



Overfishing and Fisheries Policy

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- European Commission proposals in July 2011 for reform of the Common Fisheries Policy included decentralisation; requiring fishermen to land all the fish they catch; reducing fleet overcapacity by market measures; supporting fish farms. The proposals will now go to the European Parliament and Council of Ministers.
 - The UK Government's reaction was non-committal. The Scottish Government said the proposals did not go far enough, but welcomed the opportunity to exercise more control over fishing in Scottish waters.
 - The National Federation of Fishermen's Organisations did not want CFP reform to follow the model of the current cod management plan. Objectives, targets and timetables are set centrally, with a subordinate and highly constrained role for the Member States in implementing the rules.
 - The head of environment at *Seafish* has challenged the conventional view that we are overfishing;
 - The New Economics Foundation estimates that nearly half of EU fish consumption comes from fish outside of EU waters.
 - The [annual fisheries debate](#) took place in Westminster Hall on 2 December 2010.

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1 Common Fisheries Policy Reform proposals, 2011

A European Commission Press Release described the Commission's reform proposals:

The proposals include:

- basing fisheries management on long-term goals and the best scientific advice available
- setting catch quotas to bring all fish stocks to sustainable levels by 2015, in line with the EU's international commitments
- requiring fishermen to land all the fish that they catch – they will not be allowed to discard unwanted fish species caught
- reducing fleet overcapacity through market measures rather than subsidies – for example, individual catch quotas would be tradable among fishermen
- providing support to help small-scale fisheries adapt to the changes
- giving more power to EU countries on conservation measures so these can be tailored to regional and local needs – fishermen would also make their own decisions on fleet sizes and supply
- supporting sustainable fish farms to meet the demand for fish
- providing consumers with better information on the quality, origin and sustainability of the seafood they buy

EU financial support will be granted only to environmentally friendly fisheries projects. Strict controls will end funding for rule-breakers or projects that lead to overcapacity.

The Commission also plans to promote fisheries conservation internationally through new EU agreements with other countries.

Next steps

The proposals now go before the European Parliament and EU governments for consideration.

Here are the full proposals - [Reform of the Common Fisheries Policy](#), (13 July 2011)

Fisheries Commissioner Maria Damanaki explained her intentions. The current system was not working sustainably. If no reform took place, only 8 stocks out of 136 would be at sustainable levels in 2022:

This is why today I am presenting a comprehensive overhaul of the policy: an articulate package including a Communication explaining the contents of the reform; a new Basic Regulation for fisheries; a new Common Market Regulation; and a Communication on the international aspects of the Common Fisheries Policy.

Each of these is entirely new and equally important. But the three key concepts underpinning them all are: Sustainability, Efficiency and Coherence.

Environmental sustainability means bringing all stocks to sustainable levels by 2015. We have committed to this at the Johannesburg UN World Summit in 2002, and the same principle is contained in the United Nations Law of the Sea and in our recent Biodiversity Strategy.

Maximum Sustainable Yield – MSY - means that we can keep fishing. But we have to manage each fish stock in such a way that we can get maximum fish production while still keeping the stock sustainable. With the reform, MSY becomes a legal obligation in all our acts.

A second thing we need to do for sustainability is stop waste: discards, which can amount to 60% of catches in some fisheries, undermine all our data collection efforts and are morally and environmentally unacceptable. So I propose to change the system so that all catches are landed and counted against quotas.

A third element of the sustainability focus is the ecosystem approach: the long-term plans for stock management that we have already started need to become the common denominator of all our fisheries. As new ecosystem information becomes available, it has to be fed into the plans.

MSY, a discard ban and the ecosystem approach will change the way we fish: but we also need to change our management set up – and improve Efficiency.

She complained about the centralisation of decisions in the current Common Fisheries Policy:

By contrast to that, I want to decentralize. For example, let's say that Parliament and Council set a long-term plan for a fish stock in the Golf de Gascogne – a plan containing specific objectives to keep the fish stocks at MSY level.

The choice of instrument, or instruments' mix, is up to Member States, cooperating at regional level; what counts for us is that they do achieve the objective, not how they achieve it. The EU has to be the lighthouse, if you will, showing the way. Member States, regions and industry have to steer the ship - and avoid the rocks.

It is a more flexible form of management based on results rather than methods, and it goes to the advantage of Member States and regions, who have to deal with far less micro-management from Brussels and can better coordinate measures with the industry or, optimally, devise them together with the industry!

This is a crucial point, because I think that not involving operators sufficiently, not taking full advantage of their immense expertise and know-how, has been a mistake in the past. From now on, fishermen organisations must be and feel responsible for managing fish stocks jointly with us and with the national regulators.

One way that contributes to giving responsibility back to the industry as well as to sustainability is a more market-based system of access to fleets.

Tradable concessions have been introduced in many countries and proved effective in tackling overcapacity: for instance in Denmark the demersal fleet was slimmed down by 30% and the pelagic one by 50%. Norway, the U.S., Australia and New Zealand also show success with this approach.

Fishing Concessions give operators enough flexibility to implement the discard ban and adapt to quotas. If vessel owners are allowed to trade concessions they can obtain a tailored combination of quotas according to their actual fishing patterns; and they can even fine-tune that allowance in real time, during fishing operations, by leasing somebody else's concession so as to land all catches without breaking the law.

We propose tradability at national level only, and we propose safeguards to protect legitimate public policy concerns like preventing too many fisheries interests to be concentrated in the hands of a few. And the small-scale fleet will be exempt, to prevent it from being absorbed by bigger operators.

So we have regionalisation, result-based management and intelligent rights-based management to make us more effective. The third pillar, Coherence, simply means that all other instruments, from market organisation to financial support, must be aligned to the first two.

Proper labelling, for instance, is an essential aspect of this reform: I want consumers to make informed purchasing choices. I want to help them make sustainable choices. Consumers are part of this reform too, just like the sector, we can all play a part in making coherent choices for the future.¹

2 Comment on the European Commission proposals, July 2011

UK Fisheries Minister, Richard Benyon, stressed the need for radical reform and the need to end discards:

“Today’s proposals from the European Commission are a vital first step and we are ready to work with the EU and other Member States to deliver the radical reforms the marine environment and our fishermen need and the public now expects.

“Because our fisheries are so varied, I don’t believe that a one size fits all approach, from the Mediterranean to the sub-arctic region, will work effectively. There has to be the flexibility to work with the industry to introduce a range of tailored measures to tackle discards that are genuinely effective without simply turning a problem that happens at sea to a problem on land.

“This is the start of lengthy negotiations, and we will play a full part in helping to improve them. I am confident that we can make the case for the radical reform that is needed, alongside our allies at home and abroad, to grasp this once in a decade opportunity.”²

¹ “European fisheries reform speech by commissioner Maria Damanaki”, *Guardian*, 13 July 2011

² Defra Press Release, [Richard Benyon responds to Common Fisheries Policy reform proposals](#), 13 July 2011

The Scottish Government was more critical:

EU Fisheries Policy

13/07/2011

EU plans to reform the Common Fisheries Policy (CFP) don't go nearly far enough, according to Scottish Fisheries Secretary Richard Lochhead, although the long-awaited opportunity to fix the current broken and damaging regime is to be welcomed.

The Scottish Government supports moves for a much clearer emphasis on fisheries conservation and a commitment to tackle the scandal of discards - however, some proposals are ill-fitting for the mixed fisheries the Scottish fleet operates within. Mr Lochhead has also highlighted the danger posed by the Commission's support for the international trading of fish quota.

Richard Lochhead said:

"The Common Fisheries Policy has taken decision making over our vast and rich fisheries away from Scotland and into the hands of Brussels, to the severe detriment of our fishing communities and fisheries conservation. That's why we must grasp this once in a generation chance for radical root-and-branch reform of European fisheries policy.

"I welcome the fact the EU has put forward long-awaited proposals for change, however they need to be a lot more radical if Brussels is not to repeat the many mistakes that have caused so much damage in recent decades.

"Thankfully, there is the opportunity to improve these initial proposals during the tough negotiations that lie ahead over the next two years. With implementation of a new policy planned for 2013, it's critical that Scotland's voice is heard in Europe so we can influence its development and bring our expertise to the table.

"I'm pleased that the meaningful conservation of stocks is set to be at the heart of a reformed CFP, with the ecological and economic madness of the discarding of marketable fish - currently enforced on our fishermen by the CFP - to be addressed. I am concerned, however, that a one-step move to a blanket ban on discards could prove counter-productive. Instead, we should be working with fishermen on practical measures that would stop these discarded fish being caught in the first place.

"There is also a huge threat to Scotland lurking within these proposals because, alarmingly, the Commission is advocating an expansion in the international trading of fishing quotas. Selling quota to Europe's highest bidders will erode Scotland's historic rights which in turn could spell doom for our fragile fishing communities. Our fishing rights would end up with faceless overseas-based multinationals, rather than in the hands of future generations of Scots fishermen.

"The Commission's proposal for regionalisation is a welcome start but they don't go far enough. In the complex mixed-fishery of the North Sea it makes sense for Scotland and other nations to have more control over their own fisheries, working in partnership with neighbouring maritime nations."³

The National Federation of Fishermen's Organisations and the Scottish Fishermen's Federation briefed MPs:

³ Scottish Government Press Release, *EU Fisheries Policy*, 13 July 2011

The MPs shared the Federation's views that there is a long way to go before the package could be said to represent a viable way forward for European fisheries.

Also of shared concern was the perception that the central theme in the Commission's decentralisation proposals would be a delegation of decision-making responsibility from the Council of Ministers and the European Parliament to the Commission – in effect just a different kind of top-down centralised system of control. By contrast the proposals for a greater degree of real management decisions at regional seas level are vague and unclear.

In fairness, the proposal for a new basic regulation for the CFP represents a framework and much of the detail will require secondary legislation. However, it is already clear that there are grounds for fears that the CFP reform is set to follow the model of the current cod management plan where objectives, targets and timetables are set centrally, with a subordinate and highly constrained role for the member states in implementing the rules that determined from above. We already know and STECF/ICES will shortly confirm that this is a model that has failed to achieve its objectives.

The Commission's Green Paper on CFP reform identified over-centralisation and micromanagement as a core reason why the current CFP has repeatedly failed to achieve its objectives. To that extent the Commission's proposal is a disappointment which unless amended by the member states and European Parliament, will again lead to the CFP failing to achieve its objectives. Writing rules in Brussels is one thing; delivering effective fisheries management across many complex and diverse fisheries is another, which is why the argument for a radically decentralised CFP, albeit subject to standards and principles laid down at European level remains the, so far unfulfilled, goal for so many at fisheries level.⁴

3 Discards and environmentally responsible fishing update

The main problem of discards and waste arises from the quotas set in mixed fisheries. For example, in a mixed fishery of cod and haddock, fishermen may finish the cod quota but still be allowed to fish for haddock. However, they catch cod as a by-catch. They are not allowed to land it, so they discard it, already dead.

Fisheries Minister Richard Benyon in the Westminster Hall Debate on Fisheries in December 2010 came out strongly in favour of a catch quota system:

Richard Benyon...I do not think that anything can be worse than what we have now. We must have a decentralised system, and that is what I will be leading on in the reform process.

The hon. Lady represents the two important ports of Peterhead and Fraserburgh, and my two visits to her constituency have proved to me the importance of the fishing industry there. I value the clear way in which I was briefed about her fishing interests, and she was right-as were other hon. Members-to point out the affront of discards. Discards are first and foremost an affront to fishermen, and they are increasingly an affront to the public and the consumer. I was recently interviewed at Billingsgate market by Hugh Fearnley-Whittingstall, whom I congratulate on leading an important campaign to raise awareness of this issue. His questions surprised me, as he seemed to think that I would somehow be a Minister in a suit who would try and defend the status quo. He was surprised that I out-outraged him with my hyperbole and my opposition to discards.

⁴ NFFO Press Release, *MPs Briefed on CFP Reform*, 14 July 2011

We must look at where we can succeed. Some schemes have been mentioned today; the hon. Lady mentioned catch quotas, and others have spoken about Project 50%. My hon. Friend the Member for Totnes (Dr Wollaston) raised that issue, and on three occasions, I have heard the commissioner quote it as a shining example of what can be achieved. I intend to build on those important points.

Zac Goldsmith: How realistic is it to say that we will move to a system of catch quotas? I have no doubt that the Government are committed to dealing with that problem, but realistically, how likely is it that we will see a change in policy?

Richard Benyon: I forget the figures for the English fleet, but in Scotland, there are 17 vessels in a catch quota system. That represents about 20% of that fleet—perhaps not; I cannot remember the exact figure. At the moment, that system is a trial. We tried to persuade the Commission—and we will continue to try—that we must move beyond a trial. We want to get every vessel possible into a catch quota system because, for reasons that I will mention, that is the solution. Fishermen are incentivised to do something that gives them more fish, ends discards and is a bottom-up approach. It makes fishermen part of the solution, and instead of being the battered person at the end of the line being hit by a stick, they are given a carrot to find a solution. I will go on to talk about mackerel, which was mentioned by the hon. Member for Banff and Buchan and others.⁵

Unlike traditional quotas, where vessels have a set limit on the fish they can land and are forced to throw excess fish back in the sea dead, catch quotas allow for all fish caught to be landed. By stopping wasteful discards, this means fewer fish are taken from the sea yet more can be landed by fishermen. To ensure there are no discards, the fishing practices of participating vessels is fully documented through on-board cameras. The Scottish Government will provide up to £400,000 for the purchase and installation of the monitoring equipment.⁶

The catch quota scheme has been expanded after the annual fisheries agreement on quotas:

Scottish Fisheries Secretary Richard Lochhead is confident that in 2011 the Scottish fishing industry can deliver long overdue changes in fisheries management while ensuring greater returns for an industry that lands the best seafood in the world. Following the annual EU fisheries negotiations and the 2011 EU-Norway agreement, the Scottish Government was able to make conservation a priority while securing increased fishing opportunities for some stocks, and minimise reductions where science supported such action.

At the same time, Scotland is expanding the 'catch quota' scheme where, unlike with traditional quotas, vessels are permitted to increase landings provided there is no discarding. (...)

"We have also been able to mitigate a cut in North Sea cod by securing an expansion to our catch quota trials, whereby fishermen land all the fish they catch without the wasteful discards that the EU's flawed Common Fisheries Policy forces on our fleet.

"We have already received 58 applications to participate in the 2011 catch quota scheme – accounting for around half of the whitefish fleet. However, it's a travesty that Scotland is being prevented from including all interested vessels in a scheme that is all about reducing discards.

⁵ HC Deb 2 December 2010 cc380-382WH

⁶ "[Scottish Government Expands Catch Quota Scheme](#)", The Fish Site, 17 December 2010

"This year we plan to invite a few vessels to take part in an expanded multi-species trial that goes beyond cod, applying this innovative approach to haddock and whiting also. We are on a steep learning curve but we can't go on as business as usual if we are to mitigate the impact of the broken Common Fisheries Policy.

"Of course, catch quotas alone will not provide the solution to all difficulties; however it does help match our environmental responsibilities with increased financial return for fish caught. I am committed to doing all I can to support our industry in 2011. Most of all, we need to ensure fishermen receive more reward from the fish they do land, given that Scotland has some of the best seafood in the world."

The agreed expansion of Scotland's catch quota scheme for 2011 will more than double the 17 vessels currently involved in the trial to land, rather than be forced to discard, an extra amount equal to 12 per cent of the Total Allowable Catch (TAC) for cod. The Scottish Government has now written to the European Commission, setting out the scheme selection criteria and list of applicants and seeking their agreement to proceed.

In 2009, Scottish vessels were forced by the Common Fisheries Policy to discard almost 28,000 tonnes of fish, around a quarter of the whitefish catch, valued at 33 million pounds.⁷

A PQ in February 2011 gave an update on discards:

Mr Offord: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she plans to have with the European Commissioner for Maritime Affairs and Fisheries on fish discards.

Richard Benyon: The UK is committed to reducing discards which are a clear waste of natural resources. This position is shared with Commissioner Damanaki (Maritime Affairs and Fisheries) who has publicly committed to tackling this unsustainable practice.

The UK is at the forefront of tackling discards, taking action domestically and by working to identify solutions at an EU level. We have undertaken a number of initiatives that have delivered excellent results. Project 50%, a collaborative project between fishermen and Government saw discards in the South West sole fishery reduced by over 50%. We are also pioneering an alternative "catch quota" management system which is based on managing and monitoring what is caught not just what is landed. Cod discards by those vessels in the trial have been reduced significantly as participants have been incentivised to fish much more selectively.

The common fisheries policy contributes significantly to the problem of discards and it is essential that it is fundamentally reformed. I have made this clear in my discussions with the Commissioner and am ensuring that crucial evidence gathered from the UK's discard reduction work is being used to influence and shape reform. I will be meeting the Commissioner and other European Ministers again on 1 March at a Discards summit; this will be another excellent opportunity for the UK to steer thinking and to pursue its aim of working to end this wasteful practice.⁸

4 Are we really overfishing? 2010

An article by the Philip McMullan, head of environment at Seafish, in June 2010 challenged the view that we are overfishing:

⁷ [New catch quota scheme plans progressed](#), fish update.com, 4 January 2011

⁸ HC Deb 17 February 2011 c925W

It is wrong to say that "in European waters nearly 90% of fish stocks are overfished". The term "overfished" can be confusing, and the latest report from Europe shows that we are becoming more effective at managing our fish. While a number of our stocks are in trouble, some are in a very healthy state: of the 40-odd assessed, 28 (70%) are "overfished"; but many of these are simultaneously "within safe biological limits". So overfishing can be a transient status, changing year on year, depending on how many young fish enter the fishery. We do have many problems, but we have also developed many solutions that are rapidly taking effect. (...)

The article also notes that "according to UN estimates, 71-78% of the world's stocks are fully exploited, overexploited or significantly depleted". Again, interpreting this data - covering some 530 stocks globally - needs care. Over many years, around 50% of these stocks are "fully exploited" - which the UN's Food and Agriculture Organisation describes as "not an undesirable designation, provided that a solid management plan is in place".

Another 25% are actually "underexploited", and the other 25% are "overexploited, depleted or recovering". So if you add these same figures up in a slightly different way you can say that around 75% of global fish stocks are giving their maximum yield or could produce more. Maybe we're not in the global meltdown that's so often suggested.⁹

5 The European Commission sees glimmers of light, 2010

In May 2010 the European Commission published a consultation document on its proposed management of quotas in 2011. It contained an overview of stocks:

There are glimpses of good news concerning the state of fish stocks (Annex Ia).

- The number of stocks that are known not to be overfished has increased from 2 in 2005 to 11 in 2010.
- There were 20 stocks subject to an advice to stop fishing, by now these have decreased to 14.
- Stocks "outside safe biological limits" (but not subject to an advice to stop fishing) have diminished from 30 in 2003 to 22 in 2010.
- While total allowable catches (TACs) have still been set at much higher levels than those advised by scientists, this excess has decreased from around 47% to 34% in 2010.

However, there are more stocks (42, up from an average of 35) where scientists have not provided advice because of concerns about the quality of data or other reasons. These include megrims, cod and sole in the Celtic Sea and sole in the western channel, though progress has been made in the assessment of Nephrops stocks.

While there are signs of improvement, this is only a small start. Success in recovering stocks is far from guaranteed and efforts to eliminate overfishing have to be kept up.¹⁰

⁹ "The term 'overfished' is confusing – and there is no shortage of cod", *Guardian*, 4 June 2010

¹⁰ Communication from the Commission, [Consultation on Fishing Opportunities for 2011](#), COM(2010)241 final, 17 May 2010

6 Postnote on EU Fisheries Management

A Postnote on EU Fisheries Management stated that the Common Fisheries Policy had not delivered sustainable Fisheries for Europe. It contained the following overview of management policy:

- Europe's Integrated Maritime Policy has made ecosystem-based fisheries management obligatory in the 2012 reform of the Common Fisheries Policy.
- Ecosystem-based fisheries management would require a combination of regulations and tools such as scientifically-based quotas and economic incentives, along with local management such as selective fishing gear and fishing area closures.
- Fisheries management failings under the EU Common Fisheries Policy have resulted in depleted fish stocks.
- Ecosystem-based fisheries management has been successfully implemented in some countries, even where there are gaps in scientific knowledge. A variety of management tools already exist to help meet the objectives of the approach.
- Harnessing fishers' knowledge and collaboration between stakeholders are fundamental to the success of ecosystem-based management.¹¹

7 EU reliance on fish from elsewhere, 2010

A report by the New Economics Foundation, [Fish dependence: The increasing reliance of the EU on fish from elsewhere](#) was originally published in July 2010 and updated in 2011.

Executive summary

(...) The main message of this report is that rising fish consumption in a context of declining stocks is environmentally unviable and socially unfair. The EU has highly productive waters that have the potential to sustain a long-term and stable supply of fish, jobs and related social and economic benefits, but only if its fish resources are managed responsibly.

¹¹ [EU Fisheries Management](#), Postnote 357, May 2010