Basic information

2015/2093(INI) INI - Own-initiative procedure	Procedure completed
How to make fisheries controls in Europe uniform **Subject** 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	THOMAS Isabelle (S&D)	31/03/2015
	Shadow rapporteur CADEC Alain (PPE) VAN DALEN Peter (ECR) NICOLAI Norica (ALDE) SENRA RODRÍGUEZ Maria Lidia (GUE/NGL) AFFRONTE Marco (EFDD)	

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

Key events

Date	Event	Reference	Summary
30/04/2015	Committee referral announced in Parliament		
12/07/2016	Vote in committee		
18/07/2016	Committee report tabled for plenary	A8-0234/2016	Summary
24/10/2016	Debate in Parliament		
25/10/2016	Decision by Parliament	T8-0407/2016	Summary
25/10/2016	Results of vote in Parliament		
25/10/2016	End of procedure in Parliament		

Technical information	
Procedure reference	2015/2093(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/03340

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE576.833	18/03/2016	
Amendments tabled in committee		PE580.534	27/04/2016	
Committee report tabled for plenary, single reading		A8-0234/2016	18/07/2016	Summary
Text adopted by Parliament, single reading		T8-0407/2016	25/10/2016	Summary

How to make fisheries controls in Europe uniform

2015/2093(INI) - 25/10/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 581 votes to 59, with 48 abstentions, a resolution on 'How to make fisheries controls in Europe uniform'.

Obstacles to harmonisation: Members stressed the importance of **ensuring effective control of fisheries activities** in order to guarantee sustainable exploitation of living marine resources and maintain a level playing field among EU fleets. They called on Member States to ensure effective implementation of Regulation (EC) 1224/2009 establishing a Community control system.

The resolution makes a number of observations:

- **substantial differences exist in the application of European regulations in Member States**, particularly those deriving from the 'control' regulation. Each Member State has its own distinctive legal system as well as different administrative and judicial structures, which are inevitably reflected in the systems of administrative and/or criminal penalties and in the fact that those systems lead to discrepancies and unfairness between Member States;
- some Member States organise **control from gear to plate** and others controlling only certain links in the chain and excluding aspects relating to transportation of catches or to catering, for example;
- **the effectiveness of controls also varies** on account of the immense diversity of fishing grounds within the EU, ranging from narrow, confined zones, whose fishery resources are shared essentially by neighbouring Member States, to very distant and remote zones;
- there is a **difference in approach** between controls based on risk assessment and random checks on fishing activity and on marketing channels for catches;
- **the current complexity of technical measures** and the vast number of provisions, possibly even contradictory, including multiple derogations and exceptions, provisions disseminated across a range of different legal texts makes them difficult not only to understand, but also to control and enforce;
- the **level of infraction** differs from one Member State to another, and that for the same infraction the sanction may be either an administrative or a penal one.

Member States were urged to **properly implement the Control Regulation**, in order to have a clear view of which parts need to be improved in the upcoming revision and thus to ensure a functional and easily applicable Control Regulation for the future as well.

Proposals to overcome the current obstacles:

- ***Improve legislation***: Members are in favour of a **simplification** of Union legislation, as well as a reduction in the administrative burden with a view to achieving 'better lawmaking', in particular through a **limited and targeted revision** of Council Regulation (EC) No 1224/2009, scheduled for and expected by 2017 at the latest, while retaining effective rules able to prevent, detect and sanction infringements of the Common

Fisheries Policy, and focusing primarily on better implementation of norms between different Member States, by researching in particular a greater harmonisation. **Traditional small-scale coastal fishing** should be promoted in any new legislation.

- ***Common syllabus and standardised rules***: Parliament reiterated the importance of strengthening the EFCA's mandate in order to set up joint fisheries control operations enabling efficient coordinated action by many local, regional and national authorities, and by EU agencies performing coastguard duties at EU level. Members considered that the implementation by the EFCA of a **'core curriculum' for the training of fisheries inspectors** is an essential point for the standardisation of training and control procedures.
- ***Better application of existing legislation:*** the Commission must attend to uniform and accurate **transposition** and verify the state of implementation of existing legislation. Control procedures must be **transparent, even-handed and standardised**, allowing Member States to be put on an equal footing as regards controls on their fishermen, and rules on control should be simpler, and more comprehensive and consistent.
- ***Illegal, unreported and unregulated fishing (IUU):*** Parliament recommended the strengthening of controls in order to prevent the importation of fish from illegal, unreported and unregulated fisheries by setting up national intelligence teams staffed with specialised fishing inspectors.
- ***Data:*** Parliament believed there is a need for the collection, management and use of good-quality data regarding the landing obligation. It called for increased cooperation between Member States through exchanges of inspectors, control methods and data, risk analysis sharing and shared information on quotas of flagged vessels. It also recalled the importance of having the capacity to share data in real time.
- ***Training of fishermen:*** Members proposed that training and information for fishermen be improved, with a view to inculcating a **culture of understanding and respect for the rules**. They suggested that online databases be created for documents and information relevant to fisheries, making the regulations accessible for all to read and understand.
- ***Strengthened monitoring:*** the report recommends expanding the controls – for example extending monitoring – to cover the entire production chain, and assigning responsibility for control at sea to **a single administrative body**, in order to avoid an overlapping of controls which wastes human, logistic, and financial resources.
- ***Sanctions:*** Members recommend the **standardisation of sanctions** while keeping them at a level that is proportional and non-discriminatory and that acts as a deterrent. They noted that they would prefer **economic sanctions**, including temporary suspensions of activity, to penal sanctions, but also considered that preference should be given to incentives for fishermen who comply with CFP rules in order to prevent infringements.
- ***Modernisation:*** Parliament encouraged the establishment of **funding mechanisms** to increase the use of low-cost technologies to enable voluntary control and increase monitoring and safety of fishermen, especially in small-scale artisanal fisheries. It stressed the importance of **electronic technologies** which represent a potentially cost-effective means to widen observation of activities at sea, but stated opposition to any mandatory video surveillance system on board.

Lastly, Members stated that the available budgetary resources, particularly under the European Maritime and Fisheries Fund (EMFF), should be realistic, consistent, and sufficient to pursue the objectives of controls.

How to make fisheries controls in Europe uniform

2015/2093(INI) - 18/07/2016 - Committee report tabled for plenary, single reading

The Committee on Fisheries adopted the own-initiative report by Isabelle THOMAS (S&D, FR) on 'How to make fisheries controls in Europe uniform'.

Obstacles to harmonisation: Members stressed the importance of **ensuring effective control of fisheries activities** in order to guarantee sustainable exploitation of living marine resources and maintain a level playing field among EU fleets. They called on Member States to ensure effective implementation of Regulation (EC) 1224/2009 establishing a Community control system.

The report makes a number of observation:

- quite apart from possible regional variations, **substantial differences exist in the application of European regulations in Member States**, particularly those deriving from the 'control' regulation. Each Member State has its own distinctive legal system as well as different administrative and judicial structures, which are inevitably reflected in the systems of administrative and/or criminal penalties and in the fact that those systems lead to discrepancies and unfairness between Member States;
- **the effectiveness of controls also varies** on account of the immense diversity of fishing grounds within the EU, ranging from narrow, confined zones, whose fishery resources are shared essentially by neighbouring Member States, to very distant and remote zones;
- there is a **difference in approach** between controls based on risk assessment and random checks on fishing activity and on marketing channels for catches;
- **the current complexity of technical measures** and the vast number of provisions, possibly even contradictory, including multiple derogations and exceptions, provisions disseminated across a range of different legal texts makes them difficult not only to understand, but also to control and enforce.

Member States were urged to properly implement the Control Regulation, in order to have a **clear view of which parts need to be improved** in the upcoming revision and thus to ensure a functional and easily applicable Control Regulation for the future as well.

Proposals to overcome the current obstacles:

Improve legislation: Members are in favour of a **simplification** and improvement of Union legislation, as well as a reduction in the administrative burden, through a limited and targeted revision of Council Regulation (EC) No 1224/2009, scheduled for and expected by 2017 at the latest. At the same time, they wanted to retain effective rules able to prevent, detect and sanction infringements of the Common Fisheries Policy, and focus primarily on better implementation of norms between different Member States, by researching in particular a greater harmonisation.

Closer cooperation between Member States would be a way towards further harmonisation of controls.

Better application of existing legislation: the Commission must attend to uniform and accurate **transposition** and verify the state of implementation of existing legislation. Control procedures must be **transparent, even-handed and standardised**, allowing Member States to be put on an equal footing as regards controls on their fishermen, and rules on control should be simpler, and more comprehensive and consistent.

Illegal, unreported and unregulated fishing (IUU): Members recommend the strengthening of controls in order to prevent the importation of fish from illegal, unreported and unregulated fisheries by setting up national intelligence teams staffed with specialised fishing inspectors.

Data: Members believed there is a need for the collection, management and use of good-quality data regarding the landing obligation. They called for increased cooperation between Member States through exchanges of inspectors, control methods and data, risk analysis sharing and shared information on quotas of flagged vessels. They also recalled the importance of having the capacity to share data in real time.

Training of fishermen: Members proposed that training and information for fishermen be improved, with a view to inculcating a **culture of understanding and respect for the rules**. They suggested that online databases be created for documents and information relevant to fisheries, making the regulations accessible for all to read and understand.

Strengthened monitoring: the report recommends expanding the controls – for example extending monitoring – to cover the entire production chain, and assigning responsibility for control at sea to **a single administrative body**, in order to avoid an overlapping of controls which wastes human, logistic, and financial resources.

Sanctions: Members recommend the **standardisation of sanctions** while keeping them at a level that is proportional and non-discriminatory and that acts as a deterrent; preference should be given to incentives for fishermen who comply with CFP rules in order to prevent infringements. Member States were asked to take the initiative for an extensive standardisation of sanctions, in particular penal ones, in order to put an end to the inequities existing at present.

Modernisation: the report encouraged the establishment of **funding mechanisms** to increase the use of low-cost technologies to enable voluntary control and increase monitoring and safety of fishermen, especially in small-scale artisanal fisheries. It stressed the importance of **electronic technologies** which represent a potentially cost-effective means to widen observation of activities at sea, but stated opposition to any mandatory video surveillance system on board.

The available budgetary resources, particularly under the European Maritime and Fisheries Fund (EMFF), should be realistic, consistent, and sufficient to pursue the objectives of controls.