

A large, stylized teal fish is the background for the lower two-thirds of the page. The fish is facing left and is rendered in a semi-transparent, layered style, giving it a sense of depth and movement. The background is a solid teal color.

A sustainable Common Fisheries Policy to meet the EU's objectives

Policy Briefing
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The Common Fisheries Policy and Fish Welfare

The Common Fisheries Policy (CFP) sets the right foundational objectives for the management of fisheries and fish populations in the EU's waters. Yet, to date, it still ignores fish welfare.

The CFP has made some, yet fundamentally limited, progress towards ensuring 'that fishing and aquaculture activities contribute to long-term environmental, economic, and social sustainability'. Economically, the EU's fishing fleet's profitability has increased over the past decade where fish populations are managed with greater regard for maximum sustainable yield (MSY), i.e. in the North-Eastern Atlantic. In the Mediterranean and the Black Sea, where over-fishing remains a considerable problem, the fishing fleet's profitability is lower¹.

Since the introduction of the CFP however, developments in society and in related policy areas highlight that sustainable fishing requires a broader approach than just fish population management. This has translated at EU level in numerous policy activities, not least in addressing climate change challenges (Green Deal), food policy objectives (Farm to Fork strategy), ghost gear initiatives (plastics regulations) and fish welfare initiatives (animal welfare and aquaculture policy areas).

The CFP remains behind schedule. Currently, its limitations in fisheries stem from two main weaknesses:

- 1) lack of policy enforcement on its key objectives to fish at sustainable levels and end the discarding of fish, with a 'regionalisation' approach to ecosystem management that has been used to gain exemptions on the key objectives instead of introducing necessary conservation measures.

¹ [Annual Economic Report on the EU Fishing Fleet](#), European Commission (2021)

- 2) lack of consideration of fish welfare. Although the CFP mentions that full regard should be paid to animal welfare, it contains no specific animal welfare objectives or provisions on how this is to be achieved. This is despite the range of technologies and best practices already available, as well as the need to develop more knowledge and solutions.

Since Article 13 of the Treaty on the Functioning of the European Union (TFEU) requires that fishery policy “pay full regard to the welfare requirements of animals” and the current CFP only provides for the conservation of all marine biological resources and the management of fisheries activities, future fisheries policy should explicitly provide for animal welfare.

The lessening of fish suffering should become the main objective in fishing practices and culture, aligning future specific actions with the Policy’s broader objectives. Besides MSY, enhanced fish welfare would, inter alia, improve meat quality and consumers’ confidence in the industry, while increasing resource efficiency.

It is, therefore, necessary to improve the implementation of the existing CFP while acknowledging its weaknesses and looking towards a future fishery policy that is an integrated part of a wider sustainable food policy.

The assessment of the CFP due in 2022 constitutes a two-fold opportunity for the Commission to

1. prepare the CFP for a more sustainable future by

- aligning the CFP with the Green Deal and the TFEU by acknowledging the past absence and future importance of fish welfare objectives,
- Identifying synergies between fishery, agricultural and environmental policies with a view to a future integrated Common Food Policy
- Identifying which fisheries and governance mechanisms have succeeded and failed, and highlighting the need for better governance mechanisms in the future,

2. place greater effort on fully implementing and utilising the current CFP by

- empowering consumers with welfare information
- using the CFP to help the EU meet its climate ambitions
- strengthening connections between science and fisheries management
- improving transparency and making fishers responsible for their role, turning them into ‘Stewards of the Sea’
- making ‘Ghost Gear’ a priority

More details on these recommendations are set out below. Please also see our report, [‘Catching Up: Fish Welfare in Wild Capture Fisheries’](#) for more information on fish welfare issues and solutions in wild capture fisheries.



Prepare the CFP for a more sustainable future

- **Aligning the CFP with the Green Deal and the TFEU by introducing fish welfare**

Animal welfare has been absent from the current CFP. This void has severely limited progress in fisheries and aquaculture. Conversely, recognition of animal welfare in aquaculture in the previous EMFF regulation and the outgoing CMO regulation contributed to progress on animal welfare in the aquaculture sector. Acknowledging the absence of CFP objectives to deliver on Article 13 of the Treaty of the Functioning of the European Union by taking animal welfare into account in fishery policy, is the first step towards addressing fish welfare in future fishery policy.

- **A future Common Food Policy**

In line with the Farm to Fork Strategy, a fundamental change is needed in the whole food system, from production to consumption, while taking account of externalities. Fishery policy must also be part of this new food systems approach. This can be achieved initially by encompassing the CFP in the Sustainable Food System Framework Law, and by integrating fishery, agriculture and other related policies under a future Common Food Policy.

- **Improving Governance Mechanisms**

Every year the Member States set quotas for many fisheries above the scientific advice on what is sustainable, and the obligation to land and not discard fish has not been fully implemented. Regionalisation and its Multi-Annual Plans (MAPs) have not led to a more efficient decentralised system of fisheries management as was intended, for example discard plans have mostly proposed exemptions.

Another problem lies with the definition of sustainability: currently, sustainable fishing levels are defined using the limits of existing, degraded, environmental conditions. To ensure sustainability of Europe's seas and fisheries, the definition of sustainability needs to aim for maximally productive environmental conditions.

This Member State-led regional approach to fisheries management and controls has induced inactivity rather than proactivity, effectively slowing progress towards the CFP's objectives of restoring fish stocks, protecting healthy ecosystems and safeguarding profitability for fishers. The Commission should foresee a more direct role for itself in implementation and enforcement.

Fishers have the most to gain from the long-term health of ecosystems and sustainability of fish stocks, as their livelihoods and their communities' depend on it. Indeed, in light of its [2021 Annual Economic Report](#) on the EU's Fishing Fleet, the Commission concludes that *"there is a strong link between sustainable fishing, economic performance, better salaries and new job opportunities in our coastal communities"*. Fishers themselves are in the front line when it comes to circumventing landing obligations and respecting allowable catches. Fishers should, therefore, be an integral part of- and have responsibility for- the management of fishing activities. Future fishery policy should give fishers an integral part in the management of fishing activities, and with improved transparency over the ownership of quotas and vessels, make fishermen accountable as the 'Stewards of the Sea'.





Place greater effort on fully implementing and using the current CFP

- **Empowering consumers with welfare information**

Adequate labelling plays an important role in consumption shifts that uphold the EU's high production standards. According to a 2018 poll carried, 79 % of Europeans would like to see information about the fish's welfare on the product label². Empowered consumers play a role in the sustainability of Europe's oceans and promote higher animal welfare practices.

Packaging information and labelling should enable the consumer to make animal welfare-based choices about production and slaughter systems, adding value to high welfare European production.

Data collected and published should inform and supplement the labelling information by providing consumers and stakeholders with detailed information on production systems and their performance.

To do so, the Commission should

- mandate STECF to study the economic costs and benefits in production and marketing of high animal welfare standards in aquaculture and in fisheries,
- introduce mandatory enhanced Method of Production Animal Welfare Labels (MoP+) alongside sustainability labelling,
- collect and publish data on welfare indicators in aquaculture and fisheries, including injury and mortality rates, use of medications, production methods used, and other animal based outcomes

- **Using the CFP to help the EU meet its climate ambitions**

Certain fishing practices and aquaculture systems have significantly higher emissions than others. This is particularly the case for bottom trawling and for fed aquaculture. The EU must ensure that the CFP plays a bigger role in meeting the EU's climate objectives.

²Results of the research available online:

<https://comresglobal.com/polls/eurogroup-for-animals-ciwf-fish-welfare-survey/>.

To do so, the Commission should

- promote and focus financial and technical support towards low-carbon production systems including non-fed aquaculture systems
- mandate STECF to assess the climate impact of bottom trawling

- **Strengthening connections between science and fisheries management**

Discarding unwanted fish species is not only problematic in terms of fish population management and biodiversity; it is also both a welfare and a food waste issue. Wild capture fish are put through stress and suffering to then be discarded as waste. In the EU, 20% of food is wasted³ and globally one third of fish are wasted⁴, a situation that the Union is trying to address to ensure a more resilient food system. In light of the war in Ukraine and the strain it is putting on the EU's food and feed supply chains, continuing to discard fish at sea is even less acceptable.

Member States continue to set quotas above the scientific advice and sustainable levels recommended by the Commission, while the powers for Member States to establish regional environmental and sustainability improvement projects have been rarely used and then were used to circumvent sustainability rules already established.

To do so, the Commission needs to take a stronger role in developing conservation and fishery management measures, and in enforcing those measures. This can be achieved by

- proposing fisheries management measures where a problem has been flagged and using delegated or implementing acts where the regionalisation process fails,
- rejecting, revising or proposing extra measures to MAPs that are not in line with the CFP's objectives,

- **Making fishers responsible for their role and turning them into 'Stewards of the Sea'**

Ironically, fishers themselves are in the front line when it comes to circumventing landing obligations and respecting allowable catches. Fishers should, therefore, be an integral part of- and have responsibility for- the management of fishing activities.

To do so, the Commission should ensure greater accountability at a regional level leading to improved transparency and fishers becoming accountable as 'Stewards of the Sea', promoting localised responsibility for managing fishing levels and activities.

³ EU FUSIONS (2016). Estimates of European food waste levels.

⁴ FAO (2020) *The State of World Fisheries and Aquaculture*

- **Making the reduction of 'ghost' gear a priority**

Abandoned, Lost or otherwise Discarded Fishing Gear (ALDFG) is both a serious environmental and fish welfare concern, with 20% of fishing gear being lost or abandoned at sea every year⁵. Therefore, tackling "ghost gear" and ensuring fishing gear is disposed of properly on land, and not dumped at sea, should be implemented through fishery regulations - especially since there exists various ways to address this issue: producers' responsibility - traceability - deposit-return schemes.

Extended Producer Responsibility (EPR) is required to ensure suppliers are responsible for the collection and proper disposal of used fishing gear. Making producer responsibility collective (CPR) - i.e. suppliers are responsible for the appropriate collection and disposal of fishing gear irrespective of producer or place of purchase - should also be considered - all the more so since CPR programmes have been successful in other sectors, such as electrical and electronic equipment⁶.

Tackling ALDFG would also be strengthened by the mandatory marking and registration of fishing nets and main fishing gear components. Such traceability would ensure that any waste management and disposal costs incurred from the recovery of discarded gear could be charged to its owner.

In addition, deposit-return schemes on nets and other fishing gear would be a financial incentive for fishers to return used and unwanted gear for appropriate disposal. End of life certificates connected to the markings would help enforce the system.

The Commission can increase its tools to clean up the oceans through the CFP by

- introducing EPR requirements for the transparent management of fishing gear to avoid ALDFG and considering CPR-schemes for nets and fishing gear,
- introducing mandatory marking and registration of nets and their components with end of life certificates when returned for disposal,
- analysing the feasibility of deposit-return schemes on nets and fishing gear.

⁵ European Commission (2018). New proposal will tackle marine litter and "ghost fishing"
<https://ec.europa.eu/newsroom/maere/items/628060>

⁶ Pouikli, K. Concretising the role of extended producer responsibility in European Union waste law and policy through the lens of the circular economy. *ERA Forum* 20.

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