



ASSOCIATION OF NATIONAL ORGANISATIONS
OF FISHING ENTERPRISES IN THE EU

Position Paper on the EU Biodiversity Strategy

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Background

The European Commission has presented its proposal for an EU Biodiversity strategy calling for urgent action to protect nature in the EU and worldwide. The strategy claims to set up a full transformative plan towards an EU environmentally friendly food production system that preserves and restores biodiversity.

Farmers considered the strategy as a generalized attack against agriculture while fishermen feel frustrated, worried and discriminated for the reasons stated below.

The strategy conveys a message of massive extinction that is not happening in EU's seas. In fact, the strategy **does not recognize at all the huge improvements in EU fish stocks**, including 50% more fish at sea in only ten years. Overfishing in the EU is at an all-time low and almost 100% of landings from EU-managed stocks in the North East Atlantic come from stocks fished at Maximum Sustainable Yields (MSY). This has been achieved thanks to many years of sacrifices (22.000 fishing vessels less in the last 20 years) and intensive collaboration with scientists and public authorities.

While for fishing there are strong binding targets, other maritime industries such as oil, gas, dredging, aquaculture or shipping that have a massive carbon footprint, displace animals, disrupt ecosystems and biodiversity are not even mentioned. For the fishing sector, this is **discriminatory treatment** and window-dressing since the Commission is trying to greenwash the image of the EU through fisheries restrictions.

The strategy ignores the well-developed and effective fisheries management system in the EU. EU vessels are subject to hundreds of European and national rules to ensure a responsible and sustainable activity. Only last year entered into force the new Technical Measures Regulation and some key Multiannual Plans that set a wide-range of conservation measures for fishery resources, including by-catch, and for the

protection of marine ecosystems. The Commission is not recognising these tools and proposes to regulate complex fisheries policies through environmental restrictions.

The Commissioner for Fisheries has a strong mandate under his mission letter “*to draw on the potential of sustainable seafood as a **low-carbon food source***”. However, the strategy far from acknowledging and promoting responsible seafood production, restricts the activity to the point of increasing imports and lowering EU seafood production.

Socio-economic consequences

In the presentation of the proposal, Mr Timmermans stated that there is a need for impact assessments to ensure that the proposals are workable and enforceable. However, the socio-economic consequences of the disproportionate targets for the fisheries are clearly missing since the strategy will consider **impact assessments only as a second step**. For the sector, this is putting the cart before the horses. The Commission should have addressed a major question: What will be the impact of the EU biodiversity strategy on the fishing industry, supply chain and food prices?

The Commission must be aware that closing off parts of the ocean and reducing fishing activities actually conflicts with other **SDGs such as increasing food security and reducing poverty**; both of which require the use of the ocean.

Marine Protected Areas

MPAs are **not the panacea** for all ocean problems, far from it. These are management tools like many other fisheries management measures. MPAs are ineffective against IUU fishing, acidification, pollution or plastics. Without effort reduction, MPAs only have a minor impact on the overall fishery resources and displace/concentrate effort on other areas/resources.

From a **socio-economic** perspective, MPAs increase competition for space inside and outside these areas, adding to the conflicts between sectors, loss of livelihoods, increased risks at sea (longer distances to fish grounds), increased costs due to effort displacement, loss of fishing grounds, markets, jobs and fishing opportunities, force the reconversion and decommissioning of boats, and increase management cost.

In this line, it is **crucial that other effective area-based conservation measures** are considered on an equal footing with MPAs and developed in close cooperation with fishermen given the tremendous socio-economic costs of these measures.

Many MPAs actually fail to meet their goals, creating a dangerous illusion of protection. As proven by a recent study¹, one of the largest no-take MPA declared in 2010 in the Indian Ocean (640,000 km², the size of France) has shown no evidence of any 'spill-over' improvement in associated tuna stocks. Also there are recent examples of large MPAs like Palau's marine sanctuary (the size of Spain) that backfired leading to increased consumption of reef fish². This demonstrates **that both biodiversity and food security are better served by expanding effective fisheries management and not by establishing more marine sanctuaries**. In fact, scientists voiced MPAs to be no silver bullet and that only with other fishery management regulations and wider regional processes true conservation and management benefits for fish species can be reached, given their high mobility³.

Focus should be put on the effective implementation of the existing MPAs, really protecting vulnerable areas. Only when targets are met, the Commission should propose an extension of these measures. MPAs should be based on scientific recommendations and good results, **not simply established to reach a certain percentage**.

In this sense, if 30% of all ocean ecosystems (coastal and offshore) were strictly closed or heavily restricted under MPAs:

- In rich countries, food shortage will need to be compensated by livestock (requiring deforestation) or from poorly managed fisheries (in the developing world), exporting the environmental debt of the EU;
- In densely populated coastal areas of poor countries, people's livelihoods will be threatened generating social and political instability

Furthermore, when indicating the **economic benefits of MPAs** which would come from tourism, ocean energy and recreation, the Commission fails to mention that these sectors have a negative impact on biodiversity, fish stocks and ecosystems.

Moreover, the Commission heavily relies on tourism and recreation as the main sources of **new jobs and growth**, two sectors that are very much struggling due to the COVID-19 pandemic.

The fishing industry fears that the combined effect of **Brexit**, the expansion of offshore wind farms, 30% MPAs including 10% no take zones, plus stronger environmental EU

¹ <https://www.frontiersin.org/articles/10.3389/fmars.2020.00318/full>

² <https://www.theguardian.com/world/2020/feb/27/palaus-marine-sanctuary-backfires-leading-to-increased-consumption-of-reef-fish>

³ <https://www.frontiersin.org/articles/10.3389/fmars.2020.00318/full>

regulations such as Natura2000, could restrict access to traditional fishing grounds to the point that fishermen would have nowhere to fish.

Offshore wind farms

The fishing industry is shocked to read in the strategy that while fishing would be heavily restricted or closed within MPAs, **offshore wind farms are permitted and even prioritized**. The Commission even states that windfarms will bring about ecological benefits for the stocks.

In the scientific community there are **many doubts and concerns about their impact** on marine ecosystems and nevertheless the Commission without a second thought encourages the massive installation of these parks in the sea. We would like to remind that the windfarm expansion is being done with heavy investments from oil companies and public subsidies that nobody puts into question.

The Commission has already promoted in the past, through the blue growth strategy, deep sea mining, which has now been put on hold. Now, the Commission wants to transform our seas into the new European energy engine and the sector wonders how that will contribute to preserving biodiversity. In fact, Européche invites the Commission to check the descriptors of the Marine Strategy Framework Directive on **underwater noise, hydrographical conditions and seafloor integrity**. All of them point at offshore windfarms as an industry clearly affecting marine life.

Action plan to conserve fisheries resources and protect marine ecosystems

The Commission announces a new action plan to conserve fisheries resources and protect marine ecosystems by 2021. However, according to the new Technical Measures Regulation, by 31 December 2020, based on the info provided by Member States, ACs, ICES and the STECF, the Commission shall submit a report to the Parliament and the Council. Only if there is evidence that the objectives and targets have not been met, the Commission may submit an action plan. Why is the Commission not waiting for such feedback? Why is the Commission proposing legislation without the necessary data?

Maximum Sustainable Yield

The strategy recommends to maintain or reduce fishing mortality **at or under Maximum Sustainable Yield levels**. In light of the intensive political discussions during the latest reform process of the CFP precisely on this MSY management objective this recommendation leads us to conclude that the Commission is trying to alter the CFP on

this crucial point. The CFP and Multiannual Management Plans (MAP) based on the CFP clearly aim to target fish stocks at, and not under, Fmsy.

Fmsy in the EU is a limit expressed in terms of ranges for most fisheries. According to the Baltic MAP, for instance, these ranges are necessary in order to take into account developments in the scientific advice, contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries.

The Commission should clarify and **clearly indicate in the text that the Commission has no intention to aim for an F target below Fmsy**. Otherwise, why should the EU fleets fish less than recommended by scientists? We have to think food. Each time we reduce the volume of fish captured by the European fleet, we increase imports, on which we already rely on for over 60% of our consumption of seafood products.

Bottom trawling

The sector rejects the COM proposal to limit or phase out **bottom contacting gears**. Bottom trawling is one of the most common, most certified, most regulated and most researched fishing gears in Europe. The Commission should take into consideration that bottom trawling is the only viable way to catch many key species in our seafood palet, almost all of them are fished at MSY levels and many of them are MSC certified. Also, trawling works in very limited areas in our seas and international waters, not to jeopardise vulnerable marine ecosystems. For instance, trawling only occurs in 3% of NEAFC area.

The EU cannot make the mistake of describing the seas and oceans as a unique ecosystem. As in land, there are complex ecosystems such as coral reefs, rocky grounds, sandy zones, inhabited and mountain areas. Each of these deserve different levels of protection and sustainable use. Modern trawling operations can perfectly take place in many of these areas. One size does not fit all.

Besides, the EU counts with around 13-14.000 bottom trawlers. How will the Commission intend to use **EMFF** to support the transition? Would they compensate bottom-trawling fishermen to stop fishing or transform their vessels? Does this mean that the sector will no longer be put to a halt when trying to further improve their selectivity of fishing gears and even supported in such research and pilot projects?

Birds and Habitats Directives

Only 3 years ago, following a thorough “**fitness check**” the Commission considered the European Birds and Habitats Directives relevant and fit for purpose. Now in the Biodiversity strategy seems to convey the opposite message.

The Commission decided at the time to develop an **Action Plan** to correct the deficiencies found in the implementation of these Directives. Europêche identified important problems such as the **lack of flexibility in the implementation**, insufficient stakeholder involvement in the adoption of measures, prioritisation of environmental concerns over socio-economic consequences and lack of incentives to the sector to take up costly environmental measures.

From our point of view, this should be the focus and is still not reflected in the new biodiversity strategy. The lasting success of restoration will importantly also depend on reconciling socio-economic and environmental objectives through the sustainable use of land, waters and forests. As key guardians, fishermen play a vital role in preserving the EU’s biodiversity. Fishermen are among the first to feel the consequences of biodiversity loss but also the first to reap the benefits of an increased marine biodiversity. This is why fishermen are keen to fish responsibly and sustainably and why it is so important to work with the fishing industry to keep on evolving and improving while ensuring that they continue to thrive.

By-catch of species threatened with extinction

Despite the doom-and-gloom messages in the strategy, **no marine fish species has ever gone extinct due to commercial fishing.**

Global estimates suggest that discards account for less than 10% of total annual catches. In 1990, it was an average of 20% or more. In the EU, of course this percentage is much lower due to selectivity progress and the introduction of the landing obligation.

According to **IUCN**⁴, in the EU out of 1000 species analysed only 15 are critically endangered, mostly some shark species, which are already highly protected. Of course, these non-commercial species should not be confused with other shark stocks which are in good shape.

In the EU, the industry has developed and participated in many **selectivity pilot projects**. **Technical Measures Regulation and MAPs** aim to reduce catches of juveniles, to improve selectivity, to avoid catches of protected species, to reduce discards and to

⁴ <https://portals.iucn.org/library/sites/library/files/documents/RL-4-017.pdf>

minimize environmental impacts. The EU should use the measures embodied in these Regulations to tackle any current issue.

On the topic of incidental and unwanted by-catch of cetaceans it is important to acknowledge that these animals have no **commercial interest** to fishermen. On the contrary, they potentially ruin nets and catches. The fishing industry tries to avoid this unwanted by-catch, for instance with the use of 'acoustic deterrent devices' (pingers), which have shown to reduce by-catch by 50-80%⁵. Research on the effectiveness on measures such as these is on-going. There is not yet one easy solution. Furthermore, as recently pointed out by a representative of the European Commission⁶, there is a noteworthy impact of other vessels such as commercial on the mortality of dolphins.

It must also be acknowledged that according to **ASCOBANS'** Species Action Plan for North-East Atlantic Common Dolphin there is a marked abundance trend increase of dolphins across the continental shelf and offshore waters over the past 10-15 years. Also other data (such as related to OSPAR) seem to indicate this trend. Yet, the data situation on distribution and occurrence of cetaceans and the trend over time needs improvement.

International Dimension

By 2030 the world's population is expected to top 8.5 billion with all with equal right for healthy and high quality food. The Commission should **focus on how to produce more seafood in a sustainable manner rather than further closing traditional fishing grounds**.

The strategy as laid down in the Communication would reduce the productivity of the fishing industry and would force Europe to import more from 3rd countries that in general produce seafood below European environmental and social standards. Especially, in light of the trade disruptions created by the **COVID-19 crisis**, the EU cannot risk further reduction of our fisheries in exchange for more seafood supply from overseas from an environmental, social and food security point of view.

Besides, how would the EU make sure that the imported seafood placed on the European market fully complies with the 30%-MPA coverage or coming from fisheries with a discard ban policy implemented? Nice words but difficult to implement along the EU standards.

⁵ Rimaud, T., Authier, M., Mehault, S., Peltier, H., and Van Canneyt, O. 2019. RAPPORT Final du projet PIC. Pêcheurs de Bretagne. Orphanides, C. D., & Palka, D. L. (2013). Analysis of harbor porpoise gillnet bycatch, compliance, and enforcement trends in the US northwestern Atlantic, January 1999 to May 2010. *Endangered Species Research*, 20(3), 251-269.

⁶ On 26 May 2020, during the webinar 'EU Biodiversity Strategy – Will it be a big deal for our seas and fish?'

Conclusion

Europe needs a real biodiversity strategy with proportionate, rational and achievable objectives where all industries are treated on an **equal footing** and not an ill-founded proposal based on stereotyping against the fishing sector.

The initiative must be accompanied by the **total cost of the policy** in terms of impacts of the new users in the MPAs (tourism, wind energy, etc...), the reduction of EU seafood production in terms of prices and supply, effort displacement, the elimination of bottom trawling without a realistic alternative and the impact of exporting the EU environmental debt to developing countries by increased seafood imports from third countries.

The EU needs to **think food**. Each time the EU reduces the volume of fish captured by the European fleet, there is an automatic increase of imports. The Commission should instead focus on **win-win solutions** that incentivise the adoption of measures that are productive and at the same time contribute to the biodiversity.

The Commission should also commit to developing schemes that will allow **fishermen to be rewarded by the market for responsible and sustainable fishing**, and not impose further taxes.

EU institutions need to better communicate the importance of fisheries for food security and livelihoods and change the narrative about generalised impacts of the fishing sector on the environment. The EU should not and cannot use global statistics to dictate strong environmental measures or even prohibit certain fisheries operations in the EU.

If the strategy is not changed, the Commissioner will fail to live up to his promise not to **single out any of the pillars of sustainability** - social, economic and environmental - during his mandate.