

A Socially Sustainable EU Common Fisheries Policy:
Workers' organisations' participation in the fisheries,
aquaculture and processing sectors

Outcomes from Seminar 3: Fisheries Management and Financial Instrument

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Prepared for ETF-EFFAT by CHARMELIAN



**EUROPEAN TRANSPORT
WORKERS' FEDERATION**



EFFAT

**European Federation of Food, Agriculture
and Tourism Trade Unions**

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Introduction

This document presents a summary of the outcomes of the third, in a series of three, Seminars aimed at exploring and identifying ways in which to improve the attention paid to social sustainability of the Common Fisheries Policy (CFP). Ultimately the CFP impacts workers in the seafood sector (encompassing fishing, aquaculture and seafood processing), both within the EU and within international supply chains feeding the EU market (the world's biggest seafood market).

The seminar took place in Boulogne, France on the 26th and 27th February 2019 and was attended by ETF and EFFAT Trade Union affiliates representing workers in this sector. The meeting was actively facilitated by consultants to help participants explore the need for better and more uniform representation, identify best practice, and build consensus around potential action. A discussion paper prepared and provided ahead of the seminar gave a summary of available information on the theme, with the aim of presenting principle issues; raising awareness and understanding; creating structure around the debate; and guiding discussions of workers' organisations' participation in the seafood sector.

This Outcome Report is based on dialogue captured from Affiliates during the Seminar. Given that the Trade Unions represent, among other members, seafood sector workers in the EU and internationally they are able to provide insight into the situation of workers in different countries and in different aspects of the sector they also provide first-hand experience and through these examples can drive consensus on seafood workers' rights. Importantly, Trade Unions have the opportunity to influence regulation (particularly the CFP, given active pan-EU members) and act as expert advisors to both private and public organisations.

ETF-EFFAT Affiliates Group Photo: Boulogne 27.02.19



The Current Situation

The scene was set with a presentation of the Seminar 3 Discussion Paper. The presentation reinforced the paper's findings that more social indicators must be included for successful fisheries management, and that financial instrument needs to be more accessible to small scale fishers. Social objectives are urgently needed in the CFP, to sit alongside environmental (MSY) and economic (profit) ones. There appears to be no effective instrument in the fishing industry where fishers and Trade Unions can effectively influence the Common Fisheries Policy (CFP). This is evident in regards to fisheries management and the impacts on those working within the sector. At current, the people going to sea and putting food on the table are being marginalised by the regulatory process.

There is considerable emphasis on environmental dimensions of fisheries management and a need for more on social aspects and impacts. For example, when the current CFP regulations ceases fishing for specific species, to preserve fish stocks, many vessels are left fishing the same species and end up with the same type of catch. The issue at hand is the lack of diversity in catch, which affects the market value. The NGOs voices are often heard more than the Trade Unions, policy makers are not 100% familiar with fishing and are therefore swayed by black and white proposals. There is a need to look beyond the capture sector, to the broader maritime sector (manufacturing and processing sectors) within all aspects of the CFP.

Social sustainability in fisheries is not new and is well researched. There are models available that could be used to ensure social objectives in fishery management decision making are mainstreamed. In the current system, by the time the management measures arrive at the Advisory Committees it is too late to affect social change if it has not already been included. Objectives of the Advisory Committees (ACs) do not currently include the social aspect of fisheries management, the Committees focus on biodiversity and company's profits. The ACs represents 60 different organisations, but there is only 1 trade union representative providing 1 vote. This makes it almost impossible for Trade Unions to get their voice heard and subsequently precludes social sustainability being considered in fishery management.

Seminar delegates felt that fisheries management has, for far too long, been in the hands of biologists, despite being an economic activity undertaken by communities of society. It was proposed that the starting point is misaligned and all that can be done under the current system is to mitigate social impacts rather than targeting the creation of social benefits of fisheries. Delegates commented that we currently have a CFP that is not working for the people, that uses "nonsensical" biological objectives that do not always work practically and fails to protect fishers' livelihoods, safety and fishing communities. Delegates felt that established research for managing fisheries to best benefit society must be added to the top level objective of the CFP.

The previous CFP reform went some way to making European fisheries more sustainable, at least from an environmental perspective and to some extent economically. There is evidence that devolution of powers and improved control measures have moved EU fisheries towards Maximum Sustainable Yield (MSY), increased profits for fishing companies and eliminated IUU in the most part. Reaching MSY for some fisheries has created a larger supply of fish for the European processing sector. However, applying free market mechanisms has had social costs. Together with the lack of social safety nets and welfare as well as the uncoordinated application of Financial Instrument has

meant insufficient protection for workers. It is believed that some fishers have lost their jobs partly as a consequence of the CFP.

According to DG MARE “The CFP aims to ensure that fishing and aquaculture are environmentally, economically and socially sustainable and provide a source of healthy food for EU citizens. Its goal is to foster a dynamic fishing industry and ensure a fair standard of living for fishing communities”. Despite the claim of social sustainability there are no specific social objectives of fishery management, there is a lack of social data and performance indicators; only 2 are commonly used, i) number of jobs, and ii) dependency. Whilst for the environment there are 38 performance indicators used by the Scientific, Technical, and Economic Committee for Fisheries (STECF), this is not equitable for social sustainability. The result is that data around social performance of fisheries is severely lacking.

Financial Instrument, “The EMFF” is designed to promote the fundamental objectives of the Common Fisheries Policy (CFP) thus contributing to the improvement of the economic, environmental and social performance of the sector. However, it has not been fully utilised by fishers for their social benefit. The European Parliament acknowledges this and for 2020 onwards it has made recommendations to encourage applications that will lead to improved crew health, safety and working conditions (including support for training) and better support for small-scale and inland fishing fleets. This is a positive move, but does not address the fundamental ask to mainstream social sustainability, it still seeks to mitigate impacts rather than including and considering social impacts.

An ex-post evaluation of financial instrument for the European Commission published in 2017¹ found that:

- Fleet capacity adjustment accounted for 74% or more of fisheries spend.
- On-board investments (including H&S) accounted for only 8% of spend within this category.
- Small-scale coastal fishing accounted for 2% of spend. Sixteen Member States (MS) did not implement any small-scale projects at all, while for FR, DE, SE and the UK the level of uptake was very low.
- Socio-economic compensation amounted to less than 2% of overall spend. Italy was the only member state to exceed this with 6% of total spend.

The impact assessment recommended that widespread increase of crew health, safety and working conditions should be encouraged via all possible means – including public support - and should be complemented by adequate training.

Key Observations and Outcomes

Contributions from participants (participant list appended) defined the purpose of the Seminar as an opportunity for affiliates to develop greater partnerships, identify and expand plans to work together and to share experiences which represent best practice.

¹ <https://publications.europa.eu/en/publication-detail/-/publication/f0ab224d-f34c-11e6-8a35-01aa75ed71a1>

The Seminar was considered both timely and urgent since there is a real problem to be addressed in the missing representation of fishers and workers in the forthcoming CFP reform in 2020 and the Financial Instrument revision in 2021. Participants were all in agreement that it was important to find a solution for the lack of attention to the social dimension through increased social indicators within the CFP and for financial instrument to aid job sustainability in the industry.

One major observation from the seminar was the lack of representation of the Trade Unions at the Advisory Committees; out of 60 organisations, there is just 1 Trade Union representative, meaning only 1 vote for social issues (Environment and economic getting the rest). It is important the Trade Unions are better represented, (as well at the national level); to insist socio-economic aspects are well represented at European level. It was also mentioned that Trade Unions should also be represented in aquaculture Advisory Committees, as they discuss business, but neglect the social aspects such as community or job quality. Delegates felt that a more comprehensive view of the problem is needed and it is important to have a wider participation in the debate.

Another observation made was that Trade Unions need to be involved in the management of the CFP and make sure they are included in the development of the socio-economic aspects in the future. Unions need to take part in the debate, not just be an organisation making demands but also as an organisation with access to fishery-level data and a strategic viewpoint; this will give the EU policy makers a new vision of the Trade Unions.

One theme that was underlined was fishing capacity and the need to rework technical measures within fisheries management. There was considerable discussion around this theme exploring issues such as:

- 40 % species are prohibited to fish, resulting in some fishers having to give up fishing and change sectors.
- In other cases, fishing vessels go to the same place due to area restrictions and there is a risk of damaging the area, leaving resources overexploited which can also be to the detriment of fishers.
- It is difficult to reconcile fishing. Because it is being limited it is difficult to recognise fishers' work as being of social value. A change in direction to recognise social value is needed in the fisheries sector such that it is not only ceding to NGOs pressure to save species.
- Some species eat other fish, the only predator for these species are humans and if fishers are not allowed to fish these species they will destroy other species. It would be beneficial to make sure trade unions and social experts are part of designing these technical measures, as part of STECF, via co-management.
- Seasonal species which fishers cannot catch all year round which affects a smooth supply. Some fishers will have a more balanced supply (through greater access) and this creates tensions, but you cannot change the nature of seasonal species.
- It is important to note that what happens when catching affects the processing/post-harvest sector.
- Trade Unions know the sector and have a duty to come up with a precise policy, promoting social sustainability. It would be beneficial to elaborate on this and create a concrete tool to lobby with in the future.

The following sections outline the main themes from the discussion between the participants in the event. The most pressing and reiterated issues include:

1. Maximising value of the fishery and supply chain
2. Job sustainability / quality
3. Mainstreaming social objectives into European Union fisheries management
4. Simplifying the bureaucratic processes
5. Increasing accessibility of the EMFF

Maximising value of the fishery and supply chain

There are imbalances on the market, for example in the case of Sea bass and Brittany mackerel. Affiliates were in favour of achieving a smooth supply but needed something that is practical. For example, in Boulogne the improvement of quality comes at a cost. Initially the sales improve, but after a while the wholesalers expect to have the same type of quality: this becomes the basic standard in the long term and the price drops back to what it was previously. It is important to make sure that if there is an investment in quality, there is a return on the investment, while also ensuring the processing industry is profitable.

Value of seafood is affected by the Maximum Sustainable Yield (MSY). In situations where fisheries are closed due to stocks falling below MSY, restaurants and wholesalers will buy elsewhere. This is creating imbalances; people continue to consume fish and will consume it from other sources if not available from the EU. What happens in the catch sector directly affects the processing sector; and in this case it would be beneficial to collaborate in the discussions.

In regards to controls and inspections, fishers have had to stop fishing as a result of small bureaucratic issues while in third party countries they can keep fishing with almost no bureaucratic measures and limitations, therefore affiliates would like to make sure the rest of the world (importing into the EU and benefiting from the status quo) are complying to the same regulations as the EU.

Delegates discussed how third countries selling into the European market should have to apply the same regulations, or there would be a risk of importing seafood without the same levels of control. In effect, the same standards would be applicable to third countries that import seafood, and everything that gets into the EU market has followed the same regulations and has the same value.

Another issue surrounding maximising value is that some species are certified on protected destination of origin and the price is always the same, however in shops the price increases, the fishers do not benefit from protected destination of origin, and the retailers will benefit from the efforts. For example, the price paid to fishers for scallops which are certified with protected designated of origin often remains the same. To gain perspective of the problem, prices should be monitored to determine who is benefitting from the value chain. Delegates felt that, if the retailers are benefitting from price increases it is unlikely that producers are.

Maximising value is often difficult where suppliers have less ability to negotiate. As a result of this, at the end of 2018 the EU political leaders reached an agreement on unfair trading practices in the food supply chain. The Unfair Trading Practices Directive aims to protect EU farmers. Official sign off

on the directive is expected in March 2019 and thereby the directive will be transposed into national law of each of the 28 Member States. A particular feature of this directive allows organisations such as NGOs, organisations and trade unions to make complaints on behalf of the suppliers, and thus making it more likely illegal practices will be highlighted.

Job sustainability / quality

Fisheries are an important source of food and income for local, regional and global communities. There is an increasing awareness in regards to job sustainability / quality in both the catching sector and the processing and aquaculture sectors. This topic was reiterated a number of times throughout the seminar and is an issue which in particular affects small-scale fishers.

There have been requests and pressure by ETF and EFFAT for the future EMFF funds to change and also provide compensation for termination of fishing activity. In the previous EMFF, there was temporary compensation for termination of fishing for conservation measures, but a broader system of compensation which is not just valid for temporary periods is needed. The fishers want to stay fishers, and it is not as simple to just recycle jobs as the skills sets are not the same.

In terms of a broader system, the affiliates agreed that a project can be developed to invest part of EMFF money into training fishers who will be unemployed for some months due to seasonal fishing to enable them to work in other sectors (such as aquaculture). At the moment the EMFF mechanisms are too rigid; it needs to adapt to be flexible and to complement the changing reality of the industry.

While aquaculture may be a viable diversification option for some fishers, there is no guarantee that fishers can switch to aquaculture, there must be a coastline for aquaculture. Aquaculture often requires a coastline and, not all regions will be well adapted, and the skill set required is different and the number of jobs available may not be sufficient. Additional guidance on diversification is therefore necessary. It is essential to develop this idea and to understand that it is not necessarily an automatic switch; but that management plans can include this type of training.

Funding to support the regional development of aquaculture and support the necessary training or retaining (of fishers) is needed. However, EMFF does not cover planning costs (which may take 3 years before production) or training costs. It can take on average of 4-5 years for fisheries to gain other skills and retrain in another skill. Currently, there is a lack of political will to support the retraining of fishers as well as not having enough jobs in aquaculture to facilitate this.

People who lose their jobs in fishing sector often cannot get jobs somewhere else and may have to leave the region to find work or continue to fish illegally. As a consequence of this, there is a problem with IUU.

On the other hand, there is a major problem within the sector, with a shortage of young fishers and older fishers retiring out of the sector. Therefore, training and education surrounding the sector is needed to engage younger fishers in the industry. By making the fishing profession sustainable and the jobs of high quality will attract existing and new entrants.

Mainstreaming Social Objectives into European Union fisheries management

There is a real necessity to harmonise social data at minimum at European level, using STCW and ILO c188 as a basis for social indicators.

Social indicators must focus on basic human rights and respect to working conditions, including a pillar on health and safety. As an example of this, EFFAT have released a [Code of Conduct for Transparent and Fair Employment Relationships](#), to ensure human dignity for migrant workers and a zero tolerance of labour exploitation in the workplace.

It was reiterated throughout the seminar that the overall social objective for the CFP should be to ensure sustainable jobs and the quality of jobs. For example, ensure they have decent wages, appropriate PPE, etc.

A related idea was to have social impacts assessments for each policy decision, as there is currently a gap in the STCW-F assessments compared to reality.

In order to mainstream social objectives, fishers need to be included in the debate, and social policy should reach the sector through multi-annual debates on the recovery of stock. It is critical for Trade Unions to be part of this debate and assume their responsibilities; in order for the revised CFP to be a success the main actors must take part in the decision-making process.

Simplifying the bureaucratic processes

In order to successfully have an impact, the Trade Unions need to co-manage and simplify the bureaucratic process for both funding and for overall fisheries co-management.

On the funding level, Trade Unions should to be able to receive EMFF funds and coordinate this for their members. Fishers have to deal with a lot of 'red tape'; therefore using Trade Unions as facilitators so fishers have access to funding will help simplify the bureaucratic process. It is important to have technical support as well as financial support. Trade Unions are often approached to help overcome these obstacles including administrative barriers.

More broadly, part of the issue is the number of abbreviations and jargon that is difficult for fishers to understand. The process and discussions are also often too complex for fishers, yet in order to work on co-management it is necessary to include fishers in the debate. As well as this, working documents tend to be in English and this becomes a major problem: all documents should be produced in relevant languages.

Strengthening the EMFF

To support access to funding, the EMFF is also in need of simplification. The process must become more accessible in order to be managed at national level, with national measures on social objectives.

There is a need to strengthen the fund in terms of the social dimension and related indicators. Article 25 of the fund does include a very detailed description of the measures, but at national level in the Member States, EMFF is only assessed through a social point in terms of job creation; although this does appear to be evolving.

Another issue is that EMFF funding is not being fully utilised, only 30-40% is being spent in Italy. There is a need for an objective at national level to adopt measures to make more use of the funds and most importantly simplifying the measures as a solution to this. These measures also have to be done at local level through cooperation to support more uptake of the fund.

During the seminar, the idea was proposed to introduce social criteria to access funds, for example collective bargaining, proper training, etc. When an assessment for funding arises, these social criteria should already be met in order to successfully access funds or be accompanied by training. It would be beneficial to use EMFF for driving innovation; however technical support is needed for this. For example, there was discussion on how small-scale companies in the processing sector can be supported from a technical side. In order to simplify the process, a support system should be in place for accessing funds and devising an implementation plan of how to use the EMFF.

Following this, an idea was proposed by EFFAT to establish public-private partnerships to diversify the fisheries sector. This idea could be supported by the EMFF to enable the fish catching, processing and aquaculture sectors to invest more in their production and increased sustainability. An example is the Bio-Based Industries Joint Undertaking (BBI JU): a 3.7 billion EUR public-private partnership between the EU and Bio-based Industries Consortium.

Priorities

In the final session, a summary of the participants' main priorities was presented.

Social Indicators

When discussing social indicators, participants considered it essential to focus on basic human rights, with a specific pillar on health and safety. It was discussed during the seminar that social impact assessments should be undertaken for every policy decision and ensure DG Employment is part of the debate. It is also critical that Member States have social dialogue included in operational plans. It should be noted that for aquaculture, although the sector is growing and providing job creation, there needs for increased stability for creating and securing jobs, improving skills, training, ensuring jobs are professional and the quality of work.

Social Indicators:

- Stability; ensuring a smooth supply over the year
- Maximising value-added to seafood within the EU
- Fishers to gain re-employment after losing their jobs in fisheries
- Diversification of fisher activity
- Aquaculture is growing and providing job creation, but needs more stability for creating and securing jobs and improving skills, training to ensure jobs are professional and ensuring the quality of work
 - Stability and security of jobs within aquaculture
 - Skills and training within aquaculture

Representation of Trade Unions

It is difficult to ensure social aspects are included as a problem that must be recognised. It was proposed during the seminar to insist that AC's include a representative of the fishing sector. This will enable the fishing sector to have a recognised stakeholder that can contribute and compare each region for fishing methods, discuss multi-annual plans etc.

In being pragmatic, trade unions need to ask concrete questions to politicians. It is important to work with them and maintain a concrete strategy as politicians will always support the higher percentage of NGOs rather than the fishers. A solution is to use the Advisory Councils as a way to access the discussions, the Commission and to defend the social aspect. Decisions are made at different levels of the European structure including the Commission, European Parliament and European Council. It is important to be involved in all these discussions through interactions with Commissioners, MEPs and individual Ministers including raising awareness and understanding of the wider public through clear communications.

Addressing issues of fishing capacity

One of the main points which was raised a number of times during the seminar was the question of fishing capacity and trying to circulate these problems and incorporate them into the CFP. It is important to ensure fishing capacity is put on the agenda in the revision of the CFP. There will be a new Commissioner towards the end of the year, therefore it is critical to engage with Commissioners leading up to the revised CFP. Trade Unions must also engage with the new Commissioners as soon as they are known.

The social dimension must be central to discussions on fishing capacity, starting with multi-annual plans at European level strategy. Multi-annual plans need to include social dimensions, but the problem is being able to attend committees. As for STECF, in France there is the ComMer network of scientists that involves the trade unions. It was therefore an idea have ETF attend STECF meetings or obtain a stakeholder chair to be better represented and engaged with the existing framework. To some extent STECF includes social aspects, thus it is important to cooperate and engage with them.

Trade Union involvement within the market

Another issue to be prioritised is that fishers involvement and negotiation power in the market, get more control over prices across the whole sector. Decent wages and other social guarantees are important to be included in the social aspect, along with some welfare backup for when fishing cannot take place. It is important to make sure the industry becomes more competitive in Europe as cheaper products and fish from third countries flowing into the European market has an impact on wages. Owing to this, it is essential to discuss traceability; there must be added-value with certification as people are interested in how and where the fish was caught.

Another priority is the creation of a sustainable food sector Advisory Council, to be able to talk with comprehensive systems in the sector. ETF has a presence at the Market AC but having EFFAT there would give another voice and support for getting social aspects on the agenda, such as social dumping and poor health and safety practices in the EU, for example in Ireland. At the EU level, EFFAT are exploring the potential of the establishment of an EU Food Policy Council, pushing the

objective for food sustainability. The aim of this council is to bring the main actors together and achieve a more integrated and participatory approach to food sector policy-making.

Organisational capacity

On the internal issue of organisational capacity, being understaffed is a disadvantage and makes it difficult to take part in discussion. There is a need for more resources and expertise to become more pragmatic. It is important to make alliances within the Advisory Councils, to influence them and to be a European representative. This can be difficult when accessing information from each country, especially in terms of language barriers and thus requires structure and increased expertise. In order to mitigate these issues, it is essential to identify common themes, common issues and be pragmatic with how issues are dealt with. Social dialogue is not easy to promote, and access to funding would aid the promotion of what ETF is doing along the lines of social dialogue in Brussels.

EMFF Funding

In regards to financial instruments, it is sometimes difficult for fishers to access the funds. Increased education around how to apply and successfully be allocated funds is needed. It was proposed to use the Trade Unions as facilitators so fishers can access funding, and ease the pressure of the 'red tape'; however the issue of organisational capacity is prominent. From a processing and aquaculture perspective, small companies in the seafood sector need help with research to try and put together a project and make it viable. It is important not just to help them with the accessing the funds but also with project plans and a long-term strategy. This will allow a company go from stage one to full production, as in Denmark where they have projects to help start-up companies into the long-term.

The problem with the EMFF programme is that it has to be incorporated in different ways in each Member State. In the current EMFF there is no pillar for social aspects or health and safety: this should be a priority for every Member States, to ensure social issues have to be part of the national adopted programmes.

Linking Financial Instrument to capacity needs, the European social fund is not being taken up by all Member States. In France they use the European social fund for certain projects; however, there is no fund to provide subsidies to aid with the capacity problem.

Summary of Priorities arising from discussions

The list of priorities was discussed and there was general agreement on the following:

Concrete Asks/Priorities

- Co-management of fisheries management
- Simplify bureaucracy and procedures
- Harmonise social data; need to improve databases and have a minimum harmonisation at an EU level, relate to STCW-F
- Balance social benefits of the fishery for the whole fishing sector
- MS must include social dialogue in operational plans of the EMFF
- Third part countries must follow same labour and health and safety regulations as the EU
- Need for stability and protection of small-scale workers – keeping jobs, training and professional skills
- Include DG Employment in the debate within Advisory Councils
- Organise a human factor working group with other ACs
- When the impact assessment is done the Unions have to be part of it and engaged, their views included
- Can there be an AC on food production?
- STECF – can unions have an observer or stakeholder seat on it
- All documents from ACs to be produced in all relevant languages
- Education to fishers around financial fund availability – long term project plans
- EFFAT to join the Markets Advisory Council and support ETF during meetings

Next Steps

The concluding remarks of the third seminar summed up nicely the necessity for EFFAT and ETF to understand both sectors for the next steps. The next meeting will be held in October (dates to be confirmed). A final strategy paper will be prepared and will be focused on what has been concluded on and what has been agreed to go forward to the policy makers. This paper will lead onto the final discussion in October in Brussels.

It was noted that next time it would be useful to have the PowerPoint presentation slide translated into different languages via a translation application. EFFAT have invested in a translation programme, therefore can quickly translate documents.

Appendices

- List of Participants
- Presentation(s)
- Agenda
- Discussion paper (for Seminar three)

Reference

EFFAT, (2018). Code of Conduct for Transparent and Fair Employment Relationships. Retrieved from <http://www.effat.org/sites/default/files/news/14191/brochure-labour-exploitation-en.pdf>