

Comments on the questions set out in the Green Paper

Section 4.1

- Should capacity be limited through legislation? If so, how?
- Is the solution a one-off scrapping fund?
- Could transferable rights (individual or collective) be used more to support capacity reduction for large-scale fleets and, if so, how could this transition be brought about? Which safeguard clauses should be introduced if such a system is to be implemented? Could other measures be put in place to the same effect?
- Should this choice be left entirely to Member States or is there a need for common standards at the level of marine regions or at EU level?

Section 4.2

- How can the objectives regarding ecological, economic and social sustainability be defined in a clear, prioritised manner which gives guidance in the short term and ensures the long-term sustainability and viability of fisheries?
- Should the future CFP aim to sustain jobs in the fishing industry or should the aim be to create alternative jobs in coastal communities through the IMP and other EU policies?

Current fishing levels are not sustainable or humane. It seems likely that alternative jobs will be needed.

In order to sustain some jobs in fishing, while at the same time catching fewer fish to be within biologically sustainable levels, it is clearly advantageous if fishers can add commercial value to each fish caught. This could be achieved by improving animal welfare during capture, thereby adding “animal welfare quality”.

The CFP should support the development of fisheries in which fish are caught and slaughtered to welfare standards. More humane fishing would need to include the following:

- Humane slaughter as soon as the fish is landed;
- Short capture durations (in minutes not hours, preferably less than 30 minutes);
- No live bait fish;
- Injury and stress minimised (“Live capture, selective harvest”);
- Low levels of bycatch

This approach would have many benefits besides being more humane. Such fisheries would benefit the marine ecosystem by catching fewer bycatch animals, and by promoting the survival chances of those that are caught and subsequently released. Eating quality is likely to be improved by more humane slaughter, this being the reason why potentially humane methods are sometimes used in hook and line fishing. Fishers would benefit if niche markets for fish caught to welfare standards can be developed. Consumers would likewise benefit from the choice of humanely produced quality fish.

How can indicators and targets for implementation be defined to provide proper guidance for decision making and accountability? How should time frames be identified for achieving targets?

Improving animal welfare, as well as biological sustainability, in fishing should be an objective of the CFP, in accordance with the EU's policy of recognising animals as sentient beings.

Aiming to catch larger fish should be one of the key objectives both for promoting sustainability in fisheries and reducing suffering. Larger capture sizes mean that fish have the chance to spawn and grow larger before being caught, and that proportionately fewer suffer the stress of capture and inhumane killing. Fish capture sizes are therefore an indicator of fish conservation and animal welfare. Data on actual fish capture sizes, together with optimal capture sizes for sustainability, should also be collected for all fisheries and published on the internet.

Target fishing levels for sustainability (i.e. levels required to keep the capture of each species within the corresponding MSY), should also be published on the internet to allow comparison with actual capture levels.

In addition to data on capture levels, data on fishing practice as it relates to animal welfare should also be collected and published on the internet. This should include details of humane slaughter where this is used; treatment of live fish e.g. live gutting and live chilling; type of baits used (whether live or dead bait fish are used); soak times; trawl times; gear types and methods of landing fish.

Section 4.3

How can we clarify the current division of responsibilities between decision making and implementation to encourage a long-term focus and a more effective achievement of objectives? What should be delegated to the Commission (in consultation with Member States), to Member States and to the industry?

Do you think decentralised decisions on technical matters would be a good idea? What would be the best option to decentralise the adoption of technical or implementing decisions? Would it be possible to devolve implementing decisions

to national or regional authorities within Community legislation on principles?
What are the risks implied for the control and enforcement of the policy and how could they be remedied?

How could the advisory role of stakeholders be enhanced in relation to decision making?
How would ACFA and the RACs adapt to a regionalised approach?

Section 4.4

How can more responsibility be given to the industry so that it has greater flexibility while still contributing to the objectives of the CFP?

How could the catching sector be best structured to take responsibility for self management? Should the POs be turned into bodies through which the industry takes on management responsibilities? How could the representativeness of POs be ensured?

What safeguards and supervisory mechanisms are needed to ensure self management by the catching sector does not fail, and successfully implements the principles and objectives of the CFP?

Should the catching sector take more financial responsibility by paying for rights or sharing management costs, e.g. control? Should this only apply to large-scale fishing?

When giving more responsibility to the industry, how can we implement the principles of better management and proportionality while at the same time contributing to the competitiveness of the sector?

Are there examples of good practice in particular fisheries that should be promoted more widely? Should incentives be given for the application of good practices? If so, which?

Wild-caught fish, like any other animals killed for food, should be killed as humanely as possible. Technology for humane slaughter of fish en mass has been developed in aquaculture. We are aware of one wild salmon producer using such humane slaughter technology on wild fish, namely “**Wild Salmon Direct**”. These fish are caught in Alaska in small purse seine nets and stunned using automatic percussive stunners before being immediately bled by hand. We have not carried out any welfare assessment of this (the whole capture and slaughtering process would need to be assessed) but the fact that they are using humane slaughter technology demonstrates that it can be used in commercial fishing.

The Swiss organisation **fair-fish** is developing a certification scheme for artisanal fishers in Senegal as a pilot project. The scheme certifies for animal welfare, fair-trade and

sustainability. Fish are caught quickly and killed humanely. Each fish is percussively stunned with a club as soon as it is removed from the water and then bled immediately. The whole process of capture and slaughter is limited to a maximum of 30 minutes, with a limit of 5 minutes for fish caught by hook and line.

Incentives should be given to employ humane methods of slaughter, to keep capture durations as short as possible and for other measures that reduce suffering.

Section 4.5

How can data collection systems be improved in the short and medium term to ensure coherent information for enforcement purposes?

As we stated in section 4.2:

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Which enforcement mechanisms would in your view best ensure a high level of compliance: centralised ones (e.g. direct Commission action, national or crossnational controls) or decentralised ones?

Would you support creating a link between effective compliance with control responsibilities and access to Community funding?

- Could increasing self-management by the industry contribute to this objective? Can management at the level of geographical regions contribute to the same end? What mechanisms could ensure a high level of compliance?

Section 5.1

- How can overall fleet capacity be adapted while addressing the social concerns faced by coastal communities taking into account the particular situation of small- and medium-sized enterprises in this sector?

As we argued in section 4.2:

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The CFP should support the development of fisheries in which fish are caught and slaughtered to welfare standards. More humane fishing would need to include the following:

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This approach would have many benefits besides being more humane. Such fisheries would benefit the marine ecosystem by catching fewer bycatch animals, and by promoting the survival chances of those that are caught and subsequently released. Eating quality is likely to be improved by more humane slaughter, this being the reason why potentially humane methods are sometimes used in hook and line fishing. Fishers would benefit if niche markets for fish caught to welfare standards can be developed. Consumers would likewise benefit from the choice of humanely produced quality fish.“

- How could a differentiated regime work in practice?
- How should small-scale fisheries be defined in terms of their links to coastal communities?
- What level of guidance and level-playing field would be required at EU level?

Section 5.2

- How can long-term management plans for all European fisheries be developed under the future CFP? Should the future CFP move from management plans for stocks to fisheries management plans?
- Should we consider reforming the CFP in two steps, with specific measures to move to MSY prior to 2015 followed by measures to maintain MSY as the upper exploitation level after that date?
- How could the MSY commitment be implemented in mixed fisheries while avoiding discards?

Throwing back dead and dying fish into the sea is highly wasteful of resources and animals' lives (which have been destroyed inhumanely). Fishers should be required to land, record and market all bycatch except where good survival chances for released fish have been demonstrated for the species and fishery in question.

In mixed fisheries, the MSY commitment should be maintained by closing the fishery if the MSY is exceeded for any species. Fisheries should also be closed where high numbers of under-sized fish are caught.

Marine reserves offer a good means of addressing the discard problem since they restrict fishing effort without any resulting bycatch. We support the view of Greenpeace that 40% of the ocean should be protected by "no take" marine protected areas.

As we have argued in our general comment, variations of fishing gear and practice (including better handling of fish) that reduce bycatch and promote the survival chances of fish released as bycatch should be encouraged. For example, bycatch fish released from long lines are more likely to survive if the hook is carefully removed by hand rather than torn out by machine. Shorter trawl durations and net or line soak times would seem likely to improve bycatch survival.

- What should the main management system be for Community fisheries and to which fisheries should it apply? Catch limitations? Fishing effort management? A combination of the two? Are there any other options?
- What measures should be taken to further eliminate discards in EU fisheries? Could management through transferable quotas be useful in this regard?

Section 5.3

- How could relative stability be shaped to better contribute to the objectives of the CFP? Should it be dismantled or if not should it become more flexible and if so, how? How could such alternatives be set up?

- Should access to the 12 nm zone be reserved for small-scale fishing vessels?

Section 5.4

- How could market mechanisms be used to encourage the development of fisheries that are market efficient as well as sustainably exploited?
- How can the future CFP best support initiatives for certification and labelling?

[Responsibility should be assigned to a department to develop welfare codes for commercial fishing, including recommendations for humane slaughter.](#)

- How can traceability and transparency in the production chain be best supported?
- How could the EU promote that fisheries products come from sustainably managed fisheries, providing a level playing field for all?
- How can the POs better work to match production with market needs? Which new market based policy instruments could be implemented through POs? How can fishermen improve their position towards processing and distribution?
- What is the role of trade policy in balancing the interests of producers, consumers and our relations with exporting countries?

Section 5.5

- In which areas does the fishing industry interact closely with other sectors? Where specifically is integration within the IMP required?
- How can the future CFP contribute to the continued access of fisheries, including both fishing fleets and aquaculture, to marine space, within an integrated spatial planning framework?
- How can the future CFP best ensure consistency with the Marine Strategy Framework Directive and its implementation?
- How can the future CFP support adaptations to climate change and ensure that fisheries do not undermine the resilience of marine ecosystems?

[Setting fishing levels to levels below the MSY would give fish stocks more resilience in adapting to climate change.](#)

Section 5.6

- How can conditions be put in place to produce high-quality scientific research regarding fisheries in the future, including in regions where it is currently lacking? How can we best ensure that research programmes are well coordinated within the EU? How can we ensure that the resources are available and that young researchers are educated in this area?
- How can the resources available best be secured and utilised to provide relevant and timely advice?
- How can we better promote stakeholder involvement in research projects, and incorporate stakeholder knowledge in research-based advice?

Section 5.7

- What should be the top priorities for future public financial support and why? What changes can the sector not manage to bring about on its own and therefore require public financial support?

The development of humane and sustainable fishing practice is a top priority. The fishing industry is unlikely to address the welfare of fish in commercial fishing without support and encouragement from the EU.

- How can we change the focus of EU financial resources to promote innovation and adaptation to new policies and circumstances? Does any new policy area require funding? Should public financial support be focused on specific transitions such as eliminating discards in the fishing industry?

The development and promotion of humane practice should be funded. This would include adapting humane slaughter technology developed for aquaculture for use on boats.

- How can synergy and coherence of possible CFP funds with other EU and national instruments be ensured?
- How can a synergy between the pillars of a future CFP be achieved? Should public assistance be conditional on Member States' achieving policy objectives?
- How can EU financial resources be developed to provide the flexibility needed to respond swiftly when a crisis occurs?
- Should public financial support apply equally to all sectors (small and large scale)? Should the European Fisheries Fund continue to distinguish between convergence and non-convergence regions?

Should indirect support such as services related to fisheries management (access, research, control) continue to be provided free to all sectors of the industry?

Should permanent fisheries subsidies be phased out, maintaining, on a temporary basis, only those aimed at alleviating the social impacts of the restructuring of the sector?

Permanent fisheries subsidies should only be used to promote humane and sustainable fishing practice.

Section 5.8

The core objective of the CFP is to promote responsible and sustainable fisheries. Is there any reason why the external dimension of the CFP should be driven by different objectives?

The core objective should be to promote responsible, humane and sustainable fisheries.

How could the EU strengthen its role on the international stage to promote better global governance of the sea and in particular of fisheries?

How can the EU cooperate with its partners to make RFMOs more effective?

Contrary to the current free access principle in international waters, should fishermen pay for the right to fish in the high seas under the governance provided by RFMOs?

The high seas should equally be managed for responsible, humane and sustainable fishing.

How can objectives such as investment promotion (creation of joint-ventures, transfer of know-how and technologies, investments and capacity management for the fishing industry ...), creation of jobs (on vessels, in ports, in the processing industry) or promoting good maritime governance be pursued in the framework of future international fisheries agreements?

Are the FPAs the best instrument to achieve sustainability beyond EU waters or should they be replaced by other forms of cooperation? Should the regional perspective be explored and either substitute or complement a streamlined bilateral one?

How could we make scientific research to assess the sustainability of fish stocks and the control of the fishing activity more transparent and efficient?

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- How can we assure better cooperation and compliance with new regulations in developing countries?
- Should EU operators cover all the costs of their fishing activities in third country waters or should the Community budget continue to support part of these costs?
- How could we contribute to increasing the fisheries management capabilities of developing countries, e.g. through targeted assistance?
- Should the integration of European fishing fleets and interests in third countries be actively pursued as an objective of the external dimension of the CFP with a view, in particular, to support the development of the concerned partner countries?
- How can we reinforce the synergies between the different forms of support and the different partners in the fisheries sector reinforced and the development strategies of coastal states?
- Should aquaculture be included in future partnership agreements?
- How could the potential of small-scale fisheries in third countries for sustainability, ecological and social benefits be enhanced?

Animal welfare certification schemes for artisanal fishers could support niche markets in higher welfare fish attracting higher prices e.g. the fair-fish scheme.

□ What role should aquaculture have in the future CFP: should it be integrated as a fundamental pillar of the CFP, with specific objectives and instruments, or should it be left for Member States to develop on a national basis? What instruments are necessary to integrate aquaculture into the CFP?

The capture of feed fish to feed to farmed carnivorous fish such as salmon and trout especially raises issues of proportionality. Farming carnivorous fish consumes more fish than it produces. This means that small feed fish experience a stressful death which meets no standard of humane slaughter in order to produce a miniscule quantity of fish flesh. For example, a Peruvian anchovy weighing 20g fed to a farmed salmon would produce just 6g of fish. Since most of the species caught to make fishmeal are also to some extent consumed by humans directly, catching fish to feed to farmed fish is also wasteful.

Aquaculture should not use purpose-caught fish as feed and all fish oil and meal used should come from trimmings. The welfare of the farmed fish themselves is also a serious animal welfare concern. Farmed fish should be reared in ways that meet their behavioural needs and which avoid causing fear, pain and distress. All farmed fish should be slaughtered humanely.

Alison Mood on behalf of fishcount.org.uk November 2009.