



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
FISHERIES POLICY MEDITERRANEAN AND BLACK SEA
Fisheries Control and Inspections

TOWARDS NEW SCIPs

ADVISORY COUNCIL CONSULTATION

Disclaimer

This document is a working document of the Commission services for consultation and does not prejudice the final decision that the Commission may take.

The views reflected on this consultation paper provide an indication on the approach the Commission services may take, but do not constitute an official position of the Commission, a final policy position or a formal proposal by the European Commission.

The responses to this consultation paper will provide important guidance to the Commission when preparing, if considered appropriate, a formal Commission proposal.

The aim of this consultation is to collect the views and opinions of Advisory Councils in order to inform the proposal of the Commission Implementing Decision establishing Specific Control and Inspection Programmes for certain pelagic and demersal fisheries in the Baltic Sea, North Sea, Western Waters of North East Atlantic, East Atlantic, Mediterranean Sea and Black Sea.

You are kindly asked to reply by 30 June 2018 at the latest to this consultation paper, to the followings email: MARE-D4@ec.europa.eu

In each of the sections you will find a series of proposed questions. These questions are only intended to help your analysis and explore areas of interest to the Commission, but your comments do not necessarily have to be subordinate to these questions. The document is open for discussion and all comments regarding it are very welcome.

1. A NEW MODEL OF SCIPS

The Specific Control and Inspection Programmes (SCIPs) are an instrument defined by the Control Regulation¹, which set objectives, priorities, procedures and benchmarks for inspection activities in priority fisheries. Joint deployment plans (JDPs) are the vehicle through which the EFCA coordinates and organises the deployment of national human and material means of control and inspection pooled by Member States.

After the entry into force of the new Common Fisheries Policy (CFP), and in particular of the provisions on the landing obligation, the current coverage of the SCIPs and JDPs is limited in terms of fisheries, stocks and areas covered.

With the exception of the Commission Implementing Decision 2014/156/EU as amended, all other SCIPs, as established by the respective Implementing Decisions will expire on 31 December 2018. In this context, 2018 provides the timing to agree on a new SCIP model and on the mechanisms that would allow a more complete coverage of fisheries and an increased flexibility at the level of JDPs to address priorities as they come up, while fully respecting the legal obligation to fix which fisheries, objectives, priorities, procedures and benchmarks should be subject to inspections.

It is proposed to take advantage of the revision exercise for the three SCIPs expiring in 2018 to engage in a thorough review process on all SCIPs and JDPs and to explore ways, in particular, to:

- **Enlarge the scope of the SCIPs in terms of fisheries² and at the same time provide for an increased flexibility at the level of JDPs developed by EFCA.** This will provide the mechanisms to allow targeting priority stocks or fisheries inside a SCIP, based on a continuous/adaptive risk analysis.
- **Use the SCIPs/JDPs to bridge the gap regarding the control of the landing obligation.**

¹ Council Regulation (EC) No 1224/2009. Article 95

² In particular the introduction of demersal fisheries in Western Waters and of eels fisheries in the Baltic will be discussed.

2. IMPLEMENTATION OF MONITORING AND CONTROL PROCEDURES WITH SPECIFIC FOCUS ON THE LANDING OBLIGATION

The introduction of the landing obligation (LO) is a **priority** and major challenge to the CFP and monitoring and control will be one of the essential components of its successful implementation. Independent research, audits of the MS control systems conducted by the Commission, and the 'last-haul' and other project initiatives driven by the EFCA alongside the MS authorities all indicate³ a general **lack of compliance** with the LO and that illegal and unrecorded discarding is widespread.

There is a consensus among relevant actors involved in fisheries control, that **traditional means** of control, such as inspections at sea and aerial surveillance, are **not effective** to monitor the LO. The absence of effective control and enforcement is reflected by the fact that, despite that illegal discarding is widespread, there have been very few confirmed infringements of the LO by conventional inspections. Levels of non-compliance are expected to increase in 2019 with the full introduction of the LO.

Closed-circuit television (**CCTV**) have been identified to be the only effective control tool to ensure control and enforcement of the LO at sea and to provide a deterrent to illegal discarding, but, in the absence of a common legislation, MS are unwilling to unilaterally apply this control tools to their vessels, if this is not done within the framework of an harmonised regional agreement that guarantees a **level playing field**.

Even though there is an opportunity with the upcoming revision of the Control Regulation for the EU to act to ensure that such measures are adopted in a harmonised manner across all MS, in the **interim**⁴, solutions must be found to ensure that there is effective control of the LO, and consequently that compliance is promoted.

The revision of the legislation regulating **SCIPs** and the drafting of the subsequent JDPs provide us with an opportunity to address this problem. Adopting harmonised measures for the application of such technology according to regional risk management, will help to improve compliance with the LO, ensuring a risk-based approach and a level playing field. The SCIPs will also provide a stable platform to further test the effectiveness of

³ The most significant indications of non-compliance with the LO are:

1. An examination of catch registration documents show that reported quantities of discards and quantities <MCRS landed are very low since the introduction of the LO.
2. MS have reported that catch sampling, including last haul sampling of catches at sea indicate that observed catch compositions differ significantly from catch compositions reported in catch registration documents for non-inspected landings.
3. The reported catch composition of CCTV equipped trial vessels ("reference vessels") differs significantly from non-reference vessels engaged in the same fisheries.
4. The results of regional risk assessments, compiled by EFCA, for MS participating in North Sea and Baltic Sea specific control and inspection programmes (SCIPs) indicate several fisheries perceived, by MS, to be at risk of non-compliance with the LO.
5. Other sources such as independent research, Member States authorities, interviews of control experts and industry stakeholders or market analysis, also confirmed this point.

this new technology, detect potential problems and develop appropriate procedures and protocols to implement it. Work in this regard will start on the EFCA Working Group on Remote Electronic Monitoring (REM), to be held on 24th April 2018.

Proposed questions:

- Do you agree with the introduction of mandatory measures in the SCIPs for the application of CCTV technology across all MS and to specific fishing fleets, on a regional basis, according to harmonised risk management?
- What criteria should be used to determine the fisheries/fleet segments/vessels subject to control through CCTV? Should there be a threshold in fishing vessel's length?
- What do you believe will be the greatest technical and legal challenges and what do you think can be the solutions? (e.g. Installation and maintenance costs. Data access and exchange by flag and coastal state competent authorities. Technical specifications, implementing protocols. Privacy and data protection laws,...).
- Do you believe the use of some kind of incentives can be positive to start the process?