

Fischereischutzverband Schleswig-Holstein e. V.

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Bad Schwartau,

Reform of the European Fisheries Policy

Reference Documents:

1. DG Mare questionnaire on assessment of the CFP of the 8.5.2019
2. Communication from the Commission to the European Parliament and Council on the State of Play of the Common Fisheries Policy and Consultation on the Fishing Opportunities for 2020. (COM/2019/274 final)
3. Agenda of the working group meeting of the BSAC on the 3rd September 2019 in Helsinki,

Statement of the Schleswig-Holstein Fishery Protection Association and Suggestions for Improvement.

1. General Summary

The responses to the questionnaire presented to the BSAC by various organisations clearly show that – albeit for fundamentally different reasons – there is not a single organisation that has been happy with the CFP up to now. Of course, the central purpose of the EU Fisheries Policy is not, and never has been, to spread happiness, but rather is to keep economically important fish stocks and the marine environment in good and sustainable conditions, as the basis for economically prosperous fisheries. Unfortunately, success has been far lower than expected, and in the case of the Baltic, just when we thought we had pulled through one cod crisis another one has arrived, despite the continuously increasing bureaucratic expenditure, and in spite of the Administration's good intentions.

The essential weaknesses, including:

- 190 out of the 255 of the fleet segments assessed are out of balance with their fishing opportunities (i.e. in 75% of the fleet segments there is overcapacity).
- too much fishing pressure and a consequent need to reduce it.
- widespread non-compliance with the discard ban/ landing obligation
- underreporting of discards
- the important lack of effective control on discarding
- the exceptions granted from the landing obligation for high survivability

have been correctly recognised and should serve to guide the future redesign of the Common Fisheries Policy. Indeed, the question must be asked why, given clearly recognised deficits, (Reference 2) measures have not already been taken to address these shortcomings?

Against this background, it makes sense to undertake a summary analysis of the errors made to improve the situation in the future, reduce bureaucracy and provide a predictable future for fisheries through well-managed fisheries, taking into account other environmental factors including predators (marine mammals and avifana). To begin with, a look into the past is necessary.

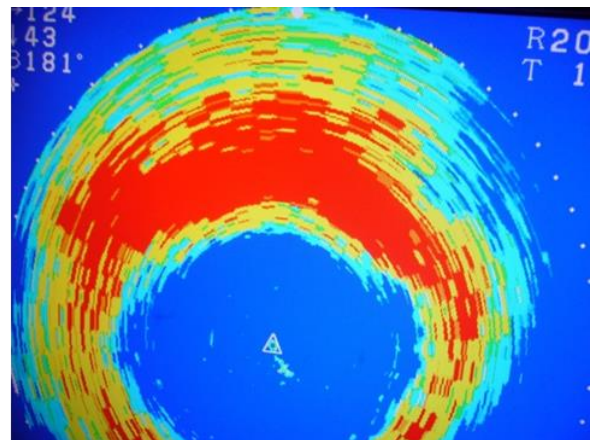
2. A Look Back

2.1 Fleet Reduction

It had been recognised early on that the available fishing capacities were out of balance with fishing opportunities (Reference 2).

The reduction in the number of fishing vessels which was carried out as a result of this correct recognition couldn't achieve the desired effect due to modernisation of the remaining vessels and new builds. Capacity reduction due to a smaller fleet size fleet was cancelled out by increases in capacity of the equipment used, in terms of

- Engine power
- electronic tracking (navigation and fish location)



Fishing Gears (Twin trawls)



Thus, any reductions in catching capacity were immediately cancelled out. The decision, correctly taken, to reduce fishing pressure was effectively neutralised.

2.2 Catch Intensity

Whereas in the past fishing, in particular with towed gear, used to be seasonally and geographically limited, there is now constant pressure on all fishing areas - and in almost all weather conditions.



Wherever the fish can be tracked down with the most modern locating technology in commercially viable quantities, it is intensively exploited.

Even with passive gear fishing catch intensity has increased. However, due to the better selectivity and lower fishing intensity of these methods, it is not possible to adversely affect the stock. This is mainly due to the weather dependence of this fishing method, which affects both the small vessels and the gillnets they use.

Passive gear fishing operations are owner-operated small businesses, guided by the "class not mass" (quality not quantity) principle.



In trawl fisheries the situation is completely different due to the lack of selectivity of the catching gear and the fact that trawler fishing can be carried out regardless of the prevailing weather conditions.



In trawling, the catch is brought aboard with different sizes and species intensely mixed together. This then has to be sorted. Smaller fish are to a great extent unable to survive due to exposure to the air and the time necessary to sort them out. This means that such fisheries, according to current understanding, can't be exempted from the landing obligation. Undersize fish must be landed as bycatch or immediately thrown back overboard, dead.

It is not generally possible to ensure adequate control of the landing obligation (Reference 2).

2.3. Overfishing of Stocks

Intensification of trawler fishing on spawning concentrations of cod from 1980 onwards, especially in areas 25 – 32, along with an increase in fishing effort through the stationing of factory ships at BORNHOLM, the deployment of Twin Trawls and heavy rock hopper gear, which along with the necessary increases in engine power in trawler fishing, have led to a substantial increase in catches which, we now have to note, could not be matched by the natural reproductive capacity of the cod stock. Over a long period of time the average annual landings were around 170,000 tons. After a peak in landings in 1984 of 420,000 tons of cod (not counting unrecorded discards which probably

comprised at least 30% of the catch), landings fell continuously in the following years. From our point of view this clearly indicates overfishing of the stock with the known negative consequences in the form of repeated cod crises. It is impossible to have a serious discussion about the above facts, which the “Industry” refuses to admit. The days of “higher, faster, further” are finally over in the fishing industry.

2.4 Spawning Time Closure (STC)

The suspension of the unpopular Spawning Time Closure for the year 2019 in areas 22 – 24, , **which was reported as unnecessary because of the existence of the single strong year class in 2016**, as demanded by the “Industry”, is in our view counterproductive – and in this we are in agreement with most scientists! Plenty of indications of a positive effect of Spawning Time Closures are to be found (see attached). We had a unique opportunity to deepen our knowledge and to scientifically investigate the effect of periods of Spawning Time Closures. However, this requires a period of at least 5 years. Due to the intervention of the trawler sector, this opportunity unfortunately came to nothing. According to the suggestions of the “Industry” there should even be no Spawning Time Closures for the year 2020, despite it being found that, in the meantime, the 2016 year class is, unfortunately, not as strong as first predicted.

4 Situation Analysis

3.1 Weak Points

a.) General

1. Excess fishing effort and fleet overcapacity (Reference 2).
2. Inadequate selectivity, especially in the trawler fleet.
3. excessively powerful engines in (*the trawler fleet*) combined with high fuel consumption
4. no implementation of Article 17 of the Basic Regulation by member states
5. aquatic pollution through harmful substances
6. healthy fish stocks depend on environmental policy, and eco-system based management.

b.) Specific to the Baltic Sea

- On occasions insufficient salt content of the water (inadequate inflows from the North Sea) associated with serious collapses in cod reproduction.
- low oxygen levels and hence lack of foodstuff (small crabs) for the juvenile cod.
- overall poor levels of food supply due to the pelagic trawling of herring, sprat and sand eels
- high water temperatures due to climate change
- sharply increasing populations of seals and cormorants (which alone according to careful estimates take 100,000 tons of fish), with a strong impact on the (fishery) system.

The above reasons are additionally having an effect on the cod stock which is on average at too low a level, and with an unhealthy age group composition. The Fishery has no influence on this.

However, this certainly does not mean that there is no need for action on fishing effort - quite the contrary.

4. Suggestions for Improvement for the New Version of the Common Fisheries Policy

On the grounds that there has up to now been no measurable improvement and especially due to the urgent need to stabilize the cod stock situation, we propose the following actions:

General

- 1.) reduction of over-capacity through the closure of unprofitable companies
- 2.) no new finance for new builds from public sources
- 3.) cessation of ongoing subsidies for three consecutive years
- 4.) compensation for catch losses via emergency programmes independent of vessel size
- 5.) **raise the level of selectivity in the trawler fleet by technical measures applied to the fishing gear**
- 6.) control of engine power in trawl fisheries.
- 7.) implementation of Art. 17 of the Basic Regulation in the member states.

In applying Article 17 at the sea basin level, Member States should try to reach consensus on criteria of an environmental, social and economic nature other than historic catch levels, which work to the disadvantage of small-scale passive gear fleets. In particular we emphasise the importance of the vessel owner being onboard.



Baltic sea gill netter 9.60m long with passive gear, crew one person, owner.



Mediterranean tuna fishing with passive gears (fishing), 15m length, 4-5 man crew.

- 8.) environmental conservation and water protection as well as ecosystem-based management.
- 9.) Reduction in bureaucracy
- 10.) **removal of obsolete rules and regulations after evaluation of their effectiveness**

Specific to The Baltic

1. Restriction of industrial scale fishing of sand eel and sprat.
2. Displacement of these fishing activities to fishing areas which lie further North.
3. Reintroduction of seasonal and area-specific Spawning Time Closure (STC) for trawlers
4. Exception from the STC for small scale fishing activities with vessels up to 12m in length, which deploy only passive gears in water depths of up to 20m.
5. 50% reduction in the length of nets (passive gear) permitted during the STC to contribute to stock protection.
6. Scientific involvement and evaluation of these measures.
7. Abolition of rock hopper fishing to protect rocky grounds and reefs.
8. Limitation of engine power in trawler fishing to 221KW in the exclusive economic zones of the member states (minimum 12 nautical miles from the coastline).
9. Same data recording standards for all member states.
10. Halt all fishing methods **which produce more than 2% by-catch.**
11. Replacement / access for bottom-set net fisheries only after tasking existing operations with **passive catch equipment 1:1.**
12. Hardship compensation by means of temporary financial support of affected vessels by means of the EMFF

and research into the damaging effects of trawl fishing during the cod's spawning season on reproduction levels including the results of studies which are already available. Immediate action needs to be taken to avoid a "Newfoundland Scenario". **When imposing any restrictions the polluter pays principle is to be taken into account and applied.** A possible total stoppage of fishing

for the eastern cod stock, including area 24, will lead to a transfer of fishing effort to the western Baltic and quite certainly to overfishing of the 2016 year class with predictable negative consequences. Small coastal fisheries with vessels up to 12m in length and which deploy only passive gears are to be exempt from this catch stoppage within the 20m line depth or a within a distance of 6 sea miles from the coast. Furthermore the whole idea of cod fishing in the Baltic needs to be rethought in order to avoid ever-recurring crises situations with all their economic disadvantages. **We should learn from Iceland where, after a 50% reduction in catch volume and thanks to improved quality, production is the same as before the reduction.**

Yours Sincerely,

Wolfgang Albrecht

Director of LIFE, Member of the BSAC /EXCOM , First Chairman Fischereischutzverband Schleswig-Holstein.