



# **Revision of the Fisheries Control System**

**Council Working Party  
31 May 2018**

# COM(2018) 368

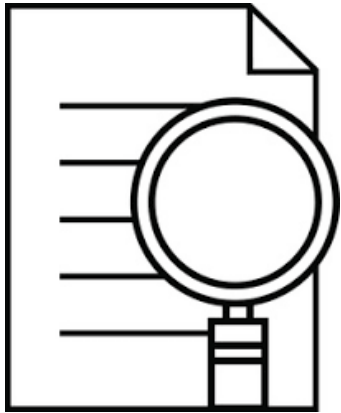
## 2018/0193 (COD)

### *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

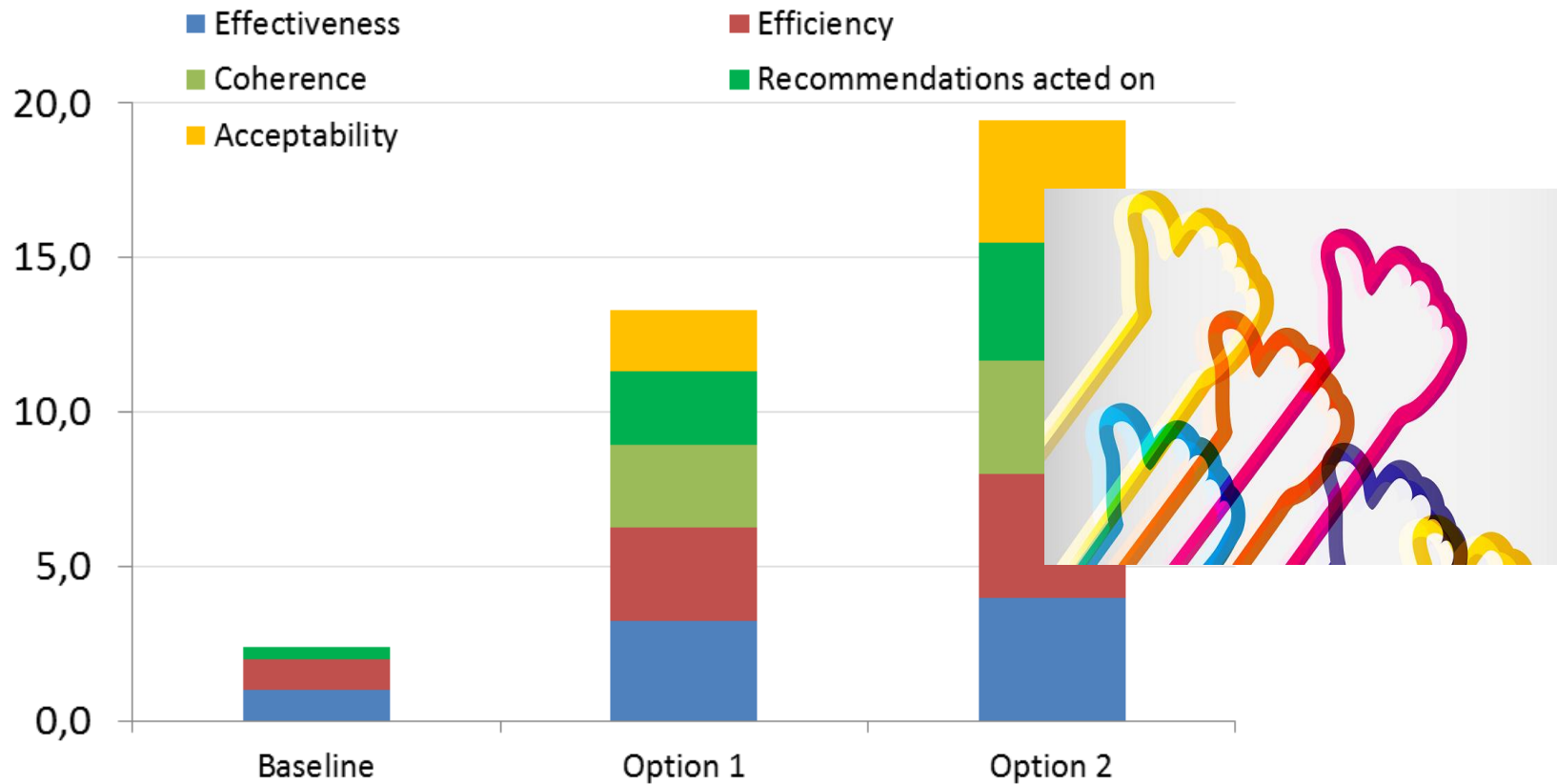


## COMPARISON:

- 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 FOUNDRING 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

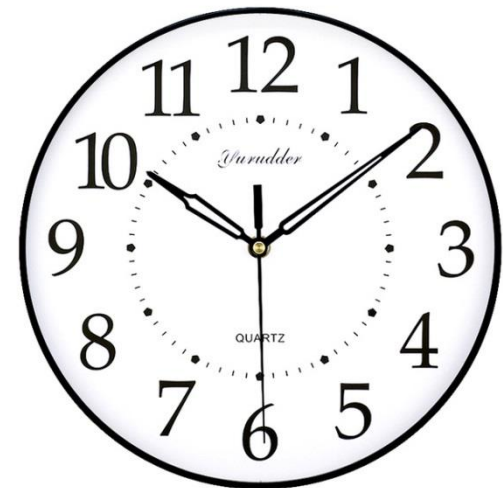
Deletion of provisions on logbooks and margin of tolerance

## 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](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>



