



# FISHERIES AND AQUACULTURE NEWSLETTER

MARCH 2016

I would firstly like to express my deep sympathies and condolences to the victims and their families affected by the recent attacks in Brussels.

Secondly, the debate on everybody's lips this month is the new EC proposal on the Technical Measures Framework that will set the fishing techniques for the upcoming years. To this extent, the EP Fisheries Committee held a Hearing on this topic whilst the Think Tank of the EP published a paper touching on this subject.

Thirdly, you can also read about the MPAs initiative 10x20 and the IUU state of play discussed during the last meeting of the LDAC.

Lastly I invite you to take a look at the upcoming events taking place in coming weeks.

Enjoy the reading,

Despina Symons  
Director, EBCD



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## Technical measures: the long-awaited proposal

Finally, and after months of delays, the European Commission has published the proposal for fishing technical measures (REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the conservation of fishery resources and the protection of marine ecosystems through technical measures).

The proposal consists of 2 documents:

- The proposal/regulation
- Annexes:
  1. List of Prohibited Species
  2. Closed areas for the protection of sensitive habitats
  3. List of species prohibited for capture with driftnets
  4. Measurement of the size of a marine organism
  5. Minimum conservation reference sizes per sea basin
  6. Mesh sizes
  7. Closed or restricted areas
  8. Mitigation measures for sensitive species
  9. Innovative fishing methods (issue of electric pulse fishing is touched upon under the North Sea section)

This proposal will now undergo the ordinary legislative procedure, meaning discussion in the Working Groups of the Council of the EU and adoption of a position by the Fisheries Ministers on one hand, and on the other hand discussion and proposal of amendments and vote at EP Fisheries Committee. Following that, trilogues will take place between the two aforementioned bodies and the EC to find a mutually agreed position, after which the regulation will enter into force.

The proposal, as long-awaited as controversial, is expected to create a vivid discussion between all involved.

**You can read the proposal in all languages here:**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2016:134:FIN>

**You can read the press release here:** [http://europa.eu/rapid/press-release\\_IP-16-721\\_en.htm](http://europa.eu/rapid/press-release_IP-16-721_en.htm)

You can read the Q&A here: [http://europa.eu/rapid/press-release MEMO-16-722\\_en.htm](http://europa.eu/rapid/press-release_MEMO-16-722_en.htm)

# European Parliament

## Fisheries Committee: Hearing on technical measures

After the publication of the Commission proposal on Technical Measures, the hearing organised in the Parliament gives us an initial indication of the possible impacts and problems the fisheries sector will have to face.

The hearing was divided into 2 panels; horizontal issues (common provisions for all basins, multiannual plans and the role of regionalisation) and geographic scope (specific provisions for the sea basins). Speakers were from the industry sector of France, UK and Netherlands; nevertheless also representing the European industry in general, as well as a speaker from academia in Croatia.

The speakers raised the following **issues regarding the existing technical measures as well as the new proposal from the European Commission:**

- It is important to improve selectivity and allow fishermen to follow a rational economic behaviour
- Follow a result based legislation rather than a means to achieve.
- No "one size fits all" approach should be followed. This was tried in the past and it failed.
- Dialogue with interested stakeholders and mostly people whose activities are being regulated is imperative.
- Need to follow a bottom-up approach while limiting the top-down rules.
- Legislation should not be weighted down with overarching detail; allow flexibility
- The existing regulation is out of date, complex, too strict and non adaptable.
- New technical measures should not include measures or regulations for aspects not under their jurisdiction.
- The environmental aspects need to be coherent with the framework, something that did not happen in the previous regulation.
- Regionalisation should also be favoured in the new technical measures.

- It is important to allow fishermen some flexibility and adaptability, as well as leeway for them to take their own decisions whilst of course following a set of guidelines.
- Governance is the key part that needs to be regulated and the rest will fall into place.
- Advisory Councils need to be active participators (if not compulsory)
- New technical measures need to look into coordinating with existing environmental legislation such as Natura 2000 and Marine Strategy Framework Directive.
- It is important to ensure that this new proposed regulation does not turn into an environmental legislation, as seems to be the case lately.

In regards to the speaker from academia he raised several **concerns regarding the existing regulation that should be avoided in this new one**, such as:

- There is no difference in fishery regulation within different distinct areas in the same sea basins.
- There is no difference between the fishing gears and their definitions which has created problems and controversies regarding fishing techniques.
- Small scale fisheries have many advantages and should have specific provisions (tailor made).

A Q&A session followed where MEPs expressed their concerns and raised questions both on the presentations from the speakers as well as to the European Commission regarding the new proposed technical measures framework. Amongst those concerns were:

- Regionalisation is an important part of this proposal and flexibility must be allowed.
- A toolbox regulation is needed to achieve the goals as set out in the Common Fisheries Policy.
- It is important to simplify the rules and allow fishermen to have flexibility.
- It must also be ensured that Member States don't add more layers of rules on top of the existing framework.

Lastly, the European Commission took the floor adding that this new proposal tries to find a balance between complete overhaul of the rules and a wide common EU approach. It added that as the CFP stands now there are clear objectives to achieve and the technical measures framework sets out clear targets to attain them. Specifically on the Mediterranean, as it is in a weird situation the technical measures will be more general but it will be up to MS and ACs via the regional groups and their multi annual plans to address specificities of their regions.

[You can view the hearing here.](#)

[You can see the presentations here.](#)

Though discussion on the Technical Measures in the Fisheries Committee was scheduled for the following day, 22 March, due to the tragic events occurred in Brussels this was postponed.

# MPAs:

**During the last EP Environment Committee, the Report from the Commission to the European Parliament and the Council on the progress in establishing marine protected areas (MPAs) (as required by Article 21 of the Marine Strategy Framework Directive) was discussed.**

Following the overview presentation from the European Commission (*find attached the report*), the floor was given to MEPs. Below you can find the replies from the EC on some points:

- Funds from the European Maritime Fisheries Fund (EMFF) are mostly directed to fishing activities (e.g. implementation of landing obligation), rather than MPAs. Will the EC look into the outtake of EMFF funds for MPAs compared to other sectors/activities?
  - It is up to Member States to decide where they wish to allocate the EMFF funds as well as coordinate (between themselves) and with stakeholders to set up MPAs and specify conservation targets.
- The need to strike a balance between interested stakeholders and improve selectivity for destructive fishing methods.
- Better control of destructive fishing methods that, according to an MEP, take place in some Natura 2000 sites. MEP asked whether EC is aware of this and how is it allowing this? The same MEP asked the EC whether it was planning on increasing its 10% MPA coverage goal envisioned by 2010 to 30% by 2020 and what would be the long term prospect for 2030. Lastly, the MEP asked how the EC is going to access and encourage the protection level of MPAs.
  - On the long term targets progress is being made but the 10% goal will remain the 2020 target and it is imperative to first achieve that before going on setting higher goals. Already much has been achieved from all sides in order to reach that goal.
- Will the EC take action against Member States that have not made any progress on MPA designation and management?
  - The EC has already taken action sending pilot projects to some MS and will go ahead with more in the near future to promote action on MPAs.
- There is wide disparity between MPA percentages of coverage per sea basin, whilst percentages of fishing activities differ per basin. It would be best to differentiate MPA coverage per basin (following the regionalisation approach enshrined in the Common Fisheries Policy – the same approach should apply to the MSFD in general).

- Other human activities need to be included when discussing MPA designation and management.
- It is necessary to find a balance between achieving environmental goals and fishing activities. Better monitoring is needed to ensure protection of marine habitats.

On a more general level, the EC finished its intervention adding that:

- Marine Spatial Planning is a tool to better coordinate activities, whilst MSFD acts as an instrument to ensure environmental goals are met and MPAs will help achieve this goal.
- Need to accelerate the designation and management of MPAs in an ecological and coherent way. Nevertheless, the criteria (such as representativeness, adequacy and others) to quantify ecological coherence is not mapped but progress is being made in collaboration with the European Environmental Agency (EEA).

The Vice Chair of the EP Fisheries Committee who took the floor criticized the fact that this topic should have been looked at from both the ENVI + Fisheries Committee of the European Parliament.

## **EP Think Tank: Overhauling fisheries technical measures**

The EP Think Tank has released a paper on “Overhauling fisheries technical measures” a few days before the European Commission released its proposal on said measures. In summary, this paper explains that technical measures in fisheries govern the different fishing practices which can be used to catch fish, as well as the areas and seasons for fishing. Aimed at limiting unwanted catches (notably of juvenile fish) or at reducing the impacts of fishing on nature (protected species and vulnerable habitats), EU technical measures in fisheries have, over time, developed into a complex set of prescriptive measures, which do not fully achieve their objectives. The European Commission finalised, on 11 March 2016, a long-awaited proposal to overhaul a number of existing rules and to establish a new legislative framework in this domain. Building on the latest reform of the Common Fisheries Policy (CFP), the proposal would provide measures of general application in all seas, and baseline measures supporting given objectives, by maritime region. It would also set a new approach on governance and delegation of powers for the development of regional approaches. The Commission estimates that this new regulation would contribute to reaching CFP objectives, notably on delivering

maximum sustainable yield for fish stocks, with positive socio-economic and environmental impacts.

You can read the full report [here](#)



## THE 10x20 INITIATIVE

The Government of Italy, the Ocean Sanctuary Alliance and the UN Environment Programme (UNEP) recently organized the international 10X20 conference (7-9 March, 2016) to support the achievement of a globally agreed target to conserve at least 10% of coastal and marine areas by the year 2020 (SDG 14, Target 5). The first two days of the conference (chaired by Ellen Pikitch) involved 25 international experts in discussions on good practice for measures to designate and promote the effectiveness of marine protected areas (MPAs), focusing on science (led by Callum Roberts), governance (led by Peter Jones) and finance (led by Rashid Sumaila). During the third day, diplomatic representatives from 33 countries from around the world, particularly small island developing states along with 11 coastal states, joined the conference to agree a Call to Action and Scientists' Consensus Statement. These outputs aim to provide a "road map" for moving forward on achieving the 10% marine protection target, as part of the 2030 Agenda for Sustainable Development. This will help guide national governments, United Nations agencies and other development agencies and donors in MPA projects around the world, promoting MPAs that are designated on the basis of the best available science, that are effectively and equitably governed, and that are financially sustainable and contribute to sustainable development.

The Italian Minister of Foreign Affairs, the Hon. Paolo Gentiloni, opened the scientists-diplomats joint session. The Italian Minister of the Environment, Land and Sea, the Hon. Gian Luca Galletti, closed the event.

"The 10X20 Initiative was launched in October 2015 by the Government of Italy and by the Ocean Sanctuary Alliance to promote the achievement of target 5 of SDG14. A steering committee has been established as the instrument of advocacy of the initiative as well as a means for generating support for the voluntary creation of MPAs and a forum for exchanging knowledge and best practices. The Steering Committee brings together governments, international organizations, NGOs, foundations and private companies and is open to all Member States."

This information bulletin can be downloaded [here](#)

### **Links to presentations**

["How to design highly effective marine protected areas" by Callum Roberts, Professor of Marine Conservation, University of York, UK](#)

["Governing marine protected areas: social-ecological resilience through institutional diversity" by Dr Peter JS Jones, UCL](#)

["MPA Financing" by U. Rashid Sumaila, Fisheries Economics Research Unit, The Global Fisheries Cluster, UBC Oceans and Fisheries, Vancouver, Canada](#)

[Call to Action](#)

[Scientists' Consensus Statement](#)

## IUU: state of play

*Illegal, unreported and unregulated fishing (IUU) is a major threat to global marine resources as overfishing destroys the livelihoods of many communities who depend on fisheries. It is estimated that between 11 and 26 million tonnes of fish are caught illegally a year, corresponding to at least 15% of world catches. Its global value reaches up to 10 billion euros per year.*

20 countries have entered in negotiations with the EU since 2010, when the IUU Regulation came into force. This key instrument in the fight against illegal fishing ensures that only fisheries products that have been certified as legal can access the EU market.

### Red card countries

A few countries have not shown the necessary commitment to reforms. As a result fisheries products caught by vessels from **Sri Lanka** (since October 2014), and from **Guinea** and **Cambodia** (since November 2013) are banned from being imported into the EU (identification and listing or "red card").

### Green card countries:

**Philippines, Fiji, Panama, South Korea, Togo, Vanuatu, Belize**, and more recently **Ghana** and **Papua New Guinea**, were "awarded" with a yellow card.

Despite these "identifications" as non-cooperating countries, Commission lifted these yellow cards since they have significantly reformed their fisheries governance system.

### Yellow card countries

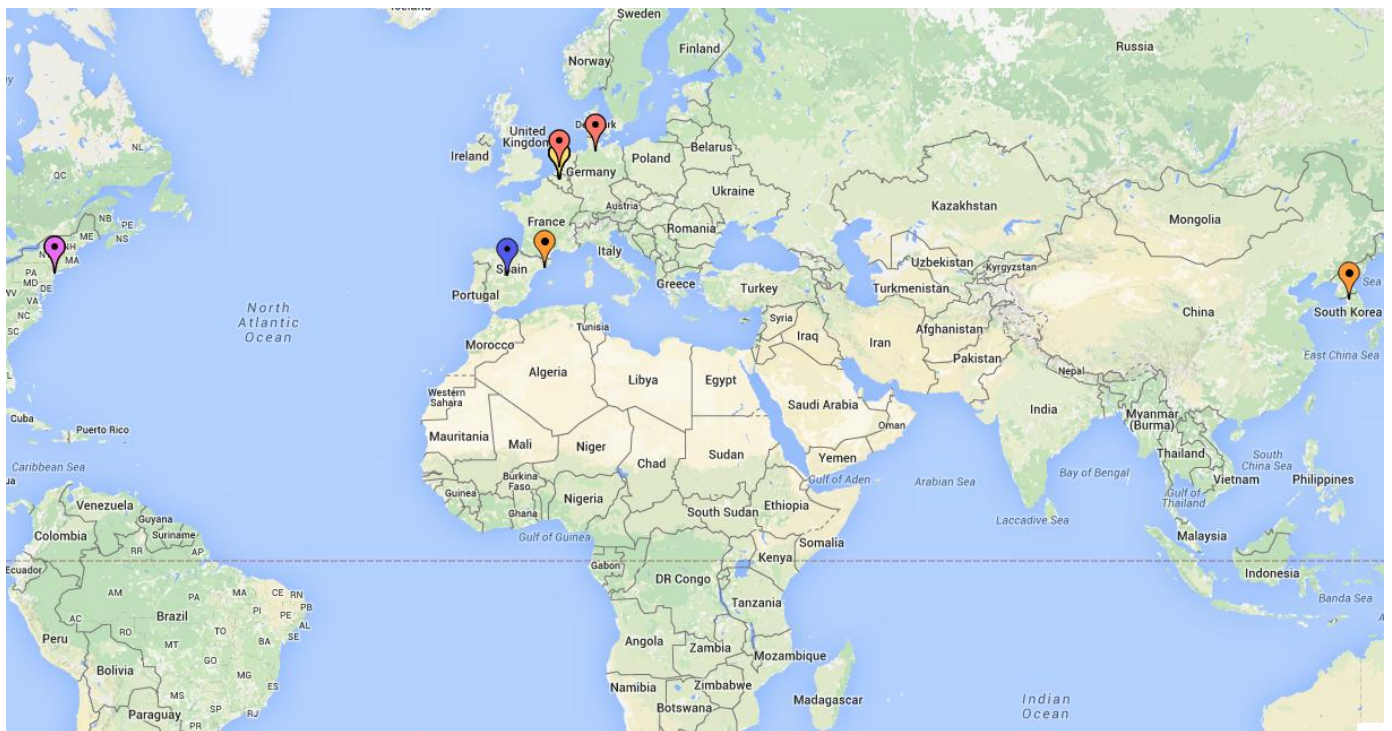
Formal dialogue is ongoing with **Curaçao** (since November 2013), the **Solomon Islands, Tuvalu, Saint Kitts and Nevis**, and **Saint Vincent and the Grenadines** (since December 2014), and **Thailand** (since April 2015).

While Commission keeps working in negotiations with countries awarded with a yellow card against illegal, unreported and unregulated fishing activities, the criteria to identify these countries as non-cooperating countries is still not clear.

This is why the Working Group 5- Horizontal Issues of the LDAC (Long Distance Advisory Council), has decided during its last meeting (10-11 March in Brussels) to request the Commission in writing that it publishes on its website the updated list of countries having been issued a "yellow card" and a "red card". In addition, the EC IUU Unit will be requested to explain the objective elements or criteria included

to examine a country and subsequently identify it as non-cooperating country, as well as the evaluation methodology.

# UPCOMING EVENTS



DATE	NAME	CITY	COUNTRY
21 March-2 April	<a href="#"><u>Common Oceans - Focusing on Capacity Development Regarding Marine Areas Beyond National Jurisdiction (ABNJ)</u></a>	New York	United States of America
28 March-8 April	<a href="#"><u>UN DOALOS - First Session of the Preparatory Committee on BBNJ (at UN Headquarters)</u></a>	New York	United States of America
4-8 April	<a href="#"><u>ICCAT - Small Tunas species group intersessional meeting</u></a>	Madrid	Spain
5 April	<a href="#"><u>European Commission, Executive Agency for SMEs - Information Day: Blue Growth calls under the EMFF</u></a>	Brussels	Belgium
5-7 April	<a href="#"><u>CCSBT - 4th Meeting of the Compliance Committee Working Group: CDS Review Workshop</u></a>	Canberra	Australia
6-8 April	<a href="#"><u>International Offshore Mariculture Conference Europe</u></a>	Barcelona	Spain
6-8 April	<a href="#"><u>Seoul Int'l Seafood Show 2016 (3S 2016)</u></a>	Seoul	Korea
7 April	<a href="#"><u>Marine Strategy Framework Directive (MSFD) Common Implementation Strategy - 18th Meeting of the Marine Strategy Coordination Group (MSCG)</u></a>	Brussels	Belgium
11-12 April	<a href="#"><u>Council of the EU - EU Agriculture and Fisheries Council meeting</u></a>	Brussels	Belgium

18 April	<a href="#"><u>European Commission - “The Atlantic Strategy in Action”</u></a>	Brussels	Belgium
18-19 April	<a href="#"><u>European Parliament - Fisheries Committee</u></a>	Brussels	Belgium
19 April	<a href="#"><u>LDAC WG3 - Rest of RFMOs and high seas waters not covered by RFMOs</u></a>	Brussels	Belgium
19-20 April	<a href="#"><u>LDAC WG2 - Regional Fisheries Organizations and North Atlantic Agreements</u></a>	Brussels	Belgium
20 April	<a href="#"><u>European Parliament’s Seas, Rivers, Islands and Coastal Areas Intergroup: For a stronger marine and maritime Europe: steps forwards and funding opportunities</u></a>	Brussels	Belgium
21 April	<a href="#"><u>Pelagic AC - Executive Committee and Working Group meetings</u></a>	Den Haag	Netherlands
26-28 April	<a href="#"><u>Seafood Expo Global/Seafood Processing Global - The Global Seafood Marketplace</u></a>	Brussels	Belgium
26 April	<a href="#"><u>BSAC - Executive Committee and General Assembly</u></a>	Hamburg	Germany



**EUROPEAN BUREAU FOR  
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