

Opinion of the European Economic and Social Committee on the Communication from the Commission to the Council and the European Parliament — Implementing sustainability in EU fisheries through maximum sustainable yield

COM(2006) 360 final

(2007/C 168/07)

On 4 July 2006, the Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 21 March 2007. The rapporteur was **Mr Sarró Iparraguirre**.

At its 435th plenary session, held on 25 and 26 April 2007 (meeting of 25 April), the European Economic and Social Committee adopted the following opinion with 131 votes in favour and 3 abstentions.

1. Conclusions and recommendations

1.1 The EESC considers that, although the new maximum sustainable yield (MSY)-based policy guideline for EU fisheries management will be beneficial in the long term, it could have economic and social consequences that Europe's fisheries sector would find very hard to accept. The Committee therefore recommends that the pros and cons of implementing this guideline be considered extremely carefully from the economic, social and environmental points of view.

1.2 Because it is hard accurately to estimate the maximum sustainable yields of the different fish stocks, the EESC recommends that in its long-term plans the Commission set reasonable, gradual and flexible annual adjustments, on which all the sectors concerned agree. The Regional Advisory Councils, the EU Advisory Committee on Fisheries and Aquaculture (ACFA) and the Social Dialogue Committee for Maritime Fisheries should, therefore, be consulted at the earliest opportunity, giving them sufficient time to ensure that their members can discuss the terms of the proposals that have been put forward.

1.3 The EESC thus recommends that the Commission take particular care over setting the annual mortality rates per fish, with the aim of obtaining the maximum sustainable yield for mixed fisheries in the long term.

1.4 The Committee does not agree with the European Commission's argument that this fisheries management policy will improve the balance of trade, because the gap left in market supply by Community enterprises will be filled immediately by imports from outside the Union. The EESC therefore urges the Commission to be particularly vigilant in observing and monitoring these imports into the Community market.

1.5 The Committee considers that the Commission and the EU Member States should take account of the 'other environmental factors' referred to in this opinion and which also influence changes in marine ecosystems. The Committee also recommends that they impose restrictions equivalent to those sought for the fisheries sector on economic players whose activities affect marine ecosystems.

1.6 With regard to the adjustment requested in order to achieve the maximum sustainable yield, the Committee considers that the two approaches proposed by the Commission could complement one another, because the Member States will have to implement the measures that are most appropriate bearing in mind the economic and social effects in their respective fisheries sectors. The EESC wishes to express its concern at the fact that the European Fisheries Fund (EFF) does not have sufficient means to cope with the impact of this new management system's implementation.

2. Reasons

2.1 The Commission Communication on *Implementing sustainability in EU fisheries through maximum sustainable yield* (¹), the subject of this opinion, sets out the Commission's position on improving the economic performance of the fisheries sector in accordance with the common fisheries policy.

2.2 The Commission's way of achieving this improvement in economic performance is gradually to phase out overfishing, because it takes the view that this would bring about economic benefits for the fishing industry in terms of reducing costs, improving catches, improving the profitability of the fishery and reducing discards.

2.3 To achieve these goals, the Commission considers that it is time to manage European fisheries in a different way, actively looking for success rather than merely seeking to avoid failure.

2.4 The Communication sets out a new policy guideline for EU fisheries management, based on obtaining the maximum sustainable yield from fish stocks by setting long-term mortality rates.

2.5 This new policy guideline is based on the international political commitment, given by EU Member States at the World Summit on Sustainable Development (WSSD) held in Johannesburg in September 2002, to 'maintain or restore stocks to levels that can produce the maximum sustainable yield with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015'.

(¹) COM(2006) 360 final of 4.7.2006.

2.6 The aim is therefore to move towards a longer-term management system that focuses on obtaining the best from the productive potential of Europe's living marine resources. This approach is fully consistent with the broader objective of the common fisheries policy, which is to ensure sustainable economic, environmental and social conditions.

2.7 As the Communication states, the economic benefits can only be obtained by exercising more restraint in fishing during a transitional period. All parties concerned should be involved in the process of deciding the pace of this change. Financial assistance, such as that provided for under the proposal for a European Fisheries Fund, must help to mitigate the social and economic repercussions during the transitional phase.

3. General comments

3.1 The principle guiding the Commission's decision to implement MSY-based fisheries management in the Community is that there has simply been too much fishing in relation to the productive potential of some stocks.

3.2 Recognising that some fish stocks in European waters have declined very severely over the last 30 years, principally as a result of over-fishing, the Committee agrees that it will be desirable to move to more sustainable levels of fishing.

3.3 The Commission considers that implementing MSY-based fish stocks management systems will ensure that stocks do not collapse and at the same time allow larger fish stocks to build up.

3.4 The EESC considers that the principle is correct, because the maximum sustainable yield of a fish population is the quantity of biomass (quantity of fish) that can be exploited in such a way that future production is not affected. Consequently, it fully supports basing fisheries management policy on this principle.

3.5 Nevertheless, the Committee wishes to point out to the Commission that any change of management system entails risks and that the advantages and drawbacks should therefore be weighed up extremely carefully.

3.6 The Communication discusses the advantages of the MSY-based fish stocks management system in considerable detail, especially the environmental advantages, but does not dwell on the system's economic and social advantages for the fisheries sector and in particular fails to mention the drawbacks.

3.7 One of the advantages highlighted by the Commission that the EESC does not agree with is the argument that this fisheries management policy will improve the balance of trade; this is because the void left by Community enterprises going out of business as a result of complying with MSY targets will be filled immediately by operators from outside the Union, as the fisheries products market is driven by the need to ensure a constant supply.

3.8 The Communication's overall approach for the new management system is to reduce the fishing mortality rate. In order to allow fish to grow more and achieve a higher value and yield when they are caught, the proportion of fish captured from the sea must be reduced.

3.9 Nevertheless, the Communication acknowledges that fish populations are difficult to measure, and while fishing (fish mortality) is the major influence on stock health, other factors such as environmental changes and the influx of young fish also play a role.

3.10 The Communication therefore puts forward a long-term strategy for rebuilding fish stocks based on seeking to balance fishing activity against the productive capacity of the stocks and suggests that this can be done gradually, by reducing the number of vessels fishing or the vessels' fishing efforts.

3.11 In order to implement this strategy in such a way that fishermen are able to obtain the maximum sustainable yield from the stock, the appropriate target rate of fishing and the annual mortality rate must first be set for each stock, per fish, on the basis of the best available scientific advice. The rate at which annual adjustments will be made to reach this target rate must also be decided on. As set out in the common fisheries policy, these decisions should be implemented through long-term plans.

3.12 Community fisheries management is currently implemented in line with the principles of safety and precaution for fish stocks. Annual TACs (Total Allowable Catches) and catch quotas are based on comparative scientific reports, and recovery plans provided for under the common fisheries policy are implemented for some fish stocks that have deteriorated in order to return them to sustainable biological levels.

3.13 The EESC considers that the change of management system is significant, because it means adopting a biological target that is more ambitious than that under the current management system. In turn, this change will also mean, with each annual adjustment, considerable fish mortality reductions, which will undoubtedly require reductions in fleets and fishing efforts and therefore considerable sacrifice on the part of Community fishing enterprises. The EESC wishes to express its concern at the fact that the European Fisheries Fund (EFF) does not have sufficient means to match this considerable sacrifice. Nevertheless, if the targets are achieved, the situation could be extremely favourable to those fishing enterprises that continue to operate.

3.14 In the light of this approach, the EESC wishes to point out to the Commission that there is a high degree of uncertainty as regards the MSY estimates for the different species stocks. Given this uncertainty, the Committee recommends that the Commission strive to make the annual adjustments in its long-term plans reasonable.

3.15 The challenge therefore is to find ways of helping fishing communities and businesses to get through the adjustment phase in good order. The Committee believes that this will require more generous and imaginative support measures than the Commission has so far put forward. Such measures are fully justified as a means of securing early transition to a more sustainable pattern of fisheries activity for the future.

3.16 In any event, the Committee considers that, as stated in the Communication, it is necessary that all those affected be involved in the decision-making on long-term plans, the pace at which they are implemented and their impact; thus the Regional Advisory Councils (RAC) should be frequently consulted. The EESC also considers that the EU Advisory Committee on Fisheries and Aquaculture (ACFA) and the Social Dialogue Committee for Maritime Fisheries should be included in these discussions.

4. Specific comments

4.1 Putting in place an MSY-based fisheries management system requires analysing — as the Communication does — another set of issues that have a direct impact on this type of management:

- environmental effects and their impact on changes in marine ecosystems;
- applying the management system to mixed fisheries;
- managing long-term plans.

4.2 Environmental effects and their impact on changes in marine ecosystems

4.2.1 The Communication accepts that it is highly uncertain how marine ecosystems will develop in relation to changes in climate and weather and that these and other environmental factors may certainly affect fish stocks.

4.2.2 Although it cannot determine the impact of all environmental effects, the Commission considers that fishing itself is often the most influential factor and that exploiting fish stocks at a lower rate of fishing will make stocks more resistant to ecological change.

4.2.3 The Communication therefore advocates reducing fishing at a steady and sustainable rate, to ensure that, as fishing mortalities are reduced and stocks rebuilt, more knowledge will be gained about ecosystems and their productive potential, which will help with the process of adjusting long-term management targets.

4.2.4 The EESC agrees with this principle, provided that fishing mortalities are indeed reduced at a steady and sustainable rate in species where this is needed. The Commission recognises that attempting to manage a fish biomass towards a target size could generate unacceptable instability for the industry in the short term.

4.2.5 Nevertheless, the Committee considers that 'other environmental factors', which the Communication does not

even mention, such as predator behaviour, pollution, the exploration and exploitation of oil or gas deposits, offshore windparks, marine sand and aggregate extraction, etc., also influence changes in marine ecosystems.

4.2.6 The EESC calls on the Commission and the EU Member States to impose restrictions equivalent to those sought for the fisheries sector on economic players whose activities also influence the size of fish stocks and changes in marine ecosystems.

4.3 Applying the management system to mixed fisheries

4.3.1 The area where the MSY-based fisheries management system is most difficult to apply is that of mixed fisheries.

4.3.2 The Communication recognises how difficult this is and it does not consider the management system for mixed fisheries in any great detail. The EESC considers that contacts between the Commission and the RAC and ACFA should be strengthened regarding this type of fisheries.

4.3.3 The Communication states that it is important to keep marine ecosystems in balance and the EESC fully agrees. Fishing down one species in order to favour the yield of another would be a high-risk approach.

4.3.4 The complexity of the system lies in the fact that, as the Communication states, fishing on all species in an ecosystem should normally take the form of catches (target rate) that correspond to obtaining a maximum sustainable yield in the long run. This means that, with regard to the maximum sustainable yield rates set for the different stocks within an ecosystem forming a mixed fishery, under the long-term plans the maximum catch will be determined by the species for which the lowest long-term rate is set for obtaining a maximum sustainable yield.

4.3.5 The Communication also states that, in order to avoid the accidental overfishing of a species as by-catch, additional measures such as modifications to fishing gear and closed areas and seasons may be necessary components of some long-term plans.

4.3.6 In the EESC's view, although this management system approach tallies with the broader aim of the common fisheries policy, the Commission should carry out a very detailed evaluation of the different rates used to obtain the MSY and should consult all parties involved with mixed fisheries on the economic and social repercussion of long-term plans.

4.4 Managing long-term plans

4.4.1 Long-term plans

4.4.1.1 The Communication states that these will be drawn up by the Commission in consultation with the sectors concerned, on the basis of impartial scientific advice and taking fully into account the economic, social and environmental repercussions of the proposed measures.

4.4.1.2 They will define a fishing target rate, and a means to reach that target gradually, diminishing any harmful impact of fishing on the ecosystem. Plans for mixed fisheries should include technical measures aimed at ensuring that the different fish stocks are harvested in line with their respective targets and the possibility of exploiting some stocks more lightly than at MSY levels in order to achieve some productivity gain in other species.

4.4.1.3 Where scientific advice does not help to quantify the measures needed to reach maximum sustainable yield conditions, the long-term plans will adopt the precautionary approach.

4.4.1.4 Lastly, the plans and their targets will be subject to periodic review.

4.4.1.5 The EESC considers that this new fisheries management policy guideline, which could have clear advantages once the MSY of all fish stocks has been achieved, could have drastic consequences for the fisheries sector: catches would be lower, which would lead to fleet reductions and job losses in the short term, thus weakening the economic fabric of fishing communities.

4.4.1.6 The Committee therefore urges the Commission to ensure that the consultations it intends to hold with the fisheries sector are reasonably flexible as regards the pace of implementing the long-term plans, to enable fishermen to adjust gradually to this new management system.

4.4.1.7 With regard to mixed fisheries, the EESC considers that the greatest flexibility should be shown where stocks can be fully exploited because they are in good condition.

4.4.2 Managing change

4.4.2.1 Once long-term plans establishing appropriate stock targets are drawn up and adopted, Member States will have to decide on the pace of change for reaching these targets, and how to manage the transition.

4.4.2.2 The Communication puts forward two broad approaches for managing this change:

- Reducing fishing capacity (catches) to the levels strictly necessary to achieving the MSY rate. In very broad terms, this approach would require greater economic efficiency on the part of fleets remaining in business, with a consequent loss of fishing vessels and jobs.

- Maintaining the size of the fleet but limiting vessels' capacity to catch fish (e.g. by limiting their size, power or fishing gear) and possibly imposing limitations on days-at-sea. This approach would maintain current employment levels but implies economic inefficiency.

4.4.2.3 Each Member State is free to choose its economic approach or strategy, whilst the Community will provide the management framework for gradually phasing out overfishing, through the financial instrument provided by the European Fisheries Fund.

4.4.2.4 The Communication reveals the Commission's clear preference for the first approach, based on reducing national fleet capacity, because it would be easier to monitor and because experience teaches that reducing fleet capacity is more readily accepted by the public and is less difficult to implement than other solutions.

4.4.2.5 The EESC recognises that reducing fleet capacity is the most effective way of gradually phasing out overfishing. Nevertheless, the Committee considers that each Member State should select the approach that best suits it, having analysed the economic and social effects, not forgetting that both options could be used concurrently until the MSY target for fish stocks is reached.

4.4.2.6 The EESC agrees with the proposal for the economic and social effects of change to be analysed at regional, rather than at European level, because the specifics of each fleet can vary greatly between the Member States.

4.4.2.7 Long-term plans will be fishery-based, addressing groups of fish stocks that are caught together, and should include elements such as limits on the extent to which fishing opportunities can change from one year to the next, thus ensuring a stable and smooth transition.

4.4.2.8 Lastly, the Communication considers that putting a complete set of long-term plans in place to achieve the MSY target will take time. The Community should, therefore, with effect from 2007, adopt management decisions that ensure that there is no increase in the fishing rate for any stock that is already overfished. The EESC considers that the European Commission should consult the Regional Advisory Councils, the EU Advisory Committee on Fisheries and Aquaculture (ACFA) and the Social Dialogue Committee for Maritime Fisheries before taking any decisions for 2007.

Brussels, 25 April 2007.

The President
of the European Economic and Social Committee
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