verts/ALE)

Subject: Examples of best practice - co-managed protected marine areas of fisheries interest in Miñarzos and Cedeira (Galicia)

The co-managed protected marine areas of fisheries interest are a concrete example of an ecosystem-oriented approach to fisheries issues, as well as sustainability of fisheries resources, participation of fishing regions and fisheries-dependent sectors, and improved environmental protection. Galicia has two protected marine areas, Miñarzos and Cedeira, run by, respectively, the Fishermen's Communities (*Cofradías de Pescadores*) of Lira and Cedeira. Both furnish examples which could be followed by the new CFP in the interests of supporting environmental sustainability and the future of small-scale fisheries, in fishing regions which, besides, lack any socio-economic alternatives to traditional fishing and shellfish gathering.

These reserves receive necessary and invaluable support in cofinancing from the European Fisheries Fund (EFF), whose basic regulation (Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund) provides for measures to finance the improvement of the aquatic environment and environmental protection in the framework of the Natura 2000 network where they 'concern fishing activities' (see Article 38 of the regulation, paragraphs 2(c) and 3). In addition, Commission Regulation (EC) No 498/2007 of 26 March 2007 laying down detailed rules for the

implementation of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund states in its Article 16(3) that 'support ... may cover the expenditure on the necessary conservation measures for sites belonging to the Nature 2000 European Ecological Network'. Such support may encompass the preparation of management plans, strategies and schemes, infrastructure including depreciation and equipment for reserves, training and education for the employees of reserves, and relevant studies.

The EFF Vademecum states, with reference to the basic regulation, that expenditure on the monitoring of species and habitats is eligible for assistance. In this sense, the Community legislation would be interpreted as covering payment of the salaries of the staff responsible for the inspection and monitoring of marine reserves.

Will the Commission, in its future communication on the CFP, offer its support to an ecosystem-oriented approach on the lines already being followed by the co-managed marine reserves of fisheries interest in Galicia?

Will the Commission consider expenditure on the monitoring and inspection of the species concerned as being eligible for assistance under the future cofinancing instruments?

Question E-000791/2011 to the Commission

By João Ferreira (GUE/NGL)

Subject: Financial measures relating to execution of the CFP: monitoring and collection of basic data

Council Regulation (EC) No 861/2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea provides for the financing, inter alia, of measures in the fields of monitoring, collection of basic data and collection of supplementary basic data.

Can the Commission state:

1. what amounts have been allocated each year in the budget over the last five years for financing measures in the above three areas;
2. what amounts have been allocated each year over the last five years for financing measures in the above three areas, and to which Member States? What is the average rate of Community cofinancing in each of these areas?

Question E-000725/2011 to the Commission

By Willy Meyer (GUE/NGL)

Subject: Fisheries agreement with Morocco and waters of the Non-Self-Governing Territory of Western Sahara

The current fisheries agreement between the EU and Morocco that was signed in July 2006 will expire on 27 February 2011. In this agreement, the Moroccan authorities granted around 120 licences authorising fishing in its waters and in waters that fall directly under the sovereignty of the Non-Self-

Governing Territory of Western Sahara under international law.

Before the natural resources of Western Sahara can be exploited, international law requires that the Sahrawi people should have given their consent, that their interests be taken into account and that the population should benefit directly from the natural resources that are being exploited.

This has been underlined on various occasions by the former legal adviser to the United Nations Security Council, Hans Corell, who has said that if any activities were carried out to exploit resources without the prior agreement of the people of Western Sahara and without regard for their interests, this would be a serious breach of international law. A recent European Parliament legal report also concluded that the current agreement did not comply with international law, since the Sahrawi population was not receiving any benefits from it.

Even though four years have passed since the agreement was signed and there is only one month left before its expiry, the European Union has not received the information requested from the Moroccan government on the benefits that the people of Western Sahara receive in return for the exploitation of their waters: moreover, all the reports and independent investigations that the EU has consulted indicate that the opposite is the case. This was reflected last November in the European Parliament's condemnation of human rights violations in the Moroccan-occupied territory of Western Sahara.

Given the impossibility of receiving the consent of any body legitimately

representing the Sahrawi people and ensuring that economic and social compensation for fishing in these waters benefits the Sahrawi population, and bearing in mind the systematic human rights violations by the Moroccan authorities,

Is the Commission considering not renewing the fisheries agreement as long as Morocco fails to respect human rights? Does the Commission not consider it necessary to exclude waters under the sovereignty of Western Sahara in order to avoid a situation where the EU would be in breach of international law?

**Question to the Commission
By Josefa Andrés Barea (S&D)
and Antolín Sánchez Presedo
(S&D)**

Subject: Renewal of the Protocol to
the EU-Morocco Fishing
Agreement

The fishing agreement between the EU and the Kingdom of Morocco entered into force on 28 February 2007 for a four-year period, renewable automatically unless either party served notice six months before its expiry. It has now been automatically renewed for another four years; neither party has served notice as the agreement is seen as beneficial to both sides.

The Protocol to the current agreement laying down the fishing opportunities and the conditions expires on the same date. Under its provisions approximately 120 Community boats can fish in Moroccan waters, carrying on an essentially small-scale fishing activity to

permit the renewable fishing of stocks, and this is vital for social and economic reasons in Community areas that are being hit hard by the crisis. To prevent a break in their activities there is a need to negotiate before that date to ensure that the Protocol can be extended or renewed.

Bearing in mind that a fishing stoppage would have a very adverse effect on European vessels from at least five Member States, and would result in the cessation of investment in the region and disadvantages for the local population arising from the agreement, will the Commission be taking urgent steps to ensure the renewed agreement takes effect automatically and avoid a cessation of fishing?

Could it explain what measures it will be adopting to remedy this situation and ensure the EU fleet is not affected by it?

Question E-000898/2011 to the Commission

By MEP Guido Milana (S&D)

Subject: Information concerning the place of origin of canned fish products

Directive 2000/13/EC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs lays down that the compulsory indications include (Article 3(1)(8)) 'particulars of the place of origin or provenance where failure to give such particulars might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff'.

The Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) has reached political agreement at first reading on the proposal for a regulation rescinding the above directive (interinstitutional file 2008/0028(COD)), with the aim of ensuring that food labels provide essential information clearly and legibly, enabling consumers to make an informed choice. The Council has also agreed that country-of-origin labelling, as currently required, is in danger of misleading consumers.

The proposal provides for compulsory country-of-origin labelling for various types of meat (pork, lamb and poultry), subject to implementing provisions, and requires the Commission to submit a report within three years of the entry into force of the new regulation to consider the possibility of extending compulsory country-of-origin labelling to other products (milk, milk used as an ingredient, meat used as an ingredient, unprocessed foods, single-ingredient foods and ingredients making up more than 50% of a food.)

In order to protect the interests of consumers, the Regulation establishing a Community control system (Regulation (EC) No 1224/2009) requires information on the commercial designation, method of production and catch area to be available at each stage of marketing (Article 58), as provided for by Commission Regulation (EC) No 2065/2001 of 22 October 2001 laying down implementing provisions for Council Regulation (EC) No 104/2000 as regards information for consumers concerning fisheries and aquaculture products.

Can the Commission therefore indicate the grounds on which there is a

requirement, in the case of fresh fisheries and aquaculture products, to inform the final consumer of the place of catch or of farming, while for canned fish it is sufficient to provide information about the place of processing (name and address of the establishment) and not considered necessary to indicate the area where a fisheries product was caught or farmed? Can the Commission also explain why it is necessary to await a Commission report before considering requiring this information to be provided?

Question E-000896/2011 to the Commission

By Alain Cadec (PPE)

Subject: 2011 TACs and quotas for undulate ray, common skate and spiny dogfish

In its answer of 17 June 2010 to my previous question E-2973/2010 of 20 April 2010 on fishing for undulate ray, the Commission stated that 'the ICES advice regarding these species (undulate ray and common skate) dates from 2008 and will be brought up to date in 2010', and 'the Commission will decide on whether it proposes the continuation of these measures for the 2011 fishing season or their amendment, in light of the updated advice, expected in October 2010'. Fishing for undulate ray (*Raja undulata*), white skate (*Rostroraja alba*), common skate (*Dipturus batis*), other skates and spiny dogfish is currently banned under Regulation (EU) No 23/2010 of 14 January 2010, which lays down conservation measures for certain species of ray.

The ICES report, the 'Report of the Working Group on Elasmobranch Fishes (WGEF)' published on 22 June 2010, describes the state of the undulate ray stock as follows: 'Undulate ray - Has a patchy distribution, with some of these areas showing signs of depletion. As a precautionary measure, target fisheries for this species should not be permitted unless exploitation rates are shown to be sustainable' (p. 288 of the report). While noting that target fisheries could pose a threat, it sees no danger associated with by-catches.

Some French fishermen take by-catches of undulate ray. Knowing that the survival rate is very low, it is unacceptable to throw commercially sized fish back into the sea.

When quotas were set for 2011 at the Council meeting of 15 and 16 December 2010, the Commissioner did not wish to reopen fishing for these species. This ban on fishing does not make sense given the large quantities of by-catches taken by fishermen.

Would it be possible to reopen by-catches for these species in 2011?

Can the Commission say what steps have been taken to avoid by-catches of spiny dogfish and undulate ray in line with the ICES opinion? The ICES report also states that 'measures should be taken to minimise by-catch'.

Once it has collected the scientific advice, can the Commission hold a meeting with French producers' organisations affected by this problem to gather the expert opinions of people working in fisheries?

Question E-000696/2011 to the Commission

By Ioannis A. Tsoukalas (PPE)

Subject: The 'Mediterranean' Regulation: effects of complete abolition of seine netting as a fishing technique

Following the implementation of Regulation (EC) No 1967/2006 (the 'Mediterranean' Regulation) in respect of towed gears such as seine nets as of 1.6.2010, the 1 800 Greek fishermen using this form of fishing gear have seen their income fall significantly. Furthermore, there has been a significant increase in the price of fish caught by seine netting, and in imports of dubious quality from third countries (mainly Albania and Turkey), where the use of such gear continues unrestricted.

In view of the above, will the Commission say:

- Can it cite scientific studies, backed by documented evidence, proving that the use of seine nets has a serious impact on the marine environment, since mere indications (see answer to question E-5189/2010) are not a sufficient reason for totally banning this fishing method, given the serious negative socio-economic consequences entailed by such a ban?
- Is it prepared to assist EU Member States by providing EU funding to

conduct specific studies, with documented scientific research, into the impact of seine netting on Posidonia meadows?

- Given that the Commissioner for Maritime Affairs and Fisheries has declared her willingness to exhaust all possible funding options under the EDF to provide compensation to the fishermen who will lose their jobs (see answer to oral question H-0459/2010), what plans exist to implement compensation measures? Has adequate compensation been provided so far, enabling the fishermen affected by the ban to replace their fishing gear?
- Has it received any requests so far from Member States about the possibility of permitting derogations from the minimum mesh size specified in Article 9, paragraph 3 of the Regulation? If so, from which Member States? And what follow-up action will it take?
- In view of the significant shortcomings identified by the Commission in the management plan for fisheries submitted by the Greek Ministry of Rural Development in April 2010, does it consider that the Greek government submitted this plan just on a pretext? How many plans have been submitted by other Member States and how many have finally been approved?

UPCOMING EU EVENTS

Fisheries Council

21-22 February
17-18 March
14-15 April

European Parliament – Plenary sessions

14-17 February – Strasbourg
7-10 March – Strasbourg
4-7 April – Strasbourg

European Parliament – Fisheries Committee

15-16 March – Brussels
12-13 April - Brussels

ACFA (Advisory Committee on Fisheries and Aquaculture)

WG2 Aquaculture – 1 February - Brussels
WG3 on markets and trade policy – 24 February – Brussels
WG4 General Matters – 22 March

RACs

All RACs meeting – 2 March - Brussels

BaIRAC

WG on discards - 9 February

MedRAC

General Assembly 21-22 February– Rimini (Italy)

NWWRAC

WGs – 13-14 April - Bilbao

NSRAC

Demersal WG – 18 February - Edinburgh

North Sea Stakeholder Conference – 17-18 March - Newcastle

SWWRAC

WG 8/10 February – Porto
ExCom – 17 March - Lisbon

February

Meeting at the European Commission on the implementation of the IUU Regulation – 15 February - Brussels

IOTC WG on the establishment of TAC and Quotas system - 16/18 February– Kenya

ICCAT Compliance Committee – 21-25 February - Madrid

March

GFCM – Committee on Aquaculture – 8/10 March 2011 – Rome

Conference “Exploring the Role of MPAs in Reconciling Fisheries Management with Conservation” – 29-31 March - Bergen – Norway

Symposium “The North Sea, field lab for marine protection” – 22 March – Leuven – Belgium

IOTC Compliance Committee and Annual Meeting – 17-25 March – Colombo (Sri Lanka)

April

Conference “Exploring the social and cultural aspects of sustainable marine fisheries management” – 4-5 April - Greenwich, UK

Conference “1st International Conference on Marine and Maritime Affairs” – 4-5 April – Plymouth, UK

May

FAO Technical Consultation on Flag State Performance – 1-7 May - Rome

GFCM Annual Plenary – Committee on Compliance – Committee on Administration and Finance – 9-14 – Rome

UN WG on Marine Biodiversity beyond Areas of National Jurisdiction – 31 May-3 June – New York