



**Report from Inter-RAC Conference
“Decision-Making within a reformed Common Fisheries Policy”**

A conference organised by the North Sea, North Western Waters, Pelagic, Baltic Sea and South West Waters Regional Advisory Councils

Note by the NEAFC Secretariat

1. The Programme

Tuesday 3rd November 2009 – Scenarios and Options for Decision Making and Governance

Welcome and keynote address - Regionalisation – A Scottish Perspective – Richard Lochhead MSP, Cabinet Secretary for Rural Affairs and Environment, Scotland.

Commission opening remarks - Reversing the Burden of Proof in Fisheries Management, Dr Poul Degnbol, Scientific Adviser to the European Commission, DG Mare

The role of the RACs in decision making under the CFP - Legal Constraints and future possibilities" Dr. Ronan Long – Marine Law & Ocean Policy Research Services

Participation of Stakeholders in Fisheries Management, Guus Pastoor, President of the EU Advisory Committee on Fisheries and Aquaculture & President of AIPCE

Making Fisheries Management Work, Examples from Elsewhere, Crispian Ashby, Programmes Manager of the Australian Government Fisheries Research and Development Corporation

Integration of the CFP into the wider Maritime Policy Haitze Siemers , DG MARE, Head of Unit for North Sea, Baltic Sea and Landlocked Member States

Barriers to improved performance and management options – IDDRA Steve Cunningham

Panel, Discussion, centered on a Panel, **Chaired** by Mike Neilson, Director, Marine Scotland.

Wednesday 4th November 2009 - Defining a way forward for fisheries governance in Europe

Chairman's Opening Remarks - NWWRAC Sam Lambourne

Key note address Swedish Presidency – Axel Wenblad, Director General, National Board of Fisheries

Conclusions from Baltic conference - Reine Johansson, Chair Baltic Sea RAC /Michael Andersen

Responsibilities within a reformed CFP, Euan Dunn, Birdlife International

Industry Responsibilities within a reformed CFP, Dr Barrie Deas, National Federation of Fishermen's Organisations, UK.

Wider Environmental Perspective to Fisheries Management - Kjartan Hoydal, NEAFC

Panel Discussion, centered on "Sustainable Fisheries" - Chaired by Huw Irranca-Davies MP, UK Minister for Marine and Natural Environment

4 workshops to discuss:

1. **A Stronger Regional Dimension to the CFP**, Chairman Chaired by Huw Irranca-Davies MP, UK Minister for Marine and Natural Environment
2. **Managing Stakeholder Participation within the CFP**, Chairman Sean O'Donoghue, President of the European Association of Fish Producers Organisations (EAPO) – Rapporteur, Jan Willem Wijnstroom, European Anglers Association.
3. **Models for Future CFP Decision Making including role of RACs** - Chairman Janick Moriceau, - Rapporteur - Andrew Brown/David Brew Marine Scotland
15 min Presentation – Anne-Sophie Christensen, University of Aalborg reported on discussions of regionalisation of the EU's Common Fisheries Policy Nordic from a Council of Ministers' Conference in Copenhagen, October 13th, 2009
4. **Future Needs for Expert Advice**, Chairman Maureen Watt MSP, Scottish Parliament Chair Rural Affairs & Environment Committee, - Rapporteur – Carlos Aldereguia, LDRAC

15 min Presentation by ICES- Henrik Sparholt

Democracy and the Role of the European Parliament within a reformed CFP

Struan Stevenson MEP, Vice President, EU Parliament Fisheries Committee

Concluding remarks – DG MARE

Rapporteur's Summary

Chairman's Concluding Remarks – Gerard van Balsfoort, Pelagic RAC

2. Noteworthy issues discussed

The conference was hosted by Marine Scotland and jointly funded by Marine Scotland and DEFRA. In addition background information from invited experts in various fields and the

focus was on formulating input to the discussion of the EU green paper on the future of the Common Fisheries Policy.

In all the presentations and ensuing discussions there was criticism of top-down policy, micromanagement, especially in technical regulations, the perennial discard problem (quotas effectively being landings quotas rather than catch quotas) and the state of the fish stocks. There seemed to be general acceptance that a solution may lay in giving incentives to pursue more sustainable practices and examples from Scotland and Denmark, where initiatives reducing discards (real time closures and CTV monitoring) carry a premium.

The options for devolving responsibilities from Brussels to regions under the EU treaty were presented as was the role of the Regional Advisory Councils in any future system.

The presentations and the Rapporteur's summary will be published on the internet website in due course.

3. The Role of the Regional Advisory Councils, the RACs

There seemed to be general agreement that the RACs representing stakeholders, especially fishermen who will be affected by the measures of the Common Fishery Policy, has an important role to play in the reform of the CFP.

For an outside observer it was very evident that the RACs have strengthened the voice of the fishing industry and the industry to a larger extent speaks with one voice, The RACs seem to have been successful in bridging geographical and sectoral differences in opinion and interests. This impression was confirmed in private talks with representatives of several RACs. This seems to be the result of hectic meeting activity and a lot of committed work by key persons. It was clear that this workload in future was probably not sustainable without stronger funding.

In summary a positive impression of the seriousness of the RAC input to the CFP discussions. It should be noted that some representatives saw a problem in RAC participation in RFMOs like NEAFC.

4. Presentation of the NEAFC Secretariat

The presentation describes the various examples of regional cooperation in the North East Atlantic, especially the NEAFC framework. In the second part the integration of environmental concerns into fisheries management is discussed and examples from NEAFC described. The presentation of the Secretary is attached.

Inter-RAC Conference “Decision-making within a reformed Common Fisheries Policy (CFP)”

Wider Environmental Perspective to Fisheries Management and the NEAFC model of regional cooperation

Kjartan Hoydal, Secretary NEAFC

Website: www.neafc.org



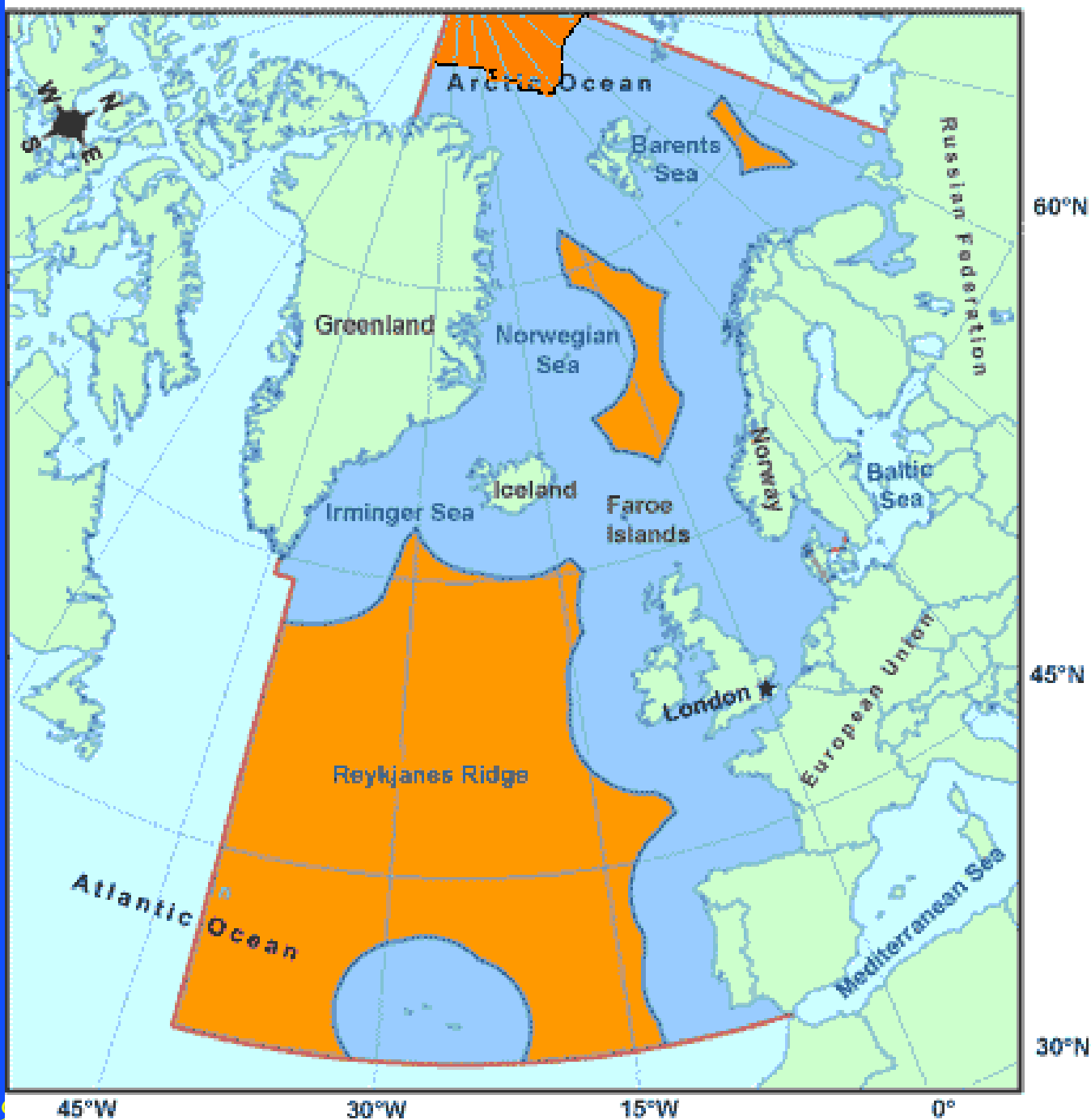
Professional background

- Coming from the Faroe Islands
- Degree in Marine Ecology, Univ. of Copenhagen
- Worked as scientist 1969 – 1985. Chairman of the ACFM of ICES 1980-1982 and director of fisheries in the Faroe Islands, 1986-1996. International work for ICES 1982-1985, as Fisheries Officer, and NEAFC from 2001-
- Participated actively in the international processes in FAO, UN and regional cooperation

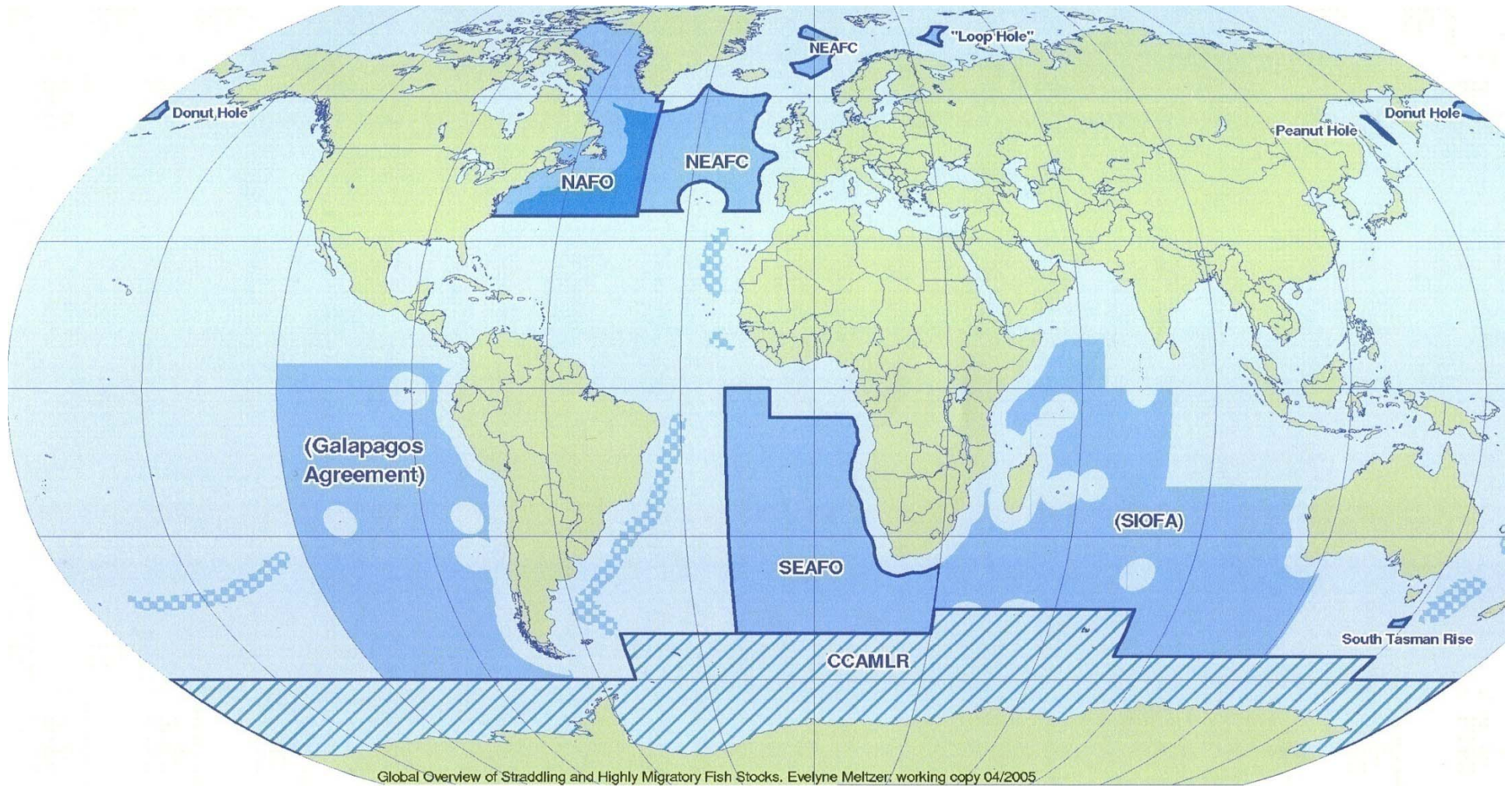
Outline of the presentation

1. The North East Atlantic regional set up the Set-up, NEAFC mandate, tools and measures
2. Integration of environmental concerns into fisheries management

NEAFC
Regulatory
Area
(orange)



Edinburgh 3-4 November 2009



Global Overview - Straddling Fish Stocks

- RFMO Boundary
- Proposed Regulatory Area (not yet adopted or not yet in force)
- ▨ Other Unregulated High Seas Areas where Straddling Fish Stocks Occur
- ▧ CCAMLR
- NAFO Regulatory Area

Issues for this conference

- A Stronger Regional Dimension to the CFP
- Managing Stakeholder Participation within the CFP
- Models for Future CFP Decision Making including role of RACs
- Future Needs for Expert Advice

The NEAFC model for regional cooperation

- ❑ NEAFC is a regional fishery management organisation, an RFMO.
- ❑ The experiences and track record of NEAFC reaching regional consensus on management measures may have some lessons for regionalisation under the CFP.
- ❑ I will therefore give rather detailed description of how NEAFC works

NEAFC Parties

Contracting Parties

Denmark (in respect of the Faroe Islands & Greenland)

EU

Iceland

Norway

Russian Federation

Cooperating non-Contracting Parties

Belize, Cook Islands,

Canada, Japan, New Zealand

Task at hand

- States cooperating through Regional Fisheries Management Organisations, RFMOs, establish fisheries management systems in the high seas supporting and compatible with systems in sea areas under national jurisdiction
- This includes agreeing on science based management measures and establishing monitoring, control and enforcement to make sure that measures are respected

Facts about NEAFC

- NEAFC goes back a long time. First Convention 1959. The present Convention is signed in 1980 and entered in to force in 1982.
- It reflects the discussions and negotiations at the time UNCLOS was drafted.
- NEAFC was “a sleeping beauty” until 1995. The signing of the UNFA sparked new life in the organisation. In 1999 a permanent Secretariat was created.

Updating the NEAFC Convention

- ❑ The Contracting Parties of NEAFC updated the 1982 Convention in 2004 (dispute settlement procedures) and 2006 (bringing the Convention in line with developments in international law and instruments since the 1980 convention was negotiated). The CPs have agreed to use these as basis for measures on a voluntary basis, until all parties have ratified.
- ❑ The preamble of the “New” Convention stresses that NEAFC in addition to managing fisheries has an important role in conservation and integrating environmental concerns into its management.

Updating the NEAFC Convention

- The new preamble recognises the relevant provisions of
- The United Nations Convention on the Law of the Sea of 10 December 1982
- UNFA 1995
- The Compliance Agreement
- The Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organisation of the United Nations in October 1995.

Updating the NEAFC Convention

New Article 2: The objective of this Convention is to ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits.

The situation in NEAFC

Table 3. Landings from the NEAFC Regulatory Area in 2006
(Unit: 1000 tonnes)

Source: NEAFC Statistics and Convention Area compared.

Stocks	Landings RA	Landings Total
Norwegian spring spawning (Atlanto-Scandian) herring	153	993
Blue whiting	418	1908
Mackerel	41	404
Oceanic S. mentella	47	75
Rockall haddock	3	3
Deep Sea fisheries	????	26
Total	662	3,409

Regional cooperation in the North-East Atlantic

- Regional cooperation in fisheries in this part of the world takes place on several levels:
 - Bilateral exchange of fishing possibilities
 - Cooperation with respect to shared stocks
 - Coastal state cooperation on stocks that straddle into international waters
 - Regional Convention for the high seas, NEAFC
”States, individually and through regional fisheries management organisations....”

Regional cooperation in the North-East Atlantic Coastal states

- Coastal states cooperate on stocks that straddle into international waters.
- This is the case for three major stocks:
 - Blue whiting: EU, Faroe Islands, Iceland and Norway
 - Mackerel: EU, Faroe Islands and Norway
 - Norwegian spring spawning (Atlanto-Scandian) herring
EU, Faroe Islands, Iceland, Norway and the Russian Federation
- And the pelagic redfish in the Irminger Sea
Greenland, Iceland and the Faroe Islands

Enforcement - Combating IUU fishing - Protecting against free riders

- The objective is to protect the rights of legal fishermen, operating under national and regional, efficient fisheries management, against free riders
- Major IUU problems in the NEAFC Convention area have been IUU fishing by flags of convenience vessels for **redfish in the Irminger sea** and unreported catches of **cod from the Barents sea**
- The idea was to blacklist vessels to deny vessels on the lists access to ports and services in the NEAFC area.

The B-list Results

NEAFC B-list 2005 -2009

	Vessel category		Total
	Transport	Fishing	
Removed from the lists	2	1	3
Scrapped		7	7
Retained in harbours	1	4	5
Probably sunk	1	1	2
Fate unknown		2	2
Operating outside NEAFC Area	1	4	5
Observed recently		2	2
Total	5	21	26

1 May 2007 Port state control expanded

- The new port state control regulations was set up to monitor landings of frozen fish in foreign ports. The Port State Control system applied to the Convention Area
- Each Contracting Party has to designate certain ports for landings of frozen fish for foreign vessels.
- Since 1 May 2007 over 3440 landings have been certified and can be reviewed by all Contracting Parties on the NEAFC website.
- The system have got much praise from the industry in Europe and has not impeded the free flow of legally caught fish into the European market.

Ecosystem Approach

- Already in 1997 an Intermediate Ministerial Meeting on the Integration of Fisheries and Environmental Issues in the North Sea
- “An ecosystem approach.....as far as the best available scientific understanding and information permit is based on ...:
- The identification of processes in, and influences on, the ecosystems which are critical for maintaining their characteristic structure and functioning, productivity and biological diversity;
- taking into account the interaction among the different components in the food-webs of the ecosystems (multi-species approach) and other important ecosystem interactions; and
- providing for a chemical, physical and biological environment in these ecosystems consistent with a high level of protection of those critical ecosystem processes.”

Ecosystem Approach

- In a large study of terrestrial ecosystems management it was found that successful cases consisted of tentative and experimental approaches undertaken by groups of people faced with immediate problems
- Ecosystem approach means an increase in the number of stakeholders
- And means increase in the number of requests for scientific expert advice to be able to define and quantify ecosystem properties so decisions can be made with a realistic timeline

Integrating environmental concerns

- ❑ Fisheries managers were leaders in establishing frameworks that controlled the level of effort going into fisheries and in that way laid a scientific basis for sustainable fisheries and environment
- ❑ An Ecosystem Approach to Fisheries , EAF, has been extensively discussed internationally, especially in FAO
- ❑ The understanding between fisheries managers has been that the integration of environmental concerns is incremental. Building on frameworks we have we can integrate further concerns as we gain more insight

Ecosystem management

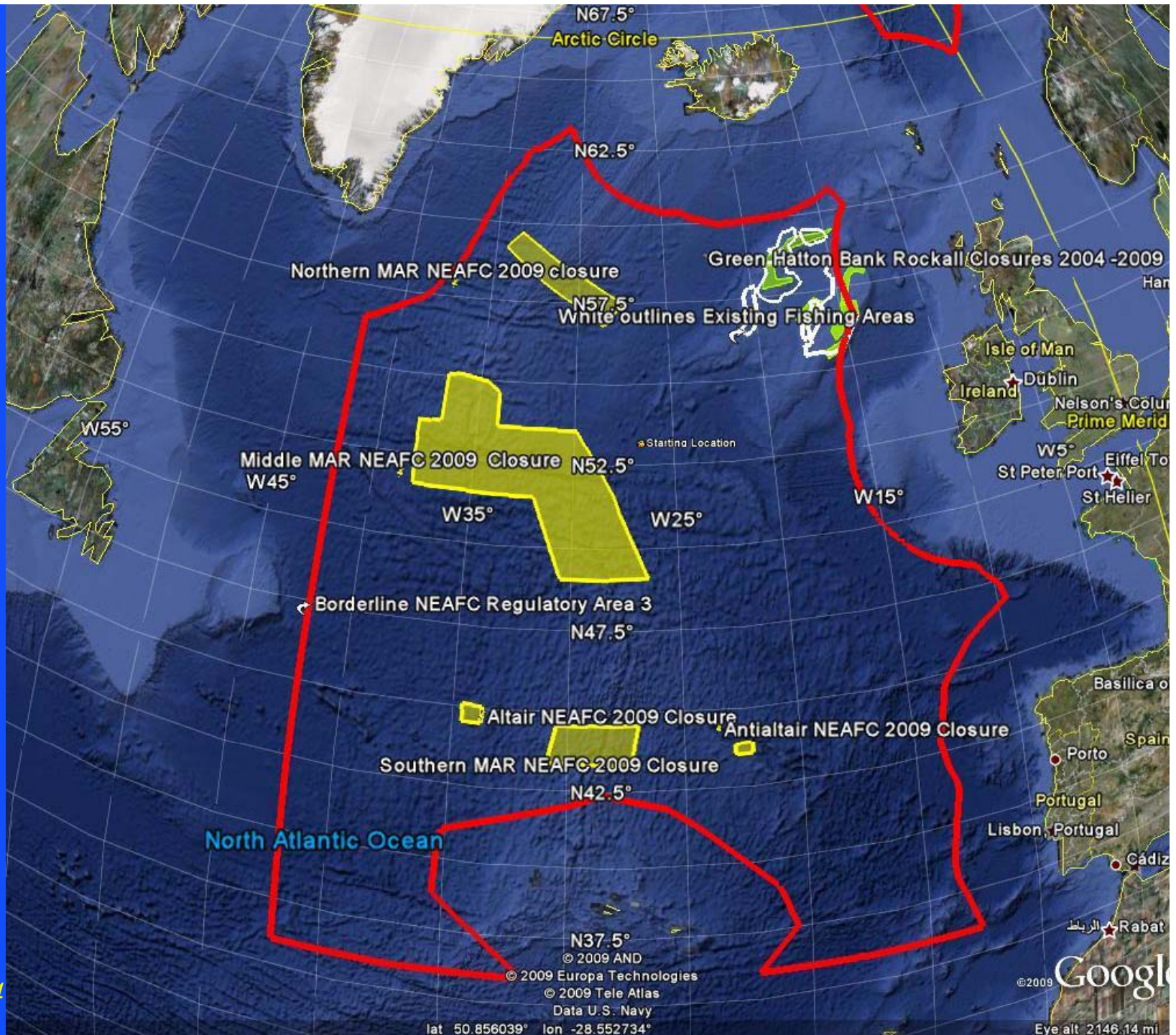
- There are not many – if any – examples of full fledged ecosystem management frameworks
- There are problems with the scientific basis
- There are several examples where additional concerns have been added to traditional single species management incrementally
- FAO has offered considerable advice and calls for a HIP approach, Holistic , Integrated and Participatory. To this we should add **common sense**.

The management framework

- Fisheries cannot avoid having an impact on the marine ecosystems in the process of producing seafood from healthy fisheries.
- Fishing communities and societies must be allowed to pursue their legitimate business of establishing economic development that meets the needs of the present generation without compromising the ability of future generations to meet their needs
- Fishing is the only human activity in the oceans that is totally dependent on healthy ecosystems and clean oceans.
- It is all about **balancing** conservation and optimal utilisation of the living resources of the sea

NEAFC

Incremental process

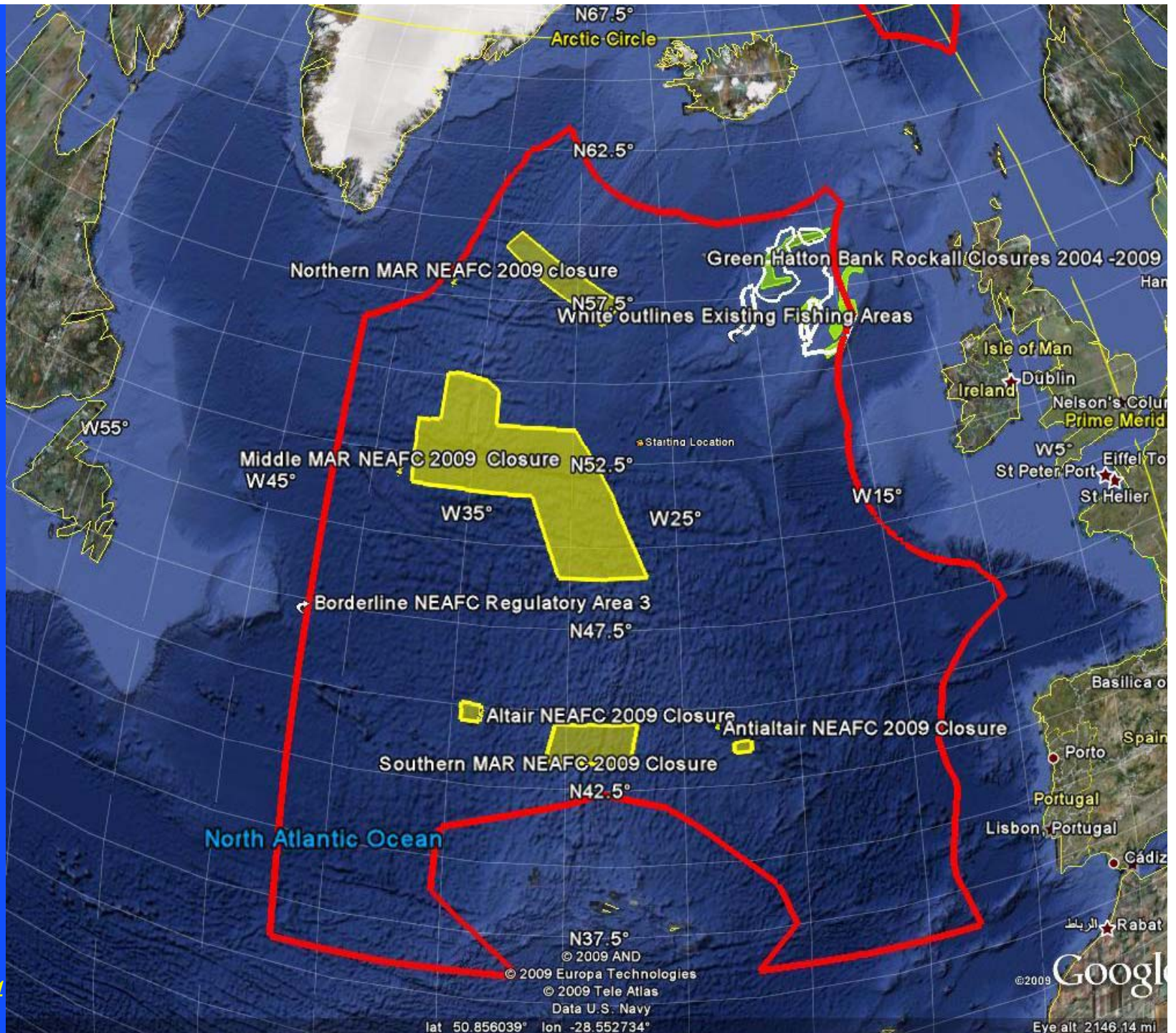


Edinburgh 3-4

Other measures regulating the impact of fisheries

- ❑ NEAFC has prohibited fisheries with gillnets, entangling nets and trammel nets in depths below 200 m and introduced measures to remove and dispose of unmarked or illegal fixed gear and retrieve lost gear to minimise ghost fishing.
- ❑ There is at present a lot of investment going into gear modifications to mitigate the impact of fishing gear on bottom habitats
- ❑ In July 2008 NEAFC adopted additional measures on bottom fishing activities in the NEAFC Regulatory Area. These were supplemented at its 2008 Annual Meeting with specific operational procedures.

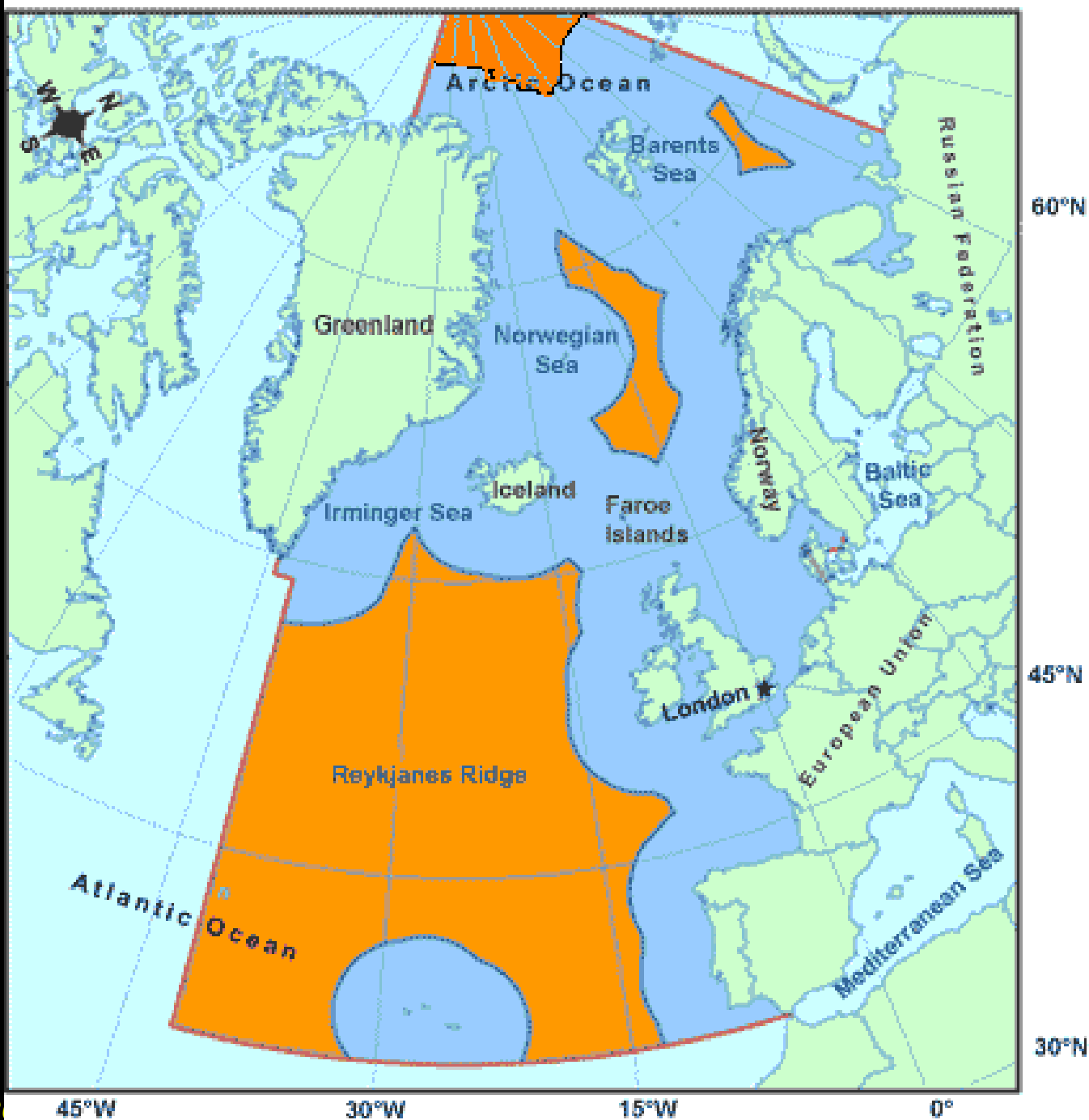
NEAFC Closures



Cooperating with other organisations with a mandate to regulate human activity

- Heads of delegations of OSPAR and NEAFC have met at NEAFC HQ since November 2005
- In September 2008 NEAFC signed a Memorandum of Understanding with its environmental counterpart in the North East Atlantic, the OSPAR Commission (for the Protection of the Marine Environment of the North-East Atlantic)
- NEAFC has signed terms of Agreement with the IMO and is considering a MoU with the ISA
- These are significant developments in a process aimed at increasing cooperation with intergovernmental organisations, which monitor and regulate human activities other than fisheries in the marine environment

The
end



Edinburgh 3-4 November 2002