The implementation of Article 17 of the Common Fisheries Policy Regulation

2021/2168(INI) - 07/06/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 482 votes to 103, with 47 abstentions, a resolution on the implementation of Article 17 of the Common Fisheries Policy Regulation.

With this resolution, Parliament examines how Member States allocate the fishing opportunities they are given at EU level and whether this is in line with their obligations under the Common Fisheries Policy (CFP) and consistent with the wider objectives of the CFP.

Members recalled that under **Article 17 of the CFP regulation**, Member States must use transparent and objective criteria, including those of an environmental, social and economic nature, when allocating the fishing opportunities available to them under the CFP regulation. These criteria may include the environmental impact of the fishery, compliance history, contribution to the local economy and historical catch records.

Use of objective and transparent criteria

Parliament noted that there is a lack of transparency and that several Member States do not publish the criteria they apply when allocating fishing opportunities and encouraged them to **make these criteria public and easily accessible**. It called on the Commission to **initiate infringement proceedings** against Member States that do not respect their obligations regarding transparency in the allocation of fishing opportunities.

Although it is for Member States to decide how fishing opportunities are allocated to vessels flying their flag, Article 16(6) of the CFP Regulation requires Member States to inform the Commission of the method of allocation chosen, and thus of how Article 17 is implemented. However, the assessment of the social dimension of the CFP carried out by the Scientific, Technical and Economic Committee for Fisheries (STECF) shows that by 2020, only 16 of the 23 Member States had responded to the Commission's request in this regard.

The resolution stressed the importance of making **progress on transparency** throughout the EU with regard to the criteria for allocating fishing opportunities and their practical application. Information on the functioning of the system of fishing opportunities, including the method of allocation, should be easily understandable by operators and stakeholders so as to promote a coherent and rules-based method of allocation, which allows for better monitoring, a level playing field for all those involved and greater predictability for fishermen.

Member States are invited to **make public their respective methods of allocating fishing opportunities**, in compliance with the relevant data protection legislation.

Members believe that allocation methods should be developed with the participation of fishing communities, regional authorities and other relevant stakeholders, and should include safeguards such as notice periods to allow fishermen to adapt in case Member States decide to change their allocation method.

Member States are invited to: (i) design allocation systems so as to guarantee their simplicity and, in the long run, to allow operators and stakeholders to monitor the criteria and the allocation process; (ii) ensure a level playing field and equal opportunities for all fishermen, in order to allow fair access to marine resources.

Use of environmental, social and economic criteria

The resolution noted that there have been no reports from the Commission of changes in allocation methods by Member States since the entry into force of the CFP reform and the entry into force of Article 17 of the CFP Regulation, suggesting that the 2013 CFP reform has not had a major impact on allocation methods. Historic catch levels are currently the most common criteria applied by Member States to distribute fishing opportunities.

Parliament noted that the available data show that **only some Member States use environmental, social or economic criteria** to allocate fishing opportunities and that, if they are used, they do not carry much weight in the final allocation.

Members welcomed the fact that the current allocation methods, which are largely based on historical rights, provide a certain level of economic stability in the fisheries sector, but recognise that they contribute in some cases to reinforcing trends, such as economic concentration in the fisheries sector, which distort competition, create barriers to entry for newcomers and make the sector unattractive to new young fishermen. In some cases, these methods do not provide sufficient incentives for fishermen who use fishing practices with a lower environmental impact, and do not offer fair opportunities to all fishermen, including small-scale fishermen.

The Commission is invited to:

- ensure that each Member State concerned allocates fishing opportunities in accordance with the CFP Regulation and, in particular, Article 17, using transparent and objective criteria, including those of an environmental, social and economic nature;

- work more proactively with the Member States concerned on the implementation of the provisions of Article 17 of the CFP Regulation and continue to assist Member States in using transparent and objective criteria when designing their method of allocating fishing opportunities, for example by publishing guidelines.

Member States are invited to:

- **encourage fishers to use the most sustainable and environmentally friendly fishing innovations**, practices and methods and to take into account climate and ecosystem considerations in their allocation processes, based on a set of transparent criteria;

- encourage operators, through their allocations processes, to **strengthen social dialogue** with trade unions and workers' organisations and to fully implement collective bargaining agreements in order to promote social sustainability and fair working conditions in the fisheries sector;

- seek to provide incentives for fishing vessels that deploy **selective gear** or use fishing techniques with reduced environmental impact;

- support the entry into the business of **young and new fishers**, in order to lower barriers to entry, correct market failures, and ultimately facilitate much-needed generational renewal in the fisheries sector.

Lastly, Parliament considers that the types of fisheries and the realities they face vary greatly across the EU and that there are therefore no one-size-fits-all criteria of an economic, environmental or social nature that can be applied uniformly throughout the EU.