Brief input vision 2040

Dear Commissioner Kadis,

The Netherlands thanks the Commission for the evaluation of the Common Fisheries Policy (CFP). The extensive report provides a good basis for further discussion. The Netherlands acknowledges that the CFP has made a positive contribution to the sustainable management of fish stocks, the strengthening of the knowledge base, and the governance of fisheries management through the regionalization procedure. At the same time, the Netherlands also notes that, more than 10 years after the entry into force of the Basic Regulation, insufficient effect has been achieved on various objectives. The conclusion that lagging economic performance and recovery of fish stocks are primarily due to insufficient implementation, monitoring, and enforcement by the Member States is too one-sided. Overly complex legislation has reduced the workability for member states and threatens the wider support for the CFP. Looking at the future, the Netherlands applauds the Commission on its endeavor to establish a 2040 Vision for fisheries and aquaculture and thereby taking the necessary step to open the discussion on the future of fisheries and aquaculture in the EU. Let this be the start of an early dialogue on preserving our European marine ecosystems with thriving coastal communities and sustainable food production from the seas. The impact of high fuel prices and unnecessary administrative burdens on fisheries shows that urgent action is needed.

The Netherlands wants to emphasize the importance of food from the sea, extracted within the carrying capacity of the ecosystem. In our rapidly changing world, guaranteeing food security is part of the strategic autonomy of the European Union. In this respect, marine proteins offer a healthy protein source from our European fishing fleet. Our commitment is to safeguard this food production, we do not want to lose the tradition and knowhow of harvesting sustainable marine proteins from our own seas. In order to do this we need innovative entrepreneurship and ensure stable access to space for fisheries at sea. Fishers need clarity about the space that remains available to them, now that more and more fishing grounds are being closed for wind energy and nature conservation. Nationally, we have therefore adopted the Vision on Food from the Sea and Large Waters and we are currently establishing an implementation agenda for this vision.[1]

There is increased activity at sea and this impacts all sectors. In particular, the Dutch demersal fleet in the North Sea is impacted by increased activity such as shipping and offshore wind development. The loss and uncertainty about remaining fishing grounds has negative impact on a perspective for a viable future. After Brexit, where our industry lost severely on fishing grounds and quota, approximately 30% of Dutch fishers have ceased their activities. They took part in a national decommissioning scheme. As a result, the Dutch fleet size is approaching the critical mass necessary to sustain the necessary infrastructure on land. This also has a socio-economic impact on both the processing industry, that increasingly switches to processing fish from outside the European Union, as well as coastal communities. At the same time, the remaining fishers that did not participate in cessation schemes face major viability challenges, especially with highly fluctuating energy prices due to geopolitical conflicts. A transition to modern and sustainable fisheries, independent of fossil fuels, requires a robust fisheries sector with a sufficient scale, innovative power and willingness to invest. After all, it often takes 10-15 years to earn back investments. At the moment, the many uncertainties for the fishers, such as availability of fishing grounds, fluctuating fishing opportunities and the temporary nature of exemptions to the landing obligation hamper access to finance. That is why the need for long term perspective is urgent to preserve and modernize European fisheries and aquaculture for future generations.

The European fisheries and aquaculture sector is an important driver for coastal communities, and needs a long-term perspective on a viable future. We are working together with our fisheries and aquaculture sector, non-governmental organizations and coastal communities to support them in this transition. The Multiannual Financial Framework for 2028-2034 and the National and Regional Partnerships Fund will be important to support the sector in addressing the challenges we raised above and to build a resilient and future-proof fisheries and aquaculture sector. However, more legislative action is required.

[1] Voedsel uit zee en grote wateren | Rapport | Rijksoverheid.nl

If we want a sustainable and competitive sector in the future, action is needed now. In this letter, I will thematically address both short-term action and a long-term vision. Short-term actions should be addressed in the revision of the Common Fisheries Policy (CFP) or an omnibus to simplify existing regulations on fisheries and aquaculture in order to reduce administrative burdens. Long-term solutions are necessary part to implement the Vision 2040. First, this letter will deal with economic performance and energy transition. The second section will deal with the legislative framework and innovation. The third section will be about simplification and stability. The final section will be about the importance of including fisheries in maritime spatial planning.

Economic performance and energy transition

A new generation of fishers wants modern vessels and the EU has high ambitions on the energy transition. And due to the current fossil fuel crisis there is an urgent need for such transition. However, the Dutch fisheries sector has seen diminishing returns in the last years. The dependence on fossil fuels, which are prone to price fluctuations, further exacerbates the poor economic performance of the sector. The solutions for these challenges are not easy. The average age of the Dutch trawler fleet is 39 years, but fleet renewal is slow due to the limited access to private capital. The majority of the Dutch fisheries sector consists of family-owned businesses, which cannot find the necessary financing for new fishing vessels, let alone investing in climate neutral vessels. This makes business planning difficult and hampers the energy transition. This is a challenge for a lot of European countries and fisheries. We believe that the solution can be found in both short and long term action.

In the short term we have to support the fisheries sector in becoming more energy efficient. Also vessels larger than 24 meters need our support in the energy transition and with a view to modernization and improved safety and working conditions. We commend your services on the Energy Transition Partnership (ETP) and we would like to encourage the practice of sharing knowledge on innovative projects on low- and zero-emission vessels. Right now, member states are working in parallel on these projects, while we should be working hand-in-hand. The ETP can take a leading role in this. Furthermore, we are taking charge on energy-efficiency by opening several schemes to support our fisheries and doing research projects on the matter. We should also address the technical measures regulation, which blocks the use of best proven fishing techniques. Approval of pulse fishing remains a priority for the Netherlands. Pulse fishing was found more sustainable by ICES, compared to current fishing techniques as it reduces bottom impact and is more selective. Furthermore, pulse fishing could give a real boost to the energy transition and our objectives to become carbon neutral, as it saves up to 37% on fuel consumption on beam trawl vessels. The Netherlands realizes that this is a sensitive topic, but this technique could offer (a part of) the solution to the impact of the current fuel prices, and we are willing to address sensitivities by working on the pulse fishing method together with other member states.

In the long term, we have to invest in innovation for fisheries to secure a climate-neutral fisheries for all fleet segments, including the demersal fleet. We do not know what the vessel of the future looks like, or what fuel it uses, but we should stimulate innovation towards it – and be ready for when we do know. Insights from other maritime sectors should be incorporated in this. The Vision 2040 should clearly address these challenges.

Opportunities for innovation

Innovation is key to protect the marine ecosystem. Our seas are changing, stocks are shifting and our legislative framework should be ready to reflect these changes. We should take short-term action to ensure that innovative and more sustainable gears are easier to implement once they have been thoroughly scientifically vetted. Another important issue is the future of bottom-disturbing fishing techniques. Not all seabeds are equally impacted by bottom trawling, and currently there are no viable alternatives for every type of fishery. For example flatfish dig themselves several centimeters in the seabed. The ongoing discussion about bottom trawling, causes uncertainty among Dutch fishers about the future use of current techniques, which hampers investment. We would like to stress the importance of having this discussion based on scientific research.

Innovative control measures of the revised control regulation give us more opportunities to stimulate and enforce compliance with the rules of the CFP.

The Netherlands believes that in 2040 an effective and efficient system of control and enforcement and clear preconditions should be in place, which can offer more flexibility to introduce innovative gears which are scientifically proven to be more sustainable and safe.

Common Fisheries Policy: simplification and stability

The Netherlands believes a competitive fisheries industry is necessary to secure a sustainable European source of fisheries products. However, the accumulation of legislation under the CFP is challenging the competitiveness of the EU. Towards 2040 the Netherlands considers reducing regulatory burdens, lowering administrative costs and simplifying regulations crucial for a competitive European fisheries industry. In the short term we ask for an urgent and necessary revision of the CFP and also for a quick start for the development of an omnibus regulation for simplification, while in the long term we will have to aim for more flexibility to adapt to new developments, within the carrying capacity the ecosystem.

One of the priorities of the Netherlands is the necessary revision of the landing obligation in the CFP. This obligation, introduced in 2013, does not contribute as envisaged to the policy objectives and does not work in the practice of Dutch fisheries. Furthermore the landing obligation entails a high administrative burden for both fishers and the government and leads to substantive higher operational costs for all involved. The Netherlands would not only like to signal this substantive discrepancy but is currently working on a workable alternative, based on technological innovation and the use of AI: an on-board camera system which will both detect and register the unwanted catches. A system based on fully documented fisheries, works already quite well in practice and could better contribute to the policy objectives of the landing obligation. The Netherlands therefore emphasises the need to change the relevant article of the CFP related to the landing obligations and calls upon the Commission for a timely revision of art. 15.

Another important element is the need to strive for maximum stability and predictability in fishing opportunities. More stable and predictable fishing opportunities are crucial for the sustainability of the sector, supporting coastal communities, long-term planning, employment, and continuity, while also enabling investments and improvements in areas such as energy efficiency. The Netherlands underscore the importance of the MSY-objective in the establishment of fishing opportunities, ensuring fish stocks are maintained at sustainable levels. In practice, however, we observe that this objective can sometimes take precedence over the CFP's goal of balancing ecological, social, and economic considerations. Therefore, the Netherlands seeks to clarify legal ambiguities, such as the 5% rule in the multi-annual plans, and move towards a system that allows for a multi-annual approach to achieving MSY, exploring opportunities to establish more multi-annual fishing possibilities where feasible. This would help smooth fluctuations, both when scientific advice is highly positive and when it is very negative. Finally, it remains essential to promote this balanced approach in negotiations with third countries, for example when establishing long-term management plans.

Finally, this shift in the CFP should be supported by an effective and efficient system for control and enforcement. Such a system must ensure compliance, but also create opportunities to stimulate and reward good behavior. The Netherlands understands and shares the Commission's ambition of data-driven enforcement as was further strengthened by the revision of the Control Regulation. However, with the increase of technical opportunities we should retain the focus on what data is essential for effective control and enforcement. Each control measure has impact on board of a fishing vessel or on the auction floor. Therefore control measures should be enforceable, feasible and proportionate and further strengthen the risk-based approach that should remain the focus towards 2040. On the short term the Netherlands has serious concerns that over-regulation and overcomplicated control measures could weaken the competitiveness of the fisheries sector and counters its development towards greater resilience. Therefore we believe the revised Control Regulation and IUU-Regulation should be included in either the revision of the CFP or in an omnibus regulation in order to simplify legislation and reduce administrative burdens but without compromising on the ambitions and goals. The ambition to simplify and reduce administrative burdens cannot solemnly be reached through digitalisation. We believe improvements could be made on traceability, transport rules, serious infringements, CATCH and REM/CCTV. Simultaneously, it is important to keep the ambition to simplify legislation and reducing administrative burden on top of our minds when drafting additional legislation and implement the Control Regulation.

EU external relations in a changing world

The current Common Fisheries Policy (CFP) contains only one article relating to the joint management of fish stocks with third countries: namely Article 33, which sets out the principles and objectives regarding such stocks. However, since Brexit, the majority of fish stocks have been jointly managed with third countries. The Netherlands is of the opinion that this significant shift is adequately reflected in a revised CFP, which must offer sufficient flexibility to support joint management strategies and protect the interests of the EU.

In recent years, negotiations regarding fishing opportunities with our partner countries in the Northeast Atlantic have become increasingly difficult. For years, it has been impossible to reach an agreement with Norway, Iceland, Greenland, and the United Kingdom on the sharing of fishing opportunities for important pelagic fish stocks such as mackerel, blue whiting, and herring. The consequence of this is that fish stocks are declining, putting further pressure on the negotiations. In this context, the EU finds itself increasingly isolated. To find a solution, the EU must continue its efforts to return to a constructive dialogue with the other Atlantic coastal states. In addition, the EU must safeguard the level playing field for European fishing enterprises. It is unacceptable that European fishers are subjected to strict measures while other parties fishing the same stocks do not uphold the same level of protection and have continued access to the EU market for those products. Because it is becoming increasingly difficult to reach an agreement with our neighboring countries within the context of fisheries, the Netherlands calls on the Commission to develop a strategy whereby fisheries becomes part of the broader foreign relations with these partner countries.

Since Brexit, the United Kingdom is no longer part of the regionalization procedure, which has negatively impacted the effectiveness of this procedure. The Commission should investigate how regional groups can effectively support the policy objectives of the CFP in this new context, while simultaneously striving to reduce their administrative burdens and revise their current workload.

Furthermore, the Netherlands considers it important that the EU maintains its leadership position in the fight against illegal, unnotified, and unregulated fishing and commits to a level playing field for our fishermen, both within the framework of Regional Fisheries Management Organisations (RFMOs) and through agreements for sustainable fisheries partnerships.

Importance of including fisheries in maritime spatial planning

Spatial planning is a strategic tool for a more effective and sustainable use of the sea. Netherlands has organized its own spatial planning process through its North Sea Program that contains integral policy and assessments frameworks and aims to find the right ecological social and economic balance in the spatial development of the North Sea. The program is reviewed every six years. Although spatial planning is a national competence, international coordination is needed. Collaborations such as the Greater North Sea Basin Initiative (GNSBI) support cross-border and cross-sectoral early MSP dialogue. This is necessary, because within spatial planning we see rapid developments taking place, on a national but also sea basin scale. These developments include an increasing number of actors with growing ambitions such as the (wind) energy sector, defense and security, and shipping. Additionally the requirement to protect marine areas is equally important, yet putting further pressure on the available space. Traditionally, fisheries has been relatively excluded from spatial planning as it was considered an economic activity which is allowed everywhere except in areas with fishing restrictions. In the past this was less of an issue as there was an abundance of available open space. However the availability of open space that is merely used by fisheries is rapidly diminishing and the fisheries sector is forced to adapt to the limited and at times multifunctional uses of marine space at sea. The use of Dutch fisheries data in spatial planning processes in the Netherlands is now standard procedure because the Netherlands considers it essential that this data and the importance of certain fishery grounds are taken into consideration. This however does not yet sufficiently take into consideration the impact on different countries' fisheries in Dutch waters and the impact on Dutch fisheries in other countries' waters. This has resulted in the need to assess how fleets from multiple countries are impacted by these other activities and to take into account what the cumulating impact is on the increasing number of area closures on existing fisheries. A first analysis has been conducted by the working track Long Term Perspective for Fisheries within GNSBI.

Some fisheries can still take place elsewhere but it’s becoming apparent that keeping enough space available for the different types of fisheries will be a challenge. It is therefore necessary to continue efforts to further include (national and international) fisheries data in maritime spatial planning in order to secure important fishing grounds and thus sufficient marine proteins and, secondly, adequately assess the socio-economic impact on fisheries and coastal communities by other (economic) activities and closures in order to safeguard a sustainable and strategically autonomous European fisheries sector. We call upon the Commission to continue supporting Member States in this and actively look for ways wherein we can align existing fisheries and MSP legislation.

We hope that the Vision 2040 will address the concerns we have shared with you in this letter, so we can jointly work on a sustainable and competitive fisheries and aquaculture sector in the future. Quick, actionable steps are necessary to keep operating within the boundaries of the ecosystem while also securing the marine food production for current and future generations. I myself and my services are ready to engage and work together with you on all these matters.

Yours sincerely,