

Common fisheries policy: conservation and sustainable exploitation (repeal. Regulations (EEC) No 3760/92 and (EEC) No 101/76)

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This report has been prepared by the Commission in accordance with Article 14 of Regulation 2371/2002/EC and Article 12 of Regulation 1438/2003/EC, which require the Member States to submit annual data to the Commission on efforts to achieve a sustainable balance between fleet capacity and available fishing opportunities. This information is to be forwarded to the Commission before the 1 May of each year and is to cover the previous year's findings. The report has been divided into two parts. The first describes the rules that must be followed by the Member States in managing their fleets and the second details Member States' fleet capacities in 2004 in numeric tables. The fishing activities of the ten new Member States also come under scrutiny having joined the EU in May 2004.

To recall, following the adoption of the Common Fisheries Policy in 2002, Member State's fishing fleets are managed by the general rule that new capacity (expressed in terms of tonnage and power) cannot be higher than capacity withdrawn from it. To apply this general rule the subsequent systems have been set up. They are the entry/exist regime, the reference levels for the mainland fleet, the management of fleet reference levels in the outermost region and the measurement of tonnage. To complement these systems and in order to apply them more efficiently the Community has also set up the "Community Fishing Fleet Register".

Prior to assessing its findings, the Commission makes note that only half of the Member States submitted their annual reports within the fixed deadline of 30 April 2005, some reports were delayed by up to two months, and in spite of several reminders, Slovenia did not submit its annual report. Further, the format and content fixed by the Regulation has not always been respected and the information included not always homogenous. This makes a common assessment of the Member States' reports problematic.

Nevertheless, in its conclusions, the Commission finds that the quality of the reports submitted by the Member States has improved with respect to that of the previous year. Almost all of the new Member States provided good quality information in spite of the fact that it was their first annual report on fleet management. One noteworthy finding was that most of the Member States decided to emphasise the implementation of national fleet management rather than assess the balance between fishing fleet capacity and available fishing resources.

In terms of the results found regarding the EU's mainland fleet (not including vessels registered in the outermost regions) the Commission notes that:

- The "Community Fleet Registers" records that in 2003 and 2004, overall capacity of the Community fleet of the EU-15 Member States was reduced by 66.500 GT and 322.000 kW, which represents a net reduction of 3.6% of the total tonnage and 4.7% of power of the EU-15 fleet. The net reduction during 2004 was approximately 23 000 GT while it was around 43 000 GT in 2003.
- During 2003 and 2004 approximately 79 000 GT were withdrawn from the EU-15 fleet with public aid support, which means that this capacity cannot be replaced. The apparent contraction arising from the fact that the capacity withdrawn with public support is greater than the net capacity reduction is explained by the transitional measures allowing for the entry of vessels into the fleet not subject to the entry/exit regime.

- In the new Member States, fleet capacity has been reduced by 7 000 GT and 18 800 kW, which represents a reduction of 3.1% in the total tonnage and 3.3% of the power in the new Member States' fleets. The great majority of the capacity withdrawn by the new Member States left the fleet without public aid.
- Regarding the entry/exit levels the report finds that a majority of the Member States have complied with these rules. However, Greece and Slovenia did not comply with the entry/exit regime in terms of power. Nevertheless, the degree of non-compliance is very small. Indeed, the Greek authorities contest the Commission's assessment pointing out that the failure to respect the regime in terms of power is due to the transmission of incorrect data regarding public aid.

Concerning the results of fleets registered in the outermost regions, the Commission study finds that one of the seventeen outermost region segments had exceeded their reference level in terms of power by the end of 2004, namely "4FJ – vessels under 12m in length of the French Department of Martinique". The special regime ceases to apply to these segments from the moment they reached their maximum reference level.

Finally, in a bid to improve upon the information forwarded to the Commission by the Member States, the Commission together with the Committee for Fisheries and Aquaculture, will establish more detailed guidelines regarding the national report's content. In addition, they will seek to introduce a common and harmonised methodological approach with an emphasis on the analysis of national fishing capacity vis-à-vis available fish stocks. The Commission requests that future annual reports pay more attention to the new regime adopted in 2002. The impact of national decommissioning schemes, in particular on fishing effort reductions in fisheries via the management recovery plans, should also be assessed more deeply.