

24th April 2014

Dear Sir / Madam

Consultation on the Development of a new framework for technical measures in the reformed Common Fisheries Policy (CFP)

Natural Resources Wales (NRW) welcomes the opportunity to respond to the European Commission's consultation on the *Development of a new framework for technical measures in the reformed Common Fishery Policy (CFP)*.

Natural Resources Wales works as a regulator, partner and advisor to businesses, non-governmental organisations, Local Authorities and communities to help deliver Welsh Government and European Union policies and priorities. We take an ecosystem approach to promoting integrated natural resource management that delivers social, economic and environmental benefits to the people of Wales.

We support the Commissions intention to modernise and rationalise existing technical measures in the context of the reformed CFP through the development of a technical measures framework.

In the context of this consultation and as statutory advisor to Welsh Government on nature conservation, our main concern is with the possible environmental and nature conservation implications of a new framework for technical measures under the reformed CFP. In line with the EU's Natura 2000 and Marine Strategy Framework Directive legislation, we encourage the Commission to adopt a technical measures framework for the CFP that considers impacts upon marine resources and marine ecosystems.

Background

The implementation of a technical measures framework will be a key tool to support the objectives of the reformed CFP. The new framework will also contribute to the Europe 2020 strategy by simplifying EU fisheries policy.

The framework aims to:

- Create a simplified regulatory framework that allows for regionalisation of technical measures.
- Reduce and avoid unwanted catches.
- Minimise the ecosystem impact of fishing gears.

General Comments

In light of the change in CFP legislation to eliminate discards, we support the Commission's intention to simplify the current suite of technical measures and make them regionally specific through a technical measures framework. We also support the intention to minimise the ecosystem impact of fishing gears through the mitigation of incidental bycatch of endangered, threatened or protected species and the reduction of fishing pressure on sensitive habitats.

Historically, when applying generalised fishing regulations throughout EU waters, it could be questioned whether a 'one size fit all' approach has always worked. For example, some measures have unintended consequences that can lead to regulatory induced discarding or the process of high grading. Part of the solution for the reduction of unwanted catches would be the introduction of simplified rules and innovative technical measures to increase gear selectivity.

Natural Resources Wales is working with Welsh Government to ensure that an Ecosystem Approach is utilised when managing Wales' natural resources. As a result, we advise that an ecosystems approach to fisheries management is embedded at the heart of the framework. Such an approach should encourage better understanding, assessment and management fishing activity impacts upon the marine ecosystem. This includes the impact upon fish stocks, benthic habitats and mobile species. We also recommend that a new framework for technical measures contributes towards the Marine Strategy Framework Directive goals of achieving Good Environmental Status within our seas by 2020.

We recognise that technical measures are important for minimising the incidental catches of sensitive species and the negative impacts on sensitive habitats and the ecosystem in general. We also agree that a key challenge will be creating a framework for implementing measures in a way as that most effectively protects the species most at risk and sensitive areas in need of protection. As a result, we recommend that the framework provides member states with the process and mechanisms to assess both the impacts of fishing gears and technical measures upon marine ecosystems.

Such assessment mechanisms could include those piloted within the FishMap Mon Project. The Project, delivered by Natural Resources Wales in collaboration with the North Wales fishing community, assessed the sensitivity of benthic habitats to varying intensities of fishing activity types. This could provide a mechanism for applying a risk based approach to managing the impact of fishing activity upon sensitive habitats. Furthermore, Natural Resources Wales has recently undertaken work into mapping and better understanding the sensitivity of seabirds and marine mammals to Welsh fisheries. If helpful, we would welcome the opportunity to share advice and information on these work areas with the European Commission.

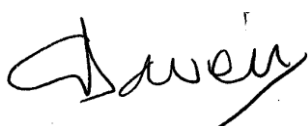
Development of a new framework for technical measures should progress in parallel with the shift towards regional governance as identified within the reformed CFP. We recognise that the transition from the current governance system to one of regionally specific technical measures will take time to implement. However, effective regional co-operation between member states must be encouraged and empowered by the EU. The new technical measures framework should outline member states' obligation to co-operate in regional specific fisheries management measures to achieve sustainable fishing practices.

The framework for technical measures must also have the flexibility to ensure that any measures can be adapted according to changing conditions in fisheries at a regional level. Measures should be developed using the best available evidence and where appropriate, trial studies should be sanctioned to monitor their effectiveness. We advise that a review process be built into the implementation plan of each technical measure to evaluate success according to agreed aims and objectives.

Annex one contains a recently commissioned report by Natural Resources Wales on the regional management of the Irish Sea under the new CFP. This work updates on a feasibility study undertaken with stakeholders in 2002 prior to the previous review of the CFP when Regional Advisory Councils were set up.

Thank you again for the opportunity to input to this strategic scoping consultation and we hope you find these comments helpful.

Yours sincerely,



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