

# Multi-annual plan for western Mediterranean demersal fisheries

Impact Assessment (SWD(2018) 60, SWD(2018) 59 (summary)) of a Commission proposal for a directive of the European Parliament and of the Council establishing a multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (COM(2018) 115)

## Background

This note provides an initial analysis of the strengths and weaknesses of the European Commission's [impact assessment](#) (IA) accompanying the above [proposal](#), adopted on 8 March 2018 and referred to the Parliament's Committee on Fisheries (PECH).<sup>1</sup>

The proposed multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea is one of five multi-annual plans launched under the current common fisheries policy (CFP, [Regulation No 1380/2013](#), known as the Basic Regulation). The three first multiannual plans are for: [Baltic Sea stocks](#) of cod, herring and sprat, adopted on 6 July 2016;<sup>2</sup> [demersal fisheries in the North Sea](#), on which an interinstitutional agreement was reached on 7 March 2018;<sup>3</sup> and [small pelagic stocks in the Adriatic Sea](#), currently under discussion at the PECH committee.<sup>4</sup> The proposal on the [western EU waters](#) multiannual plan was adopted on 23 March 2018.

The current CFP entered into force on 1 January 2014. As stated in the impact assessment, its main goal 'is to ensure that fishing activities are environmentally sustainable and managed in a way that is consistent with the objectives of achieving economic, social and employment benefits'. Multi-annual plans for fish stock management are a priority of the reformed CFP, because they are considered to be successful in improving the status of stocks and the economic performance of the fishing sector compared with the situation before. Regionalisation is another element of the current CFP, giving the stakeholders the possibility to participate in the decision-making process, as well as the flexibility to take into account the specific characteristics of each fisheries sub-region. The main tools for fisheries management include the fishing effort regime, the total allowable catch and technical measures (IA, p. 1).

The present proposal is aimed at dealing with the high levels of overfishing in the western Mediterranean Sea,<sup>5</sup> by tackling the excessive fishing effort<sup>6</sup> (IA, p. 13). More than 90 % of the commercial fish stocks evaluated for the purpose of this IA are overexploited well beyond safe biological limits, according to the Scientific, Technical and Economic Committee for Fisheries (STECF). (IA, p. 2). Fishing fleets from Italy, Spain and France are affected by the proposal with around 13 000 fishing vessels altogether, 76% of which belong to Italy (IA, p. 20). Around 24 000 jobs are concerned. For example, the largest bottom trawl fleets in France and Italy are already experiencing negative net profits. The trend of recent years has been a decreasing number of active vessels, employment and total income from landings (IA, p. 19).

The majority of vessels are passive gears and long liners, representing around 10 400 vessels catching 1 500 tonnes per year, representing the smallest fleet segment. The largest fleet segment is mostly bottom trawlers with nearly 2 800 vessels catching 13 500 tonnes per year. (IA, p. 20). Around 90 % of enterprises operating in the fishing sector and targeting demersal species are micro enterprises (IA, p. 21).

## Problem definition

The IA describes the following two problems to be addressed by the proposal:

1. high levels of overfishing;
2. the ineffective regulatory framework (IA, p. 9).

A high number of vessels and excessive fishing effort are indicated as the main drivers of overfishing, alongside environmental conditions.<sup>7</sup> Hake, red mullet and anglerfish are the most commonly overfished stocks, with current exploitation levels reaching up to 10 times estimated maximum sustainable yield (MSY)<sup>8</sup> targets (IA, p. 10).

The drivers behind the ineffective regulatory framework, namely the CFP and the 2006 Council regulation for fisheries in the Mediterranean Sea ([MEDREG](#)), are the following: limited scope of application, slow and poor implementation and lack of stakeholder ownership (IA, pp. 9, 15-17). The national management plans, currently in force for the fisheries sub-regions covered under this proposal, refer to areas that are the competence of individual Member States. They manage fisheries in terms of fishing gear, rather than by species or group of species. Western Mediterranean fisheries cover a very high number of species.

According to the IA, little progress has been made in implementing the national management plans on account of the long time that elapsed between their adoption in 2006 and their entry into force, in 2011 in the case of Italy, and 2013 in the cases of France and Spain. In addition, the fishing effort restrictions in those plans have not been adjusted in a manner compatible with the MSY targets (IA, p. 16). The IA explains how the stakeholders felt alienated from the drafting of the MEDREG, and how this has affected their willingness to comply with rules 'imposed from above'. The regionalisation approach of the current CFP would secure greater involvement of fishermen in drafting the new management plans. (IA, p. 17).

## Objectives of the legislative proposal

The two general objectives of the Commission proposal are indicated to be consistent with the current CFP and the previous multiannual plans adopted or under discussion:

1. to achieve the objectives of the CFP<sup>9</sup> in western Mediterranean demersal fisheries, namely with regard to ensuring that fishing activities are environmentally sustainable in the long term and are managed in a way that generates economic, social and employment benefits;
2. to improve the regulatory framework of fisheries exploiting demersal stocks in the western Mediterranean Sea.

The specific objectives seek to:

1. achieve and maintain fishing mortality at the maximum sustainable yield ( $F_{MSY}$ ) for all demersal stocks<sup>10</sup> in the western Mediterranean Sea by 2020;
2. increase the selectivity of bottom trawls, in particular to exclude juvenile individuals;
3. ensure a sustainable fishing sector for the exploitation of demersal stocks; and
4. provide an effective management framework that is simpler, more stable and provides stakeholders with greater ownership of decision making. (IA, p. 25).

The operational objectives are described in the chapter dedicated to monitoring and evaluation after the selection of the preferred option, as provided in the [Better Regulation](#) (BR) guidelines.

The objectives are linked to the problems identified and appear to comply broadly with the SMART<sup>11</sup> criteria set out in [Tool #16](#) of the BR guidelines.

## Range of options considered

The IA presents three policy options, including the baseline, summarised below. The Commission also considered two more options, which were discarded from the outset: adoption of a multi-annual plan at EU level based on total allowable catches (TACs)<sup>12</sup> and establishment of a multi-annual plan at international level. The reasons for discarding these options are indicated in the IA. The use of single-species TACs is explained to be extremely complex in highly multi-species and multi-gear fisheries such as the western

Mediterranean (IA, p. 27). There would be no added value in regulating western Mediterranean fisheries under an international framework, as the multi-annual plan is located in the jurisdictional waters of the EU, and there are no international conservation obligations that extend beyond existing CFP and MEDREG rules (IA, p. 28).

**Option 1. No policy change.** The status quo is the benchmark against which the two other options are compared, in accordance with Tool#17 of the BR guidelines toolbox.

Under this option, exploitation of demersal stocks in the western Mediterranean would continue to be managed by the national plans of France, Italy and Spain under MEDREG. The geographical scope of the plans, confined to the territorial waters of the three countries, as well as the partial coverage of fishing gear would remain unchanged.<sup>13</sup> The CFP objectives (e.g. MSY) would also apply, as they entered into force in 2014. Action already planned by Member States through the European Maritime and Fisheries Fund (EMFF) for a sustainable balance between fishing capacity and available fishing opportunities would remain. The landing obligation for the demersal species defining the fisheries and subject to minimum conservation reference sizes (MCRs)<sup>14</sup> has been in force since 1 January 2017. Under this option, the recent discard plan<sup>15</sup> would remain in place for three years (IA, p. 29).

**Option 2 amends the current management framework of national multiannual plans.** Under this option, the national management plans would be reviewed to take on board the CFP objectives,<sup>16</sup> mainly through: amendments to their current scope (in terms of fish stocks, fisheries and area covered); new conservation objectives, such as maximum sustainable yield; quantifiable targets and timeframes; and new safeguards (IA, p. 29). These aspects are however described in a very limited way, especially in comparison with the description of option 3.

**Option 3 adopts a multi-annual plan at EU level.** The aim of such a plan would be to ensure that EU fishing fleets targeting demersal stocks in the western Mediterranean (see figure 1 below) are covered by a single streamlined and integrated regulatory framework at EU level, based on the following elements:

1. the scope in terms of fish stocks, fisheries and area;
2. quantifiable targets and related timeframes;
3. conservation reference points and safeguard measures;
4. a management instrument to achieve the objectives;
5. measures to implement the landing obligation (IA, pp. 30-33).

National management plans would no longer be needed, as the multi-annual plan, together with the yearly Fishing Opportunities Regulation, will cover the main conservation aspects of western Mediterranean fisheries. Multi-annual plans are a priority framework to be established under the current CFP. They should contain the same core elements, and take into account the specificities of a given fishery and sub-region.

Regarding the scope of the fisheries, this option targets bottom trawlers, and also passive gears such as trammel nets, gillnets, longlines and traps. The geographical scope would be a wide area of the territorial waters of Italy, Spain and France in the Mediterranean Sea (see Figure 1.1 in the IA, p. 6). The timeframe for achieving quantifiable goals, such as fishing mortality at MSY levels, by also taking into account the multi-species nature of the fisheries, is 2020, as set in the CFP. The IA admits that there is a high risk of not achieving the goals of the multi-annual plan by this deadline. The conservation reference point would be expressed in terms of stock size, and a limit reference point<sup>17</sup> would be set for each stock (IA, p. 31). Regarding fisheries management instruments, a new effort management regime would be introduced. It would combine a total allowable effort implemented through days at sea and technical measures, in order to tackle the multi-species nature of the fisheries. The Council would set a maximum total effort annually for each pre-defined effort group (such as bottom trawlers, etc.). Among the technical measures, a greater use of closures for certain periods of the year, areas and types of fishing gear are planned (IA, p. 32).

The **preferred option is policy option 3**, which is said to offer a higher likelihood of attaining sustainable fish stocks compared with policy option 2 (amended national plans) (IA, p. 43). The preferred option scores higher regarding effectiveness, efficiency, coherence, and acceptability (IA, pp. 38-43). Given that, as the IA claims, the multi-annual plan is more coherent with the CFP, and in the light of the indicated proven effectiveness<sup>18</sup> of such plans to increase the number of fish stocks fished at sustainable levels, the preferred

option becomes obvious and renders other possible options effectively redundant. Moreover, the difference between the content of options 1 and 2 is not clear from the IA, as national management plans have to be updated according to the CFP in either case. More discussion on the actual content of the management plans under each option rather than on the choice of the management instrument, which in the present situation appears to be rather pre-determined, would have benefited the analysis.

## Scope of the impact assessment

The IA discusses environmental and socio-economic impacts, providing only limited space for such an analysis (one page to analyse the impacts of options 2 and 3).

Regarding **environmental impacts**, the IA uses the following three indicators to quantify the impacts:

1. stock size or spawning stock biomass (SSB)<sup>19</sup>;
2. the percentage of stocks that has recovered (recovery means the moment at which a stock shows a less than 5 % probability of its SSB being below the precautionary reference point ( $B_{PA}$ )),<sup>20</sup>
3. the probability of reaching the fishing mortality targets for all stocks.

The simulations to calculate the impacts include hake in the geographical sub-areas 1, 5, 6 and 7 and red mullet in area 11 for simplification purposes. See Table 2 below.

Table 1: Comparison of the SBB of fish stock under the two options

| Timetable | Option 2  | Option 3  |
|-----------|---|---|
| By 2020   | Hake: 10 999 tonnes<br>40 % higher than the baseline      | Hake: 11 725 tonnes<br>44 % higher than the baseline      |
|           | Red mullet: 527 tonnes<br>70 % higher than the baseline   | Red mullet: 579 tonnes<br>72 % higher than the baseline   |
| By 2025   | Hake: 21 048 tonnes<br>68 % higher than the baseline      | Hake: 22 597 tonnes<br>71 % higher than the baseline      |
|           | Red mullet: 1 393 tonnes<br>87 % higher than the baseline | Red mullet: 1 474 tonnes<br>88 % higher than the baseline |

Source: author on the basis of the information provided in the IA (pp. 36-37).

Under option 2, around '72 % of the assessed stocks would recover to SSB levels above the  $B_{PA}$  precautionary reference point by 2025. However, the probability of achieving fishing mortality targets for all stocks would be only around 28%' (IA, p 36). Under option 3, the SSB levels above the  $B_{PA}$  precautionary reference point would be achieved for 70 % of the assessed fish stocks and the fishing mortality target would be around 36 %. The simulations suggest that neither option would fully meet these indicators by 2025. Nevertheless, these scenarios would produce substantially better results than the baseline, where a mere 5 % of demersal stocks would recover above  $B_{PA}$  levels and 0 % would be exploited at  $F_{MSY}$  by 2025. Under option 3, the fishing mortality rates ( $F_{MSY}$ ) would be better met than under option 2.

The **economic impacts** meanwhile are compared on the basis of two indicators: the number of fleet segments at financial risk and the number of vessels affected. The indicator for comparing the **social impacts** is the effect on jobs as full time equivalents (FTEs). See table 2 below.

Table 2: Comparison of the socio-economic impacts of the two options (IA, pp. 36-37).

| Timetable | Option 2 — socio-economic impacts   | Option 3 — socio economic impacts  |
|-----------|---|--|
| By 2022   | 6 fleet segments at financial risk <sup>21</sup> : French and Spanish bottom trawlers between 18 and 40 metres long, and Italian bottom trawlers 24 to 40 metres long<br>538 vessels<br>1 880 FTE fishermen<br>940 ancillary jobs at risk <sup>22</sup> | 8 fleet segments at financial risk <sup>23</sup> : French, Italian and Spanish bottom trawlers between 18 and 40 metres long, and some Spanish passive gears<br>1 415 vessels<br>6 193 FTE fishermen<br>3 100 ancillary jobs at risk |

|         |  |  |
|---------|--|--|
| By 2025 | 4 fleet segments at financial risk <sup>24</sup><br>763 vessels<br>3 696 FTE fishermen<br>1 848 ancillary jobs at risk | 1 fleet segment unprofitable <sup>25</sup><br>52 vessels<br>156 FTE fishermen<br>78 ancillary jobs at risk |
|---------|--|--|

Source: author on the basis of the information provided in the IA (pp. 36-37).

A list of the above quantitative indicators given in the IA provides data that is easy to compare at first glance. However, the IA does not explain what is meant by financial risk, such as a possible loss of profit from standstill, or even scrapping of the vessels, nor does it give a quantified breakdown of the possible financial losses for the fleets, or jobs. Other indicators for socio-economic impacts such as salaries of fishermen, profitability, or revenue (costs or benefits), although presumably relevant, are not discussed.

Regarding the territorial dimension, regionalisation is a new process under the current CFP that aims at increased ownership of the management measures by operators and Member States. The IA explains that under the baseline and even under option 2 regionalisation cannot be achieved, as the legal basis for regionalisation would be provided by the multi-annual plan, 'as intended by the CFP, on the basis of joint recommendations' (IA, p. 40). The IA also mentions that only option 3 is fully coherent with the CFP (IA, p. 42). It would appear again that the preferred option was already clear from the outset.

## Subsidiarity / proportionality

The conservation of the marine biological resources is the exclusive competence of the EU under the CFP under Article 3(1)(d) of the Treaty on the Functioning of the European Union (TFEU). Therefore, the principle of subsidiarity does not apply.

Regionalisation, which is one of the objectives of this proposal, is provided for by Article 18 of the CFP regulation. 'Regionalisation constitutes an important shift from instrument-based to results-based management' (IA p. 24).

The explanatory memorandum of the proposal explains that the proposed measures comply with the proportionality principle 'as they are appropriate and necessary and no other less restrictive measures are available to obtain the desired policy objectives' (p. 4). The IA, however, does not include proportionality as a criterion to compare the options. This is contrary to BR Tool #5, which states that 'In the context of IA, proportionality is a key criterion to consider in the comparison of the policy options'.

## Budgetary or public finance implications

According to the explanatory memorandum, there are no budgetary implications. The administrative burden is mentioned briefly in the IA regarding option 3. According to the IA, the administrative burden would be negligible, as the setting of fishing effort levels would be part of the annual proposal for fishing opportunities.<sup>26</sup> For the Member States, meanwhile, putting in place the new effort management system may lead to some additional administrative costs (these are not quantified), but this could be catered for through EMFF support; no further precision is given on this point. 'After a transitional period, it is expected that the administrative costs (equivalent to maintaining the established regulatory framework) would fall and be more in line with the benefits of achieving the goals set' (IA, p. 41).

## SME test / Competitiveness

The IA generally states that all of the impacts described 'are expected to be especially relevant to SMEs, as the large majority of fishing firms involved in exploiting demersal stocks in the western Mediterranean Sea are micro-enterprises' (IA, p. 34). All the impacts described in the IA would therefore apply to SMEs, however, a specific SME test has apparently not been performed for this IA, which seems to run contrary to BR guidelines Tool # 22. The IA does not provide a clear picture of the costs and benefits for SMEs in the sector, or by country.

## Simplification and other regulatory implications

The IA appears to follow the general approach of the reformed CFP. The IA mentions that the problems of ineffective implementation of national management plans will also be addressed in the context of the revision of the control regulation, which was adopted on 30 May, 2018 (IA, pp. 5 and 16). Other relevant pieces of legislation, mentioned in the IA, include the Mediterranean Regulation, the [Technical Measures Regulation](#),<sup>27</sup> various environmental directives, and international decisions (IA, p. 3). More contextualisation would have been useful regarding the way the above legislation would interact with the preferred option. This criticism was also made by the Regulatory Scrutiny Board (RSB), which found that the IA lacked details on how certain legislation would be affected by the proposal, for example, were MEDREG to be replaced, amended or discontinued (see the section on the RSB opinion below).

## Quality of data, research and analysis

The IA is based on analyses of the Scientific, Technical and Economic Committee for Fisheries (STECF), the European Market Observatory for Fisheries and Aquaculture (EUMOFA), and the Scientific Advisory Committee of the General Fisheries Committee for the Mediterranean. Three background studies informed the IA. A retrospective evaluation of the Council regulation for fisheries in the Mediterranean Sea (MEDREG) helped to define the nature of the proposal. National management plans were evaluated in a dedicated study by the STECF. Fish stocks were evaluated in the [STOCKMED study](#). (IA, Annex 1, p. 49). None of these studies appear to look into socio-economic impacts. The latter study appears to have been outsourced and is available, whereas it is not possible to find the former two as the IA does not provide links.

Data from the studies are included in the description of the problem and the analysis of impacts. Certain efforts have been made to provide quantitative, comparable data, based on indicators identified for each type of impact. A more detailed analysis of the socio-economic impacts would have been useful, for example, in a dedicated territorial IA, including a break-down of information by country. A more detailed and thorough analysis of the impact on SMEs would also have benefited the analysis.

## Stakeholder consultation

A [public consultation](#) was conducted from 30 May to 30 September 2016, with a response rate of just 24 contributions: 11 from Spain, 5 from Italy and 4 from France. Nine contributions came from fishermen's associations, 8 from non-governmental organisations, and the rest from citizens, public administrations, advisory councils and recreational fishing associations (IA, Annex 2, p. 53). According to the IA, stakeholders include the fishing sector, Member State public administrations and European and international scientific bodies (IA, p. 17).

In addition to the public consultation, stakeholders were consulted in a targeted manner, for example, via the Mediterranean Sea Advisory Council (MEDAC), which is a fisheries stakeholder organisation. An inter-governmental forum, known as the Catania process, took place from February 2016 to March 2017. It established a new strategic framework for fisheries governance in the region and a set of five actions with measurable deliverables for the next 10 years (IA, Annex 2, p. 52).

Stakeholder views are generally included in the description and the assessment of the impacts. It is clear from the IA that the Commission has followed the course of action preferred and agreed by stakeholders.

## Monitoring and evaluation

The IA identifies monitoring indicators (p. 44) together with operational objectives (see Table 3 below, copied from the IA, p. 44). They are included in Article 17(1) of the proposal.

Table 3: Operational objectives and monitoring indicators

| Operational objectives:   | Monitoring indicators (and frequency) |
|---|---------------------------------------|
| 1. Ensuring that the spawning stock biomass (SSB) of demersal stocks is above the precautionary levels ( $B_{PA}$ ) specified in the plan | SSB (tonnes)   Annually               |

|   |                                 |
|---|---------------------------------|
| 2. Ensuring that the level of fishing mortality is in line with the $F_{MSY}$ targets defined in the plan   | Total catch (tonnes)   Annually |
| 3. Ensuring that Member States' effort levels remain within effort levels, as set out in a Council decision | Fishing days   Quarterly        |

Under Article 10(3) of the CFP Regulation, multi-annual plans are to provide for an initial ex-post evaluation and then subsequent evaluations (explanatory memorandum, p. 10). The IA includes a chapter on evaluation, explaining that the multi-annual plan and its impacts should be assessed by the STECF five years after its entry into force, and that the Commission should report to the European Parliament and the Council accordingly (IA, p. 45). This corresponds to the evaluation criteria included in Article 17(2) of the proposal.

## Commission Regulatory Scrutiny Board

The RSB issued a positive [opinion](#) on the understanding that the IA report would be further improved according to its recommendations, dated 27 October 2017. The Board called for a clarification of the relationship with other multi-annual plans, of interaction with other pieces of legislation, such as MEDREG, of whether migration of fish outside the territorial waters of the EU is a problem, and of any territorial impacts, as well as an analysis of the long-term sustainability of the fishing sector. Annex 1 of the IA report includes a chapter on the changes made to respond to the Board's recommendations, in accordance with the BR guidelines (p. 47). However, the above aspects remain insufficiently discussed.

## Coherence between the legislative proposal and the IA

The provisions of the proposal appear to generally follow the recommendations expressed in the IA. However, a certain discrepancy is noticeable between the list of overfished stocks provided in the IA (Table 2.1, p.11) and the list of stocks included in the proposal (Article 1). Stocks of anglerfish, common sole and European sea bass are not covered by the proposal.

## Conclusions

The development of multiannual plans is a priority measure for the sustainable management of fish stocks under the current CFP. The IA offers only two options to be assessed: updating the existing management plans of individual Member States, or creating an EU-level multiannual plan. This renders the IA process for this proposal somewhat redundant, as the choice of preferred policy option seems rather pre-determined. In addition, the IA appears to have followed the course of action supported by stakeholders.

The IA provides a detailed examination of the existing situation and the problems of overfishing in the western Mediterranean Sea. The description of the impacts of the options provides certain quantitative data, however, without giving enough details of the financial impacts on the fishermen and the fleets, or on ancillary jobs as part of a dedicated territorial impact assessment. A quantification of costs and benefits for SMEs is not included in the IA, even though SMEs account for the majority of fishing sector companies. The relationship with other multi-annual plans, as well as other pieces of legislation, for example, the Council regulation for fisheries in the Mediterranean Sea (MEDREG), is not entirely clear from the IA. The choice of fish stocks per sub-area included in the proposal is different from the overfished stocks mentioned in the IA.

## ENDNOTES

<sup>1</sup> See I. Popescu, [Multiannual plan for demersal fisheries in the western Mediterranean](#), EU Legislation in Progress briefing, EPRS, June 2018.

<sup>2</sup> See L. Zandersone, Multiannual plan for the Baltic Sea stocks of cod, herring and sprat, [impact assessment appraisal](#), EPRS, February 2015.

<sup>3</sup> See V. Kononenko, Establishing a multiannual plan for demersal fisheries in the North Sea, [impact assessment appraisal](#), EPRS, November 2016.

<sup>4</sup> See V. Vikolainen, Establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks, [impact assessment appraisal](#), EPRS, May 2017.

<sup>5</sup> The proposal concerns the following geographical sub-areas of France, Italy and Spain: Northern Alboran Sea, Alboran Island, Balearic Islands, Northern Spain, Gulf of Lions, Corsica, Ligurian and North Tyrrhenian Sea, South Tyrrhenian Sea, and Sardinia.

<sup>6</sup> The product of the capacity and the activity of a fishing vessel; for a group of fishing vessels, it is the sum of the fishing effort of all vessels in the group. (IA, Glossary).

<sup>7</sup> Environmental conditions, such as seawater temperatures in winter, fall outside the scope of the proposal.

<sup>8</sup> MSY means the highest theoretical equilibrium yield that can be continuously taken from a fish stock without significantly affecting the reproduction process. (IA, Glossary).

<sup>9</sup> Article 2 of Basic Regulation (EU) No 1380/2013 does not include all western Mediterranean demersal stocks, nor does the IA.

<sup>10</sup> Anglerfish, blue and red shrimp, common sole, deep-water rose shrimp, European sea bass, giant red shrimp, hake, Norway lobster, red mullet, striped red mullet (IA, p. 11, Table 2.1). See also Article 1 of the proposal.

<sup>11</sup> Specific, Measurable, Achievable, Realistic and Time-bound.

<sup>12</sup> TAC is the maximum catch allowed from a fishery in accordance with a specified management plan. (IA, Glossary).

<sup>13</sup> The IA does not indicate here why the coverage is partial, but it can be assumed that it is because the MEDRED does not include 'static gears such as longlines, gillnets or trammel nets' (IA, p. 3).

<sup>14</sup> The size of a living marine aquatic species taking into account maturity, as established by EU law, below which restrictions or incentives apply that aim to avoid capture through fishing activity (IA, Glossary).

<sup>15</sup> 'In August 2017, the European Commission proposed to amend Article 15(6) of the CFP concerning the duration of discard plans. The amendment consisted of the adoption of discard plans for a further total period of up to three years to facilitate the implementation of the landing obligation and until multi-annual plans are in place' (IA, p. 29).

<sup>16</sup> The current national management plans have not yet been updated in the light of the reformed CFP, as they only came into force in 2011 in case of Italy and in 2013 in case of the French and Spanish bottom trawlers (IA, p. 16).

<sup>17</sup> Biomass limit ( $B_{lim}$ ). The stock size below which there is a risk of reduced reproduction leading to a reduction in recruitment (IA, Glossary).

<sup>18</sup> It is not clear from the IA how the effectiveness of the multi-annual plans could have been proved already if the first plan for the Baltic Sea only entered into force on 20 July 2016.

<sup>19</sup> The total weight of all fish in the population that contribute to reproduction (IA, Glossary).

<sup>20</sup> The biomass below which reproduction may be compromised (see also Article 2(9) of the proposal).

<sup>21</sup> One fleet segment more than the baseline.

<sup>22</sup> For example, activities related to the servicing of equipment and/or vessels, activities related to the sale of fish, supplies for operations and research, development and innovation services the (processing industry is not included as it was considered negligible) (IA, p. 21).

<sup>23</sup> Three fleet segments more than the baseline.

<sup>24</sup> Five fleet segments fewer than the baseline.

<sup>25</sup> Nine fleet segments would be at risk under the baseline scenario by 2025.

<sup>26</sup> The IA, however, does not specify if the administrative burden here is for the fishing industry or the Member States, or both.

<sup>27</sup> The technical measures govern how and where fishers may fish. There are three specific technical measures regulations in force in European fisheries, one of which covers the Mediterranean Sea. The proposal to update the technical measures was tabled by the Commission in 2016 to bring them into one single and integrated structure. [Trilogue negotiations](#) on the technical measures are currently ongoing.

This briefing, prepared for the European Parliament's Committee on Fisheries (PECH), analyses whether the principal criteria laid down in the Commission's own Better Regulation Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

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