

## Recommendation 48

### **Consultation on two actions under Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy**

In response to the European Commission's consultation on two aspects of the Common Fisheries Policy (CFP), the Consultative Council for the Outermost Regions (CCRUP) considers each of the points:

#### ***1. Development of social indicators to be used in analysing socio-economic relations, with the help of the Scientific, Technical and Economic Committee for Fisheries (STECF);***

At this stage, and in response to the questions in Annex 1 - *Social Data in the Fishing Sector*, fishing patterns are not yet adapted to our situation in the outermost regions. Indicators such as the attractiveness of the profession or the capacity to adapt to change are conditioned in advance by the need to renew the fleet, in order to then establish the various priorities that the Commission intends to adopt.

DG MARE's questionnaire asks for some preliminary comments on the data collected that forms the basis of the STECF report and on social data on fisheries. Although these seem technical in nature, they imply the interpretation that can be made of certain analyses based on the data used.

These observations mainly concern the measurement of employment in terms of its quality and use (measures taken from data collected either as part of the annual Data Collection Program (DCF) or as part of the multi-annual EUMAP program, on a three-yearly basis).

The Full-Time Employment (FTE) variable, which plays a central role, is wrongly equated with a measure of employment simply generated by ships. Its utilisation for the construction of "secondary" indicators, intended for a standardised comparison of economic indicators of average wages ("wages"/ETI) or labour productivity indicators (CA/ETI - quantities caught/ETI, value added per day - VAj/ETI, etc.), leads to biased and different measures, depending on the fleet segments considered. In fact, these indicators relate the values of economic agents resulting from the activity of the entire

labour force to a labour force that is only a fraction of the total labour force. Furthermore, comparing the values of these indicators, which appear to be standardised, would be illegitimate, since it would not be possible to statistically assess the significance of the differences (which is the case - *see below* Measurement of accuracy).

We believe that the sources of prejudice that lead to confusion, abuse of meaning and misuse stem more precisely from the facts that:

- The number of FTEs is calculated on the basis of the average number of seamen at sea each year on board ships;

- This number of FTEs (number of personnel at sea) is lower than the number of annual FTEs actually employed by a ship (rotation of crew and shore staff at fishing companies);

- The differences are undoubtedly even greater between these two notions of crew for ships that sail all year round and whose sea time and the number of tides for each ship are important factors;

- The conversion between personnel at sea and FTE (at sea) is made on the basis of a different legal working time, according to the different Member States, which is not documented either in the STECF reports or in the databases used to establish them. In the absence of documentation, it is not even certain that this legal working time is identical within the same Member State, depending on the vessel segments or the nature of the seafarers' employment contract;

- Furthermore, and in line with a more general observation regarding the estimates of all the economic variables that the DCF conducts, no measure of the accuracy of the estimate of the number of FTEs is publicly available (neither in the STECF reports nor in the databases on which it is based), and even less a characterisation of the distribution of its evaluator.

All these factors lead to distortions in the measures of employment generated by ships, which are unequal according to the classes of ships, and which would justify a change in the nature of the headcount measured in the context of the collection of the DCF.

Another focus of attention concerns one of the variables that is collected on a triennial basis: the number of employees by professional status. The different statuses that this data collection should identify are as follows: salaried work (differentiating between permanent and fixed-term contracts (CDI/CDD), if possible), self-employment,

employment by maritime labour agencies and shipowner status. We have not checked whether this level of detail is being achieved.

Since we consider that the above information is a necessary prerequisite for answering the proposed questionnaire, in order to answer the questions posed in Annex 1 of the European Commission's consultation, the **CCRUP recommends a prioritisation** that includes:

- Point A ("State of Play") is already limited to indicators that depend only on current statistical data collection (Point A.a); the other points of A, which are interesting, seem to be based on more sociological or anthropological surveys, or to recover information that is not accessible as a result of current data collection and can therefore only be based on new information that requires the implementation of new information collection methods or new information;

- Point B ("Evaluation of management measures"), if the scale of analysis can be raised to that of the sector and can therefore grasp the impact of the measures beyond the strict activities of the vessels. In the current state of the data listed, the measurement of induced jobs (upstream and downstream of production) is not possible and is, in particular, a prerequisite to be added.

- Point C.a ("Vulnerability of fishermen"), because it reports on the quality of jobs and the other sub-points of Point C are not covered by the current data collection;

- Point F ("Generational renewal"), on the fact that the renewal of generations of seafarers is an important issue, while emphasising that, on its own, it does not ensure the sustainability of the current fishing companies employing them and the establishment of new ones.

The **CCRUP** therefore **recommends that the additional social indicators, as well as the biological, technical and economic ones** already used by the *STECF*, **be adapted for implementation in our territories**; otherwise, their application will lead us to fail and condition our activities. In other words, we cannot check the social indicators until the ships are adapted or comply with the standards and ensure operational comfort for the seafarers.

*2. Discussions between Member States and stakeholders, with a view to preparing a Vademecum on the allocation of fishing opportunities, in order to improve transparency, promote sustainable practices within the EU and support small-scale fishermen and coastal fisheries.*

It is important to remember that the allocation of fishing quotas is based on the principle of subsidiarity, in accordance with Article 16(6) of the Common Fisheries Policy (CFP) Regulation. Member States must inform the European Commission, with complete transparency and objectivity, about the allocation methods.

With the publication of its action plan in February 2023, the European Commission intends to extend transparency beyond the link with member states alone. The availability of allocation methods is therefore desired for stakeholders and, more broadly, for the general public. Although this objective cannot be jeopardised, it is conditional on the presentation of information that allows a true understanding of the methods of allocating fishing quotas in the different Member States, in accordance with the CFP.

The STECF social data report (Report 23-17), in its summary of the evidence submitted by the Member States, indicates that the ways in which fishing quotas are allocated are relatively different. Of particular note is the difference between centralised allocation methods, where allocation rules are applied between the national authority and fishermen, and delegated allocation methods, which involve professional structures to ensure the management of fishermen's fishing quotas. This difference is important in terms of transparency, as it requires knowledge of the overall framework, but also of the management methods of the structures that act by delegation within the Member States.

#### The case of France

Quotas are divided into sub-quotas within producer organisations, which apply different methods to allocate them to their members, formalised in management plans submitted to the French administration for approval. Since these management measures can ensure specific allocations to fishing companies, they must also be taken into account when describing the criteria used under the CFP.

Although implicitly, the notion of "fishing quota" under the CFP seems to be limited to catch quotas (and, by extension, fishing effort quotas), the definition should be usefully extended to access rights (fishing authorisations and licences). They apply globally, at European, national or sub-national level, to fisheries that exploit resources subject to or not subject to quotas and are involved in regulating the activities of fishing companies. In this sense, these fishing rights can, in their management and allocation, fulfil the criteria referred to in Articles 16 and 17, and should be integrated into the debate.

Drawing up a *Vademecum* seems to be a good solution for combining the maintenance of subsidiarity with a guarantee of transparency in the allocation of EU fishing quotas. The proposed content of the *Vademecum* is consistent, including a reminder of the regulatory framework, clarifications on definitions and expectations, and examples of methods used to allocate fishing quotas. However, there is no section listing existing practices for allocating fishing quotas based on economic criteria. If it is considered that allocation according to catch history fulfils an economic criterion, this allocation method cannot be the only one. This is an extremely reductive point of view, since the three pillars of sustainability are actually mentioned in Article 17 of the CFP, and the "contribution to the local economy" is explicitly mentioned. It is therefore appropriate to add an "F" point to the proposed plan, entitled: "Existing practices to allocate fishing opportunities based on economic criteria".

Knowing that the methods of allocating fishing quotas vary considerably depending on the management method applied by each Member State, the limitation of TAC levels and quotas, the nature of the fleets covered by the campaign in question, national management guidelines, the decisions of professional organisations, etc., the STECF report identifies some allocation practices, depending on the data collected by the Member States, but they cannot be considered exhaustive and therefore should not constitute a basis for wider application. This identification does, however, provide useful examples for managers.

### France

In France, the reference to Article 17 of the CFP is enshrined in law and the practical arrangements for its application at national level are being defined.

By constituting a national reserve of previous catches and effort, French legislation provides for the possibility of allocating fishing quotas according to environmental, social and economic criteria, as set out in Article 17 of the CFP.

This national reserve has been gradually built up since 2015. It is fed by a mechanism for collecting previous data when a producer's ship stops its activity (30 per cent) or when a ship is sold (6 per cent).

The scheme aims to support producers committed to increasing the environmental, social and/or economic sustainability of their practices. To this end, the arrangements for allocating the fishing quotas associated with the national reserve, whether permanent or temporary, are currently being revised, with the aim of their full application from 2025.

We consider that obtaining an eco-label and participating in scientific programs aimed at improving fisheries knowledge and gear selectivity and implementing measures to reduce environmental impacts are some of the criteria discussed. Others, more representative of the social or economic dimension, are also studied in this context.

Although the National Fisheries Profiles are not yet known, this support would be interesting in explaining how fishing quotas are allocated in each of the Member States. In order to ensure the accuracy of the information presented, it should be possible for the Member States to validate these national profiles.

### Canary Islands

We believe that Spanish Royal Decree 46/2019, of 8 February, which regulates fishing for bluefin tuna (*Thunnus Thynnus*) in the Eastern Atlantic and Mediterranean, with regard to the allocation of the quota corresponding to Spain provided for in its article 4, is not properly applied with regard to *point f) pole-and-line vessels authorised to fish in the waters of the Canary Islands*, as we believe that only the criteria of historical catches are taken into account.

With regard to Order APA/372/2020, of 24 April, which regulates bigeye tuna (*Thunnus obesus*) fishing in the Atlantic Ocean and establishes a census of vessels authorised to fish for bigeye tuna, we believe that the criteria for distributing the Spanish quota, in particular article 3, point 2, paragraph c) is not taking due account of vessels that fish selectively and with low environmental impact, as it only allocates 1% of the Spanish quota to vessels operating with these gears.

### **In view of the above, the CCRUP recommends:**

- The exploitation of economic criteria other than historical catches, which favour positive impacts on local economies

- In addition to existing practices for allocating fishing opportunities on the basis of social and environmental criteria (points D. and E.), it may be positive to include a factor of potential social and environmental indicators that can be applied. These may be accompanied by data availability requirements, complexity of measurement, etc.

- Maintaining the application of "socio-economic" criteria in favour of artisanal fishing in the outermost regions and the introduction of guarantee and control measures

for compliance by Member States with the final section of Article 17<sup>1</sup>, of Regulation 1380/2013, and in any case introducing specific quotas for small-scale artisanal fleets in the outermost regions in the allocation of fishing opportunities, with a positive differentiation for them, which have a reduced environmental impact.

- Although transparency should also be applied within each of the Member States, with regard to the rules of subsidiarity, it would be interesting to make information available at the overall level of the European Union.

Finally, the CCRUP believes that the Commission's consultation is taking place under tight deadlines, which do not allow us to gauge the extent of the repercussions and therefore the future impacts on our maritime populations. The "Fisheries and Ocean" package of February 2023 should have included these discussions and proposals to be brought to the attention of professionals right from its consultation phase.

Opinion of the *Comité Régional des Pêches Maritimes et des Élevages Marins de La Réunion* :

The allocation of fishing opportunities should be the responsibility of the Member States and they do not consider it necessary to question the principle of subsidiarity in the allocation of fishing opportunities.

They believe that there is no point in worrying about social indicators while ships are not adapted or comply with standards and do not offer operational comfort to seafarers.

They do not want new criteria added to those existing or new standards introduced. Nor do they want STEFC to interfere in the verification of their application.

The President of the Executive Committee of the CCRUP,

---

(David Pavón González)

---

<sup>1</sup> Member States, within the framework of the fishing opportunities allocated to them, shall endeavour to provide incentives for fishing vessels that use selective fishing gear or fishing techniques with a reduced environmental impact, such as low energy consumption or less damage to the habitat. In any case, Member States shall allocate an additional specific quota to the artisanal fleets of the outermost regions