

BSAC response to the Commission's consultation on social indicators and allocation of fishing opportunities

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Introduction

This document presents the BSAC response to the questions from the Commission regarding two specific actions of the CFP Communication:

1. The further **development of social indicators** to be used in the analysis of socio-economic reports with the help of the Scientific, Technical and Economic Committee for Fisheries (STECF).
2. Discussions among Member States and stakeholders with a view to preparing a **vademecum on the allocation of fishing opportunities** to improve transparency, promote sustainable practices across the EU and support small-scale and coastal fishers.

Some background for the Commission's consultation is given in the letter received by the BSAC on the 6th February 2024¹. The letter builds on the latest STECF report on social data in fisheries (EWG 23-17)² which focused on 3 complementary aspects of social data:

- National Fisheries Profiles,
- the development of additional social indicators and
- the analysis of Member States' answers regarding the method of allocation of fishing opportunities at national level (Article 17 of the CFP)

The BSAC response has been elaborated based on members answers to a written consultation and discussions on the CFP Communication that took place in the Working Groups. The draft was circulated for comments of the members then validated by the Executive Committee on 15th April 2024.

Please note that in parallel, the BSAC is preparing a set of recommendations regarding the CFP Communication.

BSAC recommendation

1. SOCIAL DATA IN FISHERIES

The BSAC members want to highlight 3 levels of priority regarding the groups of policy area that are needed to better understand the social context of fishing communities:

¹ <https://www.bsac.dk/wp-content/uploads/2024/02/2024.02.02-Consultation-of-stakeholders-on-social-data-art-17.pdf>

² <https://stecf.jrc.ec.europa.eu/documents/43805/72190453/STECF+23-17+-+Social+Data.pdf/8eec15c4-5d23-4b10-b4c3-ecab442f3bbf>

Matters of high priority

- *Current socio-economic situation of fishers (working conditions, safety, type & number of contracts over a year, well-being, training & skills, social position in society, income, employment type, age, gender, etc)*
- *Level of awareness of sustainability issues (environment, social, economic)*
- *Impact of EU conservation measures on fishing communities in terms of employment, working conditions and potential for social conflict*
- *Vulnerability of fishers (wages, contracts, social coverage, pension, predictability of business environment, financial position, work safety, etc.)*
- *Perceived historical and cultural importance of the fishing community in the EU by different categories of the population*
- *Attractiveness of the profession for the younger generation (working conditions and safety for men and women, training & skills, safety, income, social coverage, pension, working hours, time away from home, employment type (self-employed, full time, part time, etc.), level of professionalization, use of IT/technology, integration of environmental concerns, etc.)*
- *Number of fishers that have “dropped” or discontinued the family business, and reasons (safety, income, hardship, family itself doesn’t want them to continue)*
- *Level of engagement of fishing communities (through representative bodies)*
- *Type of representation in local/national decision bodies*
- *Role of producer organisations and fishers’ associations*
- *Perceived role and impact of these organisations and associations in fisheries management decisions*
- *Perceived role and impact of these organisations and associations in fisheries management decisions*
- *Influence of fishing communities influence on compliance*

Matters of medium priority

- *Comparison of situation to other sectors (in terms of danger, difficulty, etc)*
- *Working conditions of non-EU workers on board EU vessels fishing outside EU waters*
- *Level of adaptability to current changes (business structure, polyvalence including other non-fishing activities, training & skills, duration of residence (e.g., likeliness to accept moving), working rhythm*
- *Impact of the employment of non-national fishers (EU and non-EU) on fishing communities*
- *Number of fishers that have tried to work in the fleet of another EU country but couldn't (link to mutual recognition, training)*

Matters of low priority

None

In addition to the topics mentioned in the list, the BSAC also recommends that DG MARE looks into the diversification of income possibilities (outside of fishing) and training opportunities for this. Moreover, taking into account the work on the vademecum (see next section), DG MARE could investigate the connection between fishing opportunities allocation (criteria from Article 17, historical allocations, ITQ systems etc) and the impact on wages and number of fishers in Member States.

2. VADEMECUM ON ARTICLE 17 (ALLOCATION OF FISHING OPPORTUNITIES)

As a preamble, the BSAC reminds that it has strongly supported the so-called relative stability in relation to quota allocation at EU level. The national quota allocations are the responsibility of the Member States, and the comments hereunder pertain to fishing opportunities within the Member States.

The BSAC is of the opinion that the elements³ considered by the Commission to be included in the **vademecum** are fit for purpose.

Some BSAC members have proposed that the vademecum also concludes with recommendations on improving future fishing opportunities allocation.

Regarding the novel ways to allocate fishing opportunities presented in Section 4.5 of STECF EWG Report 23-17⁴ - see Annex 1 extracted from the report-, the BSAC members find that some seem very positive and could be used more widely while other do not seem innovative and should not be seen as good examples.

In practice, an analysis of the results provided by these novel allocation practices should be conducted, focusing on the effects on quota reallocation to fishers in line with the transparent social and environmental criteria.

Some members oppose to the allocation techniques that are relying on historical track records (like in the Irish example in the STECF report). They also highlight the positive example of allocating quota according to the use of selective fishing gear for reduced environmental impact. Finally, they recommend a quota reserve for small-scale coastal fishers and young fishers, that should represent a minimum percentage from a Member States TAC.

Some members point that the priority when allocating quota should be to focus on rebuilding fish stocks. In the current Baltic situation, fishing quotas should be divided in such a way as to enable the biological recovery of caught species, taking into account inter-species interactions.

Regarding the **National Fisheries Profiles**⁵, the BSAC welcomes their publication and reminds that getting access to the disaggregated data will be essential to achieve transparency.

³ A. General background and context / B. Legal requirements about transparency and objectivity / C. Clarification/illustration of the meaning of fishing opportunities / D. Existing practices to allocate fishing opportunities based on social criteria / E. Existing practices to allocate fishing opportunities based on environmental criteria

⁴ <https://stecf.jrc.ec.europa.eu/documents/43805/72190453/STECF+23-17+-+Social+Data.pdf/8eec15c4-5d23-4b10-b4c3-ecab442f3bbf>

⁵ "The National Fisheries Profiles provide historical background and specific contextual information, and emphasise the most salient social, institutional, and legal aspects related to fisheries in each country. Three initial profiles were prepared (Netherlands, Spain and **Denmark**) and acted as proof

Some members highlight that the existing data is sufficient to implement the requirements of art 17 and that this implementation is failing.

The BSAC would favour more advice from the Commission on how Article 17 can be fully implemented.

Finally, some BSAC members would be interested in participating in a workshop where some of these different practices are described in more detail.

of concept. Work is under way to produce an additional 9 profiles (Portugal, Cyprus, France, Slovenia, **Sweden**, Croatia, **Estonia**, Italy and Bulgaria) based on a revised template. The European Commission plans to publish these profiles on the JRC website in the fall of 2024.

Annex 1: extract and summary for Section 4.5 of [STECF EWG Report 23-17](#)

4.5 Practices with positive impact or novel practices

The practices presented below are extracted from the responses of the MS without cross examination on their actual implementation and their positive or negative impacts. [...]

Social

- **The creation of advisory committees, to support and advise the competent authorities on the allocation of quotas according to different criteria** can be seen as a positive example in terms of transparency and engaging stakeholders. Such an example is the Quota Management Advisory Committee in Ireland. Ireland has created this body, which advises the Government on gear trials, with the aim of improving the environmental performance of fishing gears, incentivising this through quota allocations. To promote the allocation of quota through incentives is also an objective of art. 17.
- To support the local economy and sustain fishers' livelihoods, French authorities decided to **regionalise some of the national quotas for non PO-fishers** after a consultation of relevant fisher organisations. This decision applies to the sole, hake and mackerel quotas. The idea behind such a decision is to slow down the race to fish, allowing for a better spread of catches around the year and ultimately a better control of the risk of overfishing.
- **Considering social criteria in general**, Different countries (Spain, Italy, Croatia, Bulgaria...) mention **support to fishing communities** as one of the social criteria justifying the allocation of fishing opportunities. Even if the term "community" is not very well defined, (e.g. geographical area or group of fishers), the objective is to reserve access to species or fishing ground to communities depending on them to maintain employment. The satisfaction of social criteria is often used as an argument to reduce the scope of relative stability principle and historical track records principles.
- A concrete social novel practice is to **promote employment on board through prioritising boats with a larger crew**: in Spain it seems that in some areas days at sea are allocated according to the number of crew on board.
- Another set of non-traditional practices when choosing allocation criteria is that of MS **keeping a percentage of quotas for some specific social groups, as newcomers in fishing** (i.e. in Romania, Bulgaria, Malta), **young fishers** (Denmark, Bulgaria, Malta) **or for SSCF fishers** (i.e. in Latvia, Bulgaria and Malta). These types of support take different forms, as for example Denmark supports young fishers through aid for buying a vessel while Bulgaria supports vessels with young crews and Malta provides as much as 20% of its blue fin tuna to young fishers with smaller boats.
- **Giving more quota to vessels employing people with contracts** in a context of frequent informal work is also a novel practice that has appeared during the scrutiny of the questionnaire answers (e.g. Bulgaria).

Economic

- Good practices related to economic criteria are less common, and are often mixed with other types of criteria such as social or environmental. A particular example is that of France, with quotas under PO management. PO can decide to **allocate the entire quota for some species to those getting the "best market value for their catches"** so as to sustain the local economy and fleets more dependent on these species.

Environmental

- Denmark's environmental criteria pertain to the **use of selective fishing gear for reduced environmental impact**, aimed e.g. at reduced habitat damage or improvement of fish stocks. There are also examples in Ireland, Spain, France (see full text).
- **Consideration of energy consumption** (Belgium) and of the **avoidance of marine mammals and birds**. Belgian reported the influence of fuel efficiency of engines, especially after the economic crisis. Bulgaria for example considers the reduction of by-catches of mammals and birds in its allocation. An incentive-based approach is implemented to encourage the use of active acoustic devices to repel cetaceans. The presence of such devices and their greater number is giving vessels a higher number of points in the procedure of allocation of fishing opportunities.

Others

- Some MS have established the rule that **less quotas are allocated to fleets that did not have satisfactory compliance with regulations or had penalties** over the previous year(s) (e.g. Estonia, Bulgaria).
- Finally, it seemed positive to the EWG to **consider the complete mix of types of allocation criteria** (environmental, social and economic) when allocating the fishing opportunities. Ireland appears to be a good example where 20% of the allocation is done based on historical track records, 50% based on environmental criteria and 30% based on socio-economic criteria. This is particularly relevant as in many cases the same criterion can be considered under different types, e.g. historical catches.