
Social Partners for Sea Fisheries – Future of the Common Fisheries Policy

A need of a strong social dimension in the future CFP

9 November 2021

The current Common Fisheries Policy (CFP) focuses on economic and environmental sustainability, leaving aside social sustainability. Addressing the issues not sufficiently covered in the current CFP is crucial, as highlighted in the mandate given to the Commissioner for Environment, Oceans and Fisheries, Mr. Sinkevičius. Some of the problems currently faced by the sector have already been highlighted in the European Parliament report 'Fishers for the future'¹ as well as the European Economic and Social Committee (EESC) opinion on the social dimension of fisheries². Furthermore, President von der Leyen, during the state of the Union 2021, has been very clear on the need to *"ban on products in our market that have been made by forced labour. Human rights are not for sale – at any price,"* and this is particularly relevant for fish products.

The Social Partners for Sea Fisheries therefore wish to highlight the following priorities to the attention of the European Commission to be addressed in the future CFP.

- Overarching social objectives, in parallel with environmental objectives, are missing in the CFP. Such goals would acknowledge that the safety and wellbeing of workers on board of fishing vessels is essential as well as bridging the generational gap for the future of the industry. Young fishermen would not be attracted unless good prospects for the future, better protection and optimal working conditions across the sector are offered.
- Social indicators and targets in fishery instruments such as fishing opportunities and multi-annual plans are missing. Adequate funding to achieve these objectives can be provided by placing the social dimension as a strong pillar within the European Maritime, Fisheries and Aquaculture Fund (EMFAF).
- The narrowing down of the CFP's social dimension in fishing to just levels of employment, which sadly has a downward trend of 2% per year, disregard other important considerations such as working and living conditions of fishers, the viability of the value chain and the effect of technical measures on fishers' safety, health, and income. These factors are not consistently included in the development of fishing rules, or funding provisions, for the industry.
- We observe a clear contradiction between the CFP and the requirements set out in social legislation such as the ILO C188 Work in Fishing Convention, transposed in European legislation by Directive (EU) 2017/159. According to these legal texts, there is a requirement for more space on board, on a mandatory basis for vessels of 24 metres in length or over, while the fishing industry is prevented to increase space on board because of gross tonnage and propulsion power limitations

¹ 2019/2161(INI).

² NAT/776-EESC-2019-03203.

- The inadequate definition of fishing capacity in the CFP hinders in general the modernisation of the fleet and in particular social and safety improvements. Thereby social partners call for alternative formulas for measuring fishing capacity. The space on board destined to the kitchen, cabins, toilets or recreational areas have nothing to do with the ability of the vessel to find, catch or store fish and therefore, the fishing capacity. New measurements that be used can are "net tonnage" or those used in Norway and Iceland, which exclude areas set aside for relaxation, comfort and leisure from the calculation, based on factors such as allocated quota or size of vessel³.
- We call on the European Commission to adopt a Directive on compliance and enforcement of C188.
- We agree with the extension of Marine Accident investigation to smaller vessels (under 15m).
- Art. 15 of the CFP clashes with both Directive 2017/159 implementing ILO C188 and Art. 39 of the TFEU. Art. 39 of the Treaty stipulates the objective *"to ensure the optimum utilization of the factors of production, and thus to ensure a fair standard of living for the fisheries community by assuring the availabilities of supplies"*. However, the landing obligation has led to increased labour on-board, reduced resting time and underutilisation of rightful fishing opportunities. Art. 15 of the CFP should therefore be revised in order to make the ill-conceived and not fit for purpose EU landing obligation policy⁴ consistent with other legal instruments adopted by the EU, in particular Directive 2017/159 and the Treaty on the Functioning of the EU.
- An European study should be undertaken to identify the health and safety needs of all workers in the fish products supply chain, since health and safety in the catching, farming, and processing industry is currently lacking data. The study should also determine how to monitor ongoing performance, how to include workers' health and safety in the CFP and the budget to effectively implement the needed measures.
- Minimum levels of basic training for all seafood workers in the CFP would be fundamental to increase health and safety. This compulsory minimum training should take place in all Member States before starting to work in the industry and regularly after that. Proper funding for the training must be provided. The STCW-F 95 Convention should be used as the common standard to ensure that personnel sailing on fishing vessels (regardless of their size) are qualified (as evidenced by official certificates) and fit for the job (on the strength of a medical certificate) and transposed into an EU Directive.
- Appropriate measures are needed to ban access to the EU market for fish products that come from countries where workers' abuses are identified. ILO Work in Fishing Convention's (ILO C188) seafood labour standard could be used as a benchmark for importing countries and companies. Nevertheless, new market tools should be developed to prevent the entry of seafood products produced by exploited labour force using the Code of Customs as legal basis.

³ Study on social impact of gross tonnage and propulsion power limitations and possible alternatives conducted in the framework of a social dialogue project: <https://tinyurl.com/ypsxybas>

⁴ Sea Fisheries Social Partners Joint Resolution on the landing obligation: <https://tinyurl.com/landingobligation>

- Supporting measures are needed when jobs, incomes of fishing families and economy of local communities are endangered due to restrictions of fishing effort. In certain areas the recurrent reduction of fishing effort make fishing activities on the brink of becoming unprofitable. The jobs of the workers, who often have been fishers for generations, are disappearing and the institutions shall take appropriate measures to support them and their families and give them a professional future.
- Art. 17 of the CFP states that when Member States allocate fishing opportunities they shall use transparent and objective criteria, including those of an environmental, social and economic nature. More attention should be paid to social and economic criteria, given their importance to protect jobs and coastal economies.
- Labour and safety factors need to be introduced as part of the sustainability criteria to be set in the upcoming revision of marketing standards. EU efforts in ensuring sustainable fishing in our waters are incompatible with importing products from certain non-EU countries with little concern for environmental nor social sustainability. In line with the farm to fork strategy and art. 12 of the CFP, Europe should aim at reducing EU's market dependency on (sea)food imports, especially from the above-mentioned countries.
- Missing consumer information, which can be enhanced particularly by making it mandatory to display in the label of processed and canned seafood products, *inter alia*, the origin (FAO catch area, flag of the vessel) and method of production. To date, and opposite to fresh and frozen products, this information is voluntary and often not declared to avoid consumer awareness of possible food quality or provenance issues. If the product information to the consumer better reflects social standards as well as the origin of the catches, consumers can participate in the defence of workers' rights.
- A lack of sufficient consideration to social factors in impact assessment studies and policy actions, which should be included in the procedures before fishery management rules are adopted and implemented.
- The role of Social Dialogue shall be emphasized and thereby the need to consult Social Partners in the fisheries sector as a necessary and by-default step to be taken by the European Commission at all stages, from conception to implementation of fisheries measures. While recognising the role of Fisheries Advisory Councils in the EU, Article 154.2 TFEU gives a statutory role to the EU Social Partners in the sea fisheries sector, meaning that *"to this end, before submitting proposals in the social policy field, the Commission shall consult management and labour on the possible direction of Union action"*. Therefore it is clear the need to keep informed and actively consult social partners on, at least, an equal footing with Advisory Councils. As a first step, DG MARE should include Social Partners secretariats' in the list used by DG MARE to communicate with the Advisory Councils.
- Fully take into consideration the remarkable cuts of greenhouse gas emissions in the EU fishing sector over the last 30 years and the low environmental impact of an industry that produces the perfect protein for our diets. Fuel taxation for fishing vessels neglects these important elements and the fact that any transition to new propulsion technologies clashes with current capacity limitations for fishing vessels set in the CFP. Higher operational costs will automatically translate into lower income for fishers.

- Adopt strategies for women to work aboard fishing vessels, especially as bridge and engine room officers. This approach requires that privacy of women and men can be guaranteed on board of the vessel. This means separate cabins and sanitary facilities and that means increase of volume (= gross tonnage) which the CFP in its present form hampers.
- We observe a lack of direct consultation and collaboration with Social Partners on the inclusion, application and monitoring of effective implementation of the “social clause” in Sustainable Partnership Fisheries Agreements, which must be addressed.

ANNEX

(Messages from DG MARE Director during the “Fishers for the Future” Parliamentary hearing)

Lena Andersson Pench:

- Mission statement Sinkevicius – in preparation face of the revision of the CFP. How to best strengthen the social dimension and the attractiveness of the sector.
- Fishermen to become genuine stewards of the sea.
- Agrees with scarce social data: Working to enhance social data with STECF: gender, different types of contract, education and nationality. Social goals in the CFP are actually implemented – social criteria as part of quota allocation is limited (reserve for young fishers very scarce).
- Adoption of Directive 2017 Work in Fishing Convention (no timing) was a milestone. Carrying out a transposition and compliance analysis – next year clearer view. Feasibility of extending Port State Directive to fishing vessels as part of enforcement.
- Extension of Marine Accident investigation to smaller vessels (under 15m).
- Several MS have not ratified STCW-F (only 10MS). Ratification is key. Also looking at the current revision to decide whether to incorporate in EU law.
- Continue to promote the ratification of ILO C188 and Torremolinos Convention.
- Good use of EU funding: the new EMFAF. First vessel acquisition by young fishermen, training, role of women, FLAGS, investment in low impact fishing techniques, safety on board and energy efficiency. Training and upskilling fishers. Other funding possibilities available such as ESF (lifelong learning)
- Reply to Aguilera: revision of the CFP to sufficiently cover the social dimension. Safety and SSF concerns - there is a code of practice for the safety of small fishing vessels and a particular budgetary line within the EMFAF.