



CFP - COMMON FISHERIES POLICY

EAF newsletter will bring a series of articles relating to different European policies focusing on particular country cases and offer a development timeline in order to bring to our readers clarification on the complex legislation that is voted in Strasbourg each month and that is often very difficult to understand for European citizens.

The Common Fisheries Policy (CFP) sets out the rules and laws that control and govern commercial fishing across the entire European Union. As fish move across the territorial waters of different nations the EU believes they are a shared resource and the common fisheries policy therefore sets standardised rules which apply to all EU member nations. The aims of CFP can be summarised as:

- Setting out the rules so that commercial fishing in Europe is sustainable.
- Enforce fishing regulations.
- Prevent the size of Europe's fishing fleet from expanding.
- Provide funding and technical support for fishermen to make their industry more sustainable.
- Negotiate with non-EU countries over fishing related issues.
- Ensure the fishing industry gets a fair price for their produce and consumers can trust the seafood they eat (through regulating quality and labelling of fish throughout the EU).
- Support fish farming and aquaculture.
- Commission scientific research and data collection to inform future policy.

While the Common Fisheries Policy is well-intentioned and theoretically sets out rules and regulations which support sustainable fisheries the CFP has become immensely controversial and is seen as the source of many of the problems with Europe's fish stocks.

Across the world countries have an Exclusive Economic Zone (EEZ) which extends 200 nautical miles from the country's coastline. Within this zone each country can exploit, control and manage the sea in any way they wish. Within Europe it was seen as beneficial to have a more harmonious system – if fishermen from different EU nations were to fish the same waters it was seen as beneficial to bring them all together under the same legislation and rules. The Common Fisheries Policy therefore stated that member nations would only control an area of sea extending twelve miles out from their coastline. The rest of their EEZ would be combined with other member nations to create the largest EEZ in the world. This meant that EU fishermen could effectively fish anywhere in the EU's EEZ, and the same rules and regulations would apply to all. Fishermen from any EU nation can fish freely within any other EU countries waters (although licensing and quotas still apply).

The Common Fisheries Policy sets the amount of fish which can be caught in each area. This decision is based on scientific advice on fish stocks and the historical number of fish which have been caught by fishermen from that area. Total Allowable Catch levels are set every December by the EU's Council of Minister.

The CFP attempts to limit the number of fishing vessels operating in EU waters. The EU's own web portal states that: "Most fishing fleets in the EU are much too big compared to the available fish resources." The EU therefore attempts to limit the size of the fleet and keeps a register of all fishing vessels and officially states that the size of the fleet cannot be larger than 2003-04 levels. The attempts to control fleet size have been heavily criticised.

CFP - COMMON FISHERIES POLICY

The EU and the Common Fisheries Policy is meant to prevent illegal fishing. There are regulations over the types of fishing gear which can be used and the CFP allows certain areas to be closed to fishing to allow stocks to recover, although the interests and power of the commercial fishing lobby make this a very rare occurrence. Member states can put their own programmes to control fisheries into place such as licensing fishing vessels. While the EU often talks tough about stopping illegal fishing it remains a huge problem as events such as the Scottish Black Fish Scandal show. An additional issue is that the huge subsidies paid to commercial fishermen are still paid out to those proven of being guilty of illegal fishing.

Part of the remit of the common fisheries is to carry out, commission and gather scientific research which is then used to inform debates and set TACs. However, the findings of this research are often ignored or contested by the various nations vying for the best deal they can get for their own fishermen within the CFP.

Subsidies are one of the most controversial aspects of the CFP. Subsidies are absolutely essential to the EU's fishing fleet as the entire fleet actually runs at a loss and requires subsidies to make it profitable. Around one billion Euros are paid out every year.

The failure of the Common Fisheries Policy can be summed up by the following words:

The European Common Fisheries Policy is a laughing stock in many parts of the world. People don't understand how Europe could get something that should be so simple so badly wrong. The extinction of its own – and the world's – fisheries is being presided over by people who ought to know better. (Quoted in *The End of the Line*, 2004, p 269).

The Common Fisheries Policy has been in force for decades now and has resulted in persistent failure and an amazing ability to leave all parties with a stake in fishing unhappy, frustrated and angry. The structural faults built into the CFP and the number of different parties vying for a say in what happens next mean that it is effectively impossible to reform the CFP in a way which would restore fish stocks. From a

British perspective it would make sense to give up entirely on the CFP and instead go down the same route as Iceland and Norway and take back control of the seas around the UK. These countries may be geographically located in Europe but they are not members of the European Union, meaning they are not signed up to the Common Fisheries Policy and fully control commercial fishing in their own waters. These nations do allow a certain number of EU vessels into their waters to fish, but the EU must negotiate this with these countries (the 'Northern Agreement') and it is Norway and Iceland who set the quotas themselves and entirely control what happens inside their Exclusive Economic Zones. This has led to these two nations having some of the richest fish stocks in the world with valuable food fish such as cod and haddock thriving – not only are there many more fish but the average size of the fish are much larger as well (hence all of the European angling holidays which are advertised always having Norway or Iceland as the destination).

If Britain was to leave the EU then Iceland/Norway style self-control of Britain's seas and fishing interests would be possible. Until then the anglers and other groups will have to hope that the promised reforms of the CFP deliver the improvements which they promise.

Arguments against CFP

- **A Single EEZ**

As explained above, theory is that if fish move across European waters then it makes sense to treat the whole of Europe as one fishery with universal rules over movement, control and regulation applying to all member nations equally. However, the twelve miles extending from the shoreline of each nation are still sovereign waters of that country, with the common EEZ only extending from thirteen miles onwards. This means that Britain (like all other EU nations) only really controls this twelve mile zone and any control or conservation measures which are put forward can only be enforced inside this small zone – any measures extending beyond this zone and into Europe's EEZ would require the agreement of all member nations.

CFP - COMMON FISHERIES POLICY

- Discards

Discards refer to fish that have been caught by a commercial vessel which have to be thrown back into the sea. The reason for most discards is that a vessel will have ran out of quota for that species and is therefore unable to legally keep those fish and – under EU and CFP laws – have to throw them away. However, fish can also be discarded for other reasons. For example they may be too small to sell, a species which has no commercial value, or vessels may high-grade (throw away less valuable fish to make space for a higher-value species). Fish which are discarded back into the sea are almost always dead or dying, as they will have been crushed into a net and their swim bladder will have been ruptured by being dragged up from the seabed. It is estimated that in the North Sea alone around 800,000 – 900,000 tons of fish are discarded back into the sea every year, and world-wide 27 million tons of fish are discarded on an annual basis.

Even with overwhelming public support for a discards ban the European Union and the Common Fisheries Policy is still incapable of passing a clear and robust piece of legislation which would prevent commercial fishermen from throwing healthy, edible fish back into the sea dead. Instead we have an discards ban which is announced with great publicity and then watered down with loop-holes and exemptions which have absolutely nothing to do with rebuilding Europe's fish stocks but instead keep the commercial fishing industry happy.

- **Total Allowable Catches (TACs)**

The CFP sets TACs, which are the total amount of each species of fish which can be caught in a certain area. A huge number of organisations are involved in setting TACs with the EU working with other European agencies and the International Council for the Exploration of the Sea (ICES), an international agency which provides scientific data on which to base catch levels. However, this advice is often ignored if it goes against the interests of Europe's commercial fishing industry. The TAC system is heavily criticised for creating a system of 'horse-trading' where all member states will fight each other for the highest possible level of catches when the TACs are decided every De-cember – a system which



is hardly conducive to well-managed and sustainable fisheries.

- **Overcapacity and Subsidies**

The size of the EU fishing fleet is recognised as being far too large for the number of fish which are available to catch – a fact that is clearly recognised by the EU itself. This overcapacity is a major factor in the decline of European fish stocks it means that each country has to fight for the highest possible quota in order to allow their oversized fleet to catch enough fish to be profitable. It is also important to note that even if the EU fishing fleet does reduce in size modern technological advances mean that the fishing capacity of each vessel is constantly increasing. Indeed, an assessment by an Impact Committee of the EU itself stated that by 2022 the size of the EU fishing fleet would have to reduce by 40% to make up for the increasing power which vessels gain through technological advancement. However, any attempt to reduce the size of the fleet will inevitably be fought by the governments of individual countries and the various lobby groups of the European fishing industry. The issue of overcapacity is closely linked to subsidies which is EU (i.e. taxpayers) money which is handed out to fishermen to support their industry. Subsidies to build new fishing vessels were thankfully phased out in 2002, but fishermen still receive money to upgrade vessels, make engines more efficient and help support young fishermen at the start of their careers. The subsidies policy of the EU is riddled with problems – vessels which are meant to have been

CFP - COMMON FISHERIES POLICY

scrapped some-times continue to receive payments, and being proven to be guilty of illegal fishing is no barrier to continue to receive money from the EU. Subsidies from the EU are essential to many aspects of the European fishing industry as many fleets (such as the deep sea fishing fleet) actually run at a loss and require subsidies to operate.

• Foreign Fishing

The EU has agreements to fish in the territorial waters of twenty non-EU nations. Some of these nations are within Europe (i.e. Iceland and Norway) and it is within the interest of both parties to allow regulated fishing within each others waters. However, the controversy arises due to the fact that fifteen of the twenty nations the EU has agreements with other developing countries. These countries are paid by the EU to allow European vessels to fish in their waters. This is controversial for a number of reasons. Firstly, it is seen as evidence that European countries have depleted their own fish stocks and are now paying poor nations to exploit their fish stocks. Secondly, it is seen as damaging to these countries as almost all of the fish caught in their waters are sent to European markets. This means

that the subsistence fishermen in the developing world are having their fish stocks reduced by European vessels for the benefit of European consumers. Thirdly, the foreign fishing issue is seen as another aspect of overcapacity – the huge factory vessels which have been built using EU subsidies cannot usually fish in European waters as their immense fish catching ability would use up all of the quotas in a short amount of time.

The EU therefore arranges agreements with poor African countries to allow the vessels to fish in their waters. The infamous Atlantic Dawn (the so-called 'Ship from Hell') is a perfect example of this. Once it had been built there was no way it would be able to fish in European waters so it was instead arranged for it to fish in the waters of the impoverished North African nation of Mauritania. Today the EU continues to have a €70million-per-year deal to allow factory vessels to fish in the territorial waters of Mauritania. Britain has taken the lead and attempted to end, or at least limit the EU overfishing of African fish stocks, although the usual suspects of Spain and France have fought against attempts to limit access to African waters.

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