



Revision of the Fisheries Control System

NWWAC Executive Committee

13 September 2018

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Unit D.4 Fisheries Control and Inspections

COM(2018) 368

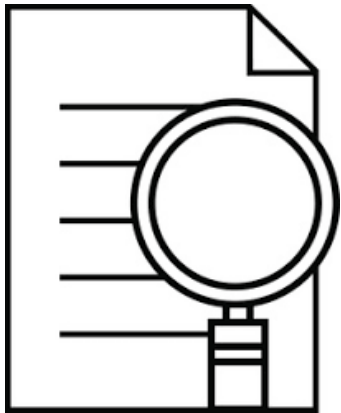
2018/0193 (COD)

Proposal for a **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

- **amending** Council Regulation (EC) No **1224/2009** (Control Regulation), and amending
- Council Regulations (EC) No **768/2005** (EFCA founding Reg.),
- (EC) No **1967/2006** (MED Regulation),
- (EC) No **1005/2008** (IUU Regulation),
- and Regulation (EU) No **2016/1139** of the European Parliament and of the Council (Baltic MAP)

as regards fisheries control

DOCUMENTS (2016-17) ON EVALUATIONS



- ✓ Report from the **COMMISSION** to the European Parliament
- ✓ EUROPEAN **COMMISSION** Staff Working Document 'REFIT Evaluation of the impact of the fisheries regulation'
- ✓ REFIT Platform opinion EUROPEAN **COMMISSION**
- ✓ Special Report of the **COURT OF AUDITORS** 'EU fisheries controls: more efforts needed'
- ✓ **EUROPEAN PARLIAMENT** Resolution 'how to make fisheries controls in Europe uniform'
- ✓ **EFCA Administrative Board** recommendations regarding the Five-Year Independent External Evaluation of EFCA (2012-2016)

PROBLEM OF THE CURRENT CONTROL SYSTEM

- **Lack of measures to control new provisions of the reformed CFP and lack of synergies with other policies**
- **Complexity of the legislative framework and ambiguity of legal provisions**
- **Inadequate provisions for fisheries data**
- **Enforcement rules not deterrent enough**



GENERAL OBJECTIVE

The initiative aims at amending the Union fisheries control system:

- **To make it more effective and efficient**
- **to ensure full compliance with the CFP and achievement of its objectives**



SPECIFIC OBJECTIVES

- **Bridge the gaps with the CFP and with other policies**
- **Simplify the current legislative framework and reduce administrative burden**
- **Improve availability, reliability and completeness of fisheries data and information, in particular of catch data**
- **Remove obstacles that hinder the development of a culture of compliance and the equitable treatment of operators within and across Member States**



POLICY OPTIONS



BASELINE: NO POLICY CHANGE, FULL ENFORCEMENT OF CURRENT SYSTEM

OPTION 1: AMENDMENT OF THE FISHERIES CONTROL REGULATION

OPTION 2: AMENDMENT OF THE FISHERIES CONTROL SYSTEM

(option 1 + targeted amendments of IUU, EFCA, Med Regulation, Baltic MAP)

ASSESSMENT AND COMPARISON OF OPTIONS

ASSESSMENT:

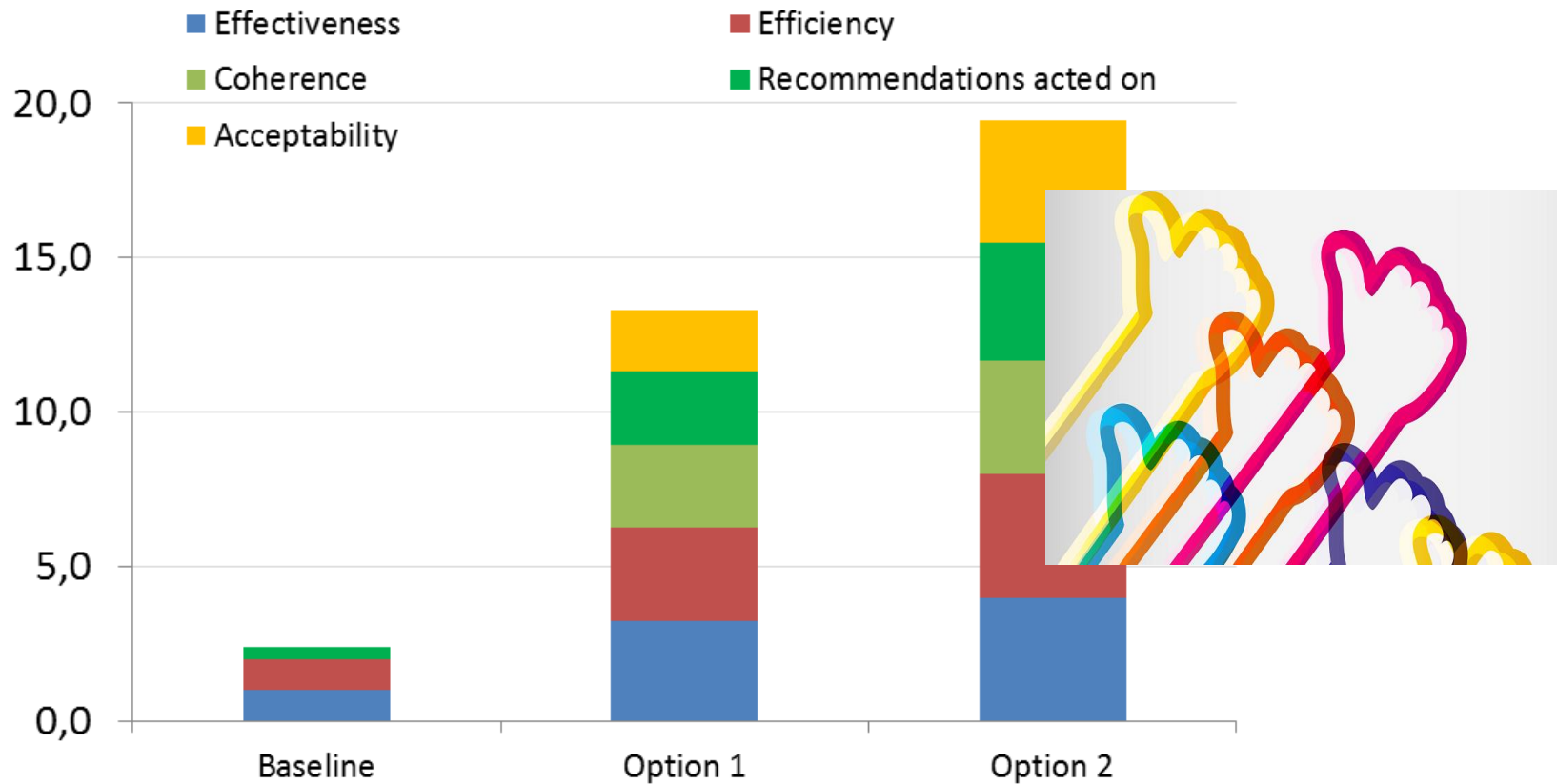
- ENVIRONMENTAL IMPACTS
- ECONOMIC IMPACTS
- SOCIAL IMPACTS
- ADMINISTRATIVE BURDEN



COMPARISON:

- EFFECTIVENESS
- EFFICIENCY
- COHERENCE
- ACCEPTABILITY (stakeholders' view, proportionality)
- RECOMMENDATIONS OF OTHER EU INSTITUTIONS AND BODIES

PREFERRED OPTION



MAIN PROVISIONS OF THE PROPOSAL

SPECIFIC AREAS FOR REVISION

1. Enforcement rules

2. Data: availability, quality and sharing

- Reporting and tracking for vessels < 12 m
- Control of recreational fisheries
- Weighing, transport and sales

3. Bridge the gap with the CFP

- Control of the landing obligation
- Monitoring engine power
- National Control Programmes

4. Increased synergies with other policies

- Environment
- Food Law
- Market control (and traceability)

5. Alignment with the Lisbon Treaty

EFCA's Founding Regulation

IUU and other Acts



Clarification
Simplification
Digitisation

1. ENFORCEMENT

INSPECTION AND SURVEILLANCE

- Clarification of the inspection process and duties (inspectors, masters, operators, observers)
- Digitisation of inspection reports



1. ENFORCEMENT

SANCTIONS

- All provisions in one Regulation (no I IUU and Control regulations)
- Updated list of serious infringements
- New list of criteria to qualify as serious certain other infringements of the CFP rules
- Introduction of mandatory administrative sanctions and minimum levels of fines for serious infringements
- Clarification of immediate enforcement measures, attribution of points, roles of States (flag, costal)
- Exchange of data on infringements and sanctions



2. DATA AVAILABILITY, QUALITY AND SHARING

VESSELS BELOW 12m

- Mandatory tracking of vessel, electronic logbook and electronic reporting of catches (but no VMS/ERS)

VESSELS 12-15m

- Derogations from VMS and ERS are deleted

WEIGHING/TRANSPORT/SALES

- All fisheries products must be weight at landing, weighing performed by a registered operator
- Specific procedures for unsorted landings
- Clarification responsibilities and accountability of operators



2. DATA AVAILABILITY, QUALITY AND SHARING

RECREATIONAL FISHERIES

- Simple registration/licence system
- Catches to be reported for species subject to EU conservation measures



TRACEABILITY

- Built on traceability rules in EU Food Law
- Link between a lot of fishery products and landings
- Derogation for imported products is removed
- Digital system



2. DATA AVAILABILITY, QUALITY AND SHARING

DEROGATIONS 'SMALL QUANTITIES'

- All catches to be reported (50kg derogation logbook removed)
- Derogation for sales to non-registered buyers amended (5kg)
- Adaptation of the rules on the margin of tolerance

DATA AVAILABILITY AND EXCHANGE

- Digitisation completed
- Measures for the protection of personal data



3. BRIDGING THE GAPS WITH THE CFP

LANDING OBLIGATION

- Mandatory use of CCTVs applied to individual vessels and fleet segments according to risk assessment, implemented by MSs at regional level



FISHING CAPACITY

- Continuous monitoring and recording of engine power for certain vessels with active fishing gears
- Simplification provisions on the verification of engine power
- Introduction of physical verification of the tonnage

3. BRIDGING THE GAPS WITH THE CFP

NATIONAL CONTROL PROGRAMMES

- Amended to cover the rules of CFP not only MAP, also include control of recreational fisheries
- Annual reporting
- Annex I removed



4. SYNEGIES WITH OTHER POLICIES

FISHING GEARS

- Systematic reporting of lost gears (via the logbook)



FISHING IN RESTRICTED AREAS

- Definition amended to cover areas under the sovereignty or jurisdiction of a MSs as well as those outside EU waters



5. ALIGNMENT WITH THE LISBON TREATY

- Powers conferred to the COMM aligned with Art. 290 and 291 of the TFEU
- Provisions conferring decision-making powers upon Council alone are adapted in line with the procedures applicable to the CFP



EFCA FOUNDDING REGULATION



- Objective and missions aligned to the CFP
- Geographical scope of Agency's inspection powers no longer limited to international waters
- Alignment to the Common Approach
- Update measures for protection of personal data
- Possibilities for revenues extended to allow delegation agreements and ad-hoc grants

IUU

- Digitisation of IUU catch certificate (CATCH)
- Provisions concerning Enforcement moved to the Control Regulation (cross references)



Med Regulation

Deletion of some provisions on leisure fisheries and transshipment

Baltic MAP

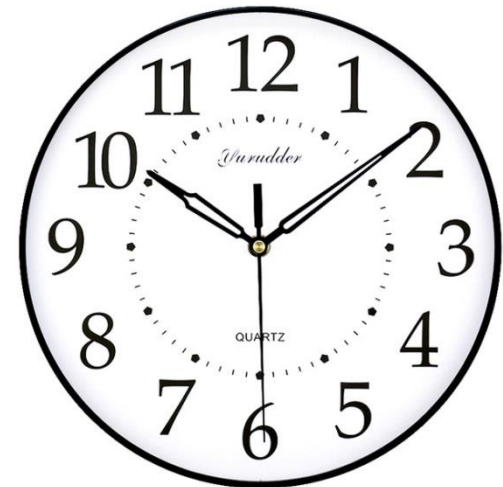
Deletion of provisions on logbooks and margin of tolerance

DATE OF APPLICATION

Amendments to Control regulation, IUU regulation, Med Regulation and Baltic MAP

=> 24 months after Entry into Force

Time needed to adopt Implementing and Delegated acts and develop ICT tools



Changes to EFCA Founding Regulation => Immediate entry into force



LINKS TO INFORMATION MATERIAL

STAKEHOLDER'S CONTRIBUTION, REFIT EXERCISE

https://ec.europa.eu/fisheries/cfp/control_en

EXTERNAL STUDY

<https://publications.europa.eu/en/publication-detail/-/publication/e0f39f5c-63b6-11e8-ab9c-01aa75ed71a1/language-en>

