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**RESPONSE TO THE COMMISSION OF THE EUROPEAN COMMUNITIES
GREEN PAPER, REFORM OF THE COMMON FISHERIES POLICY,
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EU Common Fisheries Policy and the Marine Resource

A Proposal to Restructure the CFP

for the Future Sustainability of

Fisheries and the Marine Environment

**To: European Commission – Directorate-General for Maritime
Affairs and Fisheries**

"CFP Reform"

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INTRODUCTION

We are recreational sea anglers, who hold Level 2 Certificates in Coaching Sea Angling and are licensed by the Angling Development Board. We regularly coach a wide range of youngsters and adults, both on shore and from boats, and in 2008 we received the Social Inclusion Award from Dreamstore (an angling charity that promotes angling and sponsors anglers to obtain coaching qualifications). We therefore have first hand experience of the cross section of the community that goes or wishes to learn sea angling. John Brooks is a member of the Angling Development Board Coach Steering Group.

As well as shore angling, we own a 26' boat which we use for recreational sea angling based in Falmouth. We are both members of a local club that is affiliated to the Angling Trust and to the Cornish Federation of Sea Anglers. We are also individual members of the Angling Trust, and John is a member of the Marine Committee and also of the Marine Conservation Group of the Angling Trust. We are both teachers and trained as Biologists.

We recognise that the fish stocks around our coasts are a common resource or good that belong to all and not to one particular section of the community. We therefore believe that all have the right to take such fish as they require for their own personal consumption, and that the licensed commercial sector should then be allowed to take fish for those unable or unwilling to take fish for themselves.

We believe that sea anglers are important people:

- There are over a million people who go sea angling each year in the UK
- They help contribute over £1 billion annually to local coastal communities and the UK economy
- They help support over 19,000 jobs, through the manufacture and sale of tackle, provision of bait, guides, coaches and charter boats, as well as boat builders and those involved in maintaining and servicing the increasing number of private boats.

We would draw the Commission's attention to the definition drawn up by the European Anglers Alliance and presented in Brussels by Jan Kappel, the EAA and EFTTA lobbyist, which defines Recreational Angling as follows:

"Recreational angling is the activity of catching or attempting to catch fish, principally by rod and line, or pole for non-commercial purposes; recreational anglers do not sell the fish they catch."

We would also point out that sea angling is an environmentally friendly activity, that is selective in its catch, and that unwanted fish are returned with a low mortality rate.

RESPONSE

1. A VISION FOR EUROPEAN FISHERIES BY 2020

We welcome the vision in the Green Paper, and look forward to the Commission adopting and developing policies to make this vision a reality. We still have some concerns that the GP does not fully recognise that stakeholders other than the commercial fishing sector have a right to the fish stocks. The marine environment should not to be destroyed by the activities of the commercial sector spoiling the marine environment which is an important resource for others and the habitats or food sources for other wildlife such as sea birds.

2. INTRODUCTION

The fishing industry is essential to supplying food to European citizens and supporting livelihoods in European coastal areas. Ensuring its future is, and must remain, an important policy objective for the European Union. This future must be ensured in a challenging and changing context.

Unfortunately, it is this very concept, that the fishing industry must be preserved at all costs that has led to the destruction of fish stocks, and that will then ultimately destroy the fishing industry – a death by a thousand cuts spread over several decades, but nevertheless inevitable. Dramatic and wholesale reform is essential if there are to be any fish left in the seas and the marine environment is not to be destroyed beyond saving.

3. THE CURRENT COMMON FISHERIES POLICY AND ITS OUTCOMES

Fish stocks are being over fished so that 30% are outside safe limits. For too long, the Commission and politicians have put the livelihood of commercial fishermen before the sustainability of fish stocks, but the inevitable result will be that when the fish stocks are extinct (or below an economical level) then the commercial sector will also die. This obvious connection seems to have been totally discounted by politicians and the commercial sector, and the advice of scientists ignored for short term political gains for an over subsidised industry.

According to by Poul Degnbol, Director of the Institute for Fisheries Management (IFM), Denmark, and former chief of research at Danmarks Fiskeriundersøgelser (DFU), Danish Fisheries Test Centre: "What you learn from your job tends to depend on the objectives set for your task. The fisherman's objective is to catch as much as possible, while the biologist's objective is to estimate the total biomass of fish in a given area". magazine FISK & HAV (Fish and Sea) no.43, see Appendix for English translation or www.dfu.min.dk/dk/Nyheder/Fiskeri%20og%20statistik.asp.

These divergent opinions must be recognised and resolved if there is to be real progress in increasing and then sustaining our fish stocks.

4. OVERCOMING THE FIVE STRUCTURAL FAILINGS OF THE POLICY

The Commission seems to have an understanding of the problem and how it might be resolved, but still seems to lack the collective will to ensure that workable solutions are found.

Over capacity in our opinion can only be resolved through legislation that is equally applied to all Member States, there must be a level playing field and equality between Member States. Not only must vessels be reduced, but also the quotas taken from these vessels should be retained by the Commission and not reissued until the fish stocks will support the fishing effort.

The objectives regarding ecological, economic and social sustainability must be defined in a clear, prioritised manner and then laws and regulations agreed and enforced in the short term to ensure the long-term sustainability and viability of fisheries, not just the commercial sector.

The CFP aim in the future should be to sustain the EU's fisheries and as part of this, the Commission should the aim to create alternative jobs in coastal communities through the IMP and other EU policies. The recorded value of landings at Newlyn in 2007 was £14 million, falling from £22 million in 1994, a significant decline. The value to the local economy is put into context when you consider that the turnover of the two local senior schools in Penzance is about the same as this total of £14 million.

In the West Country, recreational fishing generates a significant income for the region. An average bank holiday weekend will generate up to £150 million, of which approximately 2 per cent comes from leisure fishing, according to Tim Jones, chief executive of the Devon and Cornwall Business Council. This equates to £3 million per bank holiday.
<http://www.thisiscornwall.co.uk/news/Brussels-plan-limit-sea-anglers/article-579876-detail/article.html>

If there were more and bigger fish to catch, then this figure would increase dramatically as anglers who presently take their money to USA, Norway and Iceland would be tempted to stay in the UK, thus providing alternative jobs for the those once in the commercial sector and also in the tourist infra structure of the region.

A fish, which would be worth £25 on the fishmonger's slab, has already earned over £6,000 for 'Scotland plc', Scotland's Environment Minister and MSPs heard this week. The story of the doughty common skate (which is tagged, and has been caught and returned safely to the sea eight times) was told during a presentation which the Scottish Sea Angling Conservation Network (SSACN) gave at the Scottish Parliament on Wednesday.

http://www.fishupdate.com/news/fullstory.php/aid/10196/Skate_earns_%A36,000.html

It is the activities of the commercial sector, and their reluctance to recognize the damage they have done to the marine environment that has led us to this perilous position, in which many of our fish stocks are now outside safe biological limits. There needs to be an agreed central policy formulated by the Commission, but implemented by Member States and enforced.

Mick Mahon, a fisherman for 43 years who owns the 29 foot J-Anne trawler, said after 20 years of dumping fish the time has come for a moral stand. The Marine Fisheries Agency (MFA) which [allegedly] enforces quota regulations by imposing fines on fishermen who break the rules, said it was against the law to land fish without quota, "regardless of what the fisherman then does with it – sell it, or give it away".

<http://www.thisiscornwall.co.uk/news/Trawler-man-flouts-law-giving-fish-elderly/article-292631-detail/article.html>

The enforcing bodies need to be centralized within the member States, as the current Sea Fisheries Committees, and their successors the Inshore Fishing and Conservation Authorities are seen by many to be the puppets of the commercial sector with too many personal links to it.

Rights and responsibilities need to be closely linked, and if any stakeholders fail in their responsibilities or ignore them, then they should forfeit their rights. All too often, those breaking rules and regulations and found guilty in courts receive what is seen as a smack on the wrist, and then they are free to go and re-offend. Convicted offenders should lose any support they have received from public funds, or even be asked to repay the monies they have received.

With their past record, we do not see how the various sectors of the commercial sector and the Producer Organisations can be entrusted with the management of the publicly owned fish stocks around our coasts.

It seems perverse that the commercial sector does not pay for the management of the fish stocks that they exploit. The public pay for the fish they buy directly, indirectly through subsidies and those living in coastal authorities pay yet again for the SFCs and in the future the IFCA's. Cornwall is one of the poorest regions in the EU, hence it being awarded Objective One Funding. It has over 400 miles of coastline and a population of approximately 500,000. Yet it is expected to fund its own SFC and in the future its IFCA. If this continues then financial support should be forthcoming, or those making a living from the fishing should pay towards the costs.

Data collection is going to be an ongoing problem while only landed fish are recorded, and then not always accurately as the case of W S Stevenson in Newlyn demonstrated earlier this year. *Britain's largest privately-owned fishing firm has been fined £45 for a six-figure quota scam after the original punishment had to be replaced.*

<http://www.thisiscornwall.co.uk/news/Firm-fined-45-falsifying-landings/article-1171906-detail/article.html>

Enforcement needs to be rigorous and be seen to happen. With localised systems that exist at present, the links between the commercial sector and SFOs are perceived as being too close. By the same token, local knowledge is perceived as being preferable to centralised management, either EU or national is perceived as being too remote. So regional enforcement would appear to be the middle acceptable path.

5. FURTHER IMPROVING THE MANAGEMENT OF EU FISHERIES

There is no point in having derogations, for whatever reason, which allow local communities to wipe out fish stocks, which will ultimately destroy the very livelihoods that the Commission is trying to save. More and bigger fish would provide a far better income for these communities switching from commercial fishing to recreational angling, and those communities in remote areas, with their outstanding scenery and less crowded seas would have added incentives for the recreational angler. See the example of the common skate above.

On the other hand, there is no point in having regulations that only apply to the Member States' fleet but allows foreign vessels to fish with impunity within their national waters. There must be a level playing field and the regulations must apply to all commercial sector.

Total Allowable Catch must mean catch and not landings. There is no point in setting a limit that is meaningless. The fact that over 50% of the commercial catch is legally discarded dead is obscene, as is the practice of high grading:

Large amounts of dead mackerel have been dumped in the sea off the northwest of Scotland, contaminating fish catches and damaging sales. Fishermen from Kinlochbervie in Sutherland are complaining that their recent catches of cod, haddock and monkfish stink of rotting mackerel and so can't be sold. The Scottish pelagic fleet denies it is responsible for dumping the fish, and an investigation has been launched by the Scottish government and the Scottish Fisheries Protection Agency.

<http://www.heraldsotland.com/investigation-into-mass-of-dead-mackerel-dumped-off-scottish-coast-1.826598>

Instead of trying to manage stocks through quota systems that force the commercial sector to discard dead fish into the sea, the management of stocks by area could be an answer. Areas would be closed for breeding stocks for part of each year on a regional basis, and also for the extension of nursery or sanctuary areas. The results of closing off an area near Lundy suggest that the surrounding areas have benefited from an increase in marine life and also fish stocks. If we are to manage this precious resource, it is no good continually exploiting it without giving it the opportunity to regenerate. In the last fifty years, considerable knowledge and expertise has been gained in managing conservation areas on land,

and some of these practices and expertise could and should be transferred to the marine environment.

It is generally accepted that the present system of quotas has not and is not working, so instead of flogging the same old dead horses, new approaches must be formulated and tried. Length or power of a vessel are not reliable indicators of the catching effort, as catamarans and faster boats become more popular the amount of line or pots that a vessel can carry and set, and the area that it can exploit increases, then potential fishing exploitation must be used rather than the meaningless days at sea regulations. The amount of fish caught and killed must be the measure rather than the amount of fish landed and declared.

The suggestion in the Green paper: "*Another alternative could be to retain the principle, but introduce flexible arrangements to address the above shortcomings and align national quotas with the real needs of national fleets*", **should not be considered**. This is what has happened in the past, and has led to the destruction of fish stocks. The national fleets should be adjusted to the state of the fish stocks. Other industries in the South West have suffered economic downturns and have been closed down. In recent years in Cornwall tin mining and the china clay industries have suffered closure with enormous economic consequences for local communities. So why is there so much money poured into a dying fishing industry which has destroyed itself? Is part of the answer the huge civil service structure and government departments that have vested interests in keeping this industry alive for their own preservation? John Gummer raised this point when he was in office some 20 years ago.

We certainly agree that the 12nm limit should be kept for national fleets and citizens for recreational purposes and that there should be no exceptions.

In Cornwall line caught fish, such as bass, pollack and mackerel are being marketed successfully, but there are anecdotal reports that certification and thus the labelling process is not rigorous or sufficiently independent. There is generally a need for clarification and simplification of certification schemes: *The variety of "eco-labels" featured on fish sold at shops is causing confusion for customers, according to research released on Monday. A new report is advocating for improved labelling with clearer information for shoppers intending to support sustainable fishing with their purchases and calling for financial help for developing countries so they can partake in the scheme.*

<http://fis.com/fis/worldnews/worldnews.asp?l=e&ndb=1&id=35007>

Within sea angling, 54% of anglers fish principally from the shore, 23% from private boats and 22% from charter boats. Shore anglers are most concerned with the first 200 metres, which is the farthest that most can cast. Many private boats are relatively small, about 6m and the majority stay within a mile of the shore except on very calm summer days. It is the larger boats and the charter boats that venture out to 6nm and beyond. Therefore the "Golden Mile" is frequently discussed amongst anglers to prevent the trawlers and static nets from ruining the fishing for

themselves and also the many small boats used by commercial fishermen for lining bass and pollack in particular. Static nets are frequently set on and around inshore wrecks, and we have seen them removed by divers for safety reasons from a wreck, one mile north of Black Rock in Carrick Roads, part of the Fal Estuary.

Monofilament netting was introduced in the 1970s and has been a major contribution to the loss of fish stocks in the South West, particularly spur dog. Monofilament netting is difficult to see and when set in shallow water or near the surface close to shore, the risk of sea birds becoming entrapped and killed is significant. This can particularly affect breeding colonies trying to feed their young and fledglings leaving the nest and entering the water for the first time.

Mark Thomas, an investigations officer from the RSPB, continued his observations from a hidden location on the seafront and saw "large numbers" of live birds struggling to avoid drowning within the same nets just off Filey beach. During the period of surveillance, more than 100 razorbills, and to a lesser extent guillemots, were seen trapped in the nets. <http://www.yorkshirepost.co.uk/features/Birds-eye-view-nets-a.5699613.jp>

At present, neither the commercial nor the recreational sectors trust the current scientific research in the UK. The commercial sector think they know better than the scientists: *Paul Trebilcock, fisherman's representative of the Cornish Fish Producers Organisation "There is definitely more haddock out there than there has been for years. It's one of those quotas which is out of line with its assessments". Mr Trebilcock said he was trying to persuade the MFA to take another look at the stock and reconsider the quota.* <http://www.thisiscornwall.co.uk/news/Trawler-man-flouts-law-giving-fish-elderly/article-292631-detail/article.html>

Sea anglers feel that CEFAS is in the pocket of Defra, who are more interested in the commercial sector. In March 2009, the Marine Conservation Group of the Angling Trust expressed concerns about the data collection process of fish caught by anglers proposed by CEFAS, and in June the Marine Committee of Angling Trust agreed that it would not cooperate with CEFAS as CEFAS was not prepared to share the raw data after collection with the Marine Committee. This recommendation was carried to the full Angling Trust Board and ratified.

However there is some recent research from North Wales which may be acceptable as a basis for future work: *North Wales Recreational Sea Angler (RSA) Pilot Surveys: Winter Results December 2007 To March 2008*, see: www.marine-ecosol.com

Financial support should not be solely aimed at the commercial sector. The fish in the sea are a public good, a point that Rodney Anderson of Defra made very clear when addressing an open meeting in Newlyn in 2007. Therefore the financial support should be directed to the restoration and then the management of fish stocks, and funding allocated to stakeholders other than just the commercial sector. It is short sighted to continue to prop up and subsidise an industry that is destroying a public

resource and thus committing financial suicide. There may need to be some short term support whilst fish stocks are allowed to recover to an economically viable level, but the Commission has to act on its own information, and recognise that there are currently too many boats chasing too few fish.

The core objective of the CFP is to promote responsible and sustainable fisheries. Therefore the focus of the Commission must be on this principle, and not on subsidising one commercial sector. If the CFP cannot manage European fish stocks at a sustainable level, then it will never be able to do so on an international or world scale. It is imperative that we put our own house in order first. The Fair Trade movement is gaining acceptance in the UK, and these principles could be transferred to third world fisheries as well.

Aquaculture, both in Europe and worldwide, needs to be reassessed. The captive fish need to be fed, and there is little point in methods that require the catching of large amounts of small fish for processing into fish food, if the capture of these fish is going to affect the ecological balance of the marine environment. Similarly, the escape of farmed fish can be a serious problem for the genetic well being of wild stocks. There is also the whole problem of pollution and the use of pesticides that can affect the natural marine environment. All of these topics need further research and investigation.

6. THE NEXT STEPS

It is essential that the Commission and National Governments listen and take heed of all stakeholders' views, and accept that the fish in our seas and the marine environment around our coasts belong to the general public. The important factor now is the management of our marine environment, not just the financial viability of one small section of industry.

APPENDIX

Why do biologists and commercial fishermen see the sea so differently?

(Translated from Danish by the European Anglers Alliance, EAA)

Biologists make some of their test hauls where the density of fish is poor. Even though it is not profitable for commercial fishermen to operate in those areas, the fish in them could still comprise a considerable part of the total stock. Therefore, they should be counted as well. Furthermore, using this method makes it possible to monitor whether different species of fish change their area of distribution.

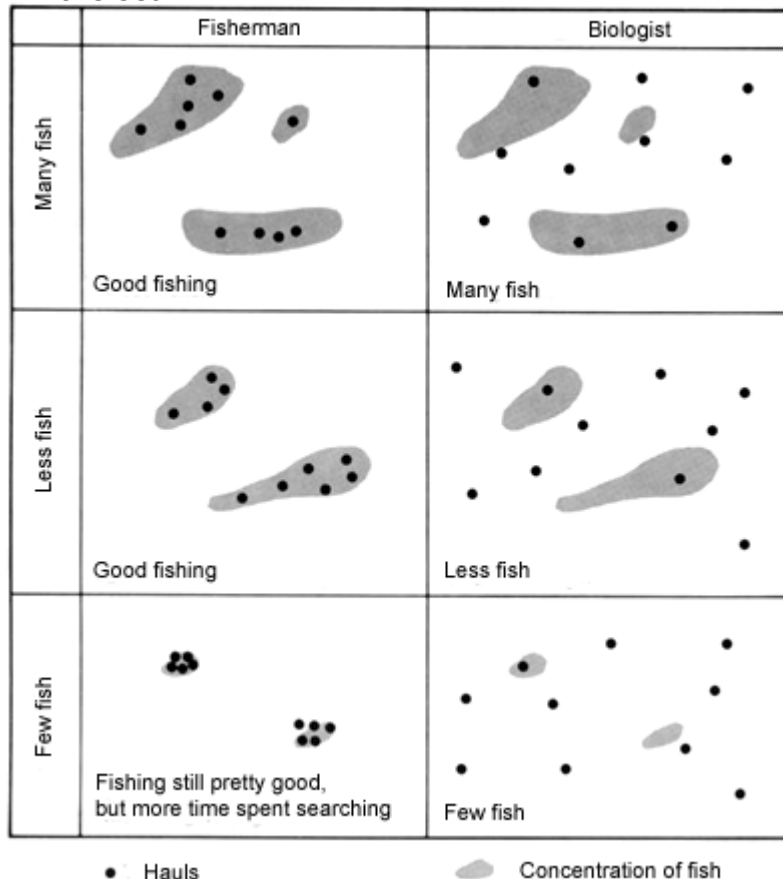
The article below is an extract from an article published in the magazine FISK & HAV (Fish and Sea) no.43, written by Poul Degnbol, Director of the Institute for Fisheries Management (IFM), Denmark, and former chief of research at Danmarks Fiskeriundersøgelser (DFU), Danish Fisheries Test Centre. Article in Danish here:

www.dfu.min.dk/dk/Nyheder/Fiskeri%20og%20statistik.asp

What you learn from your job tends to depend on the objectives set for your task.

The fisherman's objective is to catch as much as possible, while the biologist's objective is to estimate the total biomass of fish in a given area.

Let us take a closer look at the behaviour of both fishermen and biologists and the results in three situations: many fish, an average quantity of fish, and few fish in the sea:



Fishermen and biologists spread their hauls differently; and for obvious reasons. What matters to fishermen is the size of the catch. Therefore, they will at all times try to find the areas with the greatest density of fish.

Fortunately for the fisherman, most fish are not evenly distributed in the sea. Fish assemble in large concentrations in certain areas. That may be due to the fact that food is plentiful in one particular area, or they gather to spawn, or shoal in specific places for various reasons. One of the fisherman's most important tasks is therefore to pinpoint those areas. It is no coincidence that, using great ingenuity, fishermen are trying to identify the best fishing grounds at any given moment, and are keen to keep this information to themselves.

When a certain fish species decreases in number in the sea, a typical scenario will be that *the sizes* of the areas in which the fish gather decrease. However, even when the total fish stock is declining the *density* of fish within these areas will not decrease significantly. Therefore, the fishermen targeting these areas will notice that their daily catch is almost the same in quantity as the previous day. The only way in which they may observe a decrease in the fish stock will be through the increasing difficulty in finding good fishing grounds, simply because these areas are getting smaller.

The fishermen's method of fishing is the best one for netting big catches. But if you want to assess the fish stock in the sea it is a poor method. At most, it will indicate the density in the maximum concentrations, but will not illustrate the total size of stock. The fishermen's method would be equivalent to testing the standard of housing in any given country by looking only at its wealthy neighbourhoods.

The biologists must find the size of the total stock. Therefore, they will position their test haul sites on the basis of statistical rules on how to get representative samples of the total stock. In practice, that means that they will make random tests, e.g. hauls with trawl nets in various areas, which allow them to estimate the total stock. In an equivalent housing study, you would have to perform random tests in different kinds of housing so that affluent neighbourhoods, middle-class areas and working class housing blocks were all included.

What this boils down to is that, to the fishermen's surprise, the biologists are fishing where you normally wouldn't expect to find a lot of fish. Fishing aimed at these principles will reflect both the density of fish in the area and the distribution of the various densities so that it is possible to get an impression of the total stock.

The best illustration of the effects of different methods of fishing is what happens in bad weather. During a storm, a lot of fish species spread over large areas, away from the fishing grounds where they used to be concentrated. Therefore, it is likely that a lot of fishermen experience that their catches are particularly small after a storm and they are very sceptical when they see that the biologists keep on fishing, unaffected by this fact; they believe that the biologists will naturally come to the

conclusion that there are too few fish in the sea. However, to the biologists this is actually an improvement of the testing conditions. Statistically, the testing of an even distribution of fish leads to a much more precise estimate than the results of tests carried out in an area with a clustered distribution of fish. The fish are still there, only they are spread out evenly on several hauls instead of gathering in a few. The uncertainty of the biologists' estimation, caused by random variation of the tests, is thus reduced.

But in fact the fishermen's best way of getting an impression of the condition of the fish stock is not to consider *the size of their catches* but rather *the size of the fish* they catch. If trawl fishermen find that their catches consist of fish that are too small for their species, or if they have to use increasingly small mesh sizes, it is a sign that the stocks are being over-fished.