



TEXTS ADOPTED

P8_TA(2017)0195

Management of fishing fleets in the outermost regions

European Parliament resolution of 27 April 2017 on the management of the fishing fleets in the Outermost Regions (2016/2016(INI))

The European Parliament,

- having regard to Article 349 of the Treaty on the Functioning of the European Union (TFEU), which confers a special status on the outermost regions (ORs) and provides for the adoption of ‘specific measures’ enabling the full implementation of the Treaties and common policies,
- having regard to the judgment of the Court of Justice of the European Union in Joined Cases C-132/14 to C-136/14 on the interpretation of Article 349 TFEU, which stresses that Article 349 allows derogations not only from the treaties but also from secondary law,
- having regard to Articles 174 et seq. of the TFEU, which establish the objective of economic, social and territorial cohesion and specify the structural financial instruments to achieve this,
- having regard to Article 43 TFEU,
- having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy,
- having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund, specifically Articles, 8, 11, 13, 41 and, in particular, Articles 70 to 73 thereof,
- having regard to Commission Regulation (EU) No 1388/2014 of 16 December 2014 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union,
- having regard to Commission Delegated Regulation (EU) No 1046/2014 of 28 July 2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regards to the criteria

for the calculation of the additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions,

- having regard to Commission Delegated Regulation (EU) 2015/531 of 24 November 2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council by identifying the costs eligible for support from the European Maritime and Fisheries Fund in order to improve hygiene, health, safety and working conditions of fishermen, protect and restore marine biodiversity and ecosystems, mitigate climate change and increase the energy efficiency of fishing vessels,
- having regard to the Commission communications on the ORs, and in particular the communication of 20 June 2012 entitled ‘The outermost regions of the European Union: towards a partnership for smart, sustainable and inclusive growth’ (COM(2012)0287),
- having regard to its resolutions on the ORs, in particular its resolution of 26 February 2014 on optimising the potential of outermost regions by creating synergies between the Structural Funds and other European Union programmes¹,
- having regard to Council Regulation (EU) No 1385/2013 of 17 December 2013 amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union,
- having regard to Council Decision (EU) 2015/238 of 10 February 2015 on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union,
- having regard to the first report from the Commission to the European Parliament and to the Council, of 24 September 2010, on the impact of the POSEI reform of 2006 (COM(2010)0501),
- having regard to its position of 2 February 2017 on the proposal for a regulation of the European Parliament and of the Council on the sustainable management of external fishing fleets, repealing Council Regulation (EC) No 1006/2008²,
- having regard to its resolutions of 12 April 2016 on innovation and diversification of small-scale coastal fishing in fisheries-dependent regions³ and on common rules in respect of application of the external dimension of the CFP, including fisheries agreements⁴,
- having regard to its resolution of 4 February 2016 on the special situation of islands⁵,

¹ Texts adopted, P7_TA(2014)0133.

² Texts adopted, P8_TA(2017)0015.

³ Texts adopted, P8_TA(2016)0109.

⁴ Texts adopted, P8_TA(2016)0110.

⁵ Texts adopted, P8_TA(2016)0049.

- having regard to its resolution of 22 November 2012 on small-scale coastal fishing, artisanal fishing and the reform of the common fisheries policy¹,
 - having regard to its position of 21 October 2008 on the proposal for a Council regulation amending Regulation (EC) No 639/2004 on the management of fishing fleets registered in the Community outermost regions² suggesting that the derogation applicable to the ORs be extended by a further three years, to 2011,
 - having regard to Council Regulation (EC) No 1207/2008 of 28 November 2008 amending Regulation (EC) No 639/2004 on the management of fishing fleets registered in the Community outermost regions, granting a derogation applicable to the ORs for a further three years, to 2011,
 - having regard to Council Regulation (EC) No 791/2007 of 21 May 2007 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the outermost regions the Azores, Madeira, the Canary Islands, French Guiana and Réunion, and in particular Article 8 thereof, which provides that ‘by 31 December 2011, the Commission shall (...) report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of the compensation, accompanied, where necessary, by legislative proposals’,
 - having regard to Council Regulation (EC) No 639/2004 of 30 March 2004 on the management of fishing fleets registered in the Community outermost regions,
 - having regard to Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing,
 - having regard to the joint Commission and High Representative of the Union for Foreign Affairs and Security Policy communication of 10 November 2016 entitled ‘International Ocean Governance: an agenda for the future of our oceans’ (JOIN(2016)0049),
 - having regard to the Court of Auditors Special Report No 11/2015 of 20 October 2015 entitled ‘Are the Fisheries Partnership Agreements well managed by the Commission?’,
 - having regard to the action plans of the outermost regions for the programming of European funds 2014-2020,
 - having regard to the joint contributions and technical and political documents of the Conference of Presidents of the Outermost Regions of the European Union, in particular the final declaration of the 21st conference of 22 and 23 September 2016,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinions of the Committee on Budgets and the Committee on Regional Development (A8-0138/2017),
- A. whereas the geographical location of the Outermost Regions (ORs) in the Caribbean,

¹ OJ C 419, 16.12.2015, p. 167.

² OJ C 15 E, 21.1.2010, p. 135.

Indian Ocean and Atlantic Ocean indicates that European Union territories are located across several sea basins and continents and that the ORs are neighbouring several third countries;

- B. whereas in recent years fishing pressure has increased in the exclusive economic zones (EEZs) of some ORs, between the 100 and the 200 mile limits, and whereas the fishing in question is being carried out mostly by fleets that do not belong to the ORs concerned;
- C. whereas the EU needs to assume responsibilities in the maritime realm of the ORs, and whereas their EEZs make up a large proportion of the EU's total EEZ;
- D. whereas the fisheries sectors in the ORs have to be seen against the background of a particular structural, social and economic situation (Article 349 TFEU), which requires specific and adapted consideration of common European policies;
- E. whereas the fisheries sector has strengths and considerable potential for development;
- F. whereas chlordecone marine pollution is specific to the Antilles and is having a significant impact on authorised fishing zones, as well as on the presence of invasive species;
- G. whereas the remoteness of the ORs has been recognised and taken into account as a general principle within EU law, thus justifying and enabling the set-up of a compensation scheme for additional costs for fishery and aquaculture in the ORs;
- H. whereas the Common Fisheries Policy (CFP) and the European Maritime and Fisheries Fund (EMFF), which were designed to tackle the problems and challenges of continental Europe, allow for a differentiated approach for the ORs, but can only provide a limited response to the specific characteristics of fisheries in the ORs;
- I. whereas the ORs consider themselves unfairly treated and 'doubly penalised' by the CFP (having had no access to previous aid for fleet renewal and now facing the current prohibition on aid for renewal);
- J. whereas important sectors of the fishing fleet in the ORs were until recently not regulated, or were not entered in the fleet register, and had therefore no access to the EMFF for modernisation;
- K. whereas one of the objectives of the CFP is to promote fishing activities, taking into account socio-economic issues;
- L. whereas the rules governing access to resources should favour local fleets and more selective types of fishing that are less destructive to stocks;
- M. whereas, as a principle of good governance, the CFP seeks to ensure coherence between its internal and external dimensions;
- N. whereas a sizeable level of illegal, unreported and unregulated (IUU) fishing takes place

in some of the EEZs of some ORs¹ and in the sea basins around others;

- O. whereas the ORs are affected by some of the highest levels of unemployment in the EU (up to 60 % youth unemployment in some ORs);
- P. whereas the EMFF among other things provides for support of producer organisations, engines, and community-led local development (CLLD) under certain conditions;
- Q. whereas the EMFF considers the following ineligible: operations which increase the fishing capacity of a vessel, equipment which increases the ability of a vessel to find fish, and the construction of new fishing vessels or the importation of fishing vessels;
- R. whereas the EMFF can, however, provide financial help for ships in order to improve energy efficiency, safety, on-board hygiene and the quality of fishery products, as well as working conditions;
- S. whereas the EMFF supports innovation projects such as management and organisation systems;

Provisions for specificities and geographical conditions of the ORs

1. Considers that sustainable fishing, using traditional types of gear, is the basis for prosperous coastal communities and contributes to food security in the ORs; insists, in this context, on the need to involve local fisheries in achieving food security for local communities, as food security in the ORs is currently too dependent on imports;
2. Points out that the CFP and the EMFF, designed to tackle the problems and challenges of continental Europe, can only provide a limited response to the specific characteristics of fisheries in the ORs, that they cannot be uniformly applied to the challenges and specific characteristics of fisheries in the ORs, and that they must be allowed a degree of flexibility and pragmatism or be subject to derogations; calls, therefore, for the development of a strategy for each regional sea basin tailored to the specific situation of each of the outermost regions;
3. Stresses the presence in the ORs of a wide variety of small communities that are highly dependent on traditional, coastal and small-scale fishing and for which fishing is often the only livelihood;
4. Recalls that marine biological resources around the ORs should be especially protected and that particular attention should be paid to fishing; stresses, therefore, that only fishing vessels registered in OR ports should be allowed to fish in OR waters;
5. Notes that the OR seabed is a veritable living laboratory of biodiversity; stresses the importance of research and data collection in order to improve knowledge of the ocean; stresses the potential of the ORs to serve as veritable scientific portals in their respective environments, and calls on the respective Member States and on the Commission to strengthen support for relevant scientific research projects;

¹ ‘Research for PECH Committee – Management of the fishing fleet in the Outermost Regions’, European Parliament Directorate-General for Internal Policies, Policy Department B (IP/B/PECH/IC/2016_100); the European Maritime and Fisheries Fund (EMFF) operational programme for France.

6. Stresses the need to maintain the balance between fishing capacity and opportunities in accordance with the precautionary principle and taking into account socio-economic realities; considers, nevertheless, that this cannot justify disinvestment in collecting data and improving scientific knowledge on marine ecosystems; calls for the distribution of quotas for some species to be revised (such as an increase in the bluefin tuna quota for the Azores) and for the opening up of catch opportunities for others (such as for the kitefin shark), on the basis of scientific studies and the strengthening of technical and material capacity in relation to ecosystem assessment;
7. Points out that in some ORs the fishing fleets are below the capacity limits set by the CFP, owing in particular to the lack of access to financing;
8. Notes that, given the specific climatic difficulties of the ORs, fishermen in these regions have to cope with their vessels ageing more quickly, causing safety and efficiency problems and making the working conditions less attractive than on modern vessels;
9. Stresses the fact that in its 2016 report, the Scientific, Technical and Economic Committee for Fisheries (STECF)¹ could not assess the balance between fishing capacity and opportunities for all fleets operating in the ORs as a result of insufficient biological data; calls for more funds to be allocated, under the EMFF and other funds, for the acquisition of technical resources for ecosystem assessment by scientific institutes and universities; considers, in this regard, that it is vital for reliable data on the state of resources and practices in these overseas EEZs to be available and accessible;
10. Points out that OR coastal fishing fleets consist mainly of ageing vessels, resulting in difficulties as regards safety on board;
11. Regrets that the Commission failed to publish an implementation report on Regulation (EC) No 639/2004 by the 30 June 2012 deadline; demands that the Commission provide further information about why the decision not to publish this report was taken;
12. Regrets the delay in the adoption of the EMFF and, as a consequence, in the approval of the EMFF Operational Programmes, leading to late implementation of supportive EMFF provisions, which has in turn resulted in serious financial difficulties for some undertakings in the ORs;
13. Welcomes the specific provisions for the ORs in the EMFF, such as compensation for additional costs (subsidised at 100 % by the EMFF) – which is higher than in the previous programming period, but still not enough for some ORs – and the 35 % increase in public aid intensity for other measures in OR areas;
14. Observes the difficulty, or even impossibility, for certain fishermen in the ORs to access credit and/or insurance for their vessels, causing safety problems and economic constraints for these fishermen;
15. Points out that in the ORs, small boats make up a large majority of registered vessels; stresses that in some ORs, small vessels are more than 40 years old, which poses real safety problems;

¹ Reports of the STECF – Assessment of balance indicators for key fleet segments and review of national reports on Member States' efforts to achieve balance between fleet capacity and fishing opportunities (STECF-16-18).

16. Stresses the economic multiplying effect of loans from the European Investment Bank and EU funds, particularly in the ORs;

Making better use of possibilities provided under Article 349 of the Treaty and the CFP

17. Considers that a separate Advisory Council for the ORs, as provided for in the CFP, is a suitable platform for an essential exchange of knowledge and experience, and regrets, therefore, that the Advisory Council for the OR has still not been set up;
18. Calls for the full application of Article 349 TFEU in the European Union's policies, regulations, funds and programmes relating to fisheries, particularly in the EMFF, in order to respond to the specific difficulties encountered by the ORs;
19. Considers that CLLD is a promising approach and the respective Member State should make best use of the possibilities provided for in the EMFF to support this kind of local development in the ORs;
20. Points to the importance of setting up fisheries local action groups (FLAGs), which are recognised to be an important channel for support and for opportunities to diversify fishing activities;
21. Calls on the Commission when proposing legislative acts in respect of costs for hygiene, health and safety-related investments and investments related to working conditions, to facilitate a holistic and appropriately tailored approach;
22. Calls on the Commission when proposing legislative acts with regard to the criteria for calculation of additional costs resulting from the specific handicaps of ORs, to also consider the impact of climatic and geographical conditions and depredation;
23. Deplores the significant level of IUU fishing undertaken in the EEZ of certain ORs attributable to both domestic and foreign vessels, and in surrounding sea areas in the case of others; points out that, for the domestic part, such practices also result from local food supply issues; calls on the national authorities to step up the fight against IUU fishing;
24. Encourages, therefore, the introduction of active (e.g. surveillance) and passive measures, such as negotiations with OR neighbouring countries with which Sustainable Fisheries Partnership Agreements (SFPAs) have not yet been signed;
25. Calls on all parties involved to speed up the implementation of the EMFF and to use the opportunities it provides to invest heavily in fleet modernisation – improvements to safety, on-board hygiene, energy efficiency and quality of fishery products – as well as in fishing ports, landing sites and aquaculture, in order to generate new market outlets; calls as well for the compensation regime for additional costs to be applied in order to make the sector more viable;
26. Calls for genuine consideration to be given to the interests of ORs when fisheries agreements are concluded with third countries, including by laying down obligations to land catches in the ORs or to employ personnel from the ORs on vessels;
27. Stresses the need to carry out impact assessments for the ORs whenever they are affected by fisheries agreements concluded between the EU and third countries, in

accordance with the provisions of Article 349 TFEU;

28. Notes that a restructuring of the fishing sector in the ORs may be needed in order to ensure sustainable management of fish stocks, and that, if necessary, a reduction of the number of vessels should be considered;
29. Considers that in cases where capacity reduction is necessary under Article 22 of Regulation (EU) No 1380/2013, preference should be given to keeping vessels according to the criteria specified in Article 17 of the same regulation;
30. Requests the Member States, when implementing the CFP provision on the allocation of fishing opportunities, to pay particular attention to traditional and artisanal fishing in the ORs, which contributes to the local economy and has a low impact on the environment;
31. Urges the Member States with ORs to take all appropriate measures and to continue with specific aid schemes such as special taxation models;
32. Considers that data collection on stocks and the assessment of the impact of small-scale vessels in the ORs have to be improved in order to reinforce the scientific basis for fishing opportunities in the ORs;
33. Recalls that the ORs are dependent on the fish stocks in their EEZs, which are biologically highly vulnerable; considers, particularly in this context, that data on fishing in the ORs should be among the priorities for data gathering;
34. Stresses that as aquaculture could yield new production possibilities and high-quality products, its potential should be better exploited in the ORs – with strong support from the European Union, given the very strong regional competition – and calls on the Commission to encourage and support aquaculture development projects;
35. Calls on the Member States and the ORs to make best use of the de-minimis and/or the block exemption rules provided for in Commission Regulation (EU) No 1388/2014;
36. Calls on the Member States to stimulate the use of the European Structural and Investment Funds, and to stress the synergies between the different funds in the ORs, in order to develop economic opportunities for all players in the blue economy; encourages, in particular, investment in projects that make fisheries jobs more attractive, projects that attract more young people and projects that introduce selective fishing methods and help to develop fisheries;
37. Advocates the establishment, as part of Horizon 2020, of research and development programmes in the area of fisheries that bring together the various economic and social operators, thus helping the development of new fishing technologies and methods able to boost the sector's competitiveness and enhance its potential for economic growth and job creation among local populations;
38. Recommends that the future CFP take full account of the specific features of the ORs and enable them to realise the strong economic, social and environmental potential created by the sustainable and rational development of the fisheries sector in the ORs; points out, in this context, the need to reconsider the basis for the fleet segmentation – aimed at securing an objective evaluation of the balance between fishing opportunities and fishing capacity of the ORs' artisanal fleet, which uses highly selective fishing gear

- by fostering the improvement of the fleet’s technical characteristics with precarious propulsion power and/or stability which might pose a risk to crew safety in adverse weather conditions, in line with the objective scientific criteria used in shipbuilding, without giving rise to an increase in unsustainable fishing activity;
39. Given that outlying regions are areas with extraordinary potential, considers it important to encourage investment, and to promote diversification and innovation, in the fisheries sector with a view to enhancing economic development;
 40. Calls on the Commission, in order to allow the survival of the fisheries sector in the ORs and in compliance with the principles of differential treatment for small islands and territories mentioned in Sustainable Development Goal (SDG) 14, to introduce supporting measures based on Article 349 of the TFEU to allow the funding (at EU or national level) of the ORs’ artisanal and traditional fishing vessels which land all their catches in ports in the ORs and contribute to local sustainable development, so as to increase human safety, comply with European hygiene standards, fight IUU fishing and achieve greater environmental efficiency; notes that this fishing fleet renewal must remain within the limits of authorised capacity ceilings, must be restricted to the replacement of an old vessel by a new one, and must allow sustainable fishing and the reaching of the Maximum Sustainable Yield (MSY) objective;
 41. Proposes that the aid intensity for engine replacement in the ORs be increased where scientific evidence indicates that climate conditions and climate change have a decisive negative impact on the ORs’ fleets;
 42. Calls on the Commission to look into the possibility of establishing, as soon as possible, an instrument specifically dedicated to supporting fisheries in the ORs, along the lines of the POSEI scheme for agriculture, that would make it possible to properly exploit their fisheries potential; believes that consideration should be given to the possibility of bringing together in this specific instrument, in particular, the provisions of Article 8 (State aid), Article 13(5) (Budgetary resources under shared management), Article 70 (Compensation regime), Article 71 (Calculation of the compensation), Article 72 (Compensation plan) and Article 73 (State aid for implementing compensation plans) of the existing EMFF;
 43. Proposes that the capacities of certain segments of the fleets in the ORs be increased, provided that it has been scientifically demonstrated that the rate of exploitation of certain fisheries resources can be increased without compromising sustainable fishing objectives;
 44. Notes that renovation and modernisation of the ORs artisan small-scale fleet, which uses highly selective fishing gear, may improve crew safety in adverse weather conditions, provided that this is done in keeping with scientific objective criteria for naval architecture and that it does not cause imbalance between fishing opportunities and fishing capacity;
 45. Recommends creating better incentives under a future EMFF to encourage young people to work in the maritime economy, particularly by means of vocational training and by promoting measures that improve incomes, job security and the overall sustainable organisation of the maritime economy in the ORs;

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46. Instructs its President to forward this resolution to the Council and the Commission.