

# ACCESS CRITERIA TO REWARD RESPONSIBLE FISHING

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## SUMMARY:

The marine environment is a common resource, and it is in the public interest that activities having an impact on the state of fish stocks and the wider marine ecosystem are sustainably managed. Those who fish in the most sustainable way should therefore be given preferential access to fish resources. Our organisations propose that access to fish resources be based on a set of transparent criteria for environmentally and socially sustainable practices, rewarding those who perform well against these benchmarks. We therefore call on MEPs to amend the Commission proposal to ensure that:

- The current proposal for a Transferable Fishing Concession (TFC) scheme is rejected as a mandatory, single-option solution (Article 27ff);
- Member States have the flexibility to choose from a range of options on how to allocate access to fishing resources, as opposed to only one mandatory TFC scheme (Article 27); and
- A criteria-based approach providing preferential access to the most sustainable operations is incorporated in relevant articles.

## What is the issue?

Overcapacity of the EU fishing fleet is one of the key problems of the current CFP. The Commission estimates that in a number of fisheries the EU fleet's capacity is two to three times the sustainable level.<sup>1</sup> At the same time, there are less and less fish. Of the assessed stocks in 2011, 63% in the Atlantic are overfished, 82% in the Mediterranean and 4 out of 6 in the Baltic.<sup>2</sup> The question arises: who should have access to the public resource of fish?

## What is in the Commission's Proposal?

As a key tool to address chronic overcapacity the Commission's proposal foresees the mandatory allocation of transferable fishing concessions (TFCs) to exploit the fish resources (Art. 27), for a period of at least 15 years (Art. 28). This is close to a compulsory near-privatisation of marine resources and could result in a concentration of fishing rights in the hands of the economically most powerful actors, rather than those who fish in the most environmentally and socially responsible way.

<sup>1</sup> European Commission (2009) Reform of the Common Fisheries Policy, COM(2009)163 final.

<sup>2</sup> Communication from the commission concerning a Consultation on fishing opportunities COM(2011) 298 final



TFCs are only one, very specific, market-based form of allocation scheme. While they can lead to decrease the number of active fishing vessels, they are a blunt instrument which does not, on its own, ensure that the remaining fleet operates in an environmentally and socially sustainable manner. Instead of being obliged to use only one tool, Member States should be able to choose from a range of schemes, as is currently the case. Given the diversity of fisheries in Europe, access management rules need to offer a range of solutions, suited to all kinds of management systems.

## What are the solutions?

To promote sustainable fishing, environmental and social criteria should be introduced as the basis for allocation of access to resources. The Commission's proposal does provide for such criteria to be introduced by Member States when allocating TFCs and/or for the five percent of their quotas that may be set aside. We believe that over time this should be increased to apply to all access allocation. Criteria should include consideration of:

- Use of more selective fishing methods, gears and practices with low by-catch and low impact on the marine environment;
- Use of vessels and fishing methods consuming less energy per ton of fish caught;
- Ability to demonstrate associated benefits to coastal communities;
- Ability to demonstrate more, good quality employment in line with relevant international standards, notably the 2007 Work in Fishing Convention of the International Labour Organisation<sup>3</sup>; and
- Good record of compliance with the rules of the Common Fisheries Policy.

Any rights-based management scheme will only work if complemented with other management measures, such as strict fishing limits and rigorous control and enforcement. Indeed, to prevent overfishing, it is necessary that fishing limits do not exceed scientific advice, so as to restore and maintain populations of harvested species above levels which can produce the Maximum Sustainable Yield no later than 2015. They also need clear safeguards, such as the possibility of revoking rights at any time without any cost to society.

Access criteria should be agreed jointly by the Council of Fisheries Ministers and the European Parliament, once these bodies have decided on long-term management objectives such as the desired level of abundance of fish stocks and speed of recovery when stocks are depleted. Decisions on allocation of

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<sup>3</sup> <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C188>





access would then be taken at a fishery-by-fishery level and ideally under multiannual plans. A gradual application over an agreed timeframe will provide fishing operators with the opportunity to adapt.

However, to support the transition, incentives should be created, for example granting preferential access for initiatives which can demonstrate that they enhance the environmental and social sustainability of fishing activities.

### Our recommendations in response to the Commission’s proposal:

Access criteria should be introduced to rank operators and distribute fisheries resources to those who fish in the most environmentally and socially sustainable way and provide most value to society. Therefore, we call on MEPs to amend the Commission proposal to ensure that:

- The current proposal for a TFCs scheme is rejected as a mandatory, single option solution (Article 27ff);
- Member States have the flexibility to choose from a range of options on how to allocate access to fishing resources;
- A criteria-based approach providing preferential access to the most sustainable operations is incorporated in relevant articles.

#### Contacts:

Tatiana Nemcová  
Amélie Malafosse  
Cathrine Schirmer  
Saskia Richartz  
Rita Santos

**BirdLife Europe**  
**Oceana**  
**OCEAN2012 Coalition**  
**Greenpeace**  
**WWF EPO**

+ 32 (0)2 238 50 93  
+32 (0)476 28 55 54  
+32 (0)483 66 69 67  
+32 (0)2 274 19 02  
+32 (0) 761 04 22

[tatiana.nemcova@birdlife.org](mailto:tatiana.nemcova@birdlife.org)  
[amalafosse@oceana.org](mailto:amalafosse@oceana.org)  
[cschirmer@pewtrusts.org](mailto:cschirmer@pewtrusts.org)  
[Saskia.Richartz@greenpeace.org](mailto:Saskia.Richartz@greenpeace.org)  
[rsantos@wwf.eu](mailto:rsantos@wwf.eu)

