CPMR contribution to the European Commission targeted Consultation on the 2022 report on the functioning of the Common Fisheries Policy

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In a nutshell

In 2013 the EU approved a major structural reform of the Common Fisheries Policy (CFP). In December 2021, the European Commission launched a targeted consultation to take stock of the results reached by the implementation of the CFP to date, as required by Article 49 of the basic Regulation on the Common Fisheries Policy (CFP).

This note briefly presents the view of the CPMR General Secretariat regarding the main results achieved by the CFP over the last 8 years. It represents the groundwork for a broader and more comprehensive position to be submitted to the CPMR statutory bodies in forthcoming months.

Initial information and data shared by the CPMR Member Regions since December 2021 show the need for the legislative framework of the CFP to evolve in the future. Messages from CPMR Member Regions can be summarised as follows:

- significantly increase investments in R&I to enhance selectivity of fishing practices;
- update management models of fish stocks to fully integrate new climate and marine pollution threats and better respond to the need for the economic viability of the fisheries sector;
- ensure a fast and fair energy transition by launching a massive modernisation of the fishing fleet, port facilities and aquaculture infrastructures;
- improve the inclusiveness of the existing governance to allow regional and local governments to actively participate in the design and implementation of the CFP;
- make the fisheries and aquaculture sector attractive for young people;
- enhance gender equality.

Based on exchanges with members, this note has been submitted as a response by the CPMR General Secretariat to the EC’s Public Consultation, which closed on 14 March. The CPMR will monitor the outcomes of the consultation and organise ad-hoc discussions with the members in the framework of the CPMR Fisheries Working Group to develop a political position to be submitted to the next CPMR General Assembly.
1. HOW TO ASSESS THE CFP?

Although the CFP’s legislative “core” is based on “absolute imperatives”, scheduled by Article 2 of the EU Regulation 1380/2013, the new climate and environmental reality with which the European Union is confronted today obliges us to reflect on the “comprehensiveness” and the current “value” of these objectives as well as on their “interaction” or “hierarchy” within the policy. Therefore, the CPMR believes that the exercise of evaluating the implementation of the CFP cannot fail to consider factors and criteria such as:

- the capacity of the CFP to design and develop sustainable management models of fish stocks considering:
  ✓ the impacts of marine pollution (e.g., microplastics) on the nutritional chain of main commercial fish stocks;
  ✓ the increase in fish mortality rates due to the action of natural predators;
  ✓ the links between the increase in the acidification of oceans and seas and the defacement of marine habitats or the decrease in the percentage of spawning stock biomass (SSB)1 in some fish stocks;
  ✓ the impact of climate change in the migration of fish species, which creates the disappearance of “indigenous” species or the “installation” of invasive species with possible mutations in the marine food chain;
- the capacity of the CFP to deliver the necessary legislative and funding conditions to:
  ✓ ensure that the fisheries and aquaculture sector continues to be a strong socio-economic component of the sustainable blue economy in maritime regions;
  ✓ preserve the place that fisheries and aquaculture have within cultural traditions in EU coastal communities;
  ✓ attract young people to ensure generational turnover and boost gender equality in the fisheries and aquaculture sector;
  ✓ pursue a broader and stronger commitment of the fisheries sector towards the full implementation of the CFP’s provisions;
  ✓ massively invest in research and innovation to enhance selectivity of fishing activities;
  ✓ speed-up energy transition and decarbonisation of the fisheries and aquaculture sector to comply with the EU environmental and climate objectives set in the Green Deal and the Climate Law;
- the strategic role that the CFP plays as a main pillar, alongside the Common Agricultural Policy (CAP), of the European food strategy;
- the need to ensure a strong external dimension of the CFP aiming to ensure a fair and harmonised sustainable exploitation of fish stocks in all EU oceans and seas;
- the socio-economic impacts generated by Brexit and the uncertainties arising from post-2026 policy scenarios on sustainable fish stock management and seafood trade policies.

2. TAKING STOCK OF RESULTS ACHIEVED BY THE CFP

The CPMR is an organisation of 150 peripheral maritime regions present in many coastal countries. Despite differences and specificities that the fisheries and aquaculture sector presents in each of the EU sea basins

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1 The SSB is an indicator of the status of the stock and its reproductive capacity. It can be defined as the combined weight of all individuals in a fish stock (usually females only) that have reached sexual maturity and are capable of reproducing.
and their sub-maritime areas, some common considerations can be drawn regarding the implementation of the CFP’s provisions in the territories covered by CPMR membership:


  ✓ **Art. 2 - CFP’S OBJECTIVES.** Over the past several years the capacity of the EU fishing fleet has continued to decline in terms of both tonnage and engine power\(^2\). On a purely indicative basis, the number of EU vessels in 2019 decreased around 7% compared to 2013. The CPMR is extremely concerned by the future of the fisheries sector and draws the attention of co-legislators to the necessity to work together to ensure that fishing can continue to be a strong socio-economic sector of the sustainable blue economy in EU maritime regions. The CPMR believes that the European Parliament resolution “Fishers for Future\(^3\)” represents a major contribution that paves the way to better define and introduce new specific objectives and obligations on the CFP’s social pillar.

  Without wishing to call into question the principle that the CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long term, the CPMR draws the attention of co-legislators to the need to review the current management model of fish stocks based on the Maximum Sustainable Yields (MSY) and introduce socio-economic data on the state of play of the fishing segments/coastal communities that are affected by the different management/conservation measures.

  ✓ **Art. 3 PRINCIPLES OF GOOD GOVERNANCE.** Among the principles of good governance, the CFP’s basic regulation states:

    - Art. 3(f): appropriate involvement of stakeholders, in particular Advisory Councils, at all stages – from conception to implementation of measures;
    - Art. 3(h): consistency with other Union Policies;
    - Art. 3(j): coherence between the internal and the external dimension of the CFP.

  The CPMR considers that additional efforts need to be made at European level to ensure the full implementation of the above-mentioned principles. Specifically:

    - In relation to Art. 3(f), the CPMR believes that the existing rules governing the operation of the Advisory Councils are unable to fully ensure the active participation of regional governments. Therefore, due to the important role that regional governments play both directly\(^4\) and indirectly\(^5\) to support the sustainable development of the fisheries and aquaculture sector, the CPMR considers that Art. 3(f) has not yet been fully implemented;
    - In relation to Art. 3(h), the CPMR believes that additional efforts need to be made to ensure consistency between the Common Fisheries Policy and the EU Climate Law and the Green Deal to ensure a fair and nimble transition to climate neutrality. Specifically, the CPMR calls upon the European Commissioner to modify Art. 3(h) to clarify the need to ensure that the Common Fisheries Policy could aim to contribute to the achievement of the European climate objectives;
    - In relation to Art. 3(j), the CPMR is very concerned about the socio-economic impacts that Brexit is generating on the fisheries sector in many European maritime regions. It is also concerned about dire consequences that Brexit might generate on the precarious balance of the sustainable exploitation of many fish stocks in the Atlantic Ocean and in the North Sea. The CPMR draws the attention of co-legislators to the need to reinforce the external dimension of the CFP to ensure that the EU and third countries could strongly commit to full compliance with common rules on sustainable exploitation of shared fish stocks.

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\(^4\) by ensuring financial support (e.g., in favour of research programmes to improve selectivity of fishing practices).

\(^5\) by designing and implementing public policies that contribute to the sustainable development of the sector (e.g., data collection campaigns on the state of fish stocks; electrification of ports, etc.).
• REGARDING THE PROVISIONS ON MEASURES FOR THE CONSERVATION AND SUSTAINABLE EXPLOITATION OF MARINE BIOLOGICAL RESOURCES (PART III Art. 6-20, Regulation (EU) N° 1380/2013)

✓ ART. 15 LANDING OBLIGATION. According to the European Commission\(^6\), the results of the audits launched in 2020 show that some Member States have not adopted the necessary measures to ensure control and enforcement of the landing obligation. The European Commission also highlights a significant undocumented discarding of catches by fishing operators. On the other hand, over the last 8 years, several analyses and studies demonstrated the existence of insurmountable barriers\(^7\) to the full implementation of the landing obligation. Moreover, today there is a large consensus on the fact that the improvement of the selectivity made it possible to obtain very positive results in reducing unwanted catches and discards. In this context, the CPMR believes that conditions to reopen the political debate on the future of Art. 15 exist. Therefore, the CPMR draws the attention of EU co-legislators to the following points:

- introducing the ban on discards and obliging fishers to land all catches does not provide an effective solution to the issue of unwanted catches: this is an objective and uncontested fact;
- the technical progress made today on R&I should encourage EU institutions to massively invest in new European campaigns to boost the selectivity of fisheries, especially mixed fisheries;
- to ensure the exploitation of fish stocks above levels which can produce the maximum sustainable yield, we need to achieve full traceability and documentation of all catches, including unwanted catches. This objective cannot be achieved without the unflagging support and cooperation of all fishers;
- repealing Art. 14 and 15 of the regulation (EU) 1380/2013 and asking fishers for full cooperation in the traceability and documentation of discards as counterpart of this major policy change could be a win-win solution to the insurmountable barriers relating to the full implementation of the landing obligation.

✓ ART. 20 MEMBER STATES’ MEASURES WITHIN THE 12 NAUTICAL MILE ZONE. Over the last few years, regional governments have significantly expanded their scope of action and delivered very successful results on the preservation of fish stocks and the sustainable development of the fisheries and aquaculture sector. The CPMR believes that, where national and regional institutional and governance conditions permit, such approaches should be capitalised and replicated across Europe and beyond. In this respect, the CPMR draws the attention of European co-legislators to the example of the mechanisms and tools of co-management developed by the government of Catalonia.

In accordance with Art. 119.2 of the Statue of Autonomy of Catalonia, in 2018 the government of Catalonia adopted a regional decree\(^8\) establishing a co-management model for fisheries and aquaculture activities in Spanish internal waters neighbouring the Catalan coast.

The Catalan model is based on the regulation of resources through management plans with a comprehensive, long-term focus on environmental, social, and economic sustainability with the ultimate aim of achieving the Maximum Sustainable Yield. It entails the participation and the involvement of the regional administration, the fisheries and aquaculture sector, the scientific community and civil society associations.

According to the model, scientists, NGOs, and fisheries administrations have equal “powers” in the decision-making process within ad-hoc co-management committees, which are the collegiate bodies responsible for the drafting of the management plans.

Furthermore, with the final aim to collect and process scientific data to spark technical reflection on the local management plans and to be able to actively participate in the design of the European multiannual plans, Catalonia created the Catalan Research Institute for the Governance of the Sea

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\(^6\) COM (2021), 279 final: Towards more sustainable fishing in the EU: state of play and orientations for 2022;

\(^7\) Synthèse les difficultés de mise en œuvre de l’obligation de débarquement

\(^8\) DECREE 118/2018, of 19 June, on the governance model for professional fishing in Catalonia
(ICATMAR), which aims to provide research and statistic services to deal with any thematic area that may affect fisheries on the Catalan coast.

Nowadays, within the framework of the European Multiannual Plan for Demersal Species for the Western Mediterranean, ICATMAR’s analysis covered the GSA-6 (geographical subarea) as a whole and provided recommendations on how to reduce the fishing effort, identify and select relevant closed areas (“no take-zones”), and improve selectivity.


Advisory Councils under the Common Fisheries Policy were established for the first time in 2004. Their number and geographical scope were modified by the last CFP reform. According to Art. 45.2, each Advisory Council shall consist of a General Assembly and an Executive Committee, including as appropriate, a Secretariat and Working Groups to deal with issues of regional cooperation. Moreover, point 2(i) of Annex III states that representatives of national and regional administrations, which have fisheries interests in the geographical scope or thematic area concerned, shall be allowed to participate in the Advisory Council meetings as active observers.

Over the last few years, the Advisory Councils have issued a large number of key recommendations, suggestions, and analysis to contribute to the achievement of the objectives of the Common Fisheries Policy. In this context, in many cases regional governments have provided financial support and/or very useful input to the work of the Advisory Councils. A glaring example is provided by the crucial role played by regional authorities within the South West Waters and the Mediterranean Advisory Councils. Nevertheless, despite their substantial contribution, regional governments continue not to be recognised as effective members of the Advisory Councils nor do they hold voting rights. In this respect, the CPMR considers it necessary to modify the composition and operating rules of these bodies to allow regional authorities to be members of the Advisory Councils in full compliance with the principle enshrined in Art. 3(f) of the basic regulation.

- REGARDING THE STRUCTURAL POLICY AND EU FUNDING

While awaiting the results of the ex-post evaluation of the European Maritime Fisheries Fund (EMFF) 2014-2020 and the first outcomes on the implementation of the EMFAF 2021-2027, the CPMR draws the attention of the co-legislators to the following non-exhaustive list of principles coming from the observation of the reality on the ground:

✓ Additional efforts are necessary to reduce bureaucratic barriers even further and to support fishing and aquaculture operators/enterprises, which do not have the critical size or the administrative skills to have access to EU funds;

✓ Higher EU funding support should be provided to encourage generational turnover and gender equality in the fisheries and aquaculture sector;

✓ The EU should allow, under the CFP and without any form of restriction, the co-funding of the increase in volume (quantified in ‘gross tonnage’) of fishing vessels to install a facility or equipment that improves safety, working conditions or energy efficiency;

✓ Provisions in favour of decarbonisation and/or the improvement of energy efficiency should not be submitted to specific restrictions on the total engine power (kW) nor on the size of the vessels;

✓ Whenever faced with insurmountable technical barriers and/or costs to install a facility or equipment that improves safety, working conditions or energy efficiency that are disproportionate compared to the market value of the vessel, the ban on EU co-financing the purchase of new vessels should be lifted;

✓ The need to largely increase the amount of EU funds allocated to research to enhance selectivity of fishing practices and to collect both environmental and socio-economic data;

9 Council decision establishing Regional Advisory Councils under the Common Fishery Policy (2004/585/EC)
The complementarity of intervention among different European Structural and Investment Funds (ESIF) should not only be encouraged but extremely “simplified” and based on evaluation criteria mainly linked to expected results, especially when it comes to decarbonising the fishing and aquaculture chain in a specific region;

- Member States and regional and local governments must be encouraged and in a position to seek innovative solutions to boost private investors entering in the fisheries and aquaculture sector. In this regard, the evaluation on the impacts and reflection on the future of EU funding support should go hand in hand with the revisions of State Aid rules on fisheries and aquaculture;
- The Advisory Councils should be provided with higher budgets to cover their operating costs.

3. WHAT SHOULD THE COMMON FISHERIES POLICY LOOK LIKE IN THE FUTURE?

The 2013 reform introduced profound changes in the CFP’s legislative framework to enhance the sustainable exploitation of fish stocks, laying the basis for a regionalisation of the common policy and promoting a more active cooperation among Member States (sea basin-oriented policy approach). Today, thanks to the huge efforts made by fishers, entrepreneurs, private operators, scientists, national, regional, and local authorities, the European institutions can share encouraging results on the sustainable management of several EU fish stocks.

In this context, pending the outcomes of the public consultation, the CPMR considers it crucial to start a debate on the complexity and urgency of challenges that must be addressed by the CFP both now and in forthcoming years. In this regard, the CPMR draws the attention of EU co-legislators to the following concerns:

- After more than a decade of efforts mainly focused on the reconstitution and sustainable management of fish stocks, the CPMR draws the attention of co-legislators to the need to launch a profound debate on how the CFP can set new objectives of short-term socio-economic sustainability and allow not only the survival but also the development of the fisheries and aquaculture sector. The CPMR warns EU co-legislators of the criticality of the current period that confronts the CFP and fisheries and aquaculture sector with great climate challenges. The CPMR considers it necessary to obtain the full cooperation of all stakeholders and representatives of civil society to agree on the necessary modification of the CFP’s legislative framework to boost the entrance of young people and the full recognition of the role of women in the sector;

- The support of part of the UK fisheries sector to the Brexit campaign forces us to seriously consider that ensuring full CFP’s ownership of fishers and key stakeholders on the ground is a necessary condition to achieve environmental objectives and limit the spread of an anti-European feeling. Therefore, the CPMR believes that additional efforts are needed aiming to design a more inclusive governance, co-management models and technical measures that can be fully supported by the sector on the ground. Today more than ever it is important that all stakeholders cooperate to find a better balance between the environmental and the social pillar of the CFP. Over the last years, very interesting, good practices have been implemented at local level in many EU regions. The CPMR calls upon co-legislators to pay attention to and capitalise these good practices to figure out how to set up an effective “regionalised” and place-based oriented CFP that can better take account of expertise and socio-economic priorities of the fisheries and aquaculture sector;

- Over the last years the great number of difficulties was amply demonstrated in connection with the implementation of Art. 15 of the CFP basic regulation, especially in EU mixed fisheries. Since the mixed record related to the environmental benefits of such provisions, the CPMR calls upon co-legislators to review the policy priorities of the CFP when it comes to provisions on the discard ban and the landing obligation. Specifically, the CPMR calls upon EU institutions to increase the amount of EU investments in favour of new research campaigns to improve selectivity. The CPMR also believes that more efforts should be made to develop awareness campaigns across the different EU sea basins to replicate, where it is possible, tools and technical solutions that have already proved their high performance in reducing unwanted catches. Furthermore, the CPMR highlights that the European Union cannot achieve full
traceability and documentation of all unwanted catches without the unflagging support of fishers. Therefore, the CPMR believes that, instead of going into a spiral of increased controls that might threaten cooperation with fishers, the EU should rather repeal Art. 14 and 15 of the regulation (EU) 1380/2013;

- The CFP should update its legislative provisions and provide technical and scientific bodies and specific funding tools and mechanisms to better deal with key issues such as maritime pollution and the impacts of climate change on fishing stocks and the marine environment. In addition, fishing and aquaculture stakeholders should be proactively involved in the technical and political reflection on how to tackle these challenges through a comprehensive and holistic policy approach. Therefore, the CPMR believes that more effective synergies should be ensured among the Marine Strategy Framework and the Maritime Spatial Planning Directive and the Common Fisheries Policy with the aims to avoid, in the end, the fisheries and aquaculture sector systematically being the main adjustment variable of necessary and ambitious climate and environmental policy decisions;

- The CPMR draws the attention of EU co-legislators to the crucial role that regional governments play in co-funding data collection programmes on the biological status of fish stocks, supporting both basic and applied research in favour of selectivity, leading the political reflection on how to boost the digital and greening transition of fishing ports, and ensuring funding support in the development of related fishing and aquaculture infrastructures and services. Therefore, the CPMR believes that the CFP’s governance must ensure a more active participation and contribution of regional governments. In this respect, the CPMR believes that a positive step ahead can be the recognition of the status of full member (and not only proactive observers) to those regional governments wishing to join the EU Advisory Council. Furthermore, the CPMR highlights the need to deliver funding and legislative conditions to encourage and promote forms of coordination and cooperation among regions that belong to different countries but that have strong environmental and socio-economic interest over the same GSA;

- The new paradigm of climate change crises obliges the European Union to start a serious debate on the status of the EU fleet. The objective of speeding up the decarbonisation of fishing vessels cannot be met without ensuring strong public funding support. Furthermore, the CPMR calls upon co-legislators to review provisions of the European Maritime Fisheries and Aquaculture Fund (EMFAF) and make eligible, without any restriction, the modernisation of fishing vessels (to install a facility or equipment that improves safety, working conditions or energy efficiency) or, where modernisation is not possible, the purchase of new vessels;

- The Common Fisheries Policy along with the Common Agriculture Policy represent the key pillars of the European food strategy. In this respect, to improve food self-sufficiency and the health of the European citizens the CPMR calls upon co-legislators to:
  - introduce ad-hoc earmarking in the EU Multiannual Financial Framework in favour of policy measures directly or indirectly linked to the CFP’s objectives;
  - increase the budget of the EMFAF to allow the CFP to address the emerging climate, environmental and socio-economic challenges;
  - encourage joint strategies and/or programming measures between the CFP/EMFAF programmes and other EU policies (e.g., Cohesion Policy) that concretely contribute to delivering necessary conditions (e.g., green infrastructures, innovative services, research campaigns, etc.) to achieve the CFP’s objectives;
  - reinforce the external dimension of the CFP in order to agree with third countries on the implementation of the same sustainable and decarbonised exploitation, production, transformation, and marketing rules;
  - increase funding support in favour of large awareness campaigns promoting European seafood and encouraging EU citizens to primarily consume EU seafood products;

- Simplification and reduction of administrative and reporting rules (including those relating to the implementation of the EMFAF) is a key objective to be strongly pursued in relation to each level and or phase of the CFP’s policy implementation.
The Conference of Peripheral Maritime Regions (CPMR) represents more than 150 regional authorities from 24 countries across Europe and beyond. Organised in Geographical Commissions, the CPMR works to ensure that a balanced territorial development is at the heart of the European Union and its policies.

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