



## POSITION PAPER October 2007

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# WWF Briefing - position paper on the Proposal for a Council Regulation: 'fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2008' COM(2007) 492

## WWF Position Summary

The management of the commercial fisheries in the Baltic has, for many years, suffered from legislative gaps due to the different legal frameworks of the Eastern European and the former Russian Federation member states. The varying and inconsistent management regimes have allowed for an unsustainable exploitation of stocks and brought several commercially exploited fish stocks like the Baltic cod and salmon to the brink of collapse.

According to WWF there is an urgent need to address two key issues which are preconditions for the sustainable management of Baltic Sea fisheries: (i) to **significantly reduce effort** and (ii) to **establish an effective and reliable control and compliance regime** in the Baltic Sea region. Until managers and decision-makers find solutions to these two key problems, further implementation of the long-term management plan or investigations into the possibilities of adjusting and improving technical measures are not appropriate.

It is of high concern to WWF that all fisheries in the Baltic are managed according to a precautionary and ecosystem-based management approach. Due to the current situation, WWF's advice to the European Council of Fisheries Ministers is to **stop all cod fishing in the Baltic Sea** as their decisions since 2002 have not succeeded in halting the decrease in cod stocks in the Baltic nor supported a better economy for the cod fisheries.

WWF believes that the present fisheries management regime must be unlocked from the rigid output based system which suffers from overcapacity, illegal fishing, misreporting and discards. Policymakers must be ready to introduce new management concepts and take radical steps to stop overfishing and bring compliance and legitimacy into fisheries.

## Key issues:

### 1. Total Allowable Catches (TACs)

"The Community requests, each year, ICES and STECF for scientific advice on the state of important fish stocks. [...] According to the intention of the Commission to ensure the sustainable use of fishery resources while maintaining stability in fishing opportunities, changes in TACs are limited to no more than 15% from one year to the next unless the status of a stock requires stronger measures. [...]"

The central element of the [multi-annual] plan is a gradual reduction of fishing effort to long-term sustainable levels that will ensure recovery of the stocks and provide high and stable yields. [...] In light of the poor status of the Eastern cod stock and the current high fishing mortality for both stocks, the TACs for both stocks are proposed in correspondence to a reduction in fishing mortality by 10% without the annual TAC variation limit of 15%."

## WWF Position on Baltic TACs

In the advice for 2008, the International Council for the Exploration of the Sea (ICES) concludes, yet again, that the eastern stock is outside safe biological limits and the western stock is harvested unsustainably. Following this assessment ICES recommends to suspend the Baltic cod fishery until stock recovery is evident. The reductions in fishing effort and TACs as put forward by the proposed Council regulation (i.e. TAC reduction of 33% and 23% respectively for the eastern and western cod) do not treat the Baltic cod stocks with the appropriate caution demanded by the preceding regulations. The regulation for a multi-annual plan further compromises the precautionary approach and the Council's obligation under the framework regulation.

Concerning salmon in the Baltic Main basin WWF supports the proposed reduction of 15% of the TAC.

WWF believes that efforts must be made to secure closer cooperation between scientists and fishers. Observer programmes should be fully implemented on all vessels in order to improve catch data so that all parties will have greater confidence in and fully respect the scientific recommendations. WWF commissioned a report from MRAG on how observer programmes operate and we hope that this will be of assistance in your deliberations on this matter. The report can be accessed at the following web address: [http://www.panda.org/about\\_wwf/what\\_we\\_do/marine/news/index.cfm?uNewsID=88280](http://www.panda.org/about_wwf/what_we_do/marine/news/index.cfm?uNewsID=88280)

**Key asks:**

WWF recommends that the EC/Council:

- Adopt stronger (i.e. emergency) measures.
- Close all fishing for cod until it is documented that the stocks are within safe biological limits.
- Ensure that the targets and milestones for stock recovery are scientifically clear, transparent and measurable.
- Ensure that once the fishery is suitable to be reopened fishing should only be carried out with observers on all vessels to improve the overall picture of the fishery.
- Adopt a 15% reduction in TAC for salmon in the Baltic main basin.

**2. Fishing Effort and Fleet Capacity**

“The central element of the [multi-annual] plan is a gradual reduction of fishing effort to long-term sustainable levels that will ensure recovery of the stocks and provide high and stable yields.”

The sustainability of Baltic Sea fisheries has long been threatened by simple overfishing. While recent management programmes to control input and reduce fleet size have shown some progress (ICES 2004), fishing capacity is still far in excess of that needed to efficiently harvest stocks. In addition, managers must take into consideration that fishers are, to a large extent, continuously applying new technology and inventing new ways to exploit the resource. It is estimated that there is a 2-3% yearly increase in fishing capacity efficiency due to technical innovation.

**WWF Position Fishing Effort and Fleet Capacity**

WWF believes that without a comprehensive reduction in fleet capacity (at least 40%), the current challenge of matching resources to fishing capacity will not be addressed.

Finally, WWF urges the Council to provide direction for how the fleet should adapt to reduced fishing opportunities during the transition phase from overfishing to recovery and multi-annual management.

**Key asks:**

WWF recommends that the EC/Council:

- Dramatically reduce the current excess in fleet capacity – there are simply too many vessels fishing for cod.
- Closely monitor the effects of a continuous increase in fishing capacity from technological innovations.

**3. Illegal Fishing (IUU) and Effective Control and Compliance**

For several years now, ICES has highlighted the problem of illegal, unreported and unregulated fishing (IUU) in the Baltic Sea – which they conservatively estimate to account for an additional 35-45% above the legally reported catches.

On March 2007, the Baltic Sea Regional Advisory Council (BSRAC) organised a conference on control and compliance for the Baltic Sea where all the relevant Member States and the European Commission agreed on a declaration concerning the lack of fisheries control and calling for a solution to this problem.

The recent communication from the EU Commission regarding actions taken by Member States regarding serious infringements of the CFP indicates that penalties in many Member States are not adequate to deter IUU fishing. The EU Commission noted the low average level of fines, and the enormous variation between Member States, in terms of both the amount and the extent of penalties.

### **WWF Position on Illegal Fishing (IUU) and Effective Control and Compliance**

A more rigorous and harmonized penalty scheme is critical to effectively combat IUU fishing. Applying sanctions of sufficient severity to act as an effective deterrence to IUU activities is a clearly recognized need. Also, a rigorous and effective control and enforcement regime must ensure that no financial support is given to vessels, companies and beneficiaries known to have been involved in IUU fishing or trading in fish and fish products derived from IUU fishing.

Unfortunately, as can currently be seen, the problem of illegal fishing in the Baltic Sea and the lack of effective control and enforcement is a growing, rather than shrinking, problem – and immediate action is needed to minimise IUU and safeguard the legal fisheries. Until this is achieved, it is simply not possible to effectively manage or secure a sustainable future for the cod fishery in the Baltic Sea.

WWF recommends the mandatory use of VMS for all vessels especially with regards to the current state of illegal activities in the Baltic Sea. If the EU is supposed to apply bans on certain fisheries as it did with the Polish cod fishery in July 2007, it must have means to ensure compliance. This can only be delivered through the mandatory use of VMS onboard each vessel. Also, a transparent database of all EU vessels authorized to fish should be established, including areas and species authorized to fish, identification of beneficial ownership, history of violations of fisheries regulations and penalties, and ongoing infringement procedures. Such a list would enable processors and retailers to adapt their sourcing policies and the authorities to exclude the vessels and operators from public aid.

Additionally, WWF believes that allowing official observers onboard fishing vessels should be a license requirement for all vessels above 15 m targeting cod. Finally, WWF believes that a comprehensive traceability system is urgently needed to trace all fish caught within the multi-annual management plan backwards at any point in the supply chain.

#### **Key asks:**

WWF recommends that the EC/Council:

- Adopt an indicative and community-wide harmonized scheme of sanctions for infringements of sufficient severity (this should include confiscation of catches, gear and vessels and the revocation of the license to fish or trade in fish products).
- Exclude vessels, companies and individuals which/who have been convicted for IUU activities from benefiting from public aid. Moreover, aid granted in the past should be recovered from EC nationals found to have been involved in IUU fishing.
- Exclude Member States, which systematically fail to ensure compliance with Community laws, from benefiting from Community funds to the fisheries sector.
- Set up a database of all EU vessels authorized to fish, including a history of violations of fisheries regulations and penalties, and ongoing infringement procedures.
- Apply Article 23(4) of Council Regulation 2371/2002 and Article 5.2 of Council Regulation 847/96 on offending EU fleets to ensure payback of over-harvests.
- Make VMS mandatory onboard all vessels to better combat illegal activities.