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Committee on Subsidies and Countervailing Measures

Original: Spanish

## SUBSIDIES

### REPLIES TO THE QUESTIONS POSED BY THE UNITED STATES<sup>1</sup> REGARDING THE NEW AND FULL NOTIFICATION OF THE EUROPEAN UNION (SPAIN)<sup>2</sup>

The following communication, dated and received on 19 April 2022, is being circulated at the request of the delegation of the European Union.

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#### Questions on Fishery Programs

##### Question 1

**As to the program entitled "Start-up support for young fishery workers", is it consistent from a policy and fisheries management perspective to encourage new entrants into the fishing sector when concurrently there are numerous regional programs in Spain paying fishers not to fish? How does Spain ensure that encouraging new fishers does not increase overall fishing capacity?**

Reply

Firstly, the measure referred to in the question, namely the start-up support for young fishery workers, is provided for in both the European Maritime and Fisheries Fund (EMFF) (Article 31) and the European Maritime, Fisheries and Aquaculture Fund (EMFAF – Regulation 2021/1139) (Article 17.6.a). Its purpose is to encourage generational renewal in the fisheries sector. Support is provided for the first acquisition of existing second-hand vessels by young fishers. It is only available in fleet segments in which there is a balance between fishing capacity and fishing opportunities. This support does not increase the total fishing capacity of the Spanish fleet, because it involves the acquisition of an existing vessel that is already registered in the fleet. No support exists for the construction or acquisition of new fishing vessels.

Turning to the part of the question that states "there are numerous regional programs in Spain paying fishers not to fish", we understand that it is referring to the support for the temporary cessation of fishing activities. However, it should be clarified that this support is granted to facilitate the implementation of conservation measures (for example, biological recovery periods). In particular, it contributes to reducing fishing effort. This support is provided for in the EMFF (Article 33), the EMFAF (Article 21) and the Operational Programme for the fisheries sector, which lays down the European Fund measures applicable in our country and the mechanisms for their management. Spain does not have different regional programmes; there is a single programme for the whole country. The decision to implement cessation periods is taken by the central administration, which also establishes basic national regulations and a single general scale that is applicable countrywide, with a view to ensuring equal treatment for all fishers.

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<sup>1</sup> G/SCM/Q2/EU/64.

<sup>2</sup> G/SCM/N/372/EU/Add.26.

**Question 2**

**The program entitled "Energy efficiency and mitigation of climate change. Investments on board," subsidizes the replacement or modernization of engines. Does subsidizing the replacement or modernization of engines effectively increase the capacity of fishers? If so, what measures are taken to prevent overfishing?**

Reply

The EMFF may support investments on board that guarantee improved energy efficiency, thus helping to mitigate climate change (Article 41.1). The measure is also provided for in the EMFAF in the form of support for increasing energy efficiency and reducing CO2 emissions through the replacement or modernization of engines of fishing vessels (specific objective 1.b of Article 14).

One of the requirements for both Funds is that there may not be an increase in the capacity of the fleet. To that end, any entry of capacity into the fleet must be compensated by the withdrawal of the same amount of capacity. Movements in fishing capacity within the fleet are controlled in the Fishing Fleet Register. Other measures exist in parallel, such as the establishment of national quotas (TACs) and a strong system for monitoring fishing activity, which warns of any risk of overfishing. The objective of all the measures applied in Spain is simply to maintain economic activity in the long term, so it is crucial that this activity be environmentally sustainable.

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