

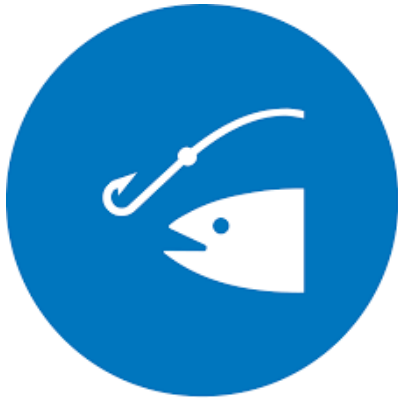


# Revision of the EU Fisheries Control System

*Stakeholders' Consultation*

**16 November 2017**

## GENERAL OBJECTIVE



The initiative aims at amending the Union fisheries control system:

- to simplify it
- to make it more effective and efficient
- to ensure full compliance with the CFP

**Stakeholders  
Consultation**  
Oct/Nov 2017

**Impact  
Assessment**  
Feb 2018

**Adoption of  
new proposal**  
Apr 2018

## SPECIFIC OBJECTIVES



- ❖ Remove obstacles that lead to different implementation of provisions by Member States
- ❖ Simplify the current legislative framework
- ❖ Improve availability, reliability and completeness of fisheries data and information
- ❖ Bridge the gaps with the reformed CFP
- ❖ Enhance of coordination among MSs, the COMM and EFCA
- ❖ Align EFCA's mission and tasks with recent developments in CFP



# OBJECTIVE OF THE CONSULTATION

**Gather stakeholders' views on the three policy options as well as certain specific actions**



# POLICY OPTIONS

*POLICY OPTION 1:*  
**NO POLICY CHANGE**

*POLICY OPTION 2:*  
**AMENDMENT OF THE FISHERIES CONTROL  
REGULATION**

*POLICY OPTION 3:*  
**AMENDMENT OF THE FISHERIES CONTROL  
SYSTEM**

- **OPTION 2 +**
- **Amendment of EFCA Founding Regulation**
- **Amendments of Specific Provisions in Relevant Legislations**



European  
Commission

# DISCUSSION



# DISCUSSION

- **Agree with description of problem?**
- **Agree with suggested actions?**
- **Additional/revised actions?**

# POLICY OPTION 2

## *Enforcement rules*

## *Data: availability, quality and sharing*

- Reporting and tracking for vessels < 12 m
- Control of recreational fisheries
- Weighing, transport and sales
- Monitoring of the fishing capacity
- Data management and sharing at EU level

## *Increased synergies with other policies*

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



# POLICY OPTION 3

**POLICY OPTION 2**



***Enforcement rules***

***Increased Synergies with other policies***

- **Market control (and traceability)**
- **IUU**

***EFCA Founding Regulation***

# *Enforcement rules*

## **PROBLEM:**

**Lack of consistency and effectiveness of national sanctions for infringements of the CFP rules**



- Complex enforcement system  
→ **Confusion on application**
- Diverse sanctions amongst MSs  
→ **Lack of even criteria for applications of serious infringements by MSs**

# ***Enforcement rules***

## **SUGGESTION of SPECIFIC ACTIONS:**

- 1. Unequivocal criteria**
- 2. Immediate enforcement measures for serious infringements**
- 3. Maintain common list of points for serious infringements**
- 4. Points + sanctions**
- 5. Common/minimum rules for masters' point system**
- 6. Electronic Inspection Report System**
- 7. EU system for data exchange on infringements/sanctions (w/ EFCA and MS)**

# *Enforcement rules*

## SUGGESTION of SPECIFIC ACTIONS:

1. **Common list** of definitions for **serious infringements**
2. Obligation to treat CFP-related infringements under **administrative law (not excluding criminal law)**
3. **Common rules on administrative sanctions** for CFP-related infringements
  - a. EU-level types and ranges of sanctions; or
  - b. MSs to set national sanctions
4. **Define** "economic benefit from the infringement" or "value of the prejudice to the fishing resources and the marine environment"

## ***Data: availability, quality and sharing***

- **Reporting and tracking for vessels < 12 m**
- **Control of recreational fisheries**
- **Weighing, transport and sales**
- **Monitoring of the fishing capacity**
- **Data management and sharing at EU level**

# REPORTING and TRACKING FOR VESSELS < 12 m



## PROBLEM:

**Impossibility to efficiently monitor  
and control fishing activities and  
catches of vessels < 12 m**

# REPORTING and TRACKING FOR VESSELS < 12 m

## SUGGESTION of SPECIFIC ACTIONS:

1. All vessels are monitored + report electronically their catches
2. Vessels < 12 m → easy/cost effective solution

(e.g. IOT, cellular/3G, application)

# CONTROL of RECREATIONAL FISHERIES



## PROBLEM:

- **Lack of control measures for recreational fisheries**
- **Impact on fish resources**



# **CONTROL of RECREATIONAL FISHERIES**

## **SUGGESTION of SPECIFIC ACTIONS:**

- 1. All stocks/species subject to RPs/MMPs/LO\***  
→ **FISHING LICENCE + ELECTRONIC REPORTING of CATCHES**
- 2. Registration of recreational fishing vessels**
- 3. Further control measures at national/regional level**

\* Recovery plans / multiannual management plans / landing obligation

# WEIGHING, TRANSPORT and SALES

## PROBLEM:

### Existing provisions for post-landing activities don't ensure:

- each quantity of each species landed are correctly accounted for by weighing
- the results are always recorded in mandatory catch registration documents



**Quota uptake monitoring / stocks sustainability**  
**Legality of fishing activities / data analysis**

# **WEIGHING, TRANSPORT and SALES**

## **SUGGESTION of SPECIFIC ACTIONS (I/II):**

- 1. Landed species weighed/recorded on approved systems**
- 2. "Registered weighers" to inform landing declaration/transport documents**
- 3. Sold/dispensed quantities for private consumptions to non-registered buyers – included in landing declarations**
- 4. Two-step procedure for small pelagic species (human consumption) and industrial species:**
  - Unsorted catches: weighing at landing + for each quantity of each species
  - Small pelagic species: weighing after transport + sorting at receiving premises
  - Industrial landings: sample weighing at landing (Commission's sampling plan)

# **WEIGHING, TRANSPORT and SALES**

## **SUGGESTION of SPECIFIC ACTIONS (II/II):**

- 5. MSs – Documented annual review of weighing practices**
- 6. Clarify responsibilities / accountability of operators at all process stages**
- 7. Simplify reporting procedure**
  - Operators → Competent authorities
  - (Flag state, state of landing, state of sale)
- 8. Registration of post-landing operators (*à la* Food Law)**

# MONITORING of the FISHING CAPACITY

## PROBLEM:

### **Ineffective provisions related to engine power verification**

- 
- vessels with manipulated engines may exceed their registered engine power
  - MSs may exceed their capacity ceilings as set in the CFP.

# MONITORING of the FISHING CAPACITY

## SUGGESTION of SPECIFIC ACTIONS:

- 1. Vessels >120 kW with active gears**
  - Continuous monitoring system
  - Transmission of max. power of engines when active
- 2. Engine power-related info – black box or automatically sent to competent authorities**
  - Info directly accessible for inspection
- 3. Countermeasures for system failures**

# DATA MANAGEMENT and SHARING at EU Level

## PROBLEM:

- **Exchange of fisheries data between MSs**
- **Limited access of the Commission to disaggregated fisheries data.**



Hard to assess the accuracy of MSs' catch reporting



# **DATA MANAGEMENT and SHARING at EU Level**

## **SUGGESTION of SPECIFIC ACTIONS:**

### **1. Complete digitalisation of control data system**

→ Electronic reporting of vessels <12 m

### **2. Establish EU-Fisheries Control Data Centre (FCDC)**



## *Increased synergies with other policies*

- **Environment**
- **Food Law**
- **Market Control (and Traceability)**
- **Market Control (and Traceability)**
- **IUU**

# Environment

## **PROBLEM:**

**Lack of synergies with environmental legislation**



**Inefficient control system**

# Environment

## SUGGESTION of SPECIFIC ACTIONS:

- 1. Minimum requirements for restrictions to abide by environmental obligations**  
→ Extend the scope of Art. 50
- 2. Additional provisions at national/regional levels**

# Food Law

## PROBLEM:

### Lack of alignment with Food Law:

- **Definitions** (e.g. risk management; audit)
- **General principles** (e.g. cooperation rules; responsibility of operators)



- Confusion
- Difficulty in enforcing control legislation

# Food Law

## SUGGESTION of SPECIFIC ACTIONS:

- 1. Terminology / principles → CR = Food Law**
- 2. Minimum cooperation rules and procedures amongst MSs**
  - Define responsibilities of food chain operators

# Market Control (and Traceability)

## PROBLEM:

- Ineffective traceability of fishery products
- Uneven implementation across MS



## **CURRENT SYSTEM:**

- ✓ EU fishery products
- x Imported fishery products  
from Third Countries

# Market Control (and Traceability)

## SUGGESTION of SPECIFIC ACTIONS:

- 1. Clarify definitions/provisions, incl. objective and use of traceability**
  - Market control purposes vs. information to consumers
  - Requirement of unique trip identifier
- 2. Digitilisation for CFP's application throughout fisheries/aquaculture products' marketing**
- 3. EU-wide system to be established**

# Market Control (and Traceability)

## SUGGESTION of SPECIFIC ACTIONS:

- 1. Remove derogations for Third Countries-products**
  - Likely increased compliance with Third Countries' import requirements
- 2. Digitalisation of IUU catch certificate**



# IUU

## PROBLEM:

**IUU Catch Certification Scheme → paper-based**



**incompatible with a fully  
digitalised traceability system  
extended to imported products**

# IUU

## SUGGESTION of SPECIFIC ACTIONS:

- 1. IUU Regulation: EU-wide IUU IT system for electronic submission and collection of catch certificates and processing requirements**

# ***EFCA Founding Regulation***

## **PROBLEM:**

### **Lack of alignment with**

- **Common approach on decentralised agencies;**
- **Common Fisheries Policy**  
(LO, role of EFCA with regard to its external dimension)
- **Proposed amendments in CR**



- **Recommendations of the  
Administrative Board**

# ***EFCA Founding Regulation***

## **SUGGESTION of SPECIFIC ACTIONS:**

- 1. Clarify EFCA's mission and tasks with regard to the external policy**
  - a. empowering EFCA to carry out inspections beyond international waters:
    - ✓ upon mandate/request by the Commission
    - ✓ limited to activities in the context of RFMOs, SPFAs and fight against IUU
  - b. allowing EFCA to coordinate certain control schemes in RFMOs
  - c. EFCA's role linked to LO regional risk assessment

# ***EFCA Founding Regulation***

## **SUGGESTION of SPECIFIC ACTIONS:**

### **3. Joint Deployment Plans (JDP)**

→ Need for flexible working arrangement to ease Third Countries participation?

### **4. EU-wide system for data exchange**

→ ECA recommendation

### **5. EFCA + EU-Fisheries Control Data Centre (FCDC) ?**

### **6. Clarify Advisory Body's and possibly review Administrative Board's tasks**

### **7. Align to the Common Approach on decentralised agencies**

