

Common Fisheries Policy (CFP): Community control system for ensuring compliance with the rules of the CFP

2008/0216(CNS) - 31/03/2009

The Committee on Fisheries adopted the report by Raül ROMEVA i RUEDA (Greens/EFA, ES) amending, under the consultation procedure, the proposal for a Council regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

The main amendments are as follows:

Fishing activities with bottom gears: a detailed list of such gears should be drawn up because they may have a wider impact on the marine ecosystem.

VMS: an appropriate device must be installed by 1 July 2013 rather than 1 July 2012 for vessels exceeding 10 meters length and up to 15 meters length overall. Financial assistance for the installation of Vessel Monitoring System devices shall be eligible for funding under Regulation (ES) No 861/2006. Co-financing from the Community budget shall be at the rate of 80%.

Logbook: the permitted margin of tolerance in estimates recorded in the logbook of the quantities in kilograms of fish retained on board shall be 10% (rather than 5%, as proposed by the Commission).

Financial assistance for the installation of electronic logbooks shall be eligible for funding under Regulation (ES) No 861/2006. Co-financing from the Community budget shall be at the rate of 80%.

Electronic recording and transmission of logbook data: this will apply to fishing vessels exceeding 15 meters length and up to 24 meters length overall as from 1 July 2011, and to Community fishing vessels exceeding 10 meters length and up to 15 meters length overall as from 1 July 2013. (rather than 2012)

Prior notification: the committee states that the conditions governing notification could be made more flexible for certain categories of fishing vessels and taking into account distances from the fishing grounds and the landing place, but no vessel should be exempt from these obligations.

Furthermore, a new clause states that the competent authorities of the Member State whose port or landing facilities the master of a fishing vessel wishes to use, having made a request to do so at least 4 hours prior to the estimated time of arrival at the port shall, within 2 hours of receiving this request, give permission accordingly.

Landing declaration: this must be given 6 hours after landing (rather than 2 hours). Again, the date of application for certain vessels is extended to 2013.

Recording of catches and fishing effort: the data in electronic format shall be kept for a minimum of 10 years (rather than 3 years.)

The committee states that discards should be deducted from the national quota, as a means of providing incentives for more selective fishing to avoid catching them in the first place.

Transfer of unused quotas: a new article is inserted providing that if all or part of the quotas for a Member State will not be used during the year in which they were granted, these quotas may be used, that same year, by other Member States.

Transshipments in port: this article is deleted.

Registration of discards: the Commission shall consider a scheme to fit video-monitoring equipment for the purpose of ensuring compliance with this Regulation. Released fish in recreational fisheries shall not be considered to constitute discards or mortality for the purposes of the Regulation.

Real time closure of fisheries: the whole of this section is deleted. The committee states that closures are a technical measure which should be regulated under this Regulation, and not in the Control Regulation. In addition, the committee has not yet decided on the characteristics of the closures, since the draft Report and corresponding amendments are still to be voted on and both texts should be consistent.

Recreational fisheries: within 2 years of the date of entry into force of the Regulation, Member States may estimate the impact of recreational fisheries conducted in their waters and submit the information to the Commission. The relevant Member State and the Commission, on the basis of the advice of the Scientific, Technical and Economic Committee for Fisheries, shall decide which recreational fisheries are having a significant impact on such stocks. For those fisheries having a significant impact, the Member State concerned, in close cooperation with the Commission, shall develop a monitoring system that is able to accurately estimate the total recreational catches from each stock. Recreational fisheries shall comply with the objectives of the Common Fisheries Policy.

Observers: the Commission should cover the cost of observation programmes, together with Member States.

Sanctions for serious infringements: Member States shall ensure that operators found liable for a serious infringement of the rules of the Common Fisheries Policy are precluded from benefiting from the European Fisheries Fund, Fisheries Partnership Agreements and other public aid. The sanctions provided for shall be accompanied by other sanctions or measures, in particular the repayment of public assistance or subsidies received by IUU vessels during the financing period concerned.

The committee made some amendments to the **penalty points system**.

Deduction of quotas: Members amended the multiplying factors applicable. They state that as regards the table of penalties, those expressed in percentages do not properly reflect the situation regarding quotas exceeded. This is the case in particular for deep-water species, where, for some Member States, the quotas are limited to small quantities that may even be less than 30-50 tonnes.

The committee deleted the Commission's powers to **deduct quotas and refuse quota transfers or quota exchanges**. It deleted the article on **deduction of quotas for failure to comply with the objectives of the Common Fisheries Policy**. It notes that any Member State that allows a fleet repeatedly to exceed its quota should be penalised. Nevertheless, the mechanisms for doing so should not involve the deduction of quotas and refusal of quota transfers or quota exchanges, since this would not affect the Member State that is failing to comply but would affect fleets which may be uninvolved in the infringements, and even - in the case of quota exchanges - other Member States that have nothing to do with the violation in question.

Secure part of the website: third countries shall be provided with certain information for Community vessels that apply for licences to fish in their waters. The information shall be provided on condition that the third country guarantees in writing the confidentiality of the information.