



**LIFE Association asbl**  
**Low Impact Fishers of Europe**

22 November 2019

Mr Davies

Chair of European Parliament Committee on Fisheries

**Subject: The CFP is causing a Distorted Sea - Systemic failure of Common Fisheries Policy implementation is undermining its objectives, and this is disproportionately affecting small scale coastal fishers, the sustainability of their communities and of the natural resources on which they depend**

Dear Mr. Davies,

Five years after the adoption of the reformed Common Fisheries Policy<sup>1</sup> (CFP) and its implementation, including the Common Organisation of the Markets<sup>2</sup> (CMO), European Maritime Fisheries Fund<sup>3</sup> (EMFF) and associated regulations<sup>4</sup>, the intended improvement in sustainability outcomes for the small-scale low impact fleets across the EU are not being delivered, and the opportunity to harness their potential to achieve wider social, environmental and economic sustainability goals is being squandered.

We write to you and the PECH Committee of the European Parliament to outline and express concerns about these implementation failures and to request that the Committee addresses these urgently.

We respectfully request the Pech Committee to:

- Publish an implementation and/or own initiative reports to evaluate the extent and effectiveness of CFP implementation with regards to the SSF fleets across the EU.
- Request the Commission to provide specific implementation guidelines to member states on SSF provisions within the CFP and associated regulations.
- Retain detailed provisions for an action plan for the development of sustainable and profitable small-scale fishing integral to MS operational programmes in the post 2020 EMFAF (2021-2027), currently in the trilogue process.
- Maintain the definition of SSF included in previous EMFF regulations, i.e. “fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed fishing gear”, in the new MFAF.
- Call on the Commission to include a separate SSF impact analysis in all future reports provided to Parliament, particularly the upcoming report to the Parliament and Council on the implementation of the CFP.
- Copper-fasten SSF provisions in any new regulations to ensure they are implemented at member state level.

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<sup>1</sup> Regulation (EU) No 1380/2013

<sup>2</sup> Regulation (EU) No 1379/2013

<sup>3</sup> Regulation (EU) No 508/2014

<sup>4</sup> For example Commission Delegated Regulation (EU) 2015/242 on the functioning of the Advisory Councils

### **Barriers to set up small scale coastal fishers specific POs**

Under the CMO regulation, producer organisations are described as “*the key to achieving the objectives of the CFP*”<sup>5</sup> and Member States and producer organisations are required “*to encourage the appropriate and representative participation of small-scale producers*”<sup>6</sup>, while taking into account the specific situation of small-scale producers.”<sup>7</sup>

The reality however is that Member State recognised POs have almost exclusively become monopolised by large scale fishing interests who erect barriers of entry to the markets for fishing opportunities, create obstacles to the development of small scale fishing fleet members, and restrict the flow of the benefits of the PO model. Small scale fish producers are rarely members of POs, and even when they are these POs are mixed and cater disproportionately to the needs of the larger producers as regards quotas and markets<sup>8</sup>. Additionally, it continues to be very hard to set up and develop small scale coastal fishers’ specific POs, as Member States do not take into account the special characteristics or situation of small scale fish producers, or encourage their appropriate and representative participation, as the regulations require. In a number of Atlantic Member States, for example, upwards of 75% of the fleets are small scale coastal fishers and yet those small scale coastal fleets have zero or near zero participation in those countries’ POs.

### **Exclusion from fair access to fishing opportunities**

Small-scale coastal fishers tend to fish in the least environmentally damaging ways to provide the greatest benefits to society. Despite this, small-scale fishing fleet are almost entirely excluded from access to fishing opportunities for quota stocks in our member states. Across Europe, small-scale fishing operations represent 70-80% of the overall fleet by numbers of vessels, provide 60% of the jobs, yet only receive 1 to 3% of the quota. For example, in Ireland in 2018 the small scale fleet (86% of the fleet) was allowed to land only 0.85% of the Irish quota. In the UK 85% of the fleet is under 12 metres and 75% under 10 metres. They have access to c.1.8% of the national quota, but can only land 50% of that due, in part, to the way the quota is managed by the national authorities (MMO).

### **Lack of access to European Maritime Fisheries Fund**

The 2014 EMFF regulation requires Member States with a significant small-scale coastal fishing segment (1000 vessels or more) to include in their operational programmes “an action plan for the development, competitiveness and sustainability of small-scale coastal fishing.”<sup>9</sup> It also provides for diversification of small-scale fisheries through the development of complementary activities, giving priority to small scale fishers to access grants for the modernisation and replacement of engines, and to support value addition and direct marketing initiatives for small-scale fishers.

Sadly, in our experience, these provisions have been poorly implemented by Member States, leading to a distortion of the seas, with small-scale fishers instead being starved of quota and so having to rely on non-quota species, as well as being effectively excluded from the benefits of access to the Producer Organisation model. This means that the inshore fishing zones are subject to potentially more destructive larger scale intensive fishing operations using trawls, dredges and other towed gears, and with the lion’s share of fishing subsidies supporting larger scale fishing operations<sup>10</sup>.

In recent years, thanks to relatively high fish prices and low fuel costs, larger scale fishery enterprises have been making record profits as reported in the 2019 STECF report<sup>11</sup>. The opposite is true however the for

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<sup>5</sup> CMO preamble paragraph 7

<sup>6</sup> CMO Preamble paragraph 8

<sup>7</sup> CMO Article 6(2)

<sup>8</sup> Fishy Business: Fish POs in the EU. How the failure to properly recognise and regulate the EU’s fish producer organisations is failing the Common Fisheries Policy and smaller-scale fishermen and what should be done to resolve it. <https://lifeplatform.eu/fishy-business-fish-pos-eu/>

<sup>9</sup> EMFF Article 18(1)(i)

<sup>10</sup> At the Pech Committee meeting on October 2, 2019, the DG Mare representative stated that 70% of the EMFF funding went to larger scale fisheries, with 18% to small scale fisheries. She described this a “distortion of the seas”.

<sup>11</sup> STECF 2019 Annual Economic Report on the EU Fishing Fleet (STECF 19-06).

<https://stecf.jrc.ec.europa.eu/documents/43805/2483556/STECF+19-06+-+AER+-+2019.pdf/db370547-4405-416d-b2e3-76f8276edae2?version=1.2&download=true>

small-scale enterprises, where because wholesale market prices are depressed by the larger lower quality fish from the towed gear sector, lower quantities of higher quality fish do not obtain high first sale values. This makes direct marketing essential for the survival of small scale fishing operations, where small-scale POs could play an essential role.

We are convinced that if ssf were provided with the enabling policy environment intended by the Regulations and the political will to promote it, small scale low impact fisheries could make all the difference between success and failure in the implementation of the 2014 CFP and in achieving the targets set by the Marine Strategy Framework Directive for Good Environmental Status by 2020.

### What can the Pech Committee do?

#### Short term

1. Request the Commission to issue more explicitly prescriptive implementation guidance to member states on the small scale coastal fishing provisions of the Regulations, especially with regards to CFP Article 17 and appropriate social, economic and environmental criteria to be used as the basis for allocating fishing opportunities.
2. In the on-going Trilogue negotiations on the EMFAF 2021-2027, insist on the inclusion of a special section (Section 2, in Articles 15 and 16) on Small-Scale Coastal Fishing, and the requirement for Member States to “prepare as part of their programme an action plan for the development of sustainable and profitable small-scale fishing<sup>12</sup>”.
3. Produce implementation and/ or own initiative reports to evaluate the extent of failure of CFP implementation and its impact on small scale fishers.

#### Long term

2022 will be the International Year of Artisanal Fisheries and Aquaculture<sup>13</sup>. It is also a year in which the Commission is required to report to the Parliament and the Council on the implementation of the CFP by December 31 2022. We call on the Parliament to:

1. Call on the Commission to include a special chapter on small scales coastal fishers in its report to the Parliament and Council on the implementation of the CFP, as required before 31 December 2022
2. Make the small scale coastal fishers provisions in the next round of Regulations specific requirements in the Articles, rather than references in the preambles.

Thank you in anticipation of your help with this matter,

Yours sincerely,



Brian O’Riordan

Executive Secretary, Low Impact Fishers of Europe

**Low Impact Fishers of Europe (LIFE)** was launched on the eve of the reformed CFP in 2012 to provide dedicated representation at European level for the large majority of the EU’s fishing fleet that is small in scale and relatively low in environmental impact. LIFE is the only European level organization providing such dedicated representation for small-scale low impact fishers. Currently LIFE incorporates 31 member organisations from 15 Member States across the EU from the Baltic to the Black Sea, representing around 10,000 fishers.

<sup>12</sup> Article 15.1. of the Commission Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council. COM(2018) 390 final. 2018/0210(COD)

<sup>13</sup> <http://www.fao.org/voluntary-guidelines-small-scale-fisheries/news-and-events/detail-fr/fr/c/1139155/>