

**Draft report of the meeting on technical measures for the conservation and management of resources in the Mediterranean  
Marbella, 7 June 2010 (afternoon)**

Present: See attached list.

Apologies received from: the CNPMEM representatives, Mr Oriol Ribalta

Chair: Mr Mourad Kahoul

Secretariat: Mr Buonfiglio, Ms Martinez

1. The Chairman, Mourad Kahoul opened the work. After the adoption of the agenda, he gave the floor to Mr Buonfiglio, who reminded delegates that the Commission had scheduled a seminar on this question on 21 June in Brussels. He thanked Mr Biagi for his presence and gave the floor to Mr Gil de Bernabé.
2. Mr Gil de Bernabé said that many Spanish professionals were present in the room and would have the opportunity to express better than anyone the consequences of the technical measures. He recalled that, already at the draft stage, the regulation had aroused strong criticism from the industry, which felt that the scientific economic and social studies and opinions had not been given due consideration in the drafting of some of the measures of the regulation. Nor were the consultation methods the most appropriate. Problem areas included twine thickness, distance from the coast, and the size of some species. It was important to react, to adopt a common opinion and send this to the Commission. Mr Gil de Bernabé proposed that the Presidents of the Catalan and the Andalusian Federations illustrate briefly the problems encountered since 1 June.
3. Mr Buonfiglio then went on to summarize the difficulties posed by the regulation. He said that since 1 June, fishermen had been protesting in the different regions of Italy. The critical articles were nos. 9, 11, 12, 13 and 15. Regarding changes in mesh size, it was necessary to know that a new net, fully fitted on board ship, cost between 6,000 € and 11,000 €. Undertakings needed to acquire need two or three, which quickly meant a tidy sum. The catching capacity of the new meshes (40 and 50) varies according to fishing areas and depth. Since 1 June, reductions of 40% by weight had been recorded. Scientific justification was lacking for a series of measures. Furthermore, it appeared that illegally sized fish were being caught with legally-sized meshes. On the margins of manoeuvre available to modify the regulation, this requires a vote in the Council of Ministers. Since the Lisbon Treaty, the European Parliament needs also to be involved. Art. 9.3.3. of the regulation provides that the Commission shall present to Parliament and the Council, by 30.6.2012, a report on the implementation of the article on minimum mesh sizes. Based on the report and the information to be supplied in 2011, the Commission will propose the necessary

modifications. In the meantime, many undertakings will have disappeared. It is urgently necessary to assess the impact on undertakings, employment and the market to justify a request to amend the regulation. The RAC needs to play an active role in collecting data and in the dialogue with Member States and the Commission. Scientific data will be needed on stocks. This information must remain clearly separate from the rest of European data so as to avoid the customary generalization on the condition of the resource.

4. Mr Garat confirmed the problems expressed by previous speakers. With the diesel crisis, the financial crisis and other factors, the sector had not been able to take full advantage of the transitional period to prepare for the entry into force of the regulation. Europêche and COGECA had written to the Director-General on 26/1/2010 asking for a solution but the answer had been negative. In February CEPESCA had asked the RAC to hold a meeting on these issues to avoid waiting until the last minute, but the meeting had not taken place. Mr Garat wished to know whether scientific assessments would be conducted in other Member States and what was the status of the management plans submitted by Member States.
5. For Mr Devandeul (Profilm), vessel profitability was being affected by the regulation and the industry was approaching breaking point. The rising cost of diesel was already problematic, but this regulation ended up jeopardizing the very existence of the fishing units. The RAC must reaffirm the need for socio-economic impact studies. For his part, Mr Taoultzis explained the problems posed by Article 13 in his country. He deplored the fact that the Ministry had disregarded the contributions of Greek professionals to the preparation of national management plans. Real ecology needed fishermen. Meanwhile, the Turkish fleets were working freely. Mr Taoultzis stressed that we are heading towards ecological disaster because the waters are limited and the measures of the regulation are inadequate. He criticized the CFP for changing traditions, vessels and gear. The latest statistics being put forward were incorrect, those from the auctions being more reliable.
6. Mr Levstik (Slovenia) said that in 2004, when Slovenia joined the EU, fishermen naively believed they could influence the regulation on the Mediterranean that was under discussion at the time. On receiving the first draft regulation, the Slovenes had expressed their comments. But the articles were still bad. The greatest reform needed was that of the legislation drafting process. Fishermen should be involved throughout the process if serious work is to be done. The RAC can play a vital role, but if it is not given this opportunity, the industry will continue to face political and bureaucratic pressure. The same unfortunate derailments had occurred with the 'control' regulation.
7. Ms Papadopoulou noted differences in the measures applied by Member States. She would welcome details of these measures. It was also essential to have the scientific evaluations and the management plans. Mr Barron (French Ministry) said that the French management plan provided



for a 4mm twine, fishing zone exemptions, and for 'gangui' trawling. The plan also called for a derogation for dredges (by type of on gear and by area). To motivate these exceptions, France intended to establish an 'initial' status, as established by Ifremer and thereafter monitor fisheries by geo-location. France had decided to support professionals' demands, in order to ensure that the transition is carried out consistently and with minimal negative impact. France was awaiting the Commission's management plan that had the support of professionals, scientists and the French administration.

8. Mr Biagi (DG Mare), after listening to all interventions, confirmed that the Commission was aware of the many problems cited, while reminding delegates of the the Commission's role (designing the legislation, proposing, negotiating, controlling). The three years of transition were designed to allow the gradual entry into force of the measures and to enable Member States and industry to gather the necessary and useful information for adapting general rules to specific local conditions (distance, etc..). The status of resources justified the regulation, as well as the state of exploitation that is causing a steady decline in profitability. It was not possible to maintain the status quo into the future. Member States' calls for derogations were poorly justified. The regulation should allow all stakeholders to develop plans for multi-annual management mechanisms to decentralize management decisions. This process had not been fully undertaken. Many obligations (management plans) had still not arrived, or else the plans did not meet the minimum requirements. The Scientific Committee had assessed the draft management plans and considered them non-compliant. They consisted mainly of poorly justified requests for exemptions. Management plans were not an instrument for "bypassing" the rules but for decentralizing and and empowering the sector and thus ensuring exemptions on certain environmental objectives, small-scale fisheries objectives, etc.. All these objectives were included in the regulation.
9. At the end of the discussion, the Chair gave the floor to Mr Buonfiglio to read the draft opinion of the RAC sent to Ms. Damanaki. The draft text calls for the Commission to check the regulation in order to expedite the revision process. To permit consensus, the text does not give priority to any issues raised during the meeting. The final document was to be formally adopted the next day by the Executive Committee.

The meeting being ended, the Chair thanked the interpreters, the Commission and all participants for their cooperation and closed the proceedings.

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