



# **Cynulliad Cenedlaethol Cymru** **The National Assembly for Wales**

## **Y Pwyllgor Amgylchedd a Chynaliadwyedd: Grŵp Gorchwyl a Gorffen ar y Polisi Pysgodfeydd Cyffredin**

### **The Environment and Sustainability Committee: Common Fisheries Policy Task and Finish Group**

**Dydd Mercher, 5 Hydref 2011**  
**Wednesday, 5 October 2011**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

#### **Aelodau'r pwyllgor yn bresennol** **Committee members in attendance**

Yr Arglwydd/Lord Elis-Thomas	Plaid Cymru The Party of Wales
Llyr Huws Gruffydd	Plaid Cymru The Party of Wales
Julie James	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)

William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
David Rees	Llafur Labour
Antoinette Sandbach	Ceidwadwyr Cymreig Welsh Conservatives

**Eraill yn bresennol**  
**Others in attendance**

Indrani Lutchman	Pennaeth y Rhaglen Pysgodfeydd Cynaliadwy, y Sefydliad Polisi Amgylcheddol Ewropeaidd Head of the Sustainable Fisheries Programme, the Institute for European Environmental Policy
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**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Dr Virginia Hawkins	Clerc Clerk
Catherine Hunt	Dirprwy Glerc Deputy Clerk
Nia Seaton	Gwasanaeth Ymchwil Research Service

*Dechreuodd y cyfarfod am 9.31 a.m.*  
*The meeting began at 9.31 a.m.*

**Cyflwyniad ac Ymddiheuriadau**  
**Introduction and Apologies**

[1] **Julie James:** Good morning everybody and welcome to the first meeting of the common fisheries policy task and finish group. The remit of our group is to consider the impact of the European Commission's proposals for the reform of the common agricultural policy on Wales and make recommendations to the Welsh Government on priorities and negotiations, and to influence the wider reform debate. We are obviously concentrating on the fisheries policy in this task and finish group, as part of the wider conversation.

[2] The meeting is bilingual so, if you want to speak in Welsh, that is fine. The headphones have simultaneous translation on channel 1 and amplification is on channel 0 for anybody who wants it. Please ensure that you have turned mobile phones and other electronic equipment off. This is a formal public meeting, so the microphones will come on and off automatically. If we do hear a fire alarm, we will follow our able clerks and ushers out of the room and they will take us to a place of safety, I am reliably informed.

[3] I do not have any apologies or substitutions this morning. I can see that we are all here.

9.32 a.m.

**Y Polisi Pysgodfeydd Cyffredin: Papur Briffio gan y Sefydliad Polisi**  
**Amgylcheddol Ewropeaidd**  
**Common Fisheries Policy: Briefing from the Institute for European**  
**Environmental Policy**

[4] **Julie James:** I ask our witnesses to give us an introduction, and then we will ask

questions afterwards.

[5] **Ms Lutchman:** Good morning. My name is Indrani Lutchman. I am head of the fisheries programme at the Institute for European Environmental Policy. I am also senior fellow at the institute. This is my third reform of the common fisheries policy, so I think that I might call it a day after this one, depending on how it pans out. [*Laughter.*] I am pleased to speak to the group this morning, because it is a critical time for the reform of the CFP. I know there is a consultation going on in Wales and one in England, also.

[6] I thought that I would give a presentation to set the scene first and then go on to the proposed regulation. I will start a description of the EU fisheries, just to give a flavour of the basis of the common fisheries policy, give a little update on the state of EU fisheries today, an introduction to the CFP, briefly—I do not know whether Members are aware of some of the history—give a little information about the current CFP, and a bit about my own institute's evaluation of the CFP. I will then talk about the commissioner's current proposal and come to some conclusions.

[7] As most Members are aware, the common fisheries policy is not just about cod and haddock, but about the sessile species, such as scallops. It also is pertinent to different sizes of fleet, from the small scale, which I guess is more important to Wales, to the large and very large scale operators, which operate mainly out of Spain. The common fisheries policy, obviously, covers enforcement and aquaculture, and involves all 27 member states. To give you a few facts on EU fisheries, the EU is the third largest producer of fish after China and Peru, Spain being the largest producer in Europe. The UK is the fourth largest producer in the EU and the catches are mainly from the north-east Atlantic. To give you some figures, 90,000 EU fishing vessels land about 6 million tonnes of fish products and aquaculture outputs actually exceed 1.3 million tonnes. However, what is more important is the number of jobs created, including those in processing, shipbuilding and catching, which is currently at about 400,000. The EU catches 6 per cent of the world catch, which is worth €6 billion.

[8] I will now move onto the current state of EU fisheries. This slide comes straight from the recent conference held in Brussels, where the International Council for the Exploration of the Sea presented on the current state of EU fisheries. For 2010, the picture does not look too bad for the north-east Atlantic. Over-fished stocks in the Atlantic and nearby seas have declined, from about 84 per cent in 2004 to 63 per cent in 2010. So, that looks good for the Atlantic. The situation for the Mediterranean is slightly worse, where 87 per cent of stocks are overexploited. The next slide is for North sea cod and I put it up in comparison with the slide on Irish sea cod. You will see from the first graph that total removals in the North sea took a dip in the late 1990s, although the situation is now slightly improving. The next graph on recruitment shows young fish coming into the fishery, while the next graph on fishing mortality shows that mortality has decreased. So, the spawning stock biomass, the actual core population that is exposed to fishing, shown in the final graph on that page, is improving.

[9] The picture is not so good for Irish sea cod. ICES is still predicting a decline in the spawning stock biomass—it has declined since the 1990s until about 2008, and it is still declining tenfold. ICES has recommended that the Commission sets a zero total allowable catches quota for Irish sea cod in this coming round. I do not know how that will pan out, because it goes to the council in December and could then be modified. However, the signals are not good.

[10] I now move onto the common fisheries policy itself. It was developed in the 1970s and was based on the understanding that European member states all share the same fisheries. As Members might be aware, the objectives of the CFP are based on the common agricultural policy: to increase productivity, guarantee a fair standard of living, stabilise the markets, secure food supplies and ensure good supply to consumers. However, we have a problem,

because hunting is not the same as farming. The stock is renewable, but it is exhaustible. Fish move around, boats move around and there are shared resources. So, it is slightly different from agriculture, although we have the same basis.

[11] The CFP has four key policies: the conservation policy, the structural policy, the market policy and the external policy. I will run through these a little to show you how the policy has evolved, because that might be helpful to this group. The conservation policy is based on the principle of equal access, so it is based on the principle that all member states have the same opportunities to fish resources. The Directorate-General for Maritime Affairs and Fisheries at the Commission has exclusive competence over fisheries and the main measure or tool used is the total allowable catches, more commonly known as TACs, which is science based, but has always been used as an allocation tool, as is becoming more evident, rather than a tool based on the resources. In addition, there are technical measures under the conservation policy, so, alongside setting an amount that can be taken out, the Commission also sets the locations where they can fish and the types of gear that they can use, and also aspects such as minimum landing sizes and minimum mesh sizes.

[12] In relation to the structural policy, there are two very simple objectives that contribute to the CFP's broader objectives, which I mentioned before, which are playing a part in keeping Europe competitive and contributing to social cohesion in Europe. The main financial instrument used to support the common fisheries policy—and the structural policy, in particular—is the European fisheries fund, but this is also about to change. I do not know whether Members are aware that the fund is under review and reform. A new proposal is due in November of this year. It is now being proposed as a European maritime fisheries fund, so we could see another change there in terms of the fund not just supporting fisheries but also maritime policy.

[13] The market policy is to stabilise markets to guarantee supplies of fish at reasonable prices, as I said before, and to support the income of the fishers.

[14] Finally, the two aims of the external policy are to maintain the presence of EU fleets in third countries such as the west African states, and to ensure supplies of fish products to those communities. So, it is basically complementing what we already take from Europe.

[15] Before I go on to the 2012 reforms, I will go back to the 2002 reforms, which had some conclusions, because you may remember that this policy had a mid-term review in 1992, as it was adopted in the 1970s. The main conclusions were that the common fisheries policy was inadequate at managing fisheries at that time, which was evident from the state of the stocks and that reform was needed. Some changes were made, so I will go back to the four separate policy areas so that I can show the evolution.

[16] In addition to the TACs and quotas, which still remain, the Commission adopted new instruments, namely the long-term management plans, which included recovery plans and management plans for fisheries. These long-term management plans were intended to ensure more sustainable fishing, alongside emergency measures, which could be undertaken if there were short-term threats. Those were very new things in 2002. In addition, apart from the original objectives, the structural policy was now aiming to promote a sustainable balance between the resources and fishing capacity, while still retaining the objective of ensuring competitiveness in the sector. Markets remained more or less the same, apart from introducing a price support system based on intervention mechanisms and constructing a trade regime with the non-EU countries.

[17] Finally, with the push for more sustainable fisheries, and not just in Europe, the tone changed from paying for access to fisheries for non-EU countries to more partnership-type agreements, which included joint ventures with the third countries to empower them. That

was welcomed by countries outside of the EU, but there has been much criticism of those agreements. Most member states will be scrutinising that aspect in this reform.

[18] The 2002 reform was supposed to do some amazing things, but we currently still have over-fished stocks, a low contribution of raw materials to fish supplies, over-capacity of the fleets and we also know that the sector is in trouble with regard to its financial viability. Most of all, there has been low legitimacy in some parts of public and stakeholder opinion on the performance of the common fisheries policy. Basically, they are the same issues as raised in the 2002 reform—not enough compliance with the rules, a short-term focus and, some say, a lack of political will to face the real issues.

9.45 a.m.

[19] We did a health check—I am afraid that I did not bring the document, but I can send it on to the clerk if that would be of use to you. Here are some of the conclusions. The 2002 regulation adopted after the reform seemed to be moving in the right direction. For example, a key objective was to challenge our exploitation of living resources against the other objectives to be achieved, but there was no specific guidance on how this balance could be achieved on a daily basis. There was a problem with the specific objectives of the CFP. Recovery plans were established, but not enough have been put in place. It is a bit too early to pass judgment on some of them, as some recovery plans have only been in place for five or six years.

[20] Another problem is that many species fished in the EU are not under long-term management plans. There is a lag, and that will continue in 2012. One of the objectives was that the ecosystem-based approach would be implemented progressively. However, one of the communications put out by the commission in 2008 showed a hotchpotch of regulations piled together under one communication as a list of actions. There has been criticism that it has been piecemeal and slow.

[21] I do not know if Members are aware, but the technical regulations apply to the size of the gear used for fishing. The biggest issue to hit headlines recently, although it has always been there, is the fact that discarding has never really been resolved. It is still a challenge under this reform. Marine protected areas, for spawning stock and the fishable part of the population, are still under scrutiny as to whether they have been successful. As with capacity, we have found that it is still a challenge. Most member states that needed to balance their fishing capacity against the available resources either have not reported or have not assessed their overcapacity. As a result, at EU level, we do not have a clear picture of the level of EU overcapacity.

[22] One of the progressive elements of the 2002 reform was the establishment of the regional advisory councils. There is still an issue with the level of representation, and this is particularly important for Wales where there are smaller-scale operators who feel that the RACs are still dominated by large organisations, such as the National Federation of Fishermen's Organisations, Europêche and so on. The regional advisory councils' rule is still restricted, in that the commission largely consults with them on proposals, but they have no real rule in terms of decision making.

[23] On the 2012 reform, in 2008, Commissioner Borg, on his way out, launched a green paper that was visionary in the first part and quite startling in the main text, about the state of EU fisheries. On the basis of that green paper, a consultation was opened in 2009. That led to the commissioner's draft proposal, launched on 15 July of this year, with the impact assessment. The regulation is currently out for consultation. If colleagues wish, I can give them an update on where the member states are standing, where the parliament is going, and where the various stakeholders are placing themselves regarding the different elements.

[24] On the key elements of the draft regulation. The legislative proposal has 14 parts. Clearly, there was a package of proposals, but I am focusing now on the legislative proposal for the basic regulation. There are 59 articles, and the key parts are parts 3, 4, 5, 6, 7, 8, 9, 11 and 12. In the new draft regulation proposal, the Commission is saying that all fisheries must be at maximum sustainable levels by 2015. This is an international commitment that the EU has signed up to, namely the Convention on Biological Diversity. It is a target that we will have to meet. It also insists that the CFP shall integrate the union environment legislation requirements into the new CFP. So, we have two new objectives now being proposed.

[25] The initial reactions from member states and stakeholders were similar in that they wanted to know what the priorities are, having been given objectives. They want to know whether they will be prioritising ecological objectives over economic or social ones. The draft regulation does not actually prioritise objectives; it leaves it open so that the three objectives have equal status.

[26] Some key changes have been proposed. The long-term management plans will stay, but we will move away from the single species long-term management plans to multi-species multi-annual plans. Whereas before we would look at the long-term management plan for cod, we must now look at how cod interact with the rest of the ecosystem when developing management plans. These plans will run for a number of years, rather than for one year at a time. It is true that these plans are likely to contribute to the ecosystem approach, so it seems to be quite a good proposal.

[27] In terms of decision making, a review of the responses by stakeholders and member states alike to the question of the CFP's government showed that, possibly, the CFP was too top-down in approach. Greater decentralisation of decision making to the regions was proposed in the regulation. However, while it will give member states more power to develop and propose conservation and technical measures, it will keep some of the elements of management at the EU level. That includes setting the quotas. So, while some tasks will be delegated to the member states, some of the core issues that the council has to debate in December will be at the EU level. So, one of the criticisms is that it has not gone far enough in terms of decentralisation or regionalisation.

[28] The most substantial change to the 2012 proposals is that, in terms of access to resources, it will introduce this idea of mandatory fishing concessions for vessels over 12m—I think that it is 12m with towed gear—member states will have to implement a system in which the quotas are divided among operators, after which there is a bit of transferability. More importantly for Wales, at the end of the trials, a flexible approach has been proposed. Member states can decide, with the smaller-scale operators, to implement transferable quotas or other measures. So, for vessels under 12m, it is a bit more flexible.

[29] The critics are largely the NGOs, and France and Spain in particular are not happy, either with this idea of transferability or with the mandatory nature of the Commission's proposal. They feel that some member states will get more, that some operators, even if they are large-scale, will get more and that safeguards will be needed to prevent concentration of quotas, even at a member state level.

[30] Everyone has seen Hugh Fearnley-Whittingstall on the television, but the issue of discarding catches really came to the surface a few months back, in June, and the Commission is now proposing a ban on the discarding of fish. This is a radical proposal in the regulation, because alongside the ban, some thought will have to be put into how to market the fish and how to police a measure like a discard ban. The commissioner has proposed a timetable in the regulation, which allows some time for member states to get up to speed. The discard ban for mackerel and herring fisheries will come into force from 1 January 2014, and later on, in 2015, it will be cod and sole, and then later again, it will be for the deep sea species. As I said,

there needs to be some attention to the detail of such a proposal.

[31] One of the other changes proposed is around regional advisory councils. We have seven RACs and there is now the feeling that, because of the limitation in regionalising some of those, the regional advisory councils will now become just advisory councils. So, the regional aspect will disappear. There is special attention paid to aquaculture and a call for the creation of a new advisory council on aquaculture. In fact, aquaculture gets quite a big profile in this regulation, compared with the previous one. In terms of financial support to the sector, which is part 11 of the regulation, there is now greater conditionality placed on both member states and the operators in terms of their access to financial support. It says something to the effect that, if member states do not comply with the conditions, there will be cessation or suspension of access to resources. The same applies to operators who repeatedly fail to comply with the rules in terms of meeting the broader objectives of the CFP.

[32] The Commission is holding consultations across the board with member states, NGOs and the Parliament. There are a number of parliamentary hearings in the period from October to December, which will offer opportunities for MEPs and their constituents to influence the regulation. This is all due to conclude in 2012. So, I guess we have to wait and see how that plays out. I could give a bit more detail on some of the stuff that the council is doing in terms of its consultation and the Parliament, but I will stop there for now.

[33] **Julie James:** Thank you very much indeed, that was very helpful. We now move to questions from Members.

[34] **Lord Elis-Thomas:** [*Inaudible.*]—of these negotiations and of the series of common fisheries policies. How realistic do you think the achievement of the 2015 international target is within the EU, and what improvement in enforcement do you think is required to reach that?

[35] **Ms Lutchman:** I think that we may get to the 2015 target for some fisheries. There is a distinction between fisheries for which there are a lot of data—that target of maximum sustainable yield requires a great deal of data—and then there are data-poor fisheries, for which we are just at the starting point. My opinion is that 2015 may be a starting point for some fisheries and that we may get part of the way there with other fisheries for which there is a lot of science. With regard to the data collection regulations, there is an emphasis on the science basis in the new proposal from the Commission. The European fisheries fund is also now focusing on allocating quite a large amount of funding to support the basis of fisheries management. So, it is likely that this target of the maximum sustainable yield will be missed.

10.00 a.m.

[36] **Julie James:** I have a question about the inclusion of the aquaculture issues. What is your view on that inclusion and the likelihood of it being an effective management tool?

[37] **Ms Lutchman:** In Europe, because aquaculture tends to use some fish—for fish meal, for example—it would not be appropriate to leave aquaculture out. Aquaculture has always lagged behind. The Commission was supposed to put an aquaculture policy in place quite some time ago. The strategy was in place for a long time, but a policy was adopted only three or four years ago. It seems to make sense. Although the marine fisheries obviously deserve a lot of attention, it would be a bit remiss to leave aquaculture out. So, we are quite pleased that it has been included. The idea of having an advisory council on aquaculture is quite a big step and a step in the right direction for the future of aquaculture.

[38] **Antoinette Sandbach:** You highlighted that there has been some improvement in North sea sustainability, but not in the Irish sea, which continues to decline, particularly in

terms of cod. Why is that happening in the Irish sea particularly? Do you feel that the Commission's current approach and the draft regulations will provide the powers necessary to deal with those issues?

[39] **Ms Lutchman:** There are two factors in relation to Irish sea cod, and it is the same with other species. When you do not have years of good recoupment and you keep fishing the stocks, the stocks will obviously continue to go down, because you are not taking into account that other years are coming when the stock may not be as robust. I think that those are the two main factors in the downward trend in Irish sea cod. The suggestion of a zero total allowable catch, as has been proposed, is correct. There is also a recovery plan for Irish sea cod. The problem is in enforcing it. Enforcement is a big task, and there is a question as to whether the council will agree under pressure to take some decisive action on the TAC. Obviously, it will affect fishers. So, I guess that we will have to wait to see what decisions will be taken when it comes to the horse-trading in December. I do not know whether that answers your question.

[40] **Antoinette Sandbach:** What I want to determine, if possible, is why there seems to be a particular problem in the Irish sea. Is there a problem with outside fisheries coming into the Irish sea?

[41] **Ms Lutchman:** I am not sure that I am able to answer that question.

[42] **David Rees:** I have a couple of questions. Is it the case that the quotas, the TACs, relate to the stock landed and not necessarily to where it is fished from?

[43] **Ms Lutchman:** Yes.

[44] **David Rees:** We have a situation whereby we cannot control the location of the fishing fleets, only control the landing of the number of fish that are caught. You mentioned third-party agreements, particularly with other nations outside the EU. How effective are they? Clearly, we also have migratory paths. I remember the cod wars, but how well are the agreements between the EU and other nations currently working in relation to fishery levels?

[45] **Ms Lutchman:** This is a different issue, because the fishing agreements with third countries are different from the total allowable catch set in EU waters. They are not working very well, because the original intent was that the EU would access resources of third countries if they had a surplus. The problem is that many of these third countries are, unlike the EU, not in a position to assess stock. If they have a surplus, because their fleet capacity cannot take a catch, they could not say that they would give 10 per cent to Guinea-Bissau, for example. There is a lack of knowledge about the actual state of those stocks. There have been criticisms that the EU has gone in, with payments for access, without a good understanding of what is available to be fished. Independent organisations that have been working with the third countries to try to bring the assessments up to standard are now saying that the EU may have contributed to the decline of fish stocks in some of those third countries. So, they are not actually working well with regard to sustainability. They have worked well for EU peers' access, so the third countries have benefited financially. I am not sure whether that answers your question.

[46] **David Rees:** It does, because my concern is the sustainability of stock. Agreements with third countries have an impact on the sustainability of stock and, therefore, the tax allocated.

[47] **Ms Lutchman:** In the new draft proposal, fisheries partnership agreements are going a step further; I did not say that in the presentation. They are now called sustainable fisheries agreements, and there is a new set of provisions that the EU will have to look at when entering fisheries agreement with third countries. This reform, if taken on board, will include



things such as empowering the third countries to manage their fisheries. That includes enforcement, stock assessment and everything else that goes with that.

[48] **William Powell:** Will you clarify what the arrangements are, and where the burden falls, for enforcing these regulations? Obviously, it is critical to the success of any reform that that happens. I do not fully understand how it currently takes place and where the burden falls.

[49] **Ms Lutchman:** It is the responsibility of the member states. The Commission now has an organisation called the Community Fisheries Control Agency, based in Vigo, which has more of a co-ordinated role, helping member states to co-ordinate joint enforcement for specific fisheries. However, it is still the responsibility of the member states to implement enforcement, whether they are inspections at portside, flights over fishing areas, sanctions and so on.

[50] **William Powell:** Historically, has that improved over time? Where are we at with the enforcement?

[51] **Ms Lutchman:** Yes, without naming member states, there are some that are better at enforcement than others.

[52] **William Powell:** Yes, that was my impression. [*Laughter.*]

[53] **Ms Lutchman:** However, the CFCA is playing an important role and the joint deployment programmes, as they are called, have improved enforcement for some fisheries. However, enforcement involves sanctions against infringements. You will always come up against the problem that some member states are better than others.

[54] **Julie James:** Before I bring in Antoinette, I want to ask a question to better my understanding of this, although it is not really related to Wales. If you take an area such as the Mediterranean, you have EU countries all along one side of it and non-EU countries pretty much all along the other side of it. Do we have agreements in place with countries that border the same seas, or are we only managing EU stocks?

[55] **Ms Lutchman:** Yes.

[56] **Julie James:** So, we do not have any agreements—

[57] **Ms Lutchman:** Some Mediterranean countries have bilaterals, but that is not part of the common fisheries policy.

[58] **Julie James:** Do we have these third-country agreements with any of those countries?

[59] **Ms Lutchman:** To think of one straight off, we had an agreement with Morocco, which was always contentious because there has been a history of the EU being seen as abusing the agreement to its benefit. However, there are quite a few agreements with countries on the north African and west African coast.

[60] **Antoinette Sandbach:** Your paper mentions the proposed introduction of mandatory transferable fishing quotas for vessels over 12m in length and vessels under 12m in length deploying other types of gear. Does that have a potential to impact on Wales?

[61] **Ms Lutchman:** That depends on the member state, because the EU makes it mandatory, but there is a history in the UK, in particular, of vessels of less than 12m in length

feeling hard done by. That is the current state of play. Safeguards would have to be put in place, because it is likely that the smaller vessels will continue to lose out. It is up to the member state to try to put some safeguards in place. However, the proposal states from the start that there is a more flexible approach for vessels under 12m in length, so Wales could have a different system with regard to transferable quotas. I have not thought this through, but it could be the benchmarking of certain amounts for small-scale operators. A more flexible system would serve those coastal communities much better.

[62] **Antoinette Sandbach:** Are there current models that could provide useful examples to Wales? If so, can you identify them?

[63] **Ms Lutchman:** There are good examples in other parts of the EU. The Commission has produced a good report on the rights-based management tools in fisheries, and the Dutch in particular have implemented a system for small-scale operators that seems to be working quite well. There is a famous chap—I do not remember from which fishery—in the fishing news this week, Mogens Schou, who says that, for the smaller-scale vessels, it seems to be working in some parts of Denmark, where there is a different system. I could provide additional information on that if you require it.

[64] **Julie James:** That would be useful.

[65] **David Rees:** My question is on discards, because the proposals are definitely trying to attack the discard issue by using the quotas for multiple species. Do we have any idea of the percentage of discards compared with the current catch? Is there any indication that we know how much is being discarded?

[66] **Ms Lutchman:** In some fisheries, they say that up to 90 per cent is being discarded. I do not have the figures in front of me, but it is certainly higher than 50 per cent in most of the main commercial fisheries, which is a problem and the reason why discarding is getting a higher profile. Again, I can pass some figures to the clerk if needed after the meeting, because it is quite startling for some fisheries.

10.15 a.m.

[67] **Julie James:** I have seen the Hugh Fearnley-Whittingstall series, and I was quite appalled by some of the things that it highlighted about the discard policy. There have been a number of high-profile issues around that.

[68] **Ms Lutchman:** The challenge is that we catch more than 50 species in the UK, but the markets are only geared up to market certain species. So, unless there is a real change in the culture of the British public to using some of these species, the whole discard ban may fall apart, whereas in the Mediterranean, where they land everything and are able to market most species, a discard ban is probably likely to work better.

[69] **Llyr Huws Gruffydd:** Yr wyf am holi am y gor-gapasiti y cyfeirir ato o safbwynt nifer y llongau ac yn y blaen. Oherwydd natur drosglwyddadwy y cwotas, mae disgwyl y bydd hyn yn arwain at ostyngiad yn nifer y llongau a fydd yn pysgota. A ydych o'r farn y bydd hynny'n gwneud gwahaniaeth gwirioneddol o safbwynt gor-gapasiti? A oes dulliau eraill o fewn yr hyn sy'n cael ei argymhell a fydd hefyd yn arwain at daclo gor-gapasiti?

**Llyr Huws Gruffydd:** I want to ask about the over-capacity that is referred to with regard to the number of vessels and so on. Due to the transferrable nature of the quotas, it is expected that this will lead to a reduction in the number of fishing vessels. Do you think that that will make a significant difference in terms of over-capacity? Are there any other methods within the recommendations that will also lead to tackling over-capacity?

[70] **Ms Lutchman:** That is a very good question, because one of the reasons why there is a lot of resistance to the individual transferable quotas is that they may not address the over-capacity problem. It looks as if it may result in more equality of resource allocation of the quota, but, in fact, there are examples around the world of where this system has not addressed over-capacity. There are also some examples in the US, in particular, where it has been shown that they can address over-capacity. This is a problem. With the exception of France and Spain, which have specific reasons for objecting to ITQs, the Commission is fully aware that it may not address the over-capacity problem. It is likely that some of the stronger players will still be in the fishery, namely the ones who have the capacity—I do not want to use the term ‘over-exploit’—

[71] **Llyr Huws Gruffydd:** Felly, i ddilyn hynny, a oes unrhyw ddulliau eraill ymhyg yn yr argymhellion a fydd yn cyfrannu at daclo gor-gapasiti? Os nad yw hyn yn rhywbeth a fydd, o reidrydd, yn datrys y broblem, pan fyddwn yn dod yn ôl i edrych ar hyn mewn rhai blynyddoedd, bydd hynny'n fethiant amlwg. Ar gynffon hynny, a yw gor-gapasiti yn fater o fewn y Deyrnas Unedig, ynteu ai mater traws Undeb Ewropeaidd ydyw?

**Llyr Huws Gruffydd:** So, following on from that, are any other methods included in the recommendations that will contribute to dealing with over-capacity? If this is not something that will necessarily solve the problem, when we return to look at this in a few years' time, that will be an obvious failure. On the back of that, is over-capacity an issue within the United Kingdom, or is it an issue across the European Union?

[72] **Ms Lutchman:** It is a trans-European issue, but there is also over-capacity in the UK. You asked whether other things are proposed in the regulations that could assist with that. There is financial support to member states and operators for the types of activities that we have seen before, which have led to over-fishing. Those provisions in the regulations are likely to help. First of all, they hope to do away with subsidies in the European maritime fisheries fund—the type of subsidisation that results in over-capacity. However, if a member state and operators are not contributing to the overall objectives of the CFP, they will cease to be able to access funds. That may have more of an impact on over-capacity.

[73] **Lord Elis-Thomas:** We discussed, following an earlier question, the objective of producing maximum sustainable yield by 2015, and whether that was practical. I would like to understand more about moving away from single-species management plans to these multi-species annual plans, and how those will work in practice. We will be examining our major marine conservation organisations and the Countryside Council for Wales later in this series of discussions, but I would like to understand the science that you mentioned in your previous answer on the multi-species approach. How, in practice, will that affect the individual fishermen, or groups of fishing people in the fisheries?

[74] **Ms Lutchman:** I am a scientist by training, and I have worked on the data collection regulation. Where you have mixed fisheries, it seems sensible to have a multi-species approach for mixed fisheries—in fact, not just for mixed fisheries, as single species are, obviously, part of an ecosystem. The implication is that, for example, if you use a multi-species model to produce a TAC figure or quota for cod, and you take all the elements of the ecosystem into account, it may result in a smaller TAC for cod, because of taking into account the requirements of the other parts of the ecosystem—seabirds, or whatever other species are around. That is the practical implication of the multi-species approach. It is not going to be easy, because the development of the models for churning out the multi-species quota is quite complicated, and the data collected by member states currently under the data collection regulation have focused on single species, so more investment is required into collecting specific types of data and trying to pull those together. There was a review of the data collection regulation in 2008, there is a new regulation, and there are new requirements

on member states in terms of the science supporting the multi-species approach. It could take a while, but it is definitely a progressive way forward—it is the way to go.

[75] **Lord Elis-Thomas:** Would you recommend any particular academic study on fisheries that would help us to understand the new policy basis?

[76] **Ms Lutchman:** On MSY, or generally?

[77] **Lord Elis-Thomas:** Particularly on the MSY.

[78] **Ms Lutchman:** There are quite a few ICES publications on this, so I could provide the details of those.

[79] **Julie James:** That would be very helpful. I will ask one last question, unless anyone else wants to ask anything further. If you were us, and you were going to recommend something to the Welsh Government about its stance, is there anything that we should specifically be looking at, from your experience—which is obviously a great deal more than anybody else's here? That is a horrible question, I know.

[80] **Ms Lutchman:** I did read the Welsh fisheries strategy on the way here, and obviously Wales has a specific constituency to take care of, which is the small-scale operators. It is probably important to keep following the debate on transferrable concessions, and contributing to that via the MEPs at the parliamentary level. Obviously, the European Parliament will have a bigger role to play, so I suspect that that would be a good place to start, so that Welsh fishers continue to benefit from the CFP, because they are likely to lose out. On the regional advisory councils, I think that the voice of the small-scale operators in particular needs to be heard. It is true that the other stakeholders need to be heard, too; the environmental organisations have a lot to add. However, specifically for Wales, the advisory council part of the regulation, and, possibly, the financial support, are important.

[81] **Julie James:** That is helpful. On behalf of all of us, that was a very helpful session, thank you so much for attending.

[82] **Ms Lutchman:** Please contact me if you would like further information. I have made a note of some of your requests.

[83] **Julie James:** I am sure that the clerks will be in touch with a number of things we want to follow through. Thank you. I formally close the meeting.

*Daeth y cyfarfod i ben am 10.25 a.m.*

*The meeting ended at 10.25 a.m.*