



## BirdLife Malta's recommendations on EMFAF national programme

22 October 2021

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As a part of the public consultation regarding the draft national programme for the European Maritime, Fisheries and Aquaculture Fund (EMFAF), BirdLife Malta has reviewed the public consultation document on the above mentioned and would like to contribute with the following recommendations.

### *General recommendations*

Although climate change and other environmental problems, like acidification and deoxygenation of the ocean, have direct impact on the fisheries and aquaculture sector, anthropogenic activities in the maritime sector can have adverse effects on the ocean's ecosystems as well. Better protection of marine areas can contribute to sustainable blue economy growth, since healthy seas are a strong mitigation measure to combat climate change.

The aim of the EMFAF is to support sustainable fisheries and aquaculture practices in line with the Marine Strategy Framework Directive (MSFD), as well as to help conserve marine biological resources. The fund does not contain a ring fencing of financial resources for climate and biodiversity, yet national governments have an obligation under the EU law to allocate funds to achieve the common targets set in the multiannual financial framework 2021-2027, such as:

- 30% of funds should be spent on climate change mitigation;
- in 2026 and 2027, 10% of the annual spending under the budget should be directed to protect and restore biodiversity.

Our recommendation is to go the extra mile and allocate no less than 25% of the national budget on measures towards the restoration and conservation of the marine and coastal environment. The national programme should switch the focus, and include the protection of marine ecosystems into the agenda on a par with the restoration of the economy.

The priorities of the EMFAF for the period 2021-2027 are the following<sup>1</sup>:

- 1) fostering sustainable fisheries and the restoration and conservation of aquatic biological resources;
- 2) fostering sustainable aquaculture activities, and processing and marketing of fishery and aquaculture products, thus contributing to food security in the Union;

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<sup>1</sup> Regulation 2021/1139 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation 2017/1004



- 3) enabling a sustainable blue economy in coastal, island and inland areas, and fostering the development of fishing and aquaculture communities
- 4) strengthening international ocean governance and enabling seas and oceans to be safe, secure, clean and sustainably managed.

The document presented for the public consultation is focused only on 2 of the aforementioned, although some of the objectives are tied to Priority 3, namely supporting the young fishers. At the same time, no actions are envisaged under Priority 4, which we see as one of the shortcomings of this programme - the EMFAF gives wide opportunities to fund measures linked to the management of Marine Protected Areas (MPAs). Under the EMFAF regulations the Commission shall approve the national programme after assessing whether it contributes to “the development of sustainable small-scale coastal fishing, to environmental, economic and social sustainability, to meeting the environmental and socio-economic challenges of the Common Fisheries Policy (CFP), to the socio-economic performance of the sustainable blue economy, to the conservation and restoration of marine ecosystems, to the reduce of marine litter and to the mitigation of, and adaptation to, climate change”. Therefore we strongly recommend widening the scope of the national programme, including most relevant objectives, especially the measures to combat climate change, protect and restore nature. Please, find below our further recommendations in this regard.

### *Specific recommendations*

- Sea basin approach. In line with the EMFAF Regulations, Member States should compile an analysis of the situation in terms of “strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins relevant for the programme”. It does not seem that this is being adequately addressed in the current document. The national programme should align with the sea basin principle, taking into account wider scope of the Mediterranean and addressing the intrinsic pressures identified for the region.
- Subsidies. Overfishing is one of the most urgent and drastic problems which our seas are facing within the last decades - namely in the Mediterranean, however, the practice remains common. Although the European law is designed to avoid excessive catch, the enforcement is weak and various loopholes exist. For the EMFAF not to undermine the objectives of the MSFD, there is a need to distribute the funding in line with the Directive. We recommend using the fund as an opportunity to support conservation measures, such as promoting low-impact fishing practices (for example, by financing relevant changes to gear type) and energy efficiency, rather than support overfishing



through providing harmful subsidies further promoting intensive or large scale fisheries. Apart from many others, overfishing has a pervasive impact on seabird populations which use the marine areas around Malta as their foraging destination and will continue to struggle if fishing stocks remain depleted. Therefore, it is important to encourage actions beyond just compliance with the law, including strengthening law enforcement and landing obligations control and monitoring. We recommend incentivising subsidies towards more sustainable fisheries especially in terms of species, such as supporting fisheries which take sustainable yields and have lowest impact on other trophic levels, such as seabirds and cetaceans.

- Data collection. Under the Common Fisheries Policy, Member States are obliged to collect data on fleets and on their fishing activities, especially biological data on catches and on the potential environmental impact of fishing activities on the marine ecosystem, since the main objective of the CFP is to reduce unwanted catches of fish. EMFAF in turn should support the administrative capacity for an effective implementation of CFP. As an example, the fund can be used to invest into the promotion of the transparency of the control efforts increasing the capacity of enforcement, including the number of inspectors on board, improving the tools, equipment and technology available to carry out inspections on board of fishing vessels and at landing sites. Apart from putting efforts to avoid unwanted catch of fish, it is vital to support, including via financial means, a systematic collection of scientific data, especially standardized bycatch data collection with focus on seabirds (Yelkouan Shearwater; Scopoli's Shearwater; Mediterranean Storm-petrel), marine mammals and other bycatch. Taking into consideration that there is a paucity of data relating to the issue of seabird bycatch, we stress on the drastic need to fund relative studies and close the information gaps. Data gaps and uncertainty around bycatch estimates limit our ability to understand population level effects from bycatch and impede the implementation of measures to address the problem. Technology and capacity building of the fishers community to help in accurate reporting could also be included.
  
- Spatial Planning. The EMFAF should support further development and establishment of maritime spatial planning<sup>2</sup>. This, in particular, includes using an ecosystem-based approach to appoint maritime space to different activities and uses. Marine Spatial Planning is meant to contribute to the effective management of marine resources and activities in the maritime sector, such as off-shore wind farms, fish farms, marine protected areas, etc. Financing the measures to improve and develop the national Maritime Spatial Plan further would be seen as a positive way to distribute the funding.

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<sup>2</sup> Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning



- Marine conservation and protection. Special report of the Court of Auditors 2020/26<sup>3</sup> states that not enough spendings in the EU are dedicated to marine protection. This, in particular, can be addressed in granting further protection to the European seas, since it has been estimated that less than 1% of marine areas were strictly protected in the EU. None of Maltese MPAs have proper management plans in action, while these areas cover as much as 35% of Malta's FMZ and are in drastic need of efficient management. We recommend fostering the development of management plans for Maltese Marine Natura 2000 sites, as well as elaborating a scientific research programme for each protected site, enhancing Standard Data Forms and regulating economic activities within N2K sites. The examples of monitoring measures to be financed could include underwater sound recorders on buoys to record marine life but also marine traffic; increased on board observers on fishing boat using these areas; incentives for fishermen with small vessels without obligatory logbooks to document catches, effort and bycatch, regular standardised surveys to monitor marine life and water parameters. We also suggest considering the opportunity to allocate funds into researching of the possibilities to designate marine offshore SPAs and SACs as 'no take zones' which will replenish surrounding seas, increasing yield for fishermen in the long term perspective, as well as being beneficial to other forms of industry such as diving tourism and wildlife spotting.
- Seabird bycatch. The issue of incidental catch and entanglement of birds in fishing gears remains one of the most urgent and yet unaddressed, despite being covered by the EU legislation. In line with the CFP, the Action Plan for reducing incidental catches of seabirds in fishing gears (2012) provides the member states with an explicit management framework to minimise seabird bycatch to the lowest levels practically possible. Financial support and promotion of measures to minimise bycatch is crucial. Therefore, we are of the opinion that the issue of bycatch must be added to the section "The main threats to Malta's marine environment". Higher rates of data collection are required with a larger proportion of the fishing fleet in order to monitor gears, areas and seasons in which bycatch might be more pervasive. This could be obtained with better self reporting from all fishers irrespective of boat length, higher investment in onboard observers and overall higher levels of cooperation with fishers. The latter can be achieved if fishermen are assisted in implementing bycatch mitigation. Longline fishing has been shown to have higher incident rates of seabird bycatch in the Maltese islands<sup>4</sup>, and fishermen should be assisted to employ mitigation measures if not already doing so. Testing of measures can provide data on local efficiency in mitigating bycatch. Mitigation measures for long ling

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<sup>3</sup> Special report of the Court of Auditors 2020/26, Marine protection is wide but not deep

<sup>4</sup> M. Dimech, M. Darmanin, R. Caruana, H. Raine, Preliminary data on seabird by-catch from Maltese long line fishery (central Mediterranean), 2008



fishing can include hook pods, more weight for demersal longline, a floating ball trailed on the surface behind the vessel or a “scary bird” kite flown behind the vessel. Monitoring other fishing gears across all sizes of vessels and across all seasons is also important to identify any other bycatch risk gear and then to employ efficient mitigation measures. Sports fishing and angling tourism are currently exempt from any form of reporting on bycatch, while probably contributing to it. Sports fishers and commercial fishing tourism operators should be obliged to self report or take on board observers in the same way as other fishers. Mitigation measures could include control of lures that stay on the surface and might attract seabirds, and promoting lures that sink deeper below the surface.

→ Aquaculture. Fish farm vessels carrying fish feed or waste can harbour rodents (*Rattus rattus*); as can storage facilities. Some of these vessels pass close to seabird colonies. Investment is required to improve onboard and on site biosecurity to reduce the risk of rodents reaching seabird colonies. There are a number of perspective research directions to fund with regard to aquaculture, such as:

- assessments for the identification and mapping of the most suitable areas for developing aquaculture. The efforts should be made to continue the plans on the setting up of aquaculture zones that do not breach a balance between economic activity and protection, with the special attention given to plans for North Aquaculture Zone which is located in sensitive areas in the north of Malta.
- research into interaction with seabirds, since this remains overlooked, specifically the matter of seabirds attraction by availability of food (oil slicks on surface) which requires analysis on whether nutritionally profitable to the species or whether foraging at fish farms is preventing seabirds from searching for prey with higher nutritional value; another study is needed in connection with potentially detrimental effect of fish farm oil on the plumage of seabirds which if not kept waterproof is lethal;
- Intensify the research on the ways to make tuna farming more sustainable through researching alternative feeding methods which have less pressure on prey species that are fed on tuna, and feed that generates less waste and creates less impact on water quality with respect to seabirds. Furthermore, the EMFAF could support studies on the perspectives to fully switch to close-cycle aquaculture with the idea to move to more sustainable practices, especially when it comes to tuna farming.

→ Blue economy. The fund should foster innovations associated with fishing, ocean protection and restoration and is expected to finance projects with long-term effects which are beneficial for coastal communities, fishers and the marine environment.



- LIFE projects and other sources of co-financing. Given Malta's history of securing LIFE projects specifically related to the marine environment, the EMFAF fund should dedicate a suitable incentive to allow NGOs, private and government organisations to tap into conservation and research projects under the LIFE stream or other relevant EU funded initiatives in order to consolidate further data on the marine environment and promote the conservation of indicator species, research into sustainable fishing practices, identification and management of important biodiversity hotspots in the marine environment, etc.