

# MEDITERRANEAN REGIONAL ADVISORY COUNCIL – MRAC

Ref.: 32/09

## **DRAFT REPORT OF THE WORKING MEETING OF 3 JUNE 2009**

**Marseille, 3 June 2009**

**Chair:** Mourad Kahoul

List of participants: see annexe:

1. The Chairman Mourad Kahoul opened the session. The agenda was accepted after postponing to the next day the presentation on the first Euro-Mediterranean meeting of fisheries cooperatives in Tangier on 12 and 13 November next. He then gave the floor to the representative of the European Commission, Mr Lamplmair, who informed delegates that Ms. Carla Montesi had been appointed director for the Mediterranean within DG Mare. Unfortunately, due to a heavy agenda, she had been unable to attend this meeting. Reference was then made to the second European Maritime Day held in Rome from 18 to 20 May 2009. This had been a resounding success, enhanced by the presence of Commissioner Borg. A total of 1,700 participants had attended, and the day had included many workshops and plenary sessions on various topics. Maritime policy was now established and supported by all. All stakeholders had also participated actively in the event, and a multi-sector platform had been created. Regarding progress still to be made in maritime areas, several strategic directions had been adopted, such as promoting initiatives in the field of governance, improving transport-related issues, spatial planning, the international dimension of integrated maritime policy and employment. The fishing industry needs also to take its place in these various matters.
2. At the request of the Maltese delegation and in order to launch briefly the debate on the usefulness of collaboration between fishermen and scientists in the Mediterranean, but also on the quality and coordination of scientific opinions relating to the Mediterranean, participants listened to the presentation by Dr Mark Dimech of a Maltese project undertaken in the framework of the 7<sup>th</sup> research framework programme with the cooperation of fishermen and scientists in order to improve management policies in the Mediterranean and other European regions. Case studies had been conducted in 11 Member States. To disseminate the results, a conference would be held in June 2009, articles would be published in the press, and presentations were being made at meetings of the various RACs. The group had examined the cause of the malfunctioning of management policies (lack of confidence from professionals,

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inadequate regulations, etc.) and was offering recommendations. After the power point presentation (available on request), participants questioned the speaker in particular about the duration of the project, the support of the Maltese authorities, etc.. The project covers a very wide range of topics: deep-water red shrimp, trawling in the Adriatic, spawning grounds, environmental factors. In late September, the GAP II project will be submitted for approval to the Commission. The project will last three years. In the United States and Canada, this type of participatory research is producing good results. Discussion followed on the evident need for and the interest in nurturing collaboration between scientists and professionals. Mr Ferretti deplored the fact that many scientific research projects had no other purpose than to seek funding. Such activities did not help fishermen to better understand and manage stocks. Ms. Tempier mentioned the research conducted in France, where a stock-by-stock approach is often taken in the Mediterranean. However, issues other than simple catch data are also examined, such as coastal plankton, the functioning of coastal ecosystems, etc. For Mr Iani, collaboration between fishermen and scientists depends heavily on political will. It was important to move beyond the false belief that scientific advice is always reliable and that what fishermen say is always biased. In his view, the STECF as a body is neither independent or objective. It is important to ask just how far researchers are able to work freely. To conclude, Mr Dimech summed up by stating that the GAP I project relied on the participation of fishermen and scientists, that GAP II will work on concrete issues of substance and GAP III will also bring in the policymakers. A future RAC meeting will be devoted to the issue of scientific research in the Mediterranean.

3. Mr Lamplmair presented the state of play of the ‘marine strategy’ dossier, which falls under DG ENV. No representative of this directorate had been able to free up time to attend the meeting. DG ENV is working with DG Mare in the field of marine strategy. The Directive came into force on 15/7/2008 and forms the backbone of the integrated maritime policy. The aim is to achieve by 2020 ‘a good marine environment’ by applying an ecosystem approach in managing offshore activities. The concept of sustainability is ever-present. The marine strategy involves a number of different phases. During the preparatory phase, and by July 2012, Member States need to have assessed the condition of Community waters and the impact of human activities on them, providing information, etc. They also need to define environmental objectives and indicators. In 2014, Member States will need to propose monitoring programmes to the Commission. In 2015, packages of measures will be proposed by Member States, including marine protected areas for the Mediterranean, biodiversity protection, management plans, etc., for implementation from 2016. There are different kinds of marine protected areas: those defined geographically, those where access is prohibited, those where access is limited for fisheries, spawning grounds, both in Community and international waters. The main themes addressed include the integration of

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environmental priorities into all policies affecting the marine environment; having a regional approach, specific to each basin; building on existing conventions (Barcelona Convention for the Mediterranean). The Commission's role is to assess the consistency of the programmes submitted by Member States with all existing policies, to prepare a report on progress on marine protected areas by 2014 based on information provided by Member States and to prepare the first evaluation report on the implementation of the 'Marine Strategy' directive by 2019. After the PowerPoint presentation, Mr Gil de Bernabé insisted on the need for a great improvement in consultation mechanisms to enable stakeholders to follow every stage of this huge file. When professionals are not involved, one ends up with a situation of utter incomprehension. The representative of the Commission agreed on the importance of involving stakeholders more in decision making, particularly at national level. He indicated that the Commission was available for an exchange of views with RAC members on the issue of technical measures in the Mediterranean. Mr Piscopo of the Maltese fishermen's organisation said that small-scale fishermen had little time and financial resources to attend all meetings held in Brussels or elsewhere. Mr Targia from the Sicilian region hoped that the representatives of national administrations would also be present in the meetings because they also serve to relay messages from Brussels to the base, messages that moreover remain incomprehensible to both professions and administrations. Mr Ferretti was curious to know what criteria Member States would adopt to define what for them is a 'good condition' of the marine environment. Mr Marzoa Dopico regretted that we were still busy talking about the management of Mediterranean fisheries and limiting ourselves to Community waters, whereas it was essential to move to an international dimension, including via Medisamak association. No progress had been made since the last reform of the CFP. It was also worrying to see that pressure is being placed on the activities of fishermen while polluters and tourism development are moving ahead full speed in the Mediterranean. The Chairman drew the Commission's attention to the fact that third countries are continuing to expand their fleets. He mentioned the impact of harbour wall extensions, the damage caused by the construction of ports, the thousands of tonnes of waste thrown back into the sea, etc. In conclusion, a lot of work still remains to be done to improve the state of the marine environment in the Mediterranean and the sacrifices of fishermen alone will not suffice. These issues have to be placed on an international dimension.

4. Participants then heard a presentation by representatives of the Commission on the implementation of the regulation on illegal, unreported and unregulated (IUU) fishing, by way of debriefing on the conference held in Brussels on this issue on 7 May 2009 and in which not all RAC members were able to participate. Illegal fishing is a problem in achieving a sustainable fishing industry for the EU but also countries in the developing world. The EU imports large quantities of illegal fish every year and can therefore play a vital role in reducing illegal fishing. The regulation was adopted in

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2008 and will enter into force on 1/1/2010. It applies to all vessels operating in all Community waters, and to processed or unprocessed fish as soon as European traders are involved. After the PowerPoint presentation, the chair gave the floor for a discussion on the issue. The President of the Languedoc Roussillon CRPMEM expressed anger that EU regulations were killing the French fishing industry by banning aid while promoting the entry of the products of illegal fishing onto the market.

5. Participants then addressed the question of the European Fisheries Fund in relation to the crisis in the sector. Mr Ferretti introduced the question by explaining that the delays by the EFF at government level were posing real problems for fishermen, owing to a difference in vision between regions and the central administration. The regions now have decision-making powers in the field of fisheries, but lack the structures to follow the dossiers. The Maltese representatives complained that the industry had not been consulted about the programmes and explained that they had no confidence in their administration's choice of priorities. Mr Devandeul explained that, in France, EFF funds stopped in Paris, being allocated to studies and the like, but that Mediterranean fishermen rarely benefited from them. The representative of the region of Sicily denounced the complexity of EU procedures, with several hundred vessel improvement dossiers pending. Mr Buonfiglio refocused the debate on the economic crisis affecting the sector and pointed out that Regulation 744/2008 making provision for emergency measures had forced Member States to reformulate national operating plans, which had posed a huge problem of delays given the need to coordinate between regions and central governments. The regulation is ill-adapted to responding to the crisis, especially to restructuring the fleet. The EFF's philosophy is not made to take account of the crisis. The EU response to the crisis in the sector must be found outside the EFF. Contrary to the conclusions drawn by the Commission, if the EFF is not being used, this is not a sign that the industry is doing better. Mr Giachetti said that fishermen were having difficulties in investing given the acute nature of the crisis. They were preferring to postpone their planned investments and would therefore lose the first annual EFF tranche. It was important to change the regulation and postpone the 31/12/2009 deadline for use. Community rules also needed to be made more flexible to permit transfers between funds and to confront the crisis. Mr Buonfiglio said that access to credit was proving difficult at present. The Commission had committed at a seminar in Rome with the catching sector to take initiatives to examine how to improve market problems. Furthermore, Regulation 744 provided additional resources that had never been made available due to the underutilisation of the EFF, the complexity of procedures and rigid conditions of access to funds. It was therefore important to put an end to the mandatory link between the 744 and national operating plans. This was the nub of the problem. Definitive fleet withdrawals had to be undertaken on a voluntary basis and could be imposed on undertakings. The rule

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imposing a 30% reduction was creating confusion. A fund centralised in Brussels would be more effective and would put everyone on an equal footing. Many delegates pointed forcefully to inequalities at national level in the distribution of funds for the scrapping of vessels. In the case of Greece, representatives complained that EU funds were being managed by players who were insensitive to the real issues in the sector.

6. Participants examined the draft opinion of the Mediterranean RAC on the proposal for a Council Regulation establishing a control system for ensuring compliance with the rules of the common fisheries policy (COM (2008)721 final), a pre-draft of which was sent to members in mid-April. The version submitted to the participants reflects the amendments proposed by WWF and the sport and recreational fishing federations. Meanwhile, a new compromise proposal for a regulation has been circulated. The European Parliament for its part has proposed 280 amendments to the text, of which 89 have been accepted. Readers are reminded that the Court of Auditors has conducted an audit, the findings of which leave no doubt as to the need to strengthen measures to control fishing activities. The Council will begin very soon its second reading to prepare an implementing regulation by October. It is still possible to submit an opinion to from the RAC, but it is recommended that each organization place pressure on its national authorities in view of the tight deadlines. The Commission is aiming to have the control regulation in force by 1/1/2010, together with the regulation on illegal fishing. Mr Buonfiglio said that professionals had had the opportunity to explain to the Commission the problems posed by many articles, especially regarding VMS and other electronic equipment for boats of 10 m, the lowering of the margin of tolerance to 5%, the deadlines for notification of entry into port, etc. He insisted that organisations bring influence to bear on COREPER because the exchanges with the Commission had failed to obtain the requested changes. The compromise text which is now in circulation was more penalising than the previous one except on two or three points. It was also unacceptable that the Commission be putting such pressure to have a document of 116 articles of such a binding nature adopted prior to the CFP reform, so as to avoid passing through the co-decision process, the more so as the philosophy of the text is diametrically opposed to that of the future CFP, with its approach of handing responsibility to the sector. Such short negotiation and discussion deadlines were equally inadmissible. The link with the IUU Regulation was not a sufficient excuse for speeding up procedures. Mr Taoultzis agreed that the control regulation was outdated but reminded the Commission that during the consultation prior to the proposal, the Greek delegation had sent its contributions which had not been taken into account. The proposed text was not the solution to improve the situation. In Greece, one found many deficiencies in the administration. The Commission started from the assumption that structures and staffing in the Member States were up to scratch everywhere, but this was not the case. The Commission wanted to establish itself as the ‘policeman of the sea’ while for Greek professionals the priority was to

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create a scientific body capable of providing good advice to improve fisheries management, particularly given the impact of the Turkish fleet on resources. Mr Iani was concerned that the Commission does not reflect the views of professionals. For him it is politically incorrect to force through the adoption of a proposed regulation of this kind at the end of a Commissioner's mandate. Common sense would postpone the dossier. The same applies to the Green Paper, the main essence of which is to avoid co-decision in the fisheries sector. Mr Romiti pointed to some inconsistencies in the text in relation to small-scale fishing. Many articles were written for industrial fishing and this was reflected in the text. Mr Gil de Bernabé proposed adding a preamble stating that the proposed regulation was bureaucratic, complex and unworkable. He also stressed the positive role of auctions for small-scale fishermen. (§6). Mr Marzoa Dopico supported all previous interventions and hoped that the Commission would take the comments into account to avoid another unenforceable law. He called on NGOs to support the fishermen. Mr Chaulet representing the European Anglers Association (recreational fishing) explained that certain rules exist already to regulate recreational fishing activities (fish tagging to avoid selling, daily quotas, etc..) and stressed the need to train recreational fishermen. The WWF representative explained that her organisation defended fishing too and that, while she could not support the entire document, the WWF understood and supported for example item 6 on imports, a problem that should be resolved by the entry into force of the Regulation on IUU fishing. Mr Ribalta wanted to control recreational fishing also in order to protect fish species. Mr Champoléon acknowledged that very few recreational and sports fishermen knew the CFP and all the measures it contains. By way of conclusion, the paper will be slightly revised and submitted to the Executive Committee for approval as required by the statutes of the RAC, before being released to European institutions and policy makers.

All items on the agenda having been discussed, the Chairman closed the session by thanking the participants, the Commission and the interpreters.

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