

Thursday 31 January 2008

## **Reduction in unwanted by-catches and elimination of discards in European fisheries**

P6\_TA(2008)0034

### **European Parliament resolution of 31 January 2008 on a policy to reduce unwanted by-catches and eliminate discards in European fisheries (2007/2112(INI))**

(2009/C 68 E/05)

*The European Parliament,*

- having regard to the communication from the Commission to the Council and the European Parliament entitled 'A policy to reduce unwanted by-catches and eliminate discards in European fisheries' (COM(2007)0136),
  - having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>(1)</sup>, in particular Article 2 thereof,
  - having regard to the communication from the Commission to the Council and the European Parliament on a Community Action Plan to reduce discards of fish (COM(2002)0656), and to the European Parliament's resolution thereon of 19 June 2003<sup>(2)</sup>,
  - having regard to its resolution of 15 March 2006 on more environmentally friendly fishing methods<sup>(3)</sup>,
  - having regard to the Agreement of 1995 for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks,
  - having regard to the proposal for a directive of the European Parliament and of the Council establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Directive) (COM(2005)0505), and to the position of the European Parliament thereon of 14 November 2006<sup>(4)</sup>,
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries and the opinion of the Committee on the Environment, Public Health and Food Safety (A6-0495/2007),
- A. whereas discards are a worldwide problem that have been estimated to account for between 7 million and 27 million tonnes per year, equivalent to one quarter of all fish and other species caught, and whereas there is no estimate available for the EU as a whole, the FAO estimates that discards in the North Sea are 500 000 to 880 000 tonnes,
- B. whereas such extensive discarding harms the environment, inhibits the recovery of depleted stocks and costs the fishing industry time and energy,
- C. whereas Commissioner Borg has described such quantities of discards as 'unethical',
- D. whereas the involvement of all fisheries policy stakeholders, particularly from the fishing industry, is an essential condition for defining measures that can contribute to the sustainable management of marine resources,

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ C 69 E, 19.3.2004, p. 149.

<sup>(3)</sup> OJ C 291 E, 30.11.2006, p. 319.

<sup>(4)</sup> OJ C 314 E, 21.12.2006, p. 86.

Thursday 31 January 2008

- E. whereas discarding is a phenomenon that is not only related to the use of a particular gear type (which occurs with most gears, although some gear types such as trawls tend to result in greater discarding than others) but is also influenced by the nature of the fishery concerned, as in the case of European fisheries, almost all of which are multispecies in nature, where the risk of discards is higher; whereas some artisanal fisheries may have lower discard rates since they make greater use of the fish caught and use their knowledge of the fishing grounds to avoid unwanted catch,
- F. whereas fisheries with high discard rates could result in public concern over the environmental impact of fishing, causing reduced public confidence in fish on the market and ultimately affect sales,
- G. whereas discarding is caused by a range of factors, including excessive fishing effort, the current approach to Total Allowable Catches (TACs) and quotas that require discarding of fish for which there is no quota, a mismatch in many fisheries between gear specifications and minimum landing size, high-grading and other commercial practices; whereas traditionally most innovation in fishing gear and practices has aimed to increase catches of fish rather than to fish in a more selective and less environmentally destructive manner,
- H. whereas of the documents signed at international level and containing specific declarations on the need to reduce discards and by-catches, the EU agreed to the FAO Code of Conduct for Responsible Fisheries, the FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries, the FAO International Plan of Action for the Conservation and Management of Sharks, Chapter 17 of the United Nations' Agenda 21, the Rome Consensus on World Fisheries, the Kyoto Declaration on the sustainable contribution of fisheries to food security, the New York Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea and United Nations General Assembly Resolutions 49/118 of 1994 and 50/25 of 1995, as well as the resolution of the 95th Interparliamentary Conference held in Istanbul, Turkey, from 15 to 20 April 1996, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on Biological Diversity (CBD),
- I. whereas the EU has agreed on a range of commitments within the framework of Regional Fisheries Organisations and the various bilateral and multilateral agreements to which it is party,
1. Welcomes the Commission's new attempt to stimulate discussion about this serious subject with a view to finally shifting the emphasis of the Common Fisheries Policy (CFP) so that the practice of discarding is ultimately eliminated;
  2. Welcomes the Commission's proposal as the first attempt to get to the heart of the by-catch problem but stresses the urgency of developing regulations to eliminate this environmentally unsustainable and immoral practice which in extreme cases can account for up to 90 % of all fish caught;
  3. Points out that the impact of small-scale fishing on discards is minimal, and therefore calls for greater Community support for the promotion and development of small-scale inshore and artisanal fishing;
  4. Further welcomes the new definition of discards to include non-commercial species of fish and other species, with the implication that these other types of discards also need to be reduced;
  5. Stresses that an EU policy needs to tackle effectively all the different types of by-catch (including, but not exclusively, invertebrates, corals, marine mammals, birds and turtles) and should promote environmentally friendly catching methods which neither compromise marine biodiversity nor cause unnecessary injury to other living organisms;
  6. Notes with concern, however, that very little progress has been made in developing Community plans of action for seabirds and sharks, despite the Commission's committing to these in 1999, and urges the Commission to complete both plans as soon as possible;
  7. Calls on the Commission to take into account the available scientific opinion on albatrosses which, notably in longline fisheries, are currently being killed at a rate that is putting them in danger of extinction;

Thursday 31 January 2008

8. Considers that one effective action to reduce unwanted by-catches and discards is a reduction in overall fishing effort, since depleted stocks consist mainly of under-sized fish, accompanied by an improvement in selective measures; recognises that reduced fishing pressure would provide significant benefits for the industry by allowing depleted stocks to recover and become more productive as well as saving time and effort in sorting the catch;
9. Considers that by-catches and discards are a serious ecological and economic problem, since on the one hand they are responsible for the imbalance seen in some ecosystems, and on the other hand they have been identified as the main cause of the depletion of stocks, some of which have a high commercial value, such as cod;
10. Considers that reducing discards will help in achieving good environmental status, as required under the Marine Strategy Directive;
11. Considers that programmes to reduce discards must be fully integrated into the Community's overall policy for the sustainable management of fisheries;
12. Considers that the causes of discards vary from fishery to fishery, depending on both the detailed techniques of fishing and the type of fishery concerned, so solutions will be case-specific as well;
13. Although discarding as a general practice is unjustifiable, recognises that some species are known to have a high survival rate on release and that derogations from a fishing ban for these as well as endangered and protected species should be authorised provided that adequate scientific justification of their survival potential is given;
14. Stresses that, if the provisions introduced are to be effective, due and proper use must be made of scientific fishing research relating to EU fisheries and account must be taken of the specific features of individual fisheries in connection with location, marine species diversity and long-established fishing practices;
15. Congratulates those in the industry who have recently begun programmes to develop more selective fishing gears and practices aimed at reducing discards and encouraging others to contribute to this process by utilising their undoubted expertise in fishing gear to find even more innovative techniques; deplores the attitude of some submissions to the Commission that view measures to reduce discards as 'inconvenient';
16. Highlights the importance of the voluntary reductions in fishing effort that have been made in certain fisheries and calls for mechanisms to be put in place to make it possible for fishermen to be granted financial compensation for this effort;
17. Welcomes the recent introduction by the Scottish Government, in cooperation with the Scottish fishing industry, of a voluntary system of real-time area closures whereby fishing grounds will be closed for a three-week period in the event of skippers identifying a high abundance of undersized cod; believes that schemes such as this, the first of its kind in Europe, have the potential to contribute to the reduction of discards whilst working with the full cooperation of the fishing industry;
18. Agrees with the Commission that the classical approach of the CFP to reducing unwanted by-catches, by agreeing in Council to ever more detailed technical measures to prevent discards of juvenile fish with limited involvement of the fishermen, has its limitations and must be complemented by programmes that provide an incentive for fishermen to reduce by-catches and discards while taking account of features specific to each fishery, which would result in better acceptance of the measures by fishermen; considers, however, that it is only by technical modifications to fishing gear and practices that reductions in unwanted by-catches will occur;
19. Notes that the option which the Commission considers most effective is a discard ban, although such a ban could present some difficulties with respect to enforcement and may require an increase in financial, logistical and human resources;

Thursday 31 January 2008

20. Considers that high-grading, the practice of discarding good, legal fish for other fish that might find a higher price in the market, should be banned, even though this would be difficult to enforce; considers that installing closed-circuit television (CCTV) on some vessels should be tried to facilitate enforcement;

21. Notes the fact that, in order for fishermen and other stakeholders to take responsibility and ownership of any policy to eliminate discards, they must have a major role in monitoring and control, as their cooperation and involvement is key to the successful implementation of enforcement measures; points out that examples of cooperation exist in other jurisdictions and should be examined — for instance, Canada and New Zealand have experimented with CCTV on the perimeter of fishing vessels, with the agreement of fishermen, and this video surveillance measure is reported to be very successful in eliminating discards;

22. Encourages the Commission, the Member States and other stakeholders to consider the use of incentives for the industry to improve its fishing practices; believes that such incentives could include:

- allowing more days at sea or increasing the allowable fishing time, for vessels using more selective gear,
- providing preferential access for vessels using selective gear to areas that are closed to those vessels not using selective gear,
- allowing vessels with more selective gear to fish during times when others are not allowed;

23. Notes that Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required<sup>(1)</sup> already contains one example of preferential access for selective gear, with extra days at sea available to Nephrops trawlers using a sorting grid, and agrees that such additional incentives should be considered;

24. Is convinced that the industry would respond more favourably and with greater effect to a combination of positive and negative incentives, which should be given an opportunity to produce results; considers, further, that a discard ban should be implemented after other types of negative incentives have been tried, including timed series of increases in mesh sizes, closed areas and others;

25. Stresses the importance of an effective monitoring system once a ban on discarding fish is introduced; points out that gaps in knowledge concerning the quantity of fish discarded impair the quality of estimates of stock size and fish mortality, and make it harder to evaluate measures seeking to prevent the catching of fish which do not meet size criteria; calls on the Commission to continue to develop new monitoring techniques, and draws attention in this connection to the possibilities opened up by electronic log books and the use of CCTV;

26. Insists that, high-grading, one of the main reasons for discarding, should be made illegal and the devices that enable it, such as onboard sorting grids in pelagic fisheries, should be banned;

27. Agrees that the most sensible way to proceed is by choosing a number of pilot fisheries, based upon the quantity of discards produced or on the conservation status of the species involved; emphasises the importance of the pilot projects being selected in several zones to represent the geographical variety of Community fisheries; believes that each pilot project must also involve a sufficient number of vessels to cover the diversity of the fishery as well as to ensure good information exchange with others in the fishery; suggests that two possible candidates would be the various beam-trawl fisheries as well as those fisheries that catch and discard cod; recommends that while these pilot projects are proceeding, other fisheries should be evaluated for their discard rate;

28. Suggests that discard practices that result from the incompatibility of technical rules on minimum landing size (MLS) and mesh sizes be looked at as a matter of priority as these are relatively easy to rectify;

<sup>(1)</sup> OJ L 15, 20.1.2007, p. 1.

Thursday 31 January 2008

29. Calls on the Commission to take into account the available scientific opinion on the Baltic cod stocks, where a huge percentage of catches are registered as by-catches;
30. Proposes the following series of steps for each fishery concerned:
- (i) develop an accurate estimate of the quantities and species composition of fish and other species discarded by each segment of the fishery; these data should be accepted as reliable and objective by fishermen, scientists and all other stakeholders;
  - (ii) establish an appropriate setting to ensure full consultation, involvement and cooperation of all stakeholders before deciding upon the quantitative targets for discard reduction in a given period (for instance a 50% reduction in two years); participants would include Regional Advisory Councils (RACs), fishermen, scientists, national government, the Commission and environmental NGOs; their role would be to explore all ideas for eliminating discards, including landing by-catch, technical measures, temporary closures, closed areas and others, as well as to propose positive incentives for fishermen experimenting with different techniques;
  - (iii) at the end of the planned period of implementation, assess the results and evaluate whether the objectives have been achieved; successful methods would be added to CFP provisions; if targets for the reduction of discards are not reached appropriate sanctions will be applied, amongst other proportionate measures;
  - (iv) revise quantitative discard objectives on a regular basis with a view to ultimately eliminating discards;
  - (v) a discard ban to be adopted for a fishery only if all of the previous steps fail to achieve the desired reduction in discards within five years of beginning these steps for each fishery;
31. Calls on the Commission to pay particular attention to how measures can be 'translated' to apply to EU fleets fishing in the waters of third countries and asks that the use of the most selective fishing gears be made a prerequisite for fishing under Fishing Partnership Agreements (FPAs);
32. Notes the variety and importance of mixed fisheries in the EU and concludes that targets for the reduction of discards must reflect this variety, so that not all fisheries are required to achieve the same quantitative reduction in discards at the same time, since their original discard levels may differ;
33. Emphasises that if discard bans are adopted for specific fisheries, then in order to avoid perverse incentives such as creating a market for small fish or fish caught without quotas, such fish should not be marketed directly under any circumstances; considers that the vessels may be compensated for the costs incurred in bringing to shore what they would have discarded; considers, for example, that the fish involved could be used for fishmeal and fishoil production with any company utilising this facility contributing to a regionally organised compensation fund;
34. Notes that the European Fisheries Fund (EFF) has provisions for the funding of pilot projects for more selective fishing, as well as two gear replacements, and urges Member States to make use of them; calls for more administrative flexibility in the use of EFF money so that promising pilot projects can be implemented rapidly;
35. Points out that the TAC regulatory system is one of the major causes of discards and that measures must be adopted to prevent compulsory discards of unavoidably — caught species of legal size owing to the lack of a quota for those species;
36. Recommends that by-catch quotas be incorporated into TACs and that all landed by-catch be counted against quota allocations; should a fishery exceed its by-catch quota it would risk closure, just as an excess of juveniles is suggested to trigger real-time closures; this quota should then be gradually reduced to provide further incentives to improve gear selectivity;

Thursday 31 January 2008

37. Notes that Member States currently have the right, under Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms <sup>(1)</sup>, to impose stricter technical measures on vessels flying their flag when they fish within EU waters; believes that they should also have flexibility to try new solutions which would be evaluated by the Commission for efficiency and that they should, under certain circumstances, be able to impose more selective technical measures on all vessels fishing within their 12-mile coastal zone;

38. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Regional Advisory Councils, the Advisory Committee on Fisheries and Aquaculture and the Regional Fisheries Management Organizations to which the EU belongs.

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<sup>(1)</sup> OJ L 125, 27.4.1998, p. 1.

## A European strategy on the Roma

P6\_TA(2008)0035

### European Parliament resolution of 31 January 2008 on a European strategy on the Roma

(2009/C 68 E/06)

*The European Parliament,*

- having regard to Articles 3, 6, 7, 29 and 149 of the EC Treaty, which commit the Member States to ensuring equal opportunities for all citizens,
- having regard to Article 13 of the EC Treaty, which enables the European Community to take appropriate action to combat discrimination based on racial or ethnic origin,
- having regard to its resolutions of 28 April 2005 on the situation of the Roma in the European Union <sup>(1)</sup>, 1 June 2006 on the situation of Roma women in the European Union <sup>(2)</sup> and 15 November 2007 on application of Directive 2004/38/EC on the right of EU citizens and their family members to move and reside freely within the territory of the Member States <sup>(3)</sup>,
- having regard to Directives 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and 2000/78/EC establishing a general framework for equal treatment in employment and occupation, and to the framework decision on combating racism and xenophobia,
- having regard to the Report on Racism and Xenophobia in the Member States of the EU for 2007, published by the Agency for Fundamental Rights,
- having regard to the establishment in 2005 of the Decade of Roma Inclusion and a Roma Education Fund by a number of EU Member States, candidate countries and other countries in which the European Union institutions have a significant presence,
- having regard to Article 4 of the Council of Europe Framework Convention for the Protection of National Minorities and the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the comprehensive Action Plan, adopted by OSCE participating States, including EU Member States and candidate countries, focused on improving the situation of Roma and Sinti within the OSCE area, in which the States undertake inter alia to reinforce their efforts to ensure that Roma and Sinti people are able to play a full and equal part in our societies, and to eradicate discrimination against them,

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<sup>(1)</sup> OJ C 45 E, 23.2.2006, p. 129.

<sup>(2)</sup> OJ C 298 E, 8.12.2006, p. 283.

<sup>(3)</sup> Texts Adopted, P6\_TA(2007)0534.