

EYES WIDE SHUT

Statistics finally made available show
that the French State does not monitor
its distant water fleets in Africa



On 22 November 2022, an earthquake sent a wave through the culture of French State opacity in fisheries: the government made a set of statistical data on France's controls on fishing activities available online for the first time. Although of relatively limited interest due to its level of aggregation, this data nevertheless represents a quiet revolution that can only be welcomed, given that the lack of transparency is a breeding ground for environmental crime and ongoing fraud in the fisheries sector.

Despite the lack of detailed data, the statistics generated by the MonitorFish² programme do provide some interesting insights. In particular, they reveal a gap: the absence of controls on fisheries targeting tropical tuna in Indian Ocean and African waters. The first part of our 'TunaGate' investigation was called 'The wild west of tuna fisheries in Africa'. This third part confirms that the Indian Ocean is a lawless place for French industrial fishers, to whom the State has provided total impunity.

MonitorFish is a 'State startup' supported by the Fabrique Numérique de l'Écologie (MTE-MCT) and sponsored by the Ministry of Ecological Transition. Its main mission is to develop tools enabling the National Fisheries Surveillance Centre (Centre national de surveillance des pêches; CNSP) to optimize the monitoring effort in the field.

¹ République française. *Statistiques de contrôle des pêches*. <https://www.data.gouv.fr/fr/datasets/statistiques-de-contrôle-des-pêches-1> (2022).

² MonitorFish. *MonitorFish & MonitorEnv — protéger la ressource halieutique et l'environnement marin en utilisant les acteurs du contrôle en mer*. <https://beta.gouv.fr/startups/monitorfish.html> (2023).

A POLITICAL BLANK CHECK FOR FISHING FLEETS IN DISTANT WATERS

Insufficient control targets

According to the figures published on the statistical portal of the French State 'Data Gouv', the French State only set a target of 4,479 controls for the entire French fleet in 2022, for all the French 'façade', i.e. maritime areas. To put this figure in perspective, there are 6,257 vessels in France (including outermost territories); French authorities therefore established a control target of less than one control per vessel in 2022 (0.7 to be accurate).

Bearing in mind that marine fishing activities occur exclusively in a common space, the ocean, and are based on catches of wild organisms, this very low control target does not in any way provide a dissuasive framework to fight against the daily cases of fraud in the sector, as we demonstrate day after day (under-reporting of catches, overshooting of quotas, incorrect species identification, undersized fish, cases of fraud on engine power, etc.).

No control targets for distant water fleets

These very low control targets are all the more problematic as they are highly heterogeneous across the country: in fact, 100% of the target is set for metropolitan France alone. The control target in the overseas territories or 'hors façade', i.e. 'outside waters' is... 0%!

The "off-shore" area includes - as its name indicates - all the maritime areas that are not included in an officially defined shoreline, such as the "South Atlantic", "East Channel-North Sea", etc. (see map page 6).

The first lesson to be learned from this data is that **no control target was set in 2022 for the French tropical tuna fishery**, given that they are covered by the 'Outside waters' and 'Southern Indian Ocean' zones (for Mayotte and the Glorioso Islands; the rest of this area only concerning the French Southern and Antarctic Lands, or TAAF)³.

³ According to data published by the Indian Ocean Tuna Commission (IOTC), tuna catches in the Mayotte and Glorieuse Islands areas are marginal on the scale of

the Indian Ocean, making it even more unlikely that the control effort has been focused on these fisheries (see map page 6).

FRANCE SINGLED OUT BY THE EUROPEAN COMMISSION FOR ITS LACK OF CONTROL

On 9 June 2021, the European Commission opened an infringement procedure against France by way of a formal notice.

In its press release justifying this decision, the Commission underlines that *“France has failed to ensure effective monitoring and control of the French external fleet and the enforcement of rules on the catch reporting i.e. the so-called margin of tolerance of 10% per individual fish species and the submission of sales notes within 48 hours after first sale and of logbook and landing declarations. In addition, France does not ensure the automatic and systematic documentary checks necessary to monitor the fishing activities of its fishing vessels, which results in inconsistencies in the data declared at various occasions. This lack of proper control of the activities of the French*

*fleet may lead to non-compliances with catch quotas and to overfishing, with consequences for the sustainability of fish stocks concerned”*⁴.

On 29 September 2022, although it could have done as early as 9 August 2021 in the absence of any significant action by France to comply with the failures raised by the European Commission, the Commission published a ‘reasoned opinion’ – the final step before the Commission may bring an action for failure to fulfill obligations against France before the European Court of Justice – ordering the State to implement the necessary measures to comply with the Control Regulation within two months⁵. On 6 March 2022, the European Commission had still not taken this step, despite several requests from BLOOM.

To find out more
read our first report [“The wild west of tuna fisheries in Africa”](#) published by BLOOM in November 2022.



⁴ European Commission. Letter of formal notice — common fisheries policy: Commission calls on France to make its fleet compliant. https://ec.europa.eu/commission/presscorner/detail/en/inf_21_2743 (2021).

⁵ European Commission. Reasoned opinion — fisheries control regulation: Commission calls on France to comply with fisheries' control rules. https://ec.europa.eu/commission/presscorner/detail/%20en/inf_22_5402 (2022).

THE OCEAN: A JUNGLE AT THE MERCY OF FISHERS WITH NO STATE COUNTER-POWER

Controls slightly above target

The target of 4,479 controls was somewhat exceeded by the French authorities, which carried out 5,520 controls in 2022, i.e., an average of 0.9 controls per vessel, with 88% of the controls carried out in Metropolitan France as opposed to 12% in overseas territories and 'outside waters'. However, given the organization of the control force in the region, it is likely that the controls carried out in the 'Southern Indian Ocean' and 'outside waters' areas only marginally concerned tuna fishing.

Who is supposed to control the fleets in the Indian Ocean?

The surveillance of French fisheries is normally conducted by the *Centre régional opérationnel de surveillance et de sauvetage* (CROSS) based in Etel in Brittany, which hosts the *Centre national de surveillance des pêches* (CNSP)⁶. However, in the Indian Ocean (the most important tuna fishing ground for France), monitoring is carried out by the *Direction de la mer sud océan Indien* (DMSOI), based in Reunion Island, which is supposed to monitor the controls with the Office of State Action at Sea, under the authority of the Prefect of Reunion Island.

The means of control mobilized to protect French sovereignty and the goose that lays the golden eggs in the Southern Territories: Patagonian toothfish

According to the information available to us — beyond the data presented here — the monitoring of fisheries surveillance in the Indian Ocean is very weak. In addition, the consolidated and detailed reports on the types of controls and the description

of catches are disparate. Although the means of control and surveillance in the Mozambique Channel are not non-existent, with five Defense vessels and the OSIRIS of the Maritime Affairs, the means seem to be rather focused on the fight against illegal foreign fishing, notably to ensure national sovereignty in the Scattered Islands, and in the French Southern and Antarctic Territories (TAAF), where toothfish is a highly coveted fish by pirate vessels. Thus, 'legitimate' fishing vessels, in particular French tuna vessels, would only be controlled by OSIRIS, in almost anecdotal proportions.

Tuna fishing: 22 vessels — 22% of French catch — zero controls

Even if all the controls carried out in 'Outside waters' and in the 'Southern Indian Ocean' had concerned tropical tuna fishing — which is ostensibly not the case — **the rate of control would still have been extremely low in view of the importance of this sector in terms of catches**. French tropical tuna fisheries have in fact represented 22% of the total French catch over the last five years (Eurostat data), for its 22 active vessels (i.e. 0.4% of the French fleet). In the best case scenario, the 187 controls carried out in 2022 'Outside waters' and in the 'Southern Indian Ocean' areas would thus have been, in proportion, six times lower than what this sector represents in terms of catch.

⁶ The CNSP itself hosts the state-owned start-up MonitorFish, the source of the data analyzed here.

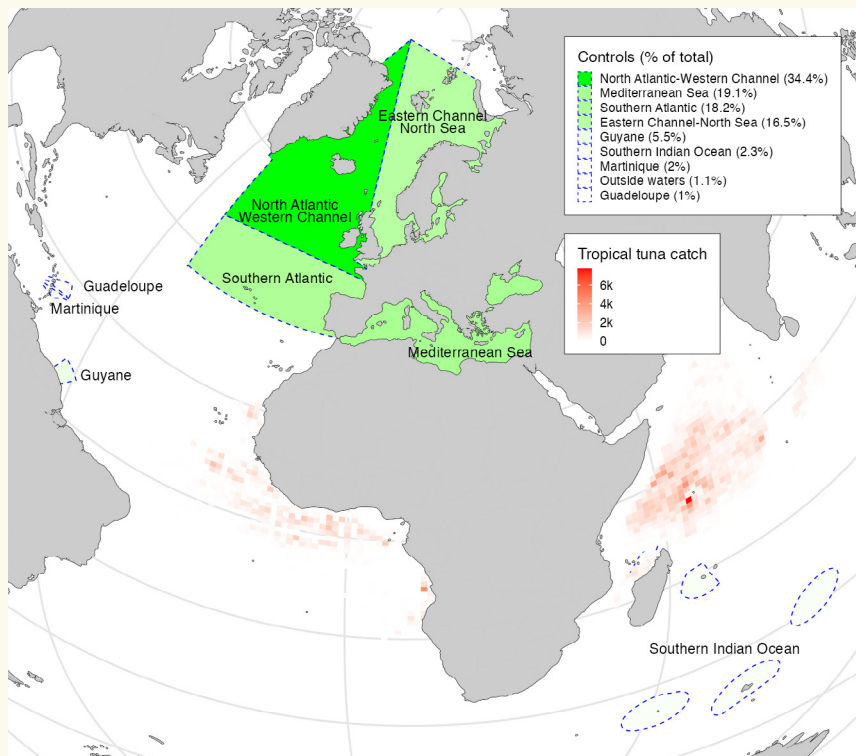


Figure 1

Map of control intensity (green gradient), according to data made available on Data Gouv, and tropical tuna fishing (red gradient).

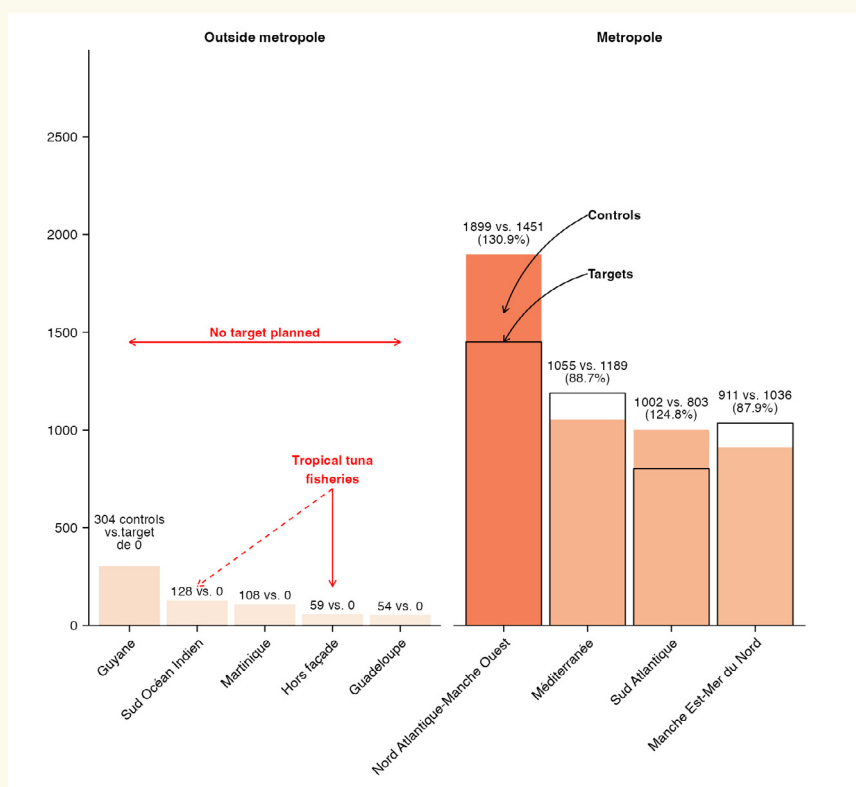


Figure 2

Number of controls vs. targets in 2022.

BLOOM TAKES LEGAL ACTION TO OBTAIN CRUCIAL DATA FOR THE OCEAN

For years, the French State has protected its tuna fisheries, at the risk of being brought before the Court of Justice of the European Union. Rather than implementing a real transition of the sector towards more virtuous fishing methods, the State even puts itself at the service of its industrials, by making key people from its administration available to large industrial lobbies, or by deploying its diplomatic power within the Council of the European Union to destroy environmental standards. Here we demonstrate that the political will of France to control its tuna fisheries is nil and that the controls are, at best, marginal.

These dysfunctions dishonor French democracy and must stop.

For this reason, BLOOM is appealing to two distinct courts and is continuing the campaign it began on 14 November by taking the matter to the administrative court in the face of the French administration's implicit refusal to transmit to us **essential information on the control of French tuna vessels** (number of controls carried out, list of fraud cases and infringements

identified, etc.) as well as **data concerning the location of the vessels and their fishing activities, and other data concerning drifting 'fish aggregating devices' (d-FADs)**.

Our request was previously approved by the French Commission for Access to Administrative Documents (*Commission d'accès aux documents administratifs*; CADA).

It is a regrettable waste of time and resources for NGOs to have to go through courts to obtain the basic transparency that characterizes a democracy and is enshrined in the fundamental rights of citizens. It is clear that a part of the State services has started to evolve by making the first statistics on fisheries control public. Let's hope that this movement will become a major trend capable of bringing about a cultural revolution within the administration so that public authorities finally understand that their mission is to protect the general interest and that this interest is the antithesis of the destructive practices of the industrials defended vigorously by France.



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March 2023

