



Fisheries

Standard Note: SN/SC/5786
Last updated: 6 December 2010
Author: Christopher Barclay
Section: Science and Environment

- The European Commission has proposed the level of Total Allowable Catches (TACs) and Quotas for 2011, amounting to a 10% reduction overall. It noted that only 40% of assessed stocks were known to be fished sustainably. It was particularly concerned about the state of cod stocks, especially in the North Sea. In some areas the proposals include a 50% reduction in the cod quota.
- It has recently been claimed that North Sea fishermen are throwing away half the fish they catch. The problem of discards remains serious despite many attempts to improve matters.
- Opinions on fish stocks are divided. There has been a massive long-term decline in UK stocks, reflected in the increased fishing effort required to catch a certain amount of fish. However, some observers are relatively optimistic about current stock levels, noting that individual stocks considered to be “overfished” may still be within safe biological limits.
- The European Commission has started consultation on reform of the Common Fisheries Policy, but has not yet formulated its proposals.
- This note includes a summary of the fisheries debate on 2 December 2010.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

1	European Commission Proposals for 2011 TACs and Quotas	2
1.1	The proposals	2
1.2	UK Government reaction to the proposals	4
2	Fish Stocks	4
2.1	Different opinions on fish stocks and marine ecosystem	4
2.2	Mackerel stocks shared with Iceland	6
3.1	Coalition Government policy on discards	8
4	Common Fisheries Policy (CFP)	10
4.1	Common Fisheries Policy (CFP) Background	10
4.2	Reform of the Common Fisheries Policy (CFP)	10
4.3	UK Government response	12
5	The Fisheries Debate, December 2010	13

1 European Commission Proposals for 2011 TACs and Quotas

1.1 The proposals

On 11 November 2010 the European Commission tabled its general proposal for fishing opportunities in 2011 for fish stocks in the Atlantic, the North Sea, and in international waters regulated by a Regional Fisheries Management Organisation. The proposal is based on scientific advice about the quantities of fish that can be caught sustainably.

In their scientific advice for 2011, experts of the Scientific, Technical and Economic Committee for Fisheries (STECF) once more underlined the poor state of many fish resources in EU waters. The contribution of European fisheries to the economy and food supply is far smaller today than it was just a few decades ago. Progress towards bringing all European fish stocks to sustainable levels has been slow, because the fleets have not been able to adapt quickly enough to the scientific advice. For some 72% of assessed stocks, overfishing is so serious that more fish would be caught if there was less fishing. Only some 40% of our assessed stocks are known to be fished sustainably. On the plus side there have been some improvements since last year, when these figures were 86% and 31% respectively; and there are clear improvements in some important stocks, such as hake and sole.

In order to achieve long-term sustainability goals, the International Council for the Exploration of the Sea (ICES) has provided advice on the Commission's strategy to ensure exploitation consistent with Maximum Sustainable Yield (MSY) by 2015. Multi-annual management plans are being put in place for all major commercial stocks.¹

These plans cover 30% of the total catches for 2011. If we add the various stocks jointly managed with Norway for which multi-annual management arrangements are also in place, over 80% – by weight – of the fish taken by EU fishermen is subject to multi-annual management. Stocks managed in this way tend to fare better than those subject to short-term decision-making. However, management plans need to be

¹ European Commission Press Release, [Fisheries: Commission proposes science-based, sustainable fishing opportunities for 2011](#), 11 November 2010

implemented properly, and special safeguards must apply if the results observed on the grounds are not as expected.

Against this background, the Commission is still very concerned about the conservation of cod, for which a management plan has been in force since 2004. Cod stocks in the Kattegat, the Irish Sea and the west of Scotland are showing no signs of recovery. The Commission is therefore proposing 50% reductions in these TACs and has asked Member States to collaborate in an in-depth review of cod management. This review will focus on the reasons why the measures agreed under the multi-annual management plan have not delivered the expected improvements.

The situation for North Sea cod took a turn for the worse in 2008, when a greater proportion of the stock was caught than in any year since 1999. Real-time closures and cod-avoidance schemes have not been enough to protect the stock and have had little effect on fishing patterns. Management of North Sea cod is shared with Norway, and discussions will have to be held on redressing this situation.

The Commission's proposal for 2011 recommends quota increases for 6 stocks, quota decreases for 64 stocks and an unchanged quota for 23 stocks (details in attached table). The changes would amount to a reduction in quotas of 89 400 tonnes - or 10% - overall. These statistics do not include those stocks for which fishing opportunities must be agreed with third countries – such as Norway – or within a Regional Fisheries Management Organisation between now and the December Council meeting of Member States' fisheries ministers. At that meeting on 13 and 14 December the fisheries ministers, together with the Commission, will discuss this proposal and set the fishing levels for 2011.

Further details of the proposals are given in [Commission proposes fishing opportunities for 2011](#). Here are some examples, showing cuts in some major species, although much of the haddock quota is unchanged:

Species	TAC Unit	change 2010-11	EC Proposal
		%	(tonnes)
Cod	V!b	-16%	68
Cod	Kattegat	-50%	190
Cod	V!a, Vb	-50%	120
Cod	VIIa	-50%	337
Cod	VIIb, c, e-k, VIII, IX, X, CECAF 34.1.1(EC)	-15%	3,420
Haddock	VIb, XII, XIV	-25%	3,748
Haddock	Vb, Via	-25%	2,005
Haddock	VIIIb-k, VIII, IX, X, CECAF 34.1.1 (EC)	unchanged	11,579

[Advice from the International Council for the Exploration of the Seas](#) is also available for each type of fish for each area. It is difficult to summarise this advice, and probably best to look up the species and areas that particularly interest you.

1.2 UK Government reaction to the proposals

Lord Stoddart of Swindon: To ask Her Majesty's Government whether they expect the European Commission to propose that British cod fishing be cut by 50 per cent in 2011; and, if so, whether they will resist the cut.

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Henley): The European Commission has published its proposals for those stocks that do not require agreement with the Norwegian Government. These include cuts of 50 per cent in the total allowable catches (TACs) for cod, in both the Irish Sea and West of Scotland, for 2011. We are certainly concerned about the scale of the proposed cuts, which is likely to result in an increase in discards, and have asked the Commission to justify them. We will consider our formal response in the light of that explanation. The TAC for North Sea cod will be agreed in due course on the basis of the existing long-term management plan, in the context of the EU/Norway negotiations.²

2 Fish Stocks

2.1 Different opinions on fish stocks and marine ecosystem

Most people see a severe problem although two more optimistic views are quoted below – one from the industry and another from the European Commission. The main problem is overfishing but climate change is also important. Cod may be moving because they prefer to spawn in colder waters. Overfishing also affects the whole ecosystem, for several reasons: other creatures may take over the ecological niche left by the fish; by-catch kills other species like dolphins; and some fishing practices such as beam trawling, actually damage the ecosystem.

Long term decline

In May 2010, the Marine Conservation Society pointed out the extent of long-term decline in UK fish stocks:

The UK trawl fishing fleet has to work 17 times harder to catch the same amount of fish today as it did when most of its boats were powered by sail, according to new research. Researchers from the University of York and the Marine Conservation Society (MCS) used UK Government data on the amount of fish caught and the size and number of boats involved – the fleet's fishing power – to analyse the change in fish stocks since 1889.

They found that trawl fish landings peaked in 1937, 14 times higher than today, and the availability of bottom-living fish to the fleet fell by 94 per cent. The findings are the result of a study using previously overlooked records and suggest the decline in stocks of popular fish such as cod, haddock and plaice is far more profound than previously thought. The research is published today in *Nature Communications*, the new online science journal from the publishers of *Nature*.

Ruth Thurstan, lead author of the study from the University of York's Environment Department, said: "We were astonished to discover that we landed over four times more fish into England and Wales in 1889 than we do today. For all its technological sophistication and raw power, today's trawl fishing fleet has far less success than its sail-powered equivalent of the late 19th century because of the sharp declines in fish abundance."

² HL Deb 24 November 2010 c340

The findings suggest that the damage to fisheries is greater and has taken place over a much longer period than previously acknowledged, pre-dating developments such as the Common Fisheries Policy which are sometimes blamed for declining stocks. (...)

Professor Callum Roberts, from the University of York's Environment Department, said: "This research makes clear that the state of UK bottom fisheries – and by implication European fisheries, since the fishing grounds are shared – is far worse than even the most pessimistic of assessments currently in circulation.

"European fish stock assessments, and the management targets based on them, go back only 20 to 40 years. These results should supply an important corrective to the short-termism inherent in fisheries management today."³

Are we really overfishing? 2010

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

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.⁴

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.

³ Marine Conservation Society Press Release, [Fishing Fleet Working 17 Times Harder Than 1880s To Make Same Catch](#), 4 May 2010

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

- 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.⁵

The Consultation Document contains more detail about individual stocks.

2.2 Mackerel stocks shared with Iceland

Another problem arose when the Icelandic Government unilaterally increased dramatically its own quota for catching mackerel in a shared fishery. UK fishermen and Government were concerned that this increase might undermine the sustainability of the stock. The UK Government explained its view in September 2010:

The Government of Iceland sent a formal letter (demarche) to the UK outlining its position.

Richard Benyon said:

"I have received the demarche presented by the Icelandic Government on their reasons for increasing their mackerel quota and I strongly disagree.

"Iceland was invited to participate in the coastal states meeting group two years ago. Earlier this year Iceland attended negotiations on mackerel with the other countries interested in this fishery. These early negotiations were unsuccessful and no quotas were agreed. Subsequently, Iceland chose to unilaterally award itself an increased quota nearly six times what it had fished in recent years. This is unacceptable behaviour that places a substantial burden on the fishery and could seriously undermine its long term sustainability.

"I urge both Iceland and the Faroe Islands to negotiate to reach a fair and realistic settlement. The European Commission, on behalf of the EU, will be holding meetings with the Faroe Islands and Iceland in the coming days and DEFRA officials will be attending on behalf of the UK to support."⁶

The following PQ of 23 November 2010 shows that the problem has not been resolved:

Mr Bain: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department has taken to secure a settlement between the UK, Iceland and the Faroe Islands on mackerel quotas.

Richard Benyon: Ministers and officials are working hard to help secure agreement on future management of North Atlantic mackerel. The Government have made strong

⁵ Communication from the Commission, [Consultation on Fishing Opportunities for 2011](#), COM(2010)241 final, 17 May 2010

⁶ Defra Press Release, [UK fisheries minister, Richard Benyon, has rejected Iceland's reasons for increasing their mackerel quota](#), 9 September 2010

representations, including to the EU Fisheries Commissioner, as well as to the Icelandic and Faroese Governments, to underline the importance of reaching agreement that safeguards the long term sustainability of both the fish stock and our industry. DEFRA is working closely with industry and with colleagues in devolved Administrations to help find a way forward. Officials have been involved in two rounds of Coastal States talks and will be participating in further talks planned for 25 and 26 November.⁷

3 The problem of discards

A problem with regulating fishing by means of quotas is that in mixed fisheries boats continue to fish after the stock of one fish is finished. When fishing for the other fish, they continue to catch the fish that cannot be landed, so they discard it. The discarded fish are already dead. The EU has tried many measures of “effort limitation” including restrictions on certain types of gear. The only really effective measure is simply to tie up the fishing vessels for most of the year. That, however, prevents them from fishing the fish whose quota has not been exhausted.

The *Independent* described the continuing discards in November 2010:

North Sea fishermen are throwing away up to half of all the fish they catch every year in what campaigners say is a chronic waste of food. Almost a million dead and dying fish are discarded at sea each year, according to a campaign calling for Europe's Common Fisheries Policy (CFP) to be comprehensively reformed. (...) There are no precise figures on the levels of discards because they usually go unrecorded by fishermen, but it is generally accepted among experts that about a quarter of the tonnage taken in the North Sea is thrown back.

Professor Callum Roberts, of the University of York and a world authority on fish stocks, said the claim that half of all fish caught in the North Sea are discarded is likely to be accurate. "It could even be more."

One species for which there are firm estimates of the number of fish, rather than the weight, is cod. Scientists at the International Council for the Exploration of the Seas calculated that more than 60 per cent are discarded in the North Sea, the figure rising to more than 90 per cent for cod aged less than a year.⁸

A PQ in September 2008 explained what the Labour Government had been doing:

Jonathan Shaw: Under the EU's cod recovery programme, the UK is trialling a real-time closure mechanism designed to ensure vessels avoid significant concentrations of the species, particularly of spawning and juvenile fish—and thus reduce the need to discard. In addition, commercial trials are being undertaken to identify how certain gears can be made more selective. We will provide encouragement for the widespread deployment of those found to be effective amongst our fleet—and will press the Commission for them to be applied Community-wide.

The initial phase of the Irish Sea Data Enhancement Pilot was completed recently. Fisheries dependent data are being cross-checked against observer data collected from vessels in the same fishery. This validation process is essential to ensure that the estimates of discards that result from the project are both realistic and representative.

⁷ HC Deb 23 November 2010 c179W

⁸ “North Sea Madness”, *Independent*, 18 November 2010

I announced in February 2008 an environmentally responsible fishing pilot research project. The aim of the 12-month project is to quantify all components of the environmental footprint of commercial fishing vessels targeting quota stocks in inshore waters of the North sea off England. The project will collect data across a range of indicators associated with the fishing operation, marketing and ancillary services and will make an important contribution to the implementation of Fisheries 2027, DEFRA's long-term vision for sustainable fisheries. Around 30 fishing vessels from Hartlepool, Lowestoft and the Thames estuary have been invited to take part. Training and installation of vessel monitoring equipment is expected to start in July with all participating vessels operating under the scheme from August.⁹

3.1 Coalition Government policy on discards

A PQ in November 2010 provided more information on discards and Government policy:

Richard Benyon: The Centre for Environment, Fisheries and Aquaculture (CEFAS) and Marine Scotland Science send scientific observers to sea with fishermen to sample the quantity of fish discarded and retained by fishing vessels. This sampling is intended to provide estimates of discards of the main commercial species, but at present is not fully representative of all UK fisheries. It is only possible to sample a proportion of the vessels participating in any fishery.

Approximately 294,878 tonnes of quota stocks were landed into port by UK vessels in 2009. Estimates of landings and discards by English and Welsh vessels fishing in UK waters in 2009 were provided for the following fisheries:

Areas:

North Sea (ICES area IV), and waters to the south and west of England and Wales (ICES VII).

Fleet: English and Welsh demersal fishing vessels (over 10 metres in length).

Species: Demersal fish (species that live on or near the seafloor eg cod, haddock, plaice, sole, anglerfish etc.).

Estimated landings and discards:

30,160 tonnes were landed and 18,500 tonnes were discarded.

Areas:

North Sea IVa (pelagic mackerel and herring).

Fleet: UK vessels fishing for pelagic species.

Species: Mackerel and herring.

Estimated landings and discards: 68,347 tonnes were landed and 8,278 tonnes were discarded.

Areas: North Sea, West Coast and Northern Shelf.

Fleet: Scottish vessels

Species: Cod, haddock, whiting and saithe.

⁹ HC Deb 1 September 2008 c1490W

Estimated landings and discards: 59,763 tonnes were landed and 24,401 tonnes were discarded.

We are urging all member states and EU institutions to take the opportunity through reform of the common fisheries policy (CFP) to radically overhaul the way we manage fisheries in order to overcome the CFP's serious failures, not least in addressing discards. We want a reformed CFP to provide the incentives and regulatory framework to enable us to catch less but land more, for example replacing landing based quota with catch quotas.

The UK has been piloting an alternative quota management system for cod based on catch quotas (a quota for what you catch rather than land at port). Interim results from these trials are positive; discards of cod are low (1-7%) and fishermen are fishing more selectively in order to maximise the value of their catches. The interim report is available from the CEFAS website at:

<http://www.cefas.co.uk/>

An expansion of this scheme, both in terms of the number and type of vessel participating and the number of species, is essential to gain further evidence on the wider application of catch quotas in mixed fisheries. The European Commission and their technical advisers (The Scientific, Technical and Economic Committee for Fisheries) are supportive of our intentions to expand the scheme.

Discussions regularly take place with representatives of the fishing industry on reducing discards through improving gear selectivity and altering fishing practices. For example, the Discard Action Group is a forum, facilitated by seafish, that brings industry, managers, scientists, and seafood organisations together to discuss research, share knowledge and come up with novel ways to reduce discards. The industry has been encouraged through such groups to use gear modifications or methods which are successful at reducing discards.

There are many examples of collaborative work to reduce discards which have been carried out by the UK fishing industry in partnership with the UK fisheries departments. The Fisheries Science Partnership (FSP) is one example of a continuing initiative to encourage industry-led research on a range of subjects, including the trials of alternative fishing gears, eg square mesh panels used to reduce the bycatch of cod in other whitefish and prawn (Nephrops) fisheries.

The UK has been at the forefront of encouraging uptake of measures to reduce discards of cod. For example, this has been achieved through the Scottish Conservation Credits Scheme and English/Northern Irish equivalents. Incentives of extra days at sea for the industry are used to encourage uptake of selectivity measures (eg increasing mesh sizes) to reduce the bycatch and subsequent discarding of juvenile cod. Since 2009, this scheme has been enhanced with mandatory real time closures (RTCs) in operation throughout the cod recovery zone. We believe that localised RTCs provide the necessary protection for local aggregations of fish, and that these closures are beneficial for the health of the protected stock.

The industry has also been involved in targeted regional pilots like 'Project 50%'. On average vessels participating in these trials managed to reduce discards in the South West beam trawl fleet by an average of 52%.¹⁰

¹⁰ HC Deb 25 November 2010 cc445-7W

4 Common Fisheries Policy (CFP)

4.1 Common Fisheries Policy (CFP) Background

The term Common Fisheries Policy can be taken to cover everything the EU has done in fisheries since 1970. In practice it is normally used to cover the regime that has operated since 1983 controlling the volume of catches. Every year the European Commission proposes, on the basis of scientific advice, what should be the level of total catch for each type of fish in each area. TACs are converted into national quotas according to the principle of relative stability. This is based upon the relative catches of each type of fish in each area in the 1970s.

The EU has also operated a policy of effort control. Quotas by themselves are ineffective, partly because they encourage discards, as noted above, and partly because of illegal fishing. The EU has tried a range of effort control policies, including restrictions on the type of gear used, giving incentives to scrap fishing vessels and restricting fishing vessels to a certain number of days at sea.

Despite the best efforts of the policymakers, the CFP has presided over a worsening situation. Part of the problem is that fishermen do not feel that they own the fish. If they do not catch them, then fishermen from another Member State will do so. They always believe that fishermen from other countries cheat, so they feel that they might as well break the rules themselves.

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

4.2 Reform of the Common Fisheries Policy (CFP)

In 2009 the European Commission published a Green Paper, [Reform of the Common Fisheries Policy](#). It contained a wide range of questions to start the consultation process and did not contain preferred solutions.

The Commission considers that the problems of the CFP stem from five structural failings:

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

- a deep-rooted problem of fleet overcapacity;
- imprecise policy objectives resulting in insufficient guidance for decisions and implementation;
- a decision-making system that encourages a short-term focus;
- a framework that does not give sufficient responsibility to the industry;
- lack of political will to ensure compliance and poor compliance by the industry.

Despite continued efforts, fleet overcapacity remains the fundamental problem of the CFP. Overall, the European fleets remain far too large for the resources available and this imbalance is at the root of all problems related to low economic performance, weak enforcement and overexploited resources. The future CFP must have in-built mechanisms to ensure that the size of European fishing fleets is adapted and remains proportionate to available fish stocks. This is a pre-requisite for all other pillars of the policy to work.

The overcapacity of European fishing fleets has been addressed by various means. The EU has repeatedly tried to implement structural measures aimed at reducing its fishing fleet, including funding for vessel scrapping schemes. However, experience shows that permanent support for scrapping does not effectively reduce capacity, as operators simply factor the scrapping premium into future investment decisions. One-off scrapping schemes are more likely to be efficient.

Use of market instruments such as transferable rights to fishing may be a more efficient and less expensive way to reduce overcapacity, and one for which the industry has to take more responsibility. Several Member States have taken steps in recent years towards using such instruments. This has generally led to more rational investment decisions and to reductions in capacity, as the operators adapt their fleet to their fishing rights in order to achieve economic efficiency. Such systems can be complemented with proper safeguard clauses to avoid excessive concentration of ownership or negative effects on smaller-scale fisheries and coastal communities.

Topics considered include:

- encouraging the industry to take more responsibility in implementing the CFP;
- creating a culture of compliance;
- whether the principle of relative stability should be changed;
- whether fishing within 21 miles of the coast should be preserved for smaller vessels.

In April 2010, Commission staff published a Working Document, [Synthesis of the Consultation on the Reform of the Common Fisheries Policy](#).

The response on overcapacity demonstrates the difficulty in agreeing on a simple policy:

Addressing the deep-rooted problem of fleet overcapacity

Contributions broadly confirm that the EU fishing capacity is larger than the resources would justify. But many contributors also contest generalizations and submit that the great variety of situations requires fleet or fishery-based detailed assessment. Many including some Member States (MS) and the European Parliament (EP) call for such measurement, technically and environmentally, with the fishing industry emphasizing

also the economic and social dimension. The EP points to (notably small-scale) fleet sections that need renewal or replacement (for safety or reduction of environmental impact) without increasing capacity.

A limited number of MS and stakeholders advocate continuation of the current capacity management approach. Some non-governmental organisations (NGO) propose mandatory fleet-based capacity reduction. Some link capacity reductions to fisheries management plans. Regional authorities of outermost regions (with their MS support) ask for continued separate capacity management for their fleets.

A publicly funded one-off scrapping scheme to replace the current decommissioning is not strongly supported, although the majority of contributors such as the EP consider it useful under certain conditions. Some MS question the effectiveness of permanent subsidized scrapping.

A majority of MS and stakeholders see rights-based management as useful in tackling overcapacity, with more hesitation to individual transferable rights (ITR) and a small number strongly opposing them. Most MS argue that MS should decide on rights-based management.

Many contributions point to the risk of concentration of fishing rights under ITR insisting this should be avoided. Respect for relative stability (RS) is mentioned in a number of contributions against ITR at EU level. An overwhelming majority of the contributions think ITR are not appropriate for small-scale fisheries.

There is support for increased decision-making at a regional level for small-scale coastal fleets:

A large number of contributions (including the EP) points to the variety of situations across the EU calling for a flexible approach - adapting the definition to the specificities of regions and/or fisheries. Most supporters advocate a mix of selection criteria, including vessel length, action radius of the fishery, trip duration, catch volumes, type of gear. Several NGO and fishing industry contributions want to consider social criteria and the link to the local/regional community. Some propose fishery-based ring fencing and a few suggest inclusion of recreational fisheries in the specific regime.

The decision making is frequently linked to the regionalized approach, setting overall criteria at the EU level with management at either the national level (MS support this option) or regional/local level. Part of the industry calls for management at the level of the fishery or fishermen (co- or self-management).

The European Commission has not yet formulated its response or its own proposals.

4.3 UK Government response

The British Government has not yet committed itself on CFP reform. One reply came among general concern about the EU:

Kelvin Hopkins (Luton North) (Lab): May I suggest to the Minister that our priority should be to seek the abandonment of the common fisheries policy, which is universally regarded as nonsense and has been a major factor in the depletion of fishing stocks in the North sea and elsewhere?

Mr Lidington: My right hon. and hon. Friends from the Department for Environment, Food and Rural Affairs will be trying to ensure in the forthcoming fisheries negotiations

that we reform the fisheries policy in a way that delivers the proper conservation of fish stocks and the marine environment.¹²

A second reply was more specifically related to fisheries:

Mr Amess: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of progress on reform of the Common Fisheries Policy; and if she will make a statement.

Richard Benyon: The EU Commission's 2009 Green Paper provides a compelling case for radical reform of the current common fisheries policy; changes that simplify and decentralise fisheries management, enabling those closest to fisheries to plan for the long term, and giving fishermen greater incentive to fish sustainably. We expect the Commission to publish draft proposals next spring.

We are working with other member states, and interested parties, to build support for reform ahead of negotiations next year.¹³

5 The Fisheries Debate, December 2010

Dr Whiteford deplored the extent of discards:

With quotas set to be reduced further, discards are actually expected to rise next year. That is why we need to take seriously the success of the catch quota pilot schemes in Scotland and Denmark, which have been running in recent years, and build on those schemes in the years ahead. Those taking part in the pilots have been freed from certain effort restrictions and awarded higher quotas in return for fully monitoring and recording their catches, and avoiding discards. Those fishermen are removing fewer fish from the sea, but they are able to land more fish. It is a win-win situation for them; it keeps the cod recovery plan on track, while rewarding fishermen who do not discard. It is also providing valuable scientific data on what is actually going on in our seas, which is no small point of controversy. (...)

I think that it is recognised that catch quotas are no panacea for the white fish fleet. They will help to mitigate the most damaging social and economic impacts of this year's expected quota cuts and reduce discard levels further, allowing our fishermen to catch less and land more, but in order to take things to the next level, we need the opportunity to trial a mixed-species catch quota option. The North sea is really a mixed fishery, and we need to consider the ecosystem as a whole. I hope that the UK Government will pursue a full catch quota system for cod in the year ahead. I also urge the Government to secure options to trial catch quotas for other species such as haddock, whiting or plaice. If fishermen are to reap the full benefits of their conservation efforts, the Government must secure changes in the management regime.¹⁴

Alan Reid argued for more decentralisation:

We must move away from centralised decision making by the Commission and towards a decentralised system of regional management committees involving fishermen, scientists and fisheries managers from member states. Only by decentralising decision making will we ever get a system that sustains both fish and fishermen.

¹² HC Deb 9 November 2010 c136

¹³ HC Deb 4 November 2010 c894W

¹⁴ HC Deb 2 December 2010 cc343-4WH

I stress that we need a common fisheries policy. The actions of Iceland and the Faroe Islands on mackerel show what would happen if there were a free-for-all and each member state could do its own thing. We need a common fisheries policy, but it must be based on regional management, not centralised decision making from Brussels.

Discards are an obvious example of why the present common fisheries policy is failing both fish and fishermen. The European Commission is well aware of the problem; its cod recovery plan is based on the assumption that 30% to 40% of cod taken from the sea will be discarded. There is something wrong with a system that makes such an assumption. Decentralising decision making to those most affected by the decisions must be the way forward. Fishermen are well aware of the need to sustain stocks over the long term.¹⁵

Frank Doran welcomed the way that the fishing industry had adapted to the new environment with gear change, technical improvements and cultural change:

The other positive thing-I know that it sounds confusing to call it positive-is that trials are under way in Scotland of fishermen who have broken the rules and regulations in relation to black fish. Some 15 fishermen or vessel owners have been convicted and are awaiting sentence. How can I possibly present that as good news? Well, for most of the time that I have been speaking in these debates, black fish has been a key issue, which meant that our industry was not properly regulated. A combination of effort from various Government bodies, Grampian police and others has seen black fish put into its coffin, which is a good thing. It should have happened many years ago.¹⁶

Sheryll Murray was also disgusted by discards:

There is a real argument for requiring all marketable fish to be landed. Over-quota fish could be sold on the market, fishermen could be compensated for their expenses and the remaining proceeds could be invested in developing environmentally friendly fishing gear and good fisheries science. It would be interesting to know whether the Minister has sought agreement from the European Commission to run pilot schemes to identify whether such an approach would work.¹⁷

Alan Campbell stressed the importance of having an adequate quota:

Fishermen in my constituency want reassurances that the Minister will get the best possible deal at the Council. In particular, I want to mention the whiting quota, which has already been referred to. I understand that there is a proposal for a 15% cut in whiting, although that goes against the view held by fishermen I know who tell me that stocks are relatively good. Far from a 15% cut to the quota, they were hoping for an increase of about the same amount. The Minister and his officials should not be swayed by the idea of an unused quota held by the Norwegians being a sign of limited stocks. It is not as simple as that. If there is a cut across the board, or a particularly severe cut to the whiting quota, it will be difficult for some fishermen to survive.¹⁸

Andrew George complained about the way that the quota for hand line mackerel, a sustainable fishery, had been used as a swap:

Andrew George: Absolutely. My honourable colleague has anticipated the point that I was due to make, which is that that is a very sustainable fishery. Over the years,

¹⁵ HC Deb 2 December 2010 c346WH

¹⁶ HC Deb 2 December 2010 c350WH

¹⁷ HC Deb 2 December 2010 c352WH

¹⁸ HC Deb 2 December 2010 c354WH

previous Ministers will have been aware of the work of mackerel hand-liners and those who support their work. It is also a Marine Stewardship Council-certified fishery. Given that, it is acknowledged that it should be taken out of the quota system altogether. I hope that there will be opportunities for the Minister to explore that in the negotiations in which he gets involved. We are talking about people who are engaged in the use of a line rather than a net. It is a selective fishery. It does not involve tremendous power, but just the brawn, generally, of the men-and women occasionally-who are engaged in it to haul their catch aboard. It is a very primitively based fishery.

Richard Benyon: May I respond to that point and to the point made by my hon. Friend the Member for South East Cornwall (Sheryll Murray) on hand-line mackerel in the south-west? That is an under-exploited fishery and was considered good currency for swaps in the past. I concede that it was over-extended this year in terms of use of that currency. However, I can assure my hon. Friends that we will look very carefully at and work very closely with hand-line mackerel fishermen in future years to ensure that we know precisely what they think they will need and what is available as a currency swap. We will try to get it done better next year.

Andrew George: I am very grateful to the Minister for that intervention and much reassured. He replied to me on 17 November about the issues that I raised on behalf of the industry in Cornwall. I understand that what was undertaken was not done at his discretion, but was undertaken by the Marine Management Organisation, perhaps on his behalf. The point that I think he fully understands now is that it was undertaken without any consultation or negotiation with the mackerel hand-liners themselves. There was no effort at all to engage with them before the decision was taken to reduce their quota-to swap their quota-which put them in a parlous position. That is clearly absurd, given that it is the very type of fishery that we should be trying to encourage, not discourage.

My next point-again, I have given the Minister a note on it-is about protecting the engineless, under-10-metre fleet from having to face the regulations that other fisheries face.¹⁹

Jim Shannon argued that we were not really overfishing and that the views of fishermen should be given more weight because the evidence supported them:

On cod recovery, I have to make a case for white fish and the cod men. Not too long ago, we had a fishing industry with 40 boats fishing for cod. We are now down to five. That is a cause for concern. The Commission proposes a 50% cut in the Irish sea TAC and another 25% cut in the number of days at sea. I do not know whether hon. Members are aware of any other industry where people are allowed to work only a certain number of days in the year. It is almost incredible.

When the long-term cod recovery regulation was agreed in November 2008, it contained a commitment to review the plan after three years. That review should occur in 2011. The industry was encouraged to hear recently from Department for Environment, Food and Rural Affairs officials that the review should be fundamental in nature and not, as the Commission previously suggested, an examination of the 2008 regulations.

In 2000, the Irish sea became the first European sea area to be subjected to EU cod recovery proposals. Overall, a sense of pessimism remains about the stock, despite observations from the fleet. A project instigated by Northern Ireland fishermen, with the support of Department of Agriculture and Rural Development fisheries scientists and

¹⁹ HC Deb 2 December 2010 c357WH

funding, has proved that fishing gear deployed in the Irish sea by the local fishing fleet has exceeded ambitious targets on what the European Commission considers the most vulnerable fish stock-cod. During 2006 and 2007, fishermen discussed with local fisheries scientists various plans and ideas to address the problem. The result was launched in 2008, when fishermen from Kilkeel, Ardglass and Portavogie were trained to self-sample their catches. In addition, independent observers were employed to go to sea with trawlers to monitor catches to see what was retained on board and what was discarded.

At a recent meeting in Belfast, industry representatives were presented with the results of that pioneering work, which has become the biggest scientific fisheries sampling programme in any sea area around the United Kingdom. Before the latest evidence was obtained, the European Commission used models designed for fisheries in the North sea and elsewhere to estimate the amount of cod discarded in the Irish sea. Its guesstimate for 2008 was that 738 tonnes, or 80%, of all cod caught by Northern Ireland fishermen, had been discarded, but the scientific evidence, which the Department agreed, showed that the total discard by the entire Northern Ireland fishing fleet in 2008 was 2.8 tonnes, or 1.5% of the catch.²⁰

Oliver Colville mentioned some problems with the Common Fisheries policy:

Many of our fishermen are horrified that the Austrians, who have no coastline whatsoever, should be able to have a say on the CFP, while other British fishermen feel that the UK Government gold-plates much of our EU fisheries regulation, whereas in Spain, of course, the inspectors are hundreds of miles away from the Spanish fishermen and ports, very rarely visiting them, and they are very lax on enforcement too.²¹

Tom Greatrex asked the minister three questions:

First, regarding the future of the under-10-metre fleet, I know that work was being undertaken by the previous Government and I hope that that work is continuing under the current Government. Secondly, does the Minister intend to use the Hague preference during the negotiations later this month? Thirdly, what update can he give us in relation to the attempts-attempts that began under the previous Government and that I hope will be continued under this Government-to protect blue fin tuna? That is a very important international issue, stretching outside of EU issues and involving fisheries more widely. Moreover, what discussions has he had, or is he planning to have, with his Maltese, French and Italian counterparts?²²

Dr Sarah Wollaston had several objections to the proposed quotas:

The Commission proposes a 15% increase in the available catch of sole, but it is accepted that the TAC for area VIIe should not have been reduced by even 5%, because, as I understand it, the status quo would have yielded a full improvement in the spawning stock. As my constituents see it, the only fair outcome is the full, scientifically justified 19% increase in the TAC for 2011, and I hope that the Minister will press for that.

The skate distribution among member states is unfair. We recognise that it is unlikely to be reworked, so I call instead on the Minister to press for an increase in the quota so that skippers can land what they catch rather than discarding skate. We all recognise

²⁰ HC Deb 2 December 2010 cc363-4WH

²¹ HC Deb 2 December 2010 c365WH

²² HC Deb 2 December 2010 c369WH

that current arrangements are not preserving stocks; they are just causing dead fish to be thrown back into the sea.

We believe that sprats are not depleted. One of the many daft Commission rules is "use it or lose it". I think that many Members here share my hope that the Minister will resist further reductions for under-utilisation.²³

Peter Aldous listed the problems of the Suffolk fleet and called for the Minister to secure the best possible deal at Brussels:

I urge the Minister to pursue a four-pronged approach. First, there should be a move away from the current top-down micro-management that has worked so badly and led to so many of the problems faced by the fishing industry today. In future, the EU's role should be to set high-level objectives. The day-to-day management of fisheries should be carried out locally by fishermen, CEFAS scientists and a more streamlined regulator. It may be that the Marine Management Organisation should devolve its responsibilities to the inshore fisheries and conservation authorities.

Secondly, there must be an increased use of science, with fishermen themselves playing the lead role in monitoring the amount of fish caught and recording that activity. That information can be used to manage fisheries in a proactive, responsible and sustainable way. It is vital that all parties work together and that trust, which has been missing in recent years, is re-established. It is important to remember that fishermen are the custodians of the sea. Lowestoft fishermen always say that they do not wish to be aboard the vessel that catches the last fish. Fishermen want to create and then manage sustainable fisheries.

Thirdly, a variety of tools should be used in the local management of inshore fisheries. It is such fisheries that I am concentrating on, as the Lowestoft fleet is almost exclusively an under-10-metre fleet today. Effort control in the form of a maximum-hours-at-sea approach has a role to play in eliminating discards, but other controls should be used as well, such as catch limits and a variety of technical measures.

Finally, there must be an equitable redistribution of quota to ensure that the inshore fleet is treated fairly. The quota system needs to be put on a more commercial footing, rather than being based on "grandfather's rights". It is very much the elephant in the room. If necessary, the legal status of quotas needs to be clarified and challenged.²⁴

Dr Thérèse Coffey raised the question of windfarms:

On a slightly different subject, other barriers to fishing include marine conservation zones or offshore wind farms, both of which are prevalent off the coast, as my hon. Friend the Member for Waveney will know. Natural England and other organisations have been proactive in engaging with fishermen on the issue. I believe that my constituent has been involved in helping map out areas where fishermen can still fish. However, as he convincingly pointed out to me earlier, they are effectively doing it blindfolded, because they do not know what the Marine Management Organisation is doing in its plans for sustainable management. It should be a round-table discussion rather than a bilateral one.

Views differ on offshore wind farms. Developers seem to suggest that wind farms provide a haven for fish and are therefore good things. I am not convinced by that, but at some point during the summer, I am due to visit a wind farm, and I hope that the company will allow me to bring along a fisherman as well. Fishermen in my

²³ HC Deb 2 December 2010 c370WH

²⁴ HC Deb 2 December 2010 cc371-2WH

constituency have made a relevant point about the operational effectiveness of the MMO. I am conscious that that is a new organisation. However, I understand that the leadership and directors have already changed on a regular basis. That brings into question the credibility of the leadership of the MMO. Instead of being focused on internal matters, it should focus on fish and fishermen. I do not expect the Minister to criticise the MMO, but perhaps he will reflect on and express his view of its first months of operation.

As my hon. Friend the Member for Waveney and other hon. Members said, it would be useful to have a discussion about how we can devolve the management of fisheries locally. I shall give an example. The people to whom I spoke in the summer suggested that it was all well and good for the MMO to say, "Right, you can now go and fish cod," but it said that when there were no cod there; they had already moved on. It is that inflexibility that concerns people. The fishermen know what they are doing. I appreciate that the MMO must have a process for deciding what can be fished and for closing different areas and so on, but those decisions seem to be completely unlinked.²⁵

William Bain referred to CFP reform:

As the EU prepares to consider radical reforms of the CFP, there are several factors that the Opposition believe should inform that debate. First, the status quo on the annual setting of fishing quotas should no longer be an option. A longer-term approach is required to provide greater sustainability and certainty in the conservation of fish stocks, particularly cod stocks, from the connected threats of ocean acidification and climate change, and to provide greater security for the fishing industry itself. Multi-annual management plans might cover 30% of total EU catches for 2011 and indeed 80% of fish by weight caught by EU fishermen this year, but the ambitions of the Government and the EU must be to raise those levels quickly.

Secondly, EU Fisheries Ministers should be moving towards greater regional management of fishing waters, as many hon. Members have reflected upon during this debate. Thirdly, a reduction in the unacceptable levels of discards and by-catch is vital. The EU must reform the system so that the levels of fish caught are given greater priority in the regulatory approach that is adopted, as opposed to the quantity of fish that is landed onshore.²⁶

The Minister **Richard Benyon** supported catch quotas:

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.

He also discussed conservation zones:

Many hon. Members raised marine conservation zones. Several, including my hon. Friend the Member for South East Cornwall said that fishermen are sceptical and

²⁵ HC Deb 2 December 2010 c375WH

²⁶ HC Deb 2 December 2010 c377WH

suspicious of the process. Yes, they are, but the point is this. Fishermen come to my office and meet me as I go around the country, saying, "We're concerned about this." People from green non-governmental organisations say, "The system is too much in favour of socio-economic activities." The fact that both groups have those concerns means that we may be getting it just about right. However, I assure the House absolutely that I want to ensure that at every stage, we have a balanced approach and that people have access. The good thing about today's debate is the feeling that the argument that conservation is on one side and fishermen and socio-economic activities are on the other is weak and old-fashioned. If we can get this right-the projects, although they have not been without difficulties, are proving that we can-it will be to everybody's advantage. I reassure my hon. Friend the Member for South East Cornwall and everybody who has raised the issue that at every stage right up until designation, we will ensure that everybody has access to the process.

We must remember that when we discuss management of marine conservation zones, we might be trying to manage the sea bed, in which case activities higher up the water column might be perfectly permissible, or we might be trying to protect features at the surface, such as bird life or harbour porpoises, in which case activities on the sea bed might be perfectly permissible. It is a question of working through the suspicion that my hon. Friend mentioned.

I intervened to address the point that my hon. Friend raised about hand-line mackerel. She has raised the issue with me before and is an assiduous campaigner on behalf of the fishing community in her constituency. She also mentioned dredged materials, a matter that is very relevant to Rame head. She has raised it with me before and it is currently under review. The point she makes is absolutely right: we have to get coherence, because that will bring credibility, and it is important that all parties link together to ensure that we have a credible system.²⁷

²⁷ HC Deb 2 December 2010 cc378-86WH