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**REPORT OF THE WORKING GROUP (WG1) ON THE IMPACT OF EC LEGISLATION ON FISHERIES ACTIVITIES IN THE MEDITERRANEAN**

Rome, Palazzo della Cooperazione, 27 February 2013

Participants: see attached list

Coordinator: Elena Ghezzi

Annexes: Agenda, slides presented by Monique Pariat, slides presented by Maria T. Spedicato.

1. WG1 met in Rome on 27<sup>th</sup> February 2013 to continue the examination begun last year on the proposed reform to the Common Fisheries Policy.

2. The RACMED Executive Secretary opened the meeting and thanked the participants, DG MARE, the Associations and she read the letter sent by the Coordinator Elena Ghezzi who apologized for her absence. The interim coordinator Giampaolo Buonfiglio took the floor, then Monique Pariat, Director of DG MARE for the Black Sea and the Mediterranean presented the EC strategies for the Mediterranean.

3. This was the first RACMED meeting at which Mrs Pariat had participated and therefore she expressed her gratitude at having been invited. She then moved on to illustrate the activities that DG MARE will carry out in the coming months and the contribution expected from RAC MED. The European Commission will focus on three main issues:

- the implementation of the future reform to the CFP and the application of the Mediterranean Regulation (multi-annual management plans, minimum mesh size, identification of Marine Protected Areas, etc) as well as the state of implementation in the different Member States;

- international cooperation and the encouragement of equal terms, in particular where bluefin tuna and swordfish are concerned; (ICCAT-GFCM, above all regarding conformity, monitoring and control). An important issue is that of improving scientific consultation for the Mediterranean and sharing this with other non-EU countries that find it difficult to achieve these objectives even with the help of the FAO Regional Projects.

- the future role of RACMED.



An important new element to take into account in the Mediterranean is the entry of Croatia into the EU from 1<sup>st</sup> July 2013. Subsistence fishery is common practice in Croatia (non-commercial fisheries), this measure was adopted after the war but will have to be eradicated progressively before July 2014, because it impacts on fisheries resources. The stakeholders in Croatia are mainly centered on two institutions: the Chamber of Commerce of Economy and the Chamber of Commerce for Trades and Crafts. Furthermore there are 18 associations that are acknowledged by the Ministry for Agriculture and two research institutes, the Institute for Oceanography in Split and Ruđer Bošković in Zagreb.

Where the future role of RACMED is concerned, the EC wishes to receive a reply on the implementation of the management plans, on the state of stocks and on the impact and selectivity of the different fishing gears used. RACMED could also provide invaluable collaboration in relation to conformity and respect for the regulations, by means of close cooperation with the national administrations on matters regarding control, so as to reduce the number of legal disputes by identifying gaps in the system. The presentation closed with mention of the introduction of the discards ban and the landing obligation, issues that must be faced and which will bring about significant changes.

4. The interim coordinator thanked Mrs Pariat for the presentation that gave the basis for discussion on the overall situation in the Mediterranean. It emerged that RACMED will be expected to provide answers on a series of issues and that its role will need to be more incisive, working to rapidly and efficiently. On some operative matters this will mean the organization of new structures. For example, in order to provide answers on matters concerning monitoring the application of the Regulation in the MS, it will be necessary to create a reliable monitoring network, putting RACMED in a position to explain the origin of the data and the collection methodology. The interim coordinator therefore opened the debate to the participants.

5. The ANAPI Pesca representative brought the Meeting's attention to the fact that, for tuna and swordfish, ICCAT recommendations are respected. The most recent recommendation, 11-03, like those passed previously, aims to "protect swordfish juveniles". In this respect the question of gear was raised: how is it possible that, rather than banning longline fisheries of albacore which have a significant impact on swordfish juveniles – as declared by the fishers themselves – in the months of October/November and in March all other kinds of gear are banned. The consequence being that Italian fish markets are invaded by sword fish from the Maghreb countries, the Atlantic and the Pacific. Where discards are concerned, he stressed that in the Mediterranean the issue arises due to the numerous species present, creating the problem of how/where to keep them on board, as the fishing vessels are very small and do not have adequate storage systems.

6. The FNCP representative recalled that fleet reduction, that has increased to 20%, will trigger significant social consequences and he wondered whether the EC had taken this into due consideration. Moreover, the fact that varying control systems are in place in the different Member States depending on whether they are in the EU or not, creates considerable discontent among the fishers. Where the discards ban is concerned, he wondered whether DG MARE was aware of the applicative difficulties that this would cause in the Mediterranean. On the matter of RACMED's role, he asked if greater powers would be given, as being just a consultative body it would not be possible to act as promptly and efficiently as DG MARE expects.

7. The DG MARE delegate, Monique Pariat, replied to these first questions by clarifying that the matter of discards is difficult to implement and that the stakeholders will need to assist in identifying the problems and their potential



solutions. Where fleet reduction is concerned, she recalled that this issue is dealt with by the national administrations through the regional and national management plans, that are determined together with the sector's organisations. The only thing that the EC imposes is the adoption of management plans, the content is decided at regional/national level. On the matter of controls carried out in third-party countries, the EC does not possess any efficient, direct means to address this. The only possibility is to define measures through international bodies such as ICCAT and GFCM, and these would need to be jointly approved in order to achieve respect for the regulations in as many of the countries involved as possible. On the incisiveness of RACMED opinions: when an opinion is well reasoned and broadly shared it will be accepted as one of the elements that will be considered in defining DG MARE's policies, in the same way that a scientific opinion is taken into account.

8. The CRPMEM LR representative underlined that the French management plan is almost ready for 2013 and it foresees a further reduction of 50% in the trawl fleet, this situation will become even worse in the closed seasons. The Advisory Committees are the only channel left to communicate with the EC.

9. The representative of the Prud'homie de Marseille confirmed that accepting such a drastic reduction is all the more frustrating when presented with enormous vessels from non-EU countries that use a mesh size so tight "not even water can get through".

10. Mrs Pariat stressed that discards in the Mediterranean are above all undersized specimens and those species that are not marketable, given that, apart from Bluefin tuna, there no other species that are subject to quotas and therefore the problem of exceeding the given quota hardly exists. However, as the aim is to reduce discards and not to give value to fisheries, it will be necessary to identify mechanisms that foster such policies. Where the French Mediterranean is concerned, pelagic fisheries are in a critical situation and the aim is to regulate fishing effort by means of fleet reduction. The only answer where third-party nations is concerned is to strengthen relations with them to develop agreement and understanding, above all where controls are concerned, through the EFCA.

11. The WWF representative expressed serious concern over the matter of the ban on discards, which is almost certainly unworkable in the Mediterranean with the consequent problem of marketing this part of the catch.

12. The representative of PASEGES recalled that during a period of economic crisis it is crucial to consider the financial, economic and social factors in fisheries, avoiding further increases in the economic difficulties faced by the sector, as specified in art. 15 of the Basic Regulation on discard management.

13. The delegate from the French Ministry reminded the Meeting that work on the management plan on trawl nets, which is currently under approval by the regional committees, began in 2008, moreover he underlined that consultation procedures have also been initiated on management plans for small scale fisheries. Lastly he informed the participants that France wishes to reduce discards to a minimum but not to eliminate them.

14. The president of the CNPMEM clarified that the discards ban was conceived for north European countries which target few species with large vessels. In the Mediterranean landing sites are not suitably equipped and most of the discards are undersized or non-commercial species.

15. The DG MARE representative recalled that the specific nature of Mediterranean fisheries and the difficulties in implementing the ban on discards are well-known and this is why the timescale is longer, it is also necessary to carry out consultations with the stakeholders through the RACs, however the final objective is to improve selectivity in



order to reduce discards to a minimum. Discards in the Mediterranean are above all juveniles and the black market must not be allowed to develop, this is why the new Fund includes a funding system to improve gear selectivity, above all for small scale fisheries.

16. On the issue of discards, the FNCCP representative brought the Meeting's attention to the fact that landing all the catch brings the risk of decreasing animal protein in the trophic chain, from a biological point of view this does not make sense and would trigger dietary shortages for marine species. The pointed out that in Tarragona, where fishers implement closed seasons for trawl fisheries in Spring and Summer, the state of stocks has improved without reducing the number of vessels. In some areas it would therefore seem preferable to apply different systems, such as fishery closure periods supported by economic aid, rather than seeing a drastic reduction in the fleet.

17. The OCEANA representative recalled that the absence of quotas in the Mediterranean could be an advantage because discards would only include non-commercial species and therefore selectivity would improve and there would be no risk of catching undersized specimens.

18. The interim coordinator thanked all the participants for their interventions and for the lively debate. However he expressed his concern over the new role that RACMED will have to embrace; a wider mandate that will include monitoring data will mean finding technical capacities and tools that do not currently exist. On the matter of strengthening relations between RACMED and the scientific community, as well as collaboration with the GFCM, he informed the meeting that efforts are being made to invite researchers to RACMED meetings, also implying an increase in spending, which RACMED may not be able to sustain. The floor was passed to Mrs Spedicato for an update on the current situation in the Mediterranean where discards are concerned.

19. Mrs Spedicato informed the Meeting that, with the establishment of the "Data Collection Framework" (DCF), since 2008 it has been obligatory to gather data on discards on an annual basis, previously data was collected triennially. Data collected for scientific purposes must include full details on the type of fishery: pelagic trawl, demersal trawl etc, including mesh size. If discards of a particular species are over 10% then that fishery system has to be constantly monitored. When EC reg. 199\_2008 and Commission Decision 949 of 2008 came into force, one of the ecosystem pressure indicators that was introduced was the "discard rate" for commercial species. From the data presented it is possible to notice significant variations in the volume of discards and in 2011 it probably increased as a result of the introduction of a different mesh size. The percentage of discards from bottom trawlers in the lower part of the Adriatic is around 30-35%, slightly higher than that in the lower Tyrrhenian and Ionian Seas. Data are always collected with observers on board and this can cause problems because some vessels do not have sufficient space to accommodate observers. Greater collaboration from fishers would make it possible to improve results and a system of "self-sampling" could even be established to get an even wider selection of samples thus covering a more diverse segment of the sector.

20. The GKTS representative asked for clarification of the difference between MEDITS and the DCF. Mrs Spedicato replied that the DCF is a sampling programme concerning commercial fisheries, and each MS prepares its own national programme. Therefore, where there are distinctive national characteristics to consider, it is important to understand the opinions of the sector's operators so that any details that are missing can be included. MEDITS is a scientific survey carried out during the year in the framework of the DCF, it samples the populations in the sea. This is a joint approach involving all the European countries that work in the Mediterranean so that data can be compared.



21. The EAA representative underlined that, within the definitions of discards cited, it is not clear that reference is made to dead specimens, therefore a paragraph should be included on “*catch and release*” in recreational fisheries. Mrs Spedicato clarified that the definition given by ICES undoubtedly refers to dead fish or those with very low chances of survival, while the GFCM definition is more open.

22 The Lega Pesca representative requested clarifications concerning the type and characteristics of the discards for the different fishery systems. According to the information he had obtained, the percentage of discards would appear to be much lower than in the data presented, he is therefore convinced that the percentages have been overestimated. If, on the other hand, the data concern non-commercial species, he expressed the opinion that these are not to be included in the discard ban envisaged in the new CFP.

23. In order to provide standardized replies and also to get an idea of the importance of the issue of discards, judged against the importance of all the other issues in the various Member States, Mr Buonfiglio read the document prepared by the Coordinator, Mrs Ghezzi. The Meeting was informed that, during the morning, the Council had voted on the proposal and he further informed the participants that the Council had proposed an action according to which there would be a tolerance of 7 – 9%, and for the Mediterranean it would be limited to those species that have a minimum landing size. He stressed however that, as was the case before the three-way discussions, there is no certainty on the regulations that will be decided. He proposed that simulation models should be developed to illustrate the management of discards under local conditions in each Member State. This would lead to quantification of the technical and economic difficulties involved in managing a certain quantity of discards (X) for a certain price (Y) that would provide an income (Z) to the seller; the costs involved in setting up specialized structures, etc. He invited all participants to send their contributions to the Secretariat within a month so as to be in a position to prepare opinions before the decisions take shape.

24. The ETF representative expressed his concern about the consequences of removing this quantity of fishery products from the marine system, which would now be landed instead of being put back into the sea to feed other species, as currently occurs. He also enquired whether there are scientific data available on this question so as to verify any damage that the marine ecosystem could incur.

25. The OCEANA representative requested that the replies given should be agreed, even if not all parties share the same position. He proposed, for example, that the species with a greater chance of survival should not be landed, as well as protected species. Another suggestion was to reinvest any economic gains in the sector, above all where measures to improve selectivity or control are concerned. The WWK representative expressed her agreement with OCEANA especially concerning the reduction of by-catch, she also supports further discussion on the matter of temporary closure periods for fisheries or areas in which fishing is forbidden.

26. Mr Buonfiglio expressed the view that, the lower the quantity of discards, the higher the management costs would be: if income from the sale of discards to transformation industries is too low it will not cover costs. The CNPMM representative added that another high cost would be that relative to the personnel appointed to gather the discards and the installation of storage systems.

27. The coordinator closed the debate requesting that the participants commit themselves to translating these doubts and suggestions into the elaboration of a scenario describing what would take place in their own fishing area, given an average amount of discards. He then passed the floor to Gian Ludovico Ceccaroni who gave an in-depth



presentation on the applicative difficulties of the control systems in the Mediterranean, using a model that had previously been sent to the WG participants.

28. Mr Ceccaroni presented the subdivision model for the evaluation of the state of implementation of the control system in the Mediterranean, illustrating the part concerning Italy.

29. The delegate of the Spanish Ministry apologised for not having had time to present her data in Mr Ceccaroni model, she gave a general description of the implementation of controls where Spain is concerned.

30. The PASEGES representative informed the meeting that she would be able to provide the information requested, however she would first ask her national administration to check the details, especially where the legal references required of each MS are concerned.

31. No other matters were put forward for discussion and Mr Buonfiglio closed the meeting reminding the participants to send the Secretariat the missing contributions on the state of implementation of the Regulation on controls and above all to prepare a forecast of the scenario where discards are concerned, in this way the Secretariat will have a compendium for each Member State and thus provide the ExCom in May with a detailed document, supported by a solid scientific basis with which to vote on a common position. He thanked all the participants and the interpreters for the work carried out.

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