

## **Submission from the Environmental Pillar on the Consultation for the Preparation of a New *Seafood Development Programme 2014-2020***

Sept 2013



### **Introduction**

The Environmental Pillar welcomes the opportunity to comment on the preparation of the Seafood Development Programme 2014-2020. We offer the following comments which we believe will be helpful in directing the programme towards the establishment of an industry, capable of supporting coastal communities, low-impact fishing and employment in processing. The Programme must be based on the scientific realities of the need to reverse an historic over-exploitation of the biological marine resources. What we have to date is a pattern of policies and lack of enforcement that has led to a totally unsustainable fisheries industry and at great cost to the tax payer.

We are told that: “the overall approach taken by the Commission proposal follows the logic of continuity with respect to the current programming period”. This is hardly surprising because the purposes for which Commission funds have been made available have not altered in any substantial way since Ireland joined the EEC.

The development of large scale fin-fish farms is also flying in the face of good science and the consequences of this for wild fisheries will become rapidly apparent.

The essence of the Environmental Pillar response is that any and every aspect of the European Maritime & Fisheries Fund (EMFF) should be devised and implemented with the status and limits of the marine resource as a fundamental against which all actions are measured. This has clearly not been the case up until now, as is obvious when we look at the evidence outlined below.

## The current state of commercial fishing

The plight of commercial fishing in Ireland is demonstrated by reference to three graphs<sup>1</sup>.

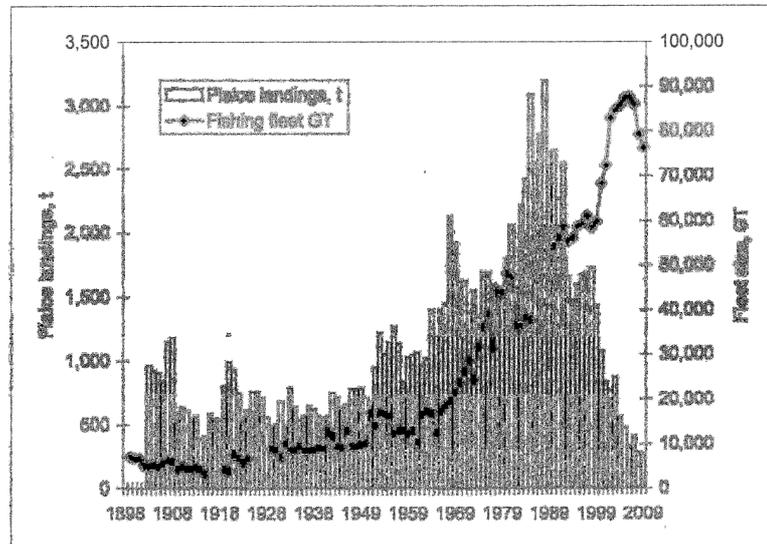


Fig 1. illustrates more than a century of plaipe landings alongside the expansion in displacement of the fishing fleet. The record goes to 2009. Plaipe was selected because it is a common inshore species of which Ireland has the bulk of quotas. We cannot therefore blame other nations for the mess. The annual landings of plaipe have failed to make the quotas and they have been successively lower than in almost any preceding year in the last twenty. We are currently landing less than at any time in the recorded history of the species. Meanwhile, the fleet is larger (and infinitely more powerful than its displacement suggests).

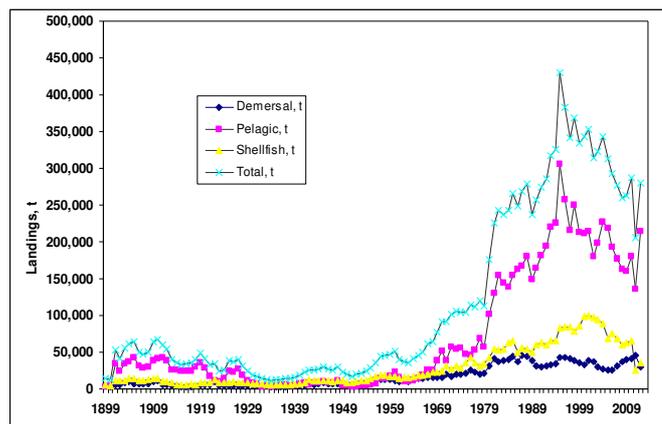


Fig 2. sets out the landings of the main categories of sea food throughout their recorded history, to 2012. The bulge in productivity which followed Ireland's entry to the EEC culminated in a peak in output in 2001. After this, landings tumbled

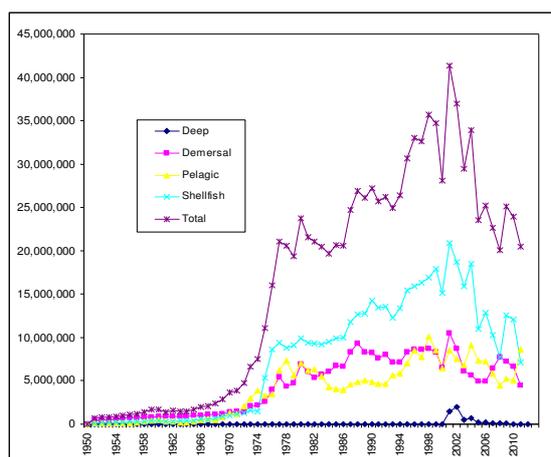


Fig 3 shows the relative values of landings (standardised currency, adjusted for inflation) from 1950 until 2012. The values reflect the trend in volume although their fall after 2001, appears to have been more precipitous.

The value of our sea food landings has halved since 2001. It is currently just above its value in 1973, when Ireland entered the EEC.

The essence of the problem for fisheries is the status of the stocks on which the landings and the supply for processing depend. The greater the catching effort is, the greater the destruction and the lower the prospect of recovery. It would be feasible to harvest considerably more from Irish waters with less effort. Grants for vessel improvement or new boats intensify the problem by reducing resources and so do grants for fish processing. In the widely accepted classification of fish-related grants, both are described as “bad subsidies”.

## Why an EMFF?

1. The consultation document avoids the central and most critical issue: the regenerative capacity of over-fished stocks. Instead, we are given a number of SWOT analyses which amount to a kind of trivial pursuit. It is a bit like being given a choice of the most comfortable deck chairs on the Titanic.
2. The fishing industry is highly subsidised; some 2/5 of the first sale price of fish landings is accounted for by direct or indirect public assistance<sup>2</sup>. The resource belongs to the nation and commercial fishermen are merely a stakeholder, albeit a significant one. Why the public should be required to further capitalise the industry to the detriment of fish stocks and the public interest, is a conundrum which needs to be addressed.
3. The EMFF represents an attempt by the Commission to pacify an industry which has over-worked the resource on which it depends. It is a palliative, essentially short term, and it is counter-productive. In Ireland its operation provides work for Bord Iascaigh Mhara (BIM), dispensing grants, and that may well be its most significant outcome. BIM was, after all, recommended for wind-up by An Bord Snip Nua<sup>3</sup>.

4. Why, in these difficult economic times, should the fishing industry be awarded public monies to effectively destroy the resource on which it relies, when there are budgetary deficiencies in Health, Social Services, Education and Environment to mention just a few?

## Current management of Operational Programme projects

1. The selection of candidates for financial award is not a transparent process and it appears to be very inconsistent. The Monitoring Committee (MC) has insufficient scrutiny of how the business is undertaken<sup>4</sup>.
2. On page 4, the inclusion of “small scale coastal fleets” is recommended in a specific objective. This reference has become somewhat routine: for the European Commission; for successive Ministers of fisheries after, and including, Tony Killeen; and for some of the principals involved in preparing policy reports.<sup>5</sup> However, action does not extend beyond its mention. Such vessels employ approximately 50% of those who work at sea and they make up some 90% of the fleet but they are not formally represented on the MC. That is inexcusable and should be rectified.
3. Monies dispensed by the Committee in the Operational Programme (OP) go to the larger enterprises (fleet, processing) or to community involvement (through, for example, the FLAG schemes). The larger capital enterprises get a disproportionate share of whatever finance is available, which is inequitable. All who work in the capture sector are in competition for the same fish stocks; accordingly, awarding a more powerful vessel (for example) confers an advantage on its owner which is denied to the others and, *de facto*, reduces their prospects.
4. The OP has had a two pronged approach to the fleet: on the one hand making it more powerful (capitalising it) and, on the other, providing funds to alleviate the damage by decommissioning vessels. This inconsistency needs to be rationalised. There is no point in a decommissioning scheme if, at the same time, grants are awarded for vessel improvement or to processors. Henceforth, funding for decommissioning should be only directed at the purchase of kiloWatts and tonnage from the brokers rather than to compensate fishers because those monies have in the past been reinvested in more modern craft, thereby perpetuating the problem they were meant to alleviate.
5. When the MC reviewed the OP report for 2012, the exercise was a rubber stamp one. There was no effective scrutiny of any of the schemes, although some have substantially similar antecedents and therefore, a

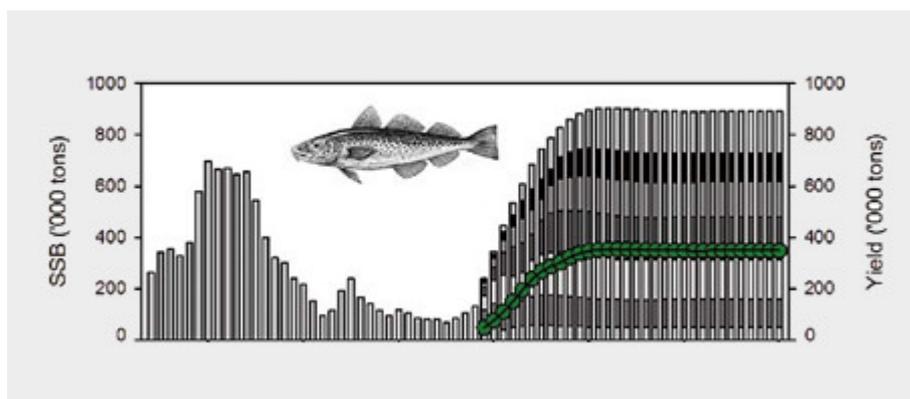
long history. The only attempt at a “value-for-money” analysis concerned vessel decommissioning<sup>6</sup>. The analysis was totally inadequate and, indeed, a rather superficial inquiry by the *Sunday Times* newspaper demonstrated its deficiencies<sup>7</sup>.

## Control and enforcement

1. The implementation of the CFP is entirely dependent on the effectiveness of the enforcement agencies – Inland Fisheries Ireland (IFI) inshore and, more specifically, the Sea Fisheries Protection Authority (SFPA) and navy throughout the territorial sea and beyond.
2. The cut-back in public spending must have had adverse consequences for surveillance and enforcement. In near-coastal waters there are abundant signs of this.
3. The SFPA came into existence in 2006 with the stated primary purpose of protecting fisheries against illegal exploitation<sup>8</sup>. In the meantime it has become involved in a multiplicity of other activities which, however worthy, must dilute its time, energy and resources. They also divert attention away from its primary purpose. It is unlikely there has been an increase in enforcement and compliance by the industry with regulations but the SFPA has had a positive influence on the proliferation of committees!
4. Further offshore, it is more difficult to be certain of the state of compliance because the ordinary observer is dependent on reports from the SFPA. The outcome of the only independent “audit” of the industry – by the Garda Fraud Squad in 2004 - reported widespread disregard for regulations and a virtual abdication of enforcement. When the abuse was first reported by a whistle-blower - subsequently confirmed as correct – Producers’ Organisations described it as an impossibility. It remains a mystery how so much black fish was put ashore all along the west coast despite Departmental controls. The then Minister, Noel Dempsey, in 2006 told the European Commission he believed eight times the quota of monk fish (angler fish) was being landed illegally by the Irish industry. At the time there was open speculation in the press that there must have been official collusion to enable what took place. There was no inquiry and, apart from some prosecutions, the matter was quietly forgotten<sup>9</sup>.
5. The question is whether enforcement is any different today to what occurred in 2004? The latest SFPA annual report (2010) does not give much reassurance. In the final analysis, the statistics of importance are the number of convictions for illegal fishing and the fines imposed. In terms of these “deliverables”: in 2010, the number of prosecutions

brought in the year was very small, 13. The total quantity of fines levied on the Irish fleet was €13,500 and there were no forfeitures. This sum is less than the value of a single trip landing by many fishing vessels and it is not a credible response<sup>10</sup>. Elsewhere in the 2010 report, the widely accepted worldwide estimate of 20% of landings being made by illegal unreported and unregulated (IUU) fisheries is quoted. The legislation which brought the current protection regime, the SFPA, into existence was devised to increase penalties to a level which would realistically deter illegal practices. This has clearly not been done.

6. One of the disturbing features of the recent past is the close association of many of those involved in the most powerful fishermen's groups with state and semi-state agencies. We make two proposals to adjust the balance:
  - a. *The Consultative Committee*, consisting largely of the industry and sympathetic agencies, should be placed at a greater remove from the SFPA. Its reporting relationship should be through the Department and it should be a formal one. That is to say, all of its recommendations and requests should be in writing.
  - b. Secondly, there needs to be a more firmly established presence by environmental groups whose concern is for the marine resource. Environmental agencies should also have a meaningful presence within the SFPA – probably on its board - to give recognition to and provide an advocate for the resources on which the industry depends.
7. If additional monies are to be made available through an EMFF, they should be used to tighten up enforcement.



## Aquaculture

- 1 If it were possible to generalise, Ireland has a tendency to go over-board on developments which display early signs of success. That is exactly what occurred in our wild fisheries. Boats caught fish and therefore Ireland had to have an indefinite number of boats. The same thinking currently underlies salmonid aquaculture. A small scale indigenous industry (dependent on local sources of smolts) might well have been profitable and sustainable. The latest proposals for enormous sea farms incur enormous risks, as they are environmentally unacceptable and they are more than likely to be an economic disaster.
- 2 Aquaculture developments should be as non-intensive and low impact as possible: shellfish are environmentally more acceptable than fin fish.
- 3 Native fin and shell fish species, sourced from disease-free stocks within the Republic are preferable to imported ova and juveniles.
- 4 Siting and monitoring of installations are critical and both processes must be open to public scrutiny.
- 5 The capture of and on-growing of seed mussels requires critical examination to ensure its sustainability. This will almost certainly require lower exploitation rates of seed mussel beds<sup>11</sup>.

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<sup>1</sup> These graphs summarising the current state of the commercial fishing industry are from Fahy, E (2013) *Overkill! the euphoric rush to industrialise Ireland's sea fisheries and its unravelling sequel*. Amazon, Pp 484. Some have been updated to 2012. Some of the additional observations on the make-up of the catching sector are also from this source.

<sup>2</sup> *A tax mechanism to encourage compliance with marine fisheries management regulations* by E.Fahy (2011) prepared for Feasta calculated a higher rate of subsidy based on data from 2003. In the interim, the input of grants from the EU has declined. However the estimate of subsidy given here is very conservative.

<sup>3</sup> Anon (2009) Report of special group on public service numbers and expenditure. Volume 2, detailed papers. Pp 221

<sup>4</sup> Submissions from the Marine Group of the EP on the selection criteria for candidates to whom grants are awarded under the EFF, 2007-2013.

<sup>5</sup> Irish Times, 6<sup>th</sup> October 2008

<sup>6</sup> The section in question was based on the Department of Agriculture Food and the Marine's (2011) Value for money review: *Fisheries decommissioning schemes 2005-2008*. Pp 102

<sup>7</sup> *Sunday Times* 8 July 2012

<sup>8</sup> The SFPA was established under the Sea Fisheries and Maritime Jurisdiction Act, 2006

<sup>9</sup> The circumstances are described in Fahy, 2013 – see reference 1 here.

<sup>10</sup> In 2010, according to the annual report of the SFPA, there were approximately 22,000 vessel landings. The total first sale value of landings was €286 m so the average value of a landing from an Irish vessel was €12,992.

<sup>11</sup> Figures from the SFPA indicate a declining trend in seed mussel harvest, likely to be indicative of over-fishing.

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