

House of Commons  
Environment, Food and Rural Affairs  
Committee

**REFORM OF THE COMMON  
FISHERIES POLICY**

**GOVERNMENT REPLY  
to the First Report of Session 2002–03  
from the Environment, Food and Rural  
Affairs Committee**

Third Special Report  
of Session 2002–03

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## THIRD SPECIAL REPORT

The Environment, Food and Rural Affairs Committee has agreed to the following Special Report:

### REFORM OF THE COMMON FISHERIES POLICY: GOVERNMENT'S REPLY TO THE COMMITTEE'S FIRST REPORT OF SESSION 2002–03

The Environment, Food and Rural Affairs Committee reported to the House on *Reform of the Common Fisheries Policy* in its First Report of Session 2002–03, published on 28 November 2002 as HC 110. The Government's Reply to the Report was received on 19 February 2003 and is appended.

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### APPENDIX

The Government welcomes this opportunity to respond to the Committee's conclusions and recommendations regarding the reform of the Common Fisheries Policy. The Committee has identified a number of areas of concern, many of which are shared by the Government. In our response below we have grouped together the Committee's conclusions and recommendations which have a common theme. The Committee will also have seen the report on the outcome of the December Agriculture and Fisheries Council (Official Report, 7 January 2003, column 81W).

**1. We accept the scientific assessment that many European stocks have been depleted to dangerously low levels. We recognise that this overall picture can mask regional and species specific complexities, as evinced both by the ICES data from different regions and by fishermen's very different experiences of recent landings in the south west and North Sea. Nevertheless, the state of some stocks, particularly that of North Sea cod, is so poor that there can be no excuse for failing to act rapidly to reverse the declines (paragraph 11).**

The Government agrees that the scientific advice presented an overwhelming case for taking action to promote the recovery of key cod stocks. It would have been irresponsible to fail to take action in these circumstances. The long-term future of the fishing industry would be jeopardised if we were to avoid taking the difficult decisions necessary.

**2. While accepting that the broad downward trend in many stocks revealed current scientific assessments are undeniable, we support the call for better data for fisheries management models. In particular, we recommend that the Government take steps to increase the number of scientific observers aboard fishing vessels, and we urge in the strongest terms that these observers should have an independent status entirely unconnected with enforcement (paragraph 13).**

**12. We have already argued that the number of scientific observers on board fishing vessels should be increased. We strongly recommend that these individuals not be charged with enforcement duties as to do so might very well compromise the quality of the data they collect, and their relationship with fishermen (paragraph 31).**

The quality of scientific advice is critical for the decisions that fisheries managers make. We look forward to the publication in the coming months of the Commission's Action Plan for the improvement of scientific advice for fisheries management.

The data required for better stock assessments requires a variety of sources; information from observers is one component of the information used. Since January 2002 there has been an obligation to record discarding in support of the Commission regulation covering the collection of data in the fisheries sector (EC 1543/2000). In 2002 this involved a total of 910 observer days and is expected to rise to over 1500 in 2003. Scientific observers have no enforcement responsibilities in the conduct of their marine fisheries monitoring and assessment work and we agree that the effectiveness of this work would be compromised without such a clear division of responsibilities.

**3. We have reached a crisis point in the management of Europe's fisheries. Courageous and decisive action is needed to safeguard both stocks and the fishing livelihoods that depend upon them (paragraph 16).**

**4. We nevertheless urge all parties to recognise that Europe, having brought fish stocks to this dangerous level, has a collective responsibility to rebuild them to sustainable levels and shape a healthy marine environment (paragraph 17).**

The Government acknowledges that we have reached a critical point in the management of Europe's fisheries. The December 2002 Agriculture and Fisheries Council had tough decisions to face regarding cod recovery measures and the future direction of the Common Fisheries Policy. The interim measures agreed for cod recovery are by no means ideal. They are a blunt instrument designed to effect a significant reduction in fishing effort in a short space of time. In the coming months the UK will actively contribute to the development of a more sophisticated successor programme.

The reforms agreed at the Council give us a new framework for the operation of the CFP. It is now up to the Council and Commission to use this framework to provide both for the sustainable exploitation of fisheries resources and the protection of the wider marine environment from the impact of fishing activities. The problem of overfishing is a global one, with the Food and Agriculture Organisation of the United Nations estimating that "75% of the world's fish stocks for which data are available require strict capacity and effort control" [The State of World Fisheries and Aquaculture FAO, 2000]. The EU's task is to address this problem in Community waters and to promote a strong sustainability message in external fisheries agreements. This should be coherent with wider sustainable development objectives and the outcome of the World Summit on Sustainable Development. We feel that the reforms agreed in December are a significant improvement and we will press the Commission to ensure that the new framework is used effectively to address the current problems. In addition, we are advocating an effective marine strategy under the Sixth Community Environment Action Programme which promotes strong European co-operation and co-ordination, across all the main sectors, in order to conserve and protect marine resources and so promote a healthy marine environment.

**5. We recommend that the Government advocate effort reduction policies tailored to the specific problems of different areas and different sectors of the industry. However, given the extent of the stock crisis we urge all parties to recognise that a reduction in overall fleet capacity will be necessary in some, if not all, sectors (paragraph 22).**

As the Committee reports, the Government sees substantial merit in the "toolbox" approach to measures and takes the approach that policies for effort reduction should take account of the specific needs of different areas and fleet sectors. The Government has consistently

argued strongly that a reduction in capacity of the EU fleet is necessary, and took a lead in 2001 by establishing a decommissioning scheme, alongside equivalent measures by the devolved administrations. Further plans for decommissioning were announced on 28 January (Hansard, 28 January 2003, column 35WS).

**6. We recommend that fleet capacity reduction be shared equitably between Member States and between fishing sectors, and that decommissioning be concentrated on the most damaging forms of fishing, particularly industrial fishing and beam trawling, or on larger and more efficient vessels which take the bigger catches. We also urge a moratorium on new entrants to areas such as the North Sea while pressures are at their most acute (paragraph 22).**

One of the principles the Government urged on the Council of Ministers in negotiations on establishing effort reduction measures in 2002 was that controls should be applied to all member states fishing the same waters. In determining its policy on the application of measures to different fleet sectors the Government will continue to take account of the principle of equity, in conjunction with other relevant factors including the need to tailor measures to the circumstances of each type of vessel. There is a strong case for careful targeting of future decommissioning.

We agree that the entry of new fleets into the North Sea is unwelcome at the current time. This was, however, a feature of the Accession Treaties for Spain, Portugal and Finland and could not realistically have been delayed any further. The Spanish request for quotas for North Sea stocks in December was not accepted and so they are confined to fishing for unregulated species. Clearly there are legitimate concerns that this will involve bycatch of cod and other stocks under pressure. The Commission have agreed to monitor the situation and have emergency powers to deal with a threat to the conservation of living aquatic resources should the need arise.

**7. We welcome the move towards multi-annual management of fisheries. If it is managed well it could be an invaluable tool for promoting stock recovery, reducing fishing's impact on the wider marine environment and fostering a more predictable and stable framework for fishermen to work within. However, it is imperative that multi-annual plans should not be seen as another distant bureaucratic measure, decided without taking account of the needs and experiences of fishermen themselves, otherwise the plans will not be accepted and will not work. Therefore the procedures for arriving at the plans must be transparent and inclusive. In our view, this is an area where stakeholder bodies such as the proposed Regional Advisory Councils, will play a vital role, though they can only be effective if they have the power to take and enforce decisions for those areas for which they are responsible: they must have the authority and ability to manage such areas (paragraph 26).**

**13. Regionalisation of fisheries management is a key step to improving the CFP. We strongly welcome the proposed Regional Advisory Councils but consider that rather than being mainly advisory they should have real authority for the management of the stocks and fishing effort in their areas. With overall policy set in Brussels it is important that stakeholders in each region be given the power and authority to manage fishing, apply conservation measures and enforce all necessary means so as to ensure that fishermen in the region are effectively running fishing policy within it (paragraph 35).**

**14. We recommend that, after a short initial period during which their membership, remit and relationship with other bodies are clarified, the RACs should be given real decision-making powers over fisheries management within their areas. The Council should set only the overall parameters and targets for each region, and it should be**

**up to the RACs to decide in detail how to achieve those aims. Powers could be returned to the Council and Commission if the RACs fail to live up to expectations (paragraph 36).**

The new framework for the CFP has provided the tools that allow the Community to move towards a multi-annual basis for fisheries management. This has the potential to be a significant improvement over the annual round of setting Total Allowable Catches. Implemented correctly, it allows us to think strategically and develop medium and long-term targets for population size and the sustainable harvesting of stocks. Once established, we envisage that the Regional Advisory Councils will have the opportunity to play a major role in developing these plans for consideration by the Commission and Council. The RACs have an important part to play in the future success of the CFP. They will have the opportunity to put forward their ideas for the conservation of stocks and the wider marine environment, at their own volition or on the request of the Commission, and be able to give their opinion on the implementation and effectiveness of currently agreed conservation and management measures. It will enable those who have a real interest in fisheries to feed in their expertise and opinions before decisions are taken. For fishermen it will mean that there is an arena where their knowledge of the fishery can inform decision-making. If the Councils work well and effectively they will no doubt be increasingly influential.

**8. Changes must be made to the economic pressures which lead to a greater number of fish being discarded than landed. Moreover, urgent scientific study is needed to gain a proper understanding of the reasons for discards (paragraph 27).**

The Commission has recently published a Communication to the Council and the European Parliament on a Community Action Plan to reduce discards of fish. In line with its response to the Commission's Green Paper on reform of the Common Fisheries Policy, the UK has welcomed the Communication, and its associated action plan, and looks forward to receiving detailed proposals in the areas identified by the Commission as priorities.

The Commission's Communication is a good starting point for this important debate but its exposition of the available scientific information needs to be developed. The UK has, therefore, suggested that it would be possible to complement the paper by further work in the following areas:-

- by extending the analysis of the problem to include known discard problems throughout Community waters;
- by incorporating available data from discard programmes funded by the Commission itself; and
- by incorporating detail of discard problems specifically highlighted by ICES.

The Government supports concerted action to address this problem on an equitable and objective evidence base. It is a multi-faceted problem for which there is no single solution. Within its suggested Action Plan, the Commission recognises the need to make better use of low-value fish and has proposed an investigation into the potential use of discarded fish for direct and indirect human consumption along with possible consequences for the conservation of the species concerned. Discards can also arise if quotas are exhausted and the Commission will examine the possibility of reducing these by, among other things, establishing by-catch quotas or setting multi-species TACs.

The UK will engage constructively in the Commission's further deliberation on the issue. We believe, however, that there needs to be a suite of measures, arising from the available and proposed science, tailored to the individual fisheries involved and building upon the technical conservation rules already in place.

**9. Although we have not yet seen the proposals in detail, we welcome the principle of a Joint Inspection Structure as a step towards ensuring that not only is enforcement applied evenly across the European Union, but that it can be demonstrated to be so (paragraph 29).**

The Government looks forward to responding constructively to the Commission's ideas for a Joint Inspections Structure. The Commission has still to come forward with firm proposals and indeed to undertake a feasibility study in co-operation with Member States as envisaged in its "Roadmap" on the reform of the Common Fisheries Policy. The intention is to establish a mechanism whereby Member States can pool their resources in order to undertake collaborative inspection and surveillance activity in Community and International waters. Limited arrangements of this type already operate in respect of policing fishing for regulated stocks in the waters covered by the North East Atlantic Fisheries Commission. The Commission has made it clear that the establishment of a joint inspection structure will not change the distribution of responsibilities for fisheries control and enforcement between the Commission and Member States in which the Member States are primarily responsible for the control and enforcement of CFP rules and the Commission is responsible for monitoring and enforcing the correct application of Community law by the Member States.

**10. We welcome the proposal that technological monitoring measures such as satellite monitoring and electronic logbooks should be more widely adopted. That said, we recommend that the Government accept that installation of them should be funded either by the United Kingdom or the European Union, so that British fishermen can install them on the same basis as their European competitors (paragraph 30).**

In December 2002, the Agriculture and Fisheries Council agreed to extend the scope of satellite monitoring to all fishing vessels over 18 metres by 1 January 2004 and to all fishing vessels over 15 metres by 1 January 2005. It also agreed that Member States should carry out pilot projects by June 2004 to enable decisions to be taken that year on the obligation for electronic logbooks. The Government supports these developments and grant aid will be made available under the fisheries structural fund, FIGG (Financial Instrument for Fisheries Guidance) towards the cost of installing satellite position monitoring terminals on fishing vessels between 15 and 24 metres.

**11. We also support the use of more fisheries protection vessels as well as greater use of inspection and monitoring both on board vessels and onshore at landing ports (paragraph 30).**

The Government is committed to using the Royal Navy for fisheries protection duties over the next five years. A new patrol vessel is about the start duties (March 2003) and two further vessels will come into service during the next 12 months. The scale of inspection activity is kept under review in the light of fishing activity and other developments such as the extension of satellite monitoring.

**15. All witnesses to this inquiry welcomed the proposed retention of national limits, as we do, though we consider that it would be more rational to have a consistent twelve-mile limit all around the British coast (paragraph 37).**

The Government placed a great deal of importance on the renewal of the coastal limits and we are pleased to see that they have been renewed for another ten years. As the new framework regulation clearly states, these access restrictions have restricted fishing effort in the most sensitive part of Community waters and helped to preserve traditional fishing activities in highly dependent coastal communities. Access to the coastal waters of Member

States are defined in Annex I of Council Regulation 2371/2002 and reflect historic fishing patterns. While we would consider any suggestions for changing these arrangements we would have to consider the implications for the reciprocal right of UK vessels to access the coastal zones of other Member States.

**16. We agree with the Minister that European Union funds should not be used for increasing vessels' catching capacity or for obtaining new vessels and that this rule should apply across the Union (paragraph 39).**

The Government argued strongly in the CFP review negotiations for an end to grants for the construction of vessels and it is welcome that the Council of Ministers decided in December that such grants should cease at the end of 2004.

**17. The problem of older vessels should be addressed if and when stocks recover, and we recommend that the matter be addressed in a later review of the CFP. However, we do support the provision of public aid to smaller vessels (those less than 12 metres in length) to improve safety measures on board (paragraph 39).**

The Government remains concerned to avoid any encouragement of an increase in fishing capacity which could be provided by grant aid for the modernisation of vessels. Under the CFP review settlement grant aid for safety measures on vessels will continue to be permitted.

**18. We do not think that a compensated tie-up scheme covering all fishermen uniformly is feasible. However we do anticipate that some transitional aid should be made available to fishermen to ensure that the United Kingdom has a vibrant and competitive industry that will be able to profit from recovered stocks. We urge the Government to adopt a flexible approach drawing on a spectrum of measures to address the diverse needs of different parts of the fishing industry in this country (paragraph 40).**

The Government shares the Committee's aim of a vibrant and competitive industry. It will continue to base its strategy on the need for sustainability in fish stocks, and a better balance between the stocks and fishing capacity, which will promote the viability of the fleet for the long term. Financial grant aid targeted to key needs remains available following the CFP review. The announcements by Defra, DARDNI and the Scottish Executive on 28 January 2003 set out the flexible approach being adopted in the different parts of the UK.

**19. It would be invidious if competitor fishing industries were in better shape than an unsupported British industry once catches improve. We therefore endorse the view of the WWF that support for fishing which helps it through from the present situation to the brighter future of sustainable catches once the new measures bear fruit should be regarded as an investment. A healthy fishing industry could make a return both to the Treasury and to the national economy rather than being a drain. We therefore applaud the fishing industry and WWF for collaborating on this issue to develop a cost-benefit analysis of the case for support. Their conclusions should be considered seriously by both Defra and the Treasury (paragraph 41).**

The Committee's recommendation is noted and the Government will consider the conclusions of the WWF work.

**20. We support the shift of fishing subsidies away from production and towards measures that make fishing more environmentally benign and towards support for fishing dependent communities (paragraph 42).**

The Government welcomes the substantial shift of EU policy away from vessel building grants, which the Council made in the CFP review package. The UK programme for EU fisheries grants incorporates the objective of making fishing more benign; and the Government's regional strategy, implemented through Regional Development Agencies in England, enables focussed support to be provided to fishing dependent communities.

**21. We support the Commission's move towards an 'ecosystem-based approach' to fisheries management that looks at human activities and the marine environment in the round (paragraph 43).**

The UK has endorsed an ecosystem-based approach to fisheries management at a number of international fora and fully supports the Commission in its endeavours in this area. The UK has set out its commitment to an ecosystem based approach to the marine environment as a whole in its consultation paper 'Seas of Change' issued as part of the Marine Stewardship Report process in November 2002 and on which stakeholders' views are currently being sought. As part of its commitment to an integrated, ecosystem based approach the Government is also taking forward a pilot project in the Irish Sea under the auspices of its Review of Marine Nature Conservation. At an international level, ICES is also developing the scientific basis for an ecosystem based approach. This complements the commitment secured at the 2002 North Sea Ministerial conference to the adoption of an ecosystem based approach in relation to the North Sea.

**22. We recommend that more work is undertaken to assess the impacts of industrial fishing on commercial and non-commercial species (paragraph 44).**

The Government accepts the need for more work in this area. We welcome the commitment in the European Commission's "Roadmap" for reform of the Common Fisheries Policy to an evaluation of the impact of industrial fishing on marine ecosystems. This will be carried out by the International Council for the Exploration of the Sea.

**23. However, the continuation of any industrial fishery at all in the North Sea is unacceptable at this moment of crisis. Nor is it sensible to admit new fishing effort, particularly from Spain, which from 2002 has the right to fish for non-quota species, or other new entrants when stocks are endangered. Such moves should be suspended and only phased in once stocks recover. Allowing others to build up a track record and increase discards until improvement occurs is unacceptable to fishermen and makes little sense (Paragraph 45).**

The Government believes that we should look at industrial fishing again. Potentially, industrial fishing could disrupt the food chain. Sandeels are an important source of food for some seabirds and fish. There is also the possibility that juvenile fish could be caught in very high numbers in the small mesh nets used. However, research to date has not identified a high level of white fish bycatch in the sandeel industrial fishery. We do need better information in this area if we are to convince other European countries that further action is needed. The ICES evaluation of industrial fishing and marine ecosystems will be important in pulling together information on that impact.

The agreement that Spain would not have access to the North Sea until 2003 was part of the accession agreement between Spain and the EU. As has been noted in response to point 6 above, there was no realistic prospect that the restrictions on access could be extended. However, the Spanish fleet will have no quotas for the regulated fish stocks in the North Sea. These include the main species of commercial value and so their options are fairly limited. However, there is a legitimate concern that additional fishing activity, even if targeted at non-quota species, will lead to increased discards of regulated stocks. In the

light of this concern, the European Commission have agreed to monitor and will report on any such problems that arise.

**24. The British fishing industry has received less fiscal support from both its own Government and the European Union than most other countries-and far less than Spain. It is also clear that the devolved Scottish Executive and Parliament is prepared to be more generous to its fishing industry than Defra has been. It is important that the finance for fishing should be seen to be fair and equitable (paragraph 45).**

The Government will continue to keep the scale of funding for fisheries under review in the context of its strategic objective for fisheries grants of promoting sustainability.

**25. Yet it would be invidious and deeply damaging to any faith in the European Union if the nation which contributes the great bulk, possibly over two-thirds, of European fish stocks ended up facing the deepest cuts in its fishing industry, and with a shrunken fleet which is unable to seize the opportunities which should arise when, and if, new conservation measures work and viable European and British fishing fleets are able to thrive on sustainable catches. The United Kingdom needs to be a major part of that renaissance. So as the Fisheries Minister sets out to achieve that end we give him our support in the difficult negotiations ahead (paragraph 47).**

The Government undertook the negotiations on CFP reform with the objective of achieving a settlement which would promote sustainability of the fish stocks which in turn would provide the livelihood for a thriving fishing industry in the EU generally and in the UK specifically. The outcome offers a turning point which will enable the EU to make effective progress towards this vision of sustainability.

Department for Environment, Food and Rural Affairs  
February 2003



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