**Advisory Committee for Fisheries and Aquaculture (ACFA)**

EP(10)95/SP(10)4526 REV.3 Brussels, 1 July 2010

**ACFA opinion on the definition and the treatment to grant small-scale fisheries in the context of the CFP reform [[1]](#footnote-2)**

1. **Commission’s comments in the context of its Green Paper on the reform of the CFP**

In its Green Paper on reform of the CFP, the Commission considers the “**possibility of a differentiated regime to protect small-scale coastal fleets**” (Chapter 5.1). To this end, a system of differentiated management, “**with a focus on social objectives**”, could be attributed to this fleet segment, as well as a “**system of direct allocation of quotas or effort or through collective schemes**”. With regard to public funding, this fleet segment could benefit from “**public funding … [to] help [it] adapt to changing conditions in the wake of the CFP reform**.”[[2]](#footnote-3)

It is not the Commission’s intention to grant a differentiated regime in terms of conservation or control rules, as the general principles and standards need to apply across the entire EU. The specific decisions regarding these fleets need, nonetheless, to be taken as closely as possible to the coastal communities concerned.

1. **Comments contained in the ACFA opinion on the Green paper**

In its opinion of December 2009 on the Green Paper, ACFA stated in particular that even before deciding on whether it was opportune to have a differentiated regime for small-scale coastal fleets, it was necessary to agree on a precise and realistic definition of the concepts of industrial (or deep-sea) fleets and small-scale (or artisanal) fleets, as these can vary from region to region, by their socio-economic and environmental characteristics and by existing traditions in Europe (chapter II B 1).

It was also in favour of maintaining the 12 sea miles zone as a form of protection of vessels involved in small-scale coastal fisheries, the definition of which remained subjective at this stage (chapter II B 3)

1. **Definition of small-scale fisheries**

Currently, there is no clear definition, at European level, of what small-scale fisheries is. The only element of definition that refers to this activity is found in Article 26 of the EFF Regulation which defines ***small-scale coastal fishing*** as “fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed gear as listed in Table 3 of Annex I of Commission Regulation (EC) No 26/2004 of 30 December 2003 regarding the fishing fleet register of the Community”. For ACFA, such physical parameters are inappropriate, too simplistic and poorly adapted to regional situations. It will identify other definition criteria for the existing production systems, in the frame of its work programme.

**IV) Conclusions**

Given the discussions currently under way regarding the definition and a possible differentiated regime applicable to small-scale coastal fisheries, ACFA is of the opinion that the top-down approach at European level is a rather theoretical concept, remote from the realities of fishing operations, fishing patterns and day to day fisheries management. Therefore, the Commission should at most, move towards the elaboration of guidelines regarding small-scale coastal fisheries at Community level, which should be based on simple, flexible and easy to verify criteria, taking into account the regional characteristics.

Such guidelines should be in contrast with that of industrial and semi-industrial production systems, with a view to issuing regulations based on the general principles and standards of the future CFP, which need to be applicable across the entire EU. In this logic, it would be up to the national authorities and the regional bodies, possibly resulting from the reform of the CFP, to exploit more detailed criteria of definition for regulating fisheries activities, taking into account the regional specificities.

There are good reasons to develop a local/regional management system and specific solutions for small-scale coastal fisheries, but these cannot be successfully applied at EU level through a blanket top-down, one size fits all approach.

In its opinion on the green paper, ACFA indicated that “decentralisation on technical aspects represents a potentially useful way of depoliticizing decisions which ought to be taken at regional or local level” (chapter II A 3).

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1. - The Development NGOS do not support this resolution on procedural grounds as well as content, particularly as it deleted any reference to the existing marginalisation and vulnerability of the small-scale production systems or to a non-exhaustive indicative list of criteria that could be looked into with a view to having operational guidelines for differentiated treatment for small-scale fisheries, this issue being one which needs further debate in ACFA

   - The aquaculture vessels are excluded from the scope of application of the present document that exclusively aims at fishing vessels [↑](#footnote-ref-2)
2. The bold parts are taken over word for word from the Green Paper [↑](#footnote-ref-3)