

**Brief report of the meeting to discuss the possibility of a differentiated regime  
for small-scale coastal fisheries in the context of the CFP reform  
Brussels, 22 June 2010**

Present: See attached list.

Apologies received from: Ms Papadopoulou, Mr Taoultzis, Mr Kahoul, Ms Levstik.

Chair: Mr González Gil de Bernabé

Secretariat: Mr Buonfiglio, Ms Martinez

1. The Session Chairman, J.M. Gonzalez Gil de Bernabé, welcomed participants. He apologized for the absence of the RAC Chairman, Mr Kahoul, and called on the Commission's representative, Mr Jean-Claude Cueff, to present the results of the various consultations organized by the European Commission on the reform of the CFP and particularly on the advisability of a possible differentiated regime for small-scale coastal fishing. He pointed out that the debate on small-scale fishing was closely associated with that of transfers of fishing rights. In this respect, with reference to the seminar held in La Coruña (2-3 May 2010) and given the positions expressed by Member States and stakeholders on these subjects of fishing rights and small-scale fishing, he thought that the European Commission needed to take this into account. He went on to point out that, in the course of the informal Council of Ministers held in Vigo the day before, the Commissioner, Ms Damanaki, had stressed that the main issue of the CFP reform was to decentralise the CFP, aligning it more with local requirements. However, the Treaty of Lisbon made any real decentralization of decision-making difficult and solutions enabling local issues to be better taken into account in decision-making were still under study.
2. Regarding transferable rights, it was confirmed that the fishing right belongs to the Member State responsible for its management and that, as a consequence, the transferability of rights between States could not be imposed from outside. Greater transparency within the existing transfer system was, however, desirable. We needed to prevent large enterprises swallowing up the little ones. The Commission is thinking about a system allowing rights to be transferred. This would allow excess capacity to be gradually eliminated at the expense of the sector, taking the fact into account that state aid for dismantling would no longer be available after the reform.
3. On aquaculture, the Commission sees this as an integral part of the CFP, as it contributes to food security in the EU. Its development within the EU is currently limited by a series of constraints. These have been analysed by the Commission in its April 2009 Communication on an aquaculture strategy. The opinions received from the Committee of the Regions and above all the European Parliament on this Communication recommend adopting a regulation specific to

aquaculture, encompassing all aspects of aquaculture (production, social aspects, public health, environment, animal health, etc.). Although it is difficult to envisage such a specific comprehensive regulation being drafted in the current administrative set-up found in the Commission, the Commissioner, Ms. Damanaki, would like to at least have a chapter devoted to aquaculture in the future basic regulation.

4. Following Mr Cueff's presentation, the Chair opened the floor for an exchange of views and questions to the speaker. Mr Cueff stated here that there was a general feeling that the private rights market will be more effective than public funding to address overcapacity because the concentration of rights (ITRs) will take place there where it is necessary to reduce overcapacity. Participants' questions focused mainly on the compulsory or voluntary character of this system of transferable rights for high seas fishing and for small-scale coastal fishing, on the value of the vessel, on the interest of such a system for mixed fisheries, on safeguarding measures to protect small-scale coastal fishing, etc.. Mr Cueff stated that the ITRs are clearly perceived by the Commission as private usage rights, managed by the State. These rights could be granted for a period of 10 years or more, giving the industry a long enough outlook on its future access to stocks..
5. Concerning more particularly the question of the definition of small-scale ('artisanal') coastal fishing, the Chairman regretted the low participation of the catching sector at the seminar in La Coruña, where the subject matter was of particular relevance for professionals. He reminded delegates that the sole criterion of overall length of 12 metres is very insufficient for defining 'small-scale' fisheries. In Spain, fishermen had sought a fishing protection zone in order to prohibit access to this area to the industrial fleets of non-Mediterranean countries (except when applying EU legislation), and to preserve the quality products of small-scale fisheries (freshness, trips of under 24 hours, etc..). In addition, the Chairman wanted to know what interests were represented in the Mediterranean by aquaculture and whether environmental impact studies existed, because cages have proliferated in some areas.
6. Ms Bejar, whose organization (CEPESCA) represents also part of the small-scale fleet, said that her organization supported transferable rights. Some undertakings already practice transfers (bluefin tuna quota). These transfers make it possible to programme the activity of these undertakings in in the medium and long term.
7. Mr Santolini (Big Game Italia) asked whether the Commission intended mentioning recreational fishing. In the Green Paper this is lumped together with small-scale fishing. Aware that northern Europe countries are against regulating recreational fishing, he said that Mediterranean recreational fishermen wanted strict rules and a debate on this issue that affects millions of fishermen.



8. Responding to participants, Mr Cueff confirmed that the framework of the transferable rights needed to be made secure. The 'public' market needs to be organized by the Member States to allow investments (lifetime of ships, 10 years minimum, etc.). Talk is of a market where rights are negotiated by the private sector but managed by Member States (licences, quotas, fishing effort for a sufficiently long periods of time). It also needs to be possible to transfer this right during the licensing period. The Commission's intention is to organize a level playing field for operating conditions. The question remains whether small-scale fishing will also be able to organise a market for rights if it wishes.
9. Regarding a delegation of powers to decentralized decision-making centres, the Commissioner is in favour. However, the Lisbon Treaty vests exclusive competence for the conservation of fishery resources in the Community (proposal from the Commission to the Council and to Parliament who decide). The Commission is currently considering setting up regional mechanisms that could contribute here without tampering with this fundamental competence.
10. Regarding the definition of small-scale coastal fishing, vessels up to 24 m could – under conditions still to be defined - be protected from the risks of a concentration of fishing rights associated with the use of ITRs.
11. The issue of exclusion of vessels flying flags of non-Mediterranean countries is a matter for the law of the sea, where diplomatic progress needs to be made, past attempts not yet having succeeded.
12. On aquaculture and its environmental impact, the real concern is to avoid the concentration of deposits under the breeding cages in enclosed sea areas. This involves mapping ('spatial planning') of coastal activities for States to identify or plan the economic activities. The development of the Integrated Maritime Policy makes provision for a directive for moving forward in spatial planning.
13. Recreational fishing, for its part, is covered by the basic regulation but there is no specific provision for the reasons cited with the countries of the North. The issue was raised again at La Coruña: the Commission wishes to cover recreational fishing but there are no concrete suggestions to be made on the formulation of rules. Again, each Member State decides for itself (permitted gear size, ban on sales, etc..).
14. At the end of the exchange of views with the Commission representative, Mr Buonfiglio presented the draft opinion on the question of a differential system. He pointed out that the discussion on this issue was at a very advanced stage in the European organizations in the sector. There is no consensus on a common definition, nor on the appropriateness of a differentiated regime, nor on ITQs. What is needed is a single opinion that reflects all opinions, and all the



characteristics of small-scale fisheries in different countries. The definition reduced to a single criterion (boat length) is insufficient. The floor was then given to participants to exchange views.

15. Ms Bejar called on the RAC to further underscore the need for a special financial aid for the small-scale fleet for renovation, modernization and commercialization of produce, for example. Some representatives are worried about the possible exclusion of vessels with certain types of fishing gear, such as trawlers, from the scope of the definition. Mr Tudela proposed instead a management system based on fishing effort. He favours long-term management plans, stating that a differentiated system is needed, not at national, but at fisheries level (long-term management plans by fishery).
16. Ms Sanchez (FNCP) stressed that the Green Paper of the previous reform included a special action plan for the Mediterranean, while the present one refers only very rarely to the Mediterranean where, she reminded delegates, there are no TACS and quotas, only technical measures, cohabitation with fishermen from third countries producing direct unfair competition, different gears, different mesh sizes, etc.. Mr Ribalta (recreational fishing) and Mr Santolini support the idea of adding a special paragraph in the text on recreational fishing.
17. By way of conclusion, the Secretariat will adjust the draft opinion based on the proposed amendments, and will have it translated and circulated to members present at the meeting for approval. After that, it will be distributed to Executive Committee members for approval by written procedure and sent to the European institutions and other interested parties.
18. The Chair thanked the participants, the Commission representatives, the interpreters and the Secretariat and looked forward to seeing them again at the early afternoon meeting on collaboration with the scientific community.

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