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REPORT OF THE WORKING GROUP (WG1) ON THE IMPACT OF EC LEGISLATION ON FISHERY ACTIVITIES IN
THE MEDITERRANEAN, ROME, 28TH FEBRUARY 2012

Participants: see attached list

Coordinator: Elena Ghezzi

Attached documents: Agenda, slides presented by Fabio Galetti, slides presented by Jesus Garcia Gonzalez.

1. WG1 met in Rome on 28th February 2012 to examine the proposed regulation on the EMFF and the CMO. Discussion was held on the critical issues that this proposal could present in the specific Mediterranean context.
2. The RAC MED Executive Secretary opened the session and thanked the participants and the associations. The Executive Secretary reminded the meeting of the RAC MED Working Group procedures and underlined the double role held by the coordinators who coordinate the working groups and are also responsible for conveying the results achieved to the Executive Committee. The Agenda of the meeting was approved and Elena Ghezzi of Lega Pesca was nominated coordinator.
3. The coordinator expressed her thanks and gave the floor to the representative of DG MARE, Fabio Galetti for the presentation of the proposed reform to the EMFF with the help of slides. The proposal is currently being debated by the European Council and according to the co-decision procedure will then pass to the Parliament for possible approval at the beginning of 2013. The reform of the EMFF has been devised to better invest EC resources in the light of the report by the European Court of Auditors. One of the innovations concerns an increase in economic aid to promote aquaculture. Moreover, the new Fund brings in greater interdependence with the other legal instruments that are part of the reform to the CFP, and is the only instrument that the EC has chosen to standardise, or in other words all the instruments have been unified and made compatible with the European Social Fund (ESF) and the Regional Fund (RF).
4. At the end of the presentation the representative of FNCP intervened and recalled that the RAC MED Opinion on the reform to the CFP mentioned a gradual phasing out of demolitions whereas the current Fund does not contemplate this. The FNCP representative does not agree with the abolition of another measure relative to the application of temporary closure periods for fisheries. Where art. 32 is concerned, he expressed his bafflement at the creation of employment while there is actually the risk of a further reduction in employment in the fisheries sector as the proposed regulation on the EMFF does not include



the appropriate instruments to invert this tendency. Furthermore, he proposes changing art. 41 to encourage the creation of new landing points and ports.

5. Mr Galetti replied by asserting that all the measures within the EMFF, such as scrapping, are currently just proposals as the legislative procedures have not yet been completed.

6. The ETF representative underlined how decommissioning the fishing fleets will cause people to be driven away from the labour market with no protection or support. The issue of discards is important but forcing or regulating the landing of all kinds of fish will result in lower incomes. He expressed his opposition to the system of transferrable rights as this is tantamount to the privatisation of a public asset and would increase unemployment among the crew. For example, if the rights of one company are surrendered to another the result is unfailingly less work. Lastly, in relation to the principle of conditionality, he proposed that the national collective labour contracts and safety regulations should be respected.

7. The representative of PASEGES stressed that the new Fund should consider that the means and measures need to be easily assimilated by national administrations and by all interested parties. She expressed her approval of the increase in remuneration for artisanal fisheries and agrees with the FNCP expressing concern for the lack of support for the temporary closure of fisheries.

8. The IPI representative wished to clarify that the aim of the EMFF to be an integration to other existing funds is acceptable however experience teaches us that rather than simplifying it could actually give rise to difficulties in its application. On the issue of the criminalisation of offences and those who commit them, he is concerned that this system is set up on the basis of the gravity of the offence and this could cause access to funds in the future to be denied. Moreover he suggested that fishing tourism activities be recognised as a legal activity in Europe so as to facilitate the passage of fishers to a secondary occupation, on a final note he proposed a common definition of this activity to be acknowledged at European level.

9. The CNPMEM representative underlined that the new Fund should see the notion of diversification replaced with reconversion which seems more appropriate given that the measures proposed by the Fund imply a different use. Secondly, the use of the term delegated acts should be replaced with the term executive acts, especially where serious offences are concerned.

10. According to the representative of AGCI Agrital the new EMFF has several interesting, positive aspects: abandoning the convergence criteria, the possibility to modernise vessels for safety and hygiene reasons, the enlargement of the family unit, a rise in the intervention rate for artisanal fisheries. The Fund is closely linked to the reform of the CFP that is still under discussion. Where the TFCs are concerned, the EC has stated that in some countries this measure has already been adopted and has brought about changes such as a 20-30% reduction in the fleet, which in this period of financial difficulty could have even greater effects which the EMFF does not take into account. If we imagine that 35-50% of the fleet is sold, how would the consequences be cushioned if only training and reconversion are mentioned and these are slow methods of adaptation, the risk is that numerous operators leave the fishery sector without any way of absorbing this change. TFCs still need to be defined in the Mediterranean.

11. The representative of KGZS suggested changing the definition of art. 6.1b, which is misleading. It should be specified that the issue is reconversion not diversification, with no size limits on the vessels. With



reference to Art.32.6 she stated that the amount involved in the financial aid is not enough to readapt coastal fishing vessels so that they can be transferred to other fishery activities.

12. The IVEAEMPA representative agreed with the proposal to achieve a clear definition on both diversification and on fishing tourism. Moreover she expressed her doubts on the complex bureaucratic procedure involved in obtaining funds for European projects, the system is not very flexible and currently there does not appear to be a simplified co-funding procedure.

13. The representative of BIG GAME Italia suggested that the EMFF could facilitate the funding of eco-sustainable projects established between professional and recreational fishers, in order to offer an incentive to recreational fisheries to become more responsible and sustainable.

14. The WWF representative agreed that there are some positive elements to the new Fund which will see an improvement in the collaboration between fishers and researchers, however she expressed the belief that the support to aquaculture is excessive in comparison with the funds foreseen for fisheries.

15. The DG MARE delegate thanked those present for the interventions and agreed on the doubts that arose during the debate, in particular where discards are concerned as it is inevitable that there would be less space on board for marketable species. On the issue of the definition of artisanal fisheries, the one given in the EMFF is the best solution and is shared by DG MARE. The use of delegated acts will be defined more carefully to avoid that the sector is over penalised. The EC has only made a proposal on the basis of its own analyses. On a final note, the new measures proposed for the final beneficiaries will bring about the simplification of future requests for investment although there will be the risk that the national administrations be overburdened with work.

16. The coordinator thanked Mr Galetti for the presentation and the debate and gave the floor to Mr Gonzalez Garcia, also in representation of DG MARE, who illustrated the reform of the Common Market Organization (CMO). The reform plans to simplify not only the legal instruments but also the applicative measures such as a single storage system for example. On the issue of regulations governing the marketing fresh fishery products the rules concerning minimum sizes will remain and will be an important element in guaranteeing all products sold in the EU including those that come from countries outside the area. A further simplification will derive from the streamlining of procedures for the compilation of forms and official requests, furthermore just three notifications will be required and only one will need to be presented to the Producers Organisation. Mr Gonzalez Garcia wished to underline that the establishment of a single source of funds will give the Producers' Organisations a more central role as they are the protagonists of the markets' activities. An aspect that must not be overlooked and which will facilitate the application of the new Fund was the decision to plan a 5 year transition period between the previous system and the new one, with a plan for marketing that has not been defined in detail. The content of this plan is extremely technical and will be regulated through the use of delegated acts. The RAC MED was invited to send any suggestions on the content of the marketing plans to define a common platform leaving the possibility open to define the specific nature of each Producers' Organisation. The representative of DG MARE informed the Meeting that the possibility to create transnational organisations is foreseen, which are not present for agriculture, and the creation of an observatory which in order to manage economic information on the market, which means giving real time and short term information to monitor market trends at European Level. The main improvement is the elimination of the annual intervention regulation



that established the prices of the species, a system which made more sense when there were fewer Member States. Another measure that aims to give due value to fisheries products is the new labelling system that has been conceived to provide the consumer with more information and give fresh products greater value differentiating them from frozen ones, and the voluntary indication of the catch area as well as the GSA.

17. The IPI representative recalled that the annex that contains all marketable species is potentially restrictive and it is not possible to include all fisheries species (and non-such as algae). As a consequence he proposed the elimination of the entire annex so as to promote the marketing of local products and to keep to the general definition in art. 2 (applicative framework), which should be revised to remove all references to the annexes.

18. At the end of the discussion the coordinator summarised the interventions on the EMFF so as to prepare a contribution to be presented to the Executive Committee.

19. The representative of OCEANA expressed her opposition to the creation of ports and to all the measures that will increase fishing capacity; she would prefer to see available funds used for research activities.

20. The KGZS representative suggested not removing support for the substitution and modernisation of engines for the small scale fisheries fleet.

21. The representative of FNCCP representative hoped that the new EMFF would ensure a system of transitory measures so as to cushion the passage from the old EFF to the new Fund.

22. The coordinator thanked the participants for these further comments on the EMFF and suggested that the discussion move on to the reform of the CMO.

23. The IPI representative proposed the simplification of the procedures for the use of Funds in the new CMO so as to avoid the lengthy bureaucratic dealings typical of the past. Where the definition of fishing tourism is concerned he expressed his opinion that the EC legal services should set up a legislative framework with reference to this activity which should be considered within the scope of fisheries.

24. The representative of Paseges proposed that in articles 5 and 43 of the basic regulation should be modified to include directives on lagoon fisheries so that the species involved are included in the CMO.

25. The representative of FBCO approved the requirement to label products with the capture date as this represents added value for the Mediterranean where most fisheries products are fresh and not frozen.

26. The AGCI Agrital representative recalled that the requirement to put the capture date on the label, should there be a system in place able to check this date on landing, could cause difficulties in some Mediterranean areas where vessels are at sea longer than 24 hours to save fuel and to spend longer ashore.

27. The representative of the French Ministry informed the Meeting that the European Council is examining a proposal which would protect the European market from imported products that come from non-



European countries where fisheries activities are not sustainable, this would be achieved by means of a system of eco labelling, thus endorsing the work of the CMO.

28. At the end of the debate the coordinator passed the floor to Saša Raicevich who is responsible for Working Group 2 which involves the interested parties and researchers in the project GAP2. GAP2 aims to create a bridge between the scientific community, interested parties and political actors. The project works through experiments in the field and scientific knowledge to create common knowledge for the Mediterranean, there are three case studies: the Maltese study involves fisheries management within 25 miles to identify nursery areas and to avoid fishery of juveniles. The Spanish case concerns red shrimp fisheries along the Catalan coast, so as to deal with exploitation of this species and guarantee its reproduction. The Italian case study covers the north Adriatic and in particular the port of Chioggia which represents one of the most important areas for trawl fisheries and where an attempt is being made to define a management plan together with the fishers in order to optimise this kind of fishery activity and to ensure its sustainable exploitation.

29. The Executive Secretary expressed her thanks and reminded the Meeting that the RAC MED also participates in this project and passed the floor to the CNPMEM representative who wanted to know whether results were already available concerning the formulation of management plans for these three area.

30. Mr. Raicevich replied saying that the case studies are still being carried out, the data are being gathered and some time is required for this.

31. There were no further comments and so the Executive Secretary thanked the participants and interpreters and closed the meeting at 17.00.

