

Implementation of the current EU fisheries control system by Member States (2014-19)

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Structure of the Presentation

- 1. Introduction**
- 2. Infringement procedures**
- 3. Controls and sanctions imposed**
- 4. Point system**
- 5. Recommendations**

1. Introduction

- **Update** on an earlier Parliament study: ‘The CFP-Infringement Procedures and Imposed Sanctions throughout the European Union’ (2014)
- **Covers** the years 2014-2019 / 22 coastal EU Member States
- **Provides** background knowledge for the legislative proposal for a revision of the current Fisheries control system
- **Prepared** during March to June 2020 (desk research, stakeholder interviews, data requests to all 22 Member States with a coastline, case studies for DK, FR, DE, IE, IT, LT and ES)

2. Infringement procedures

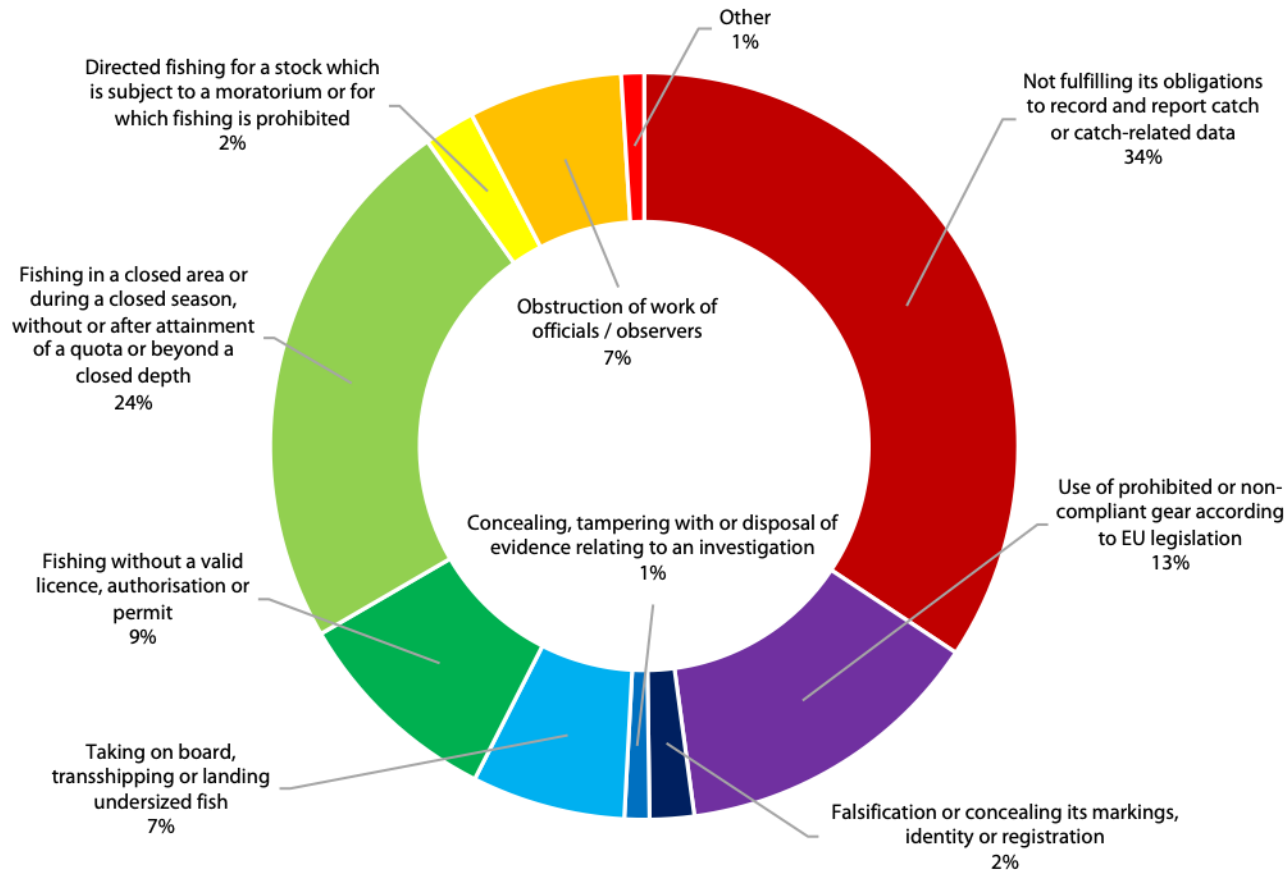
- Most EU Member States have adopted **administrative procedures**, although in most cases they are complemented with **criminal procedures**.
- Competent **authorities for sanctions and controls** mainly depend on the different Ministries of Agriculture and/or Fisheries at the **national level**. In some Member States, e.g. DE and ES, the **regional authorities** have certain competencies.
- Average **length of the procedures varies** considerably in the different Member States, depending on the **type of procedure** (criminal or administrative) and on the possibility of appeal.

3. Controls and sanctions imposed

- **Significant differences** between Member States regarding the number of identified **infringements**.
- **Most common type** of infringement in all Member States is not fulfilling the **obligation to record and report catch** or catch-related data, including data to be transmitted by satellite vessel monitoring system.
- Very complex to **compare the penalties imposed** in the Member States due to the considerable differences in the standard of living.
- The **differences in the number of sanctions** are substantial: ES and IT together sum more cases with sanctions imposed than all other Member States combined.

3. Controls and sanctions imposed

Infringements per type in the observed EU Member States (2014-2019)

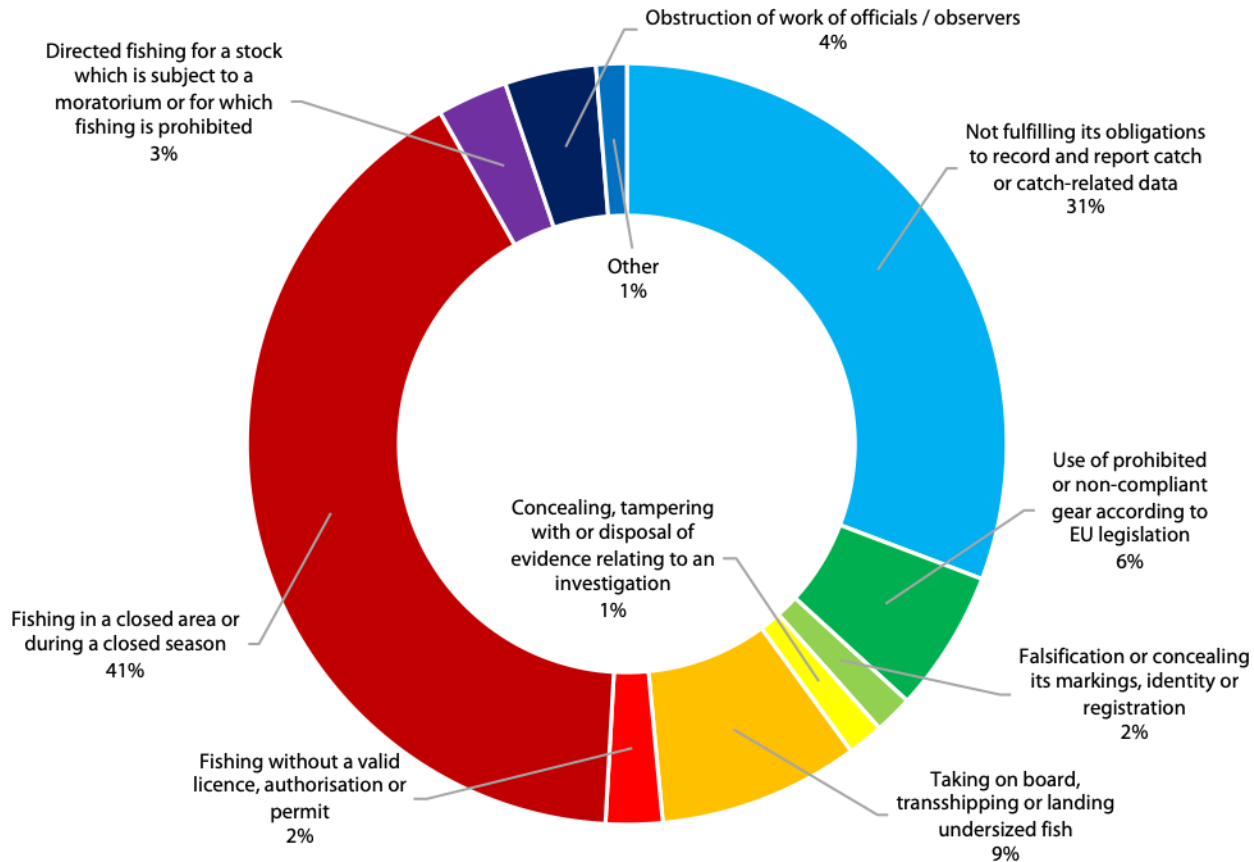


4. Point system

- **Member States decide** on the most adequate system of penalties and **determine criteria** for defining serious infringements.
- Some Member States consider that it is necessary to **clarify the criteria for the calculation of fines and points**, as well as for the definition of serious infringements.
- Point system has been **implemented in all Member States** (except Ireland that implemented it between 2014-2016). There are **differences in the implementation**: some Member States impose points on a case by case system (e.g. FR, DE), others consider aggravating and attenuating circumstances (e.g. DK).
- Most Member States coincide that the **point system should not add more complexity** to the existing procedures in place.
- **Adequate implementation** of the point system is closely related to a **suitable system of registering** the infringements, sanctions and points.

4. Point system

Points per infringement (2014-2019)



5. Recommendations

- It is recommended to clarify the criteria for the **definition of serious infringements**, for the calculation of fines and points.
- To simplify the current **complexity of the point system**.
- It is recommended that Member States clearly indicate aggravating and attenuating circumstances when assigning points.
- It is recommended to **increase cooperation** between control agencies/EFCA and research institutes for more efficient **data collection**.
- An **EU register of infringements** may be desirable to introduce more transparency and to contribute to a level playing field.