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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT Accompanying the document Proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control

Delegations will find attached document SWD(2018) 279 final.

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COMMISSION STAFF WORKING DOCUMENT

EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

Proposal for a regulation of the European Parliament and of the Council

amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control

{COM(2018) 368 final} - {SEC(2018) 267 final} - {SWD(2018) 280 final}

EXECUTIVE SUMMARY OF THE IMPACT ASSESSEMENT

Executive Summary Sheet
Impact assessment on the Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries controls
A. Need for action
Why? What is the problem being addressed? Maximum 11 lines
The current EU fisheries control system was designed prior to the reformed Common Fisheries Policy (CFP) and as such it is **not coherent** with it. Lack of action in this respect would seriously undermine compliance with the CFP and fulfilment of its objectives. In addition, the system is nowadays **outdated,**, mainly as still largely paper-based. As a result, it lacks effectiveness and efficiency, as was widely recognised and highlighted by the four European Institutions (Commission, Council, European Parliament and Court of Auditors), which all pointed at the need to revise the framework. The REFIT exercise carried out by the Commission identified the following underlying drivers: a) Lack of measures to control provisions of the reformed CFP, lack of synergies with other policies; b) Complexity of the legislative framework and ambiguity of legal provisions; c) Inadequate provisions for fisheries data; d) Enforcement rules not deterrent enough. The stakeholders affected by the initiative are: fishery operators, public authorities in Member States, the Commission and the European Fisheries Control Agency.
What is this initiative expected to achieve? Maximum 8 lines
The main objectives of this initiative are making the Union fisheries control system more effective and efficient and ensuring full compliance with the reformed CFP and fulfilment of its objectives. The specific objectives are to: 1) Bridge the gaps with the CFP and with other EU policies; 2) Simplify the legislative framework and reduce unnecessary administrative burden; 3) Improve availability, reliability and completeness of fisheries data and information, in particular of catch data, and allow exchange and sharing of information; and 4) Remove obstacles that hinder the development of a culture of compliance and the equitable treatment of operators within and across Member States.
What is the value added of action at the EU level? Maximum 7 lines
The CFP and its control is an area of exclusive EU competence pursuant to Article 3(d) of the Treaty. Action at EU level is required by the European Institutions and strongly supported by stakeholders, including Member States, insofar as it adds value compared to possible diversified national approaches by ensuring a harmonised control framework of the CFP provisions, by contributing to a level playing field among EU fishermen and ultimately by promoting an EU-wide culture of compliance.
B. Solutions
What legislative and non-legislative policy options have been considered? Is there a preferred choice or not? Why? Maximum 14 lines
Three policy options were analysed through the Impact Assessment process: (0) The Baseline ; (1) Targeted amendments of the Fisheries Control Regulation; (2) Targeted amendments of the Fisheries Control System (in particular Regulations on: Fisheries Control, Illegal, Unreported and Unregulated Fishing and European Fisheries Control Agency). Option 2 shows markedly better performance overall compared to the other options and is the preferred one. This option would: 1) Ensure coherence with the reformed CFP; 2) Ensure a future-proof control system; 3) Simplify the legislative framework and decrease unnecessary administrative burden; 4) Increase the culture of compliance with the CFP; 5) Ensure equal treatment of operators; 6) Improve quality, exchange and sharing of fisheries data; 7)

Improve scientific data for stock assessment; 8) Increase synergies with other policies; 9) Increase competitiveness of European industry; 10) More than double each euro invested in control as revenue for the EU economy; 11) Increase creation of new jobs in ICT; 12) Boost investments in new technologies while saving 157M€ over a five years period compared to the baseline; 13) Result in faster improvement of status of the stocks and thus in increased profitability of the vessels concerned and wages of the fishermen.

Who supports which option? Maximum 7 lines

The vast majority of stakeholders consulted, including Member States, strongly supported or had a preference towards Option 2. None of the stakeholders supported no policy change (the baseline).

C. Impacts of the preferred option

What are the benefits of the preferred option (if any, otherwise main ones)? Maximum 12 lines

Positive environmental impacts would encompass: reduction of overfishing, elimination of discards at sea, healthier fish stocks and proper control of marine protected areas.
Main socio-economic benefits include: increased wages and competitiveness of fishing industry, especially for the small fleet; promotion of job creation (especially in ICT); improved compliance with the CFP and equal treatment of fishers. In addition, the preferred Option is expected to simplify and drastically reduce the administrative burden of the current system, with cost savings estimated at 157 M € over 5 years compared to the baseline. It should be noted that while some of the savings could be monetised, some others have been identified but it was not possible to quantify them.

What are the costs of the preferred option (if any, otherwise main ones)? Maximum 12 lines

The costs would be 'proportionate' to the benefits achieved (especially considering cost savings) and cost-effective, with considerable benefits outweighing the relatively modest changes in costs. Member States authorities would also benefit from cost savings under this option through simplification and inter-operability. Compliance costs will concern the monitoring of the fishing capacity (5.1 M€ for businesses, partially compensated by 4.2 M€ savings for the authorities) and the control of the landing obligation (7.2 M€ investments). Total investments in ICT would amount to 134.6 M€ over 5 years, but be partially compensated by recurrent cost savings of 127.3 M€ over the same period.
No negative social or environmental impacts are expected as a result of the preferred option.

How will businesses, SMEs and micro-enterprises be affected? Maximum 8 lines

There would be minimal costs on businesses, which would be eligible for funding under the European Maritime and Fisheries Fund (EMFF), while the same businesses would be the recipient of environmental, economic and social benefits. In addition, any additional burden for small operators (small-scale fishermen) will be avoided by the introduction of easy and cost-effective reporting systems for fishery data, taking advantage of affordable and widely available mobile phones technologies. Also these systems would be eligible for funding under the EMFF. Furthermore, the introduction of new ICT will boost innovation and provide new avenues for job creation for SMEs and starts-up.

Will there be significant impacts on national budgets and administrations? Maximum 4 lines

Member States would need to develop ICT solutions to complete digitisation of the fisheries data systems and to manage the new data flow (the costs are reimbursable under the EMFF) and to implement the new digital system for imported fishery products from third countries (electronic catch certificate).

Will there be other significant impacts? Max 6 lines

Non-commercial fishers would generally be subject to stricter rules than today, requiring in particular reporting of catches. Citizens will benefit from better and more reliable information on fisheries products and improved security of seafood supplies.

D. Follow up

When will the policy be reviewed? Maximum 4 lines

The current Fisheries Control Regulation already provides that the Commission shall assess its implementation every 5 years, based on reports submitted by Member States. This rule will be maintained.