

ROADMAP

Title of the initiative: **Revision of the multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea** (2010/MARE/011)
Type of initiative (CWP/Catalogue/Comitology): 2010 CWP
Lead DG/contact person/details: DG MARE
Expected date of adoption of the initiative (month/year): April 2011
Date of modification: 11/03/2010
Version No: 1

Initial IA screening & planning of further work

A. Context and problem definition

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

(i) A multi-annual plan for the fisheries exploiting sole and plaice in the North Sea entered into force in June 2007. The plan includes an obligation for the Commission to evaluate its impact in the second year of application, and in each subsequent year. In addition, the Commission is obliged to evaluate the rate of progress towards the plan's objectives every third year, and also to propose new target fishing mortalities when both stocks have been within safe biological limits for two consecutive years.

All of these conditions will be met in 2010, so in 2009 the Commission asked the Scientific, Technical and Economic Committee for Fisheries (STECF) to evaluate the performance of the plan. The STECF report will become available in April 2010. On the basis of its conclusions, the Commission will consider options for a revision of the plan. The impact of each of these options will be evaluated under the framework contract for impact assessments with the Marine Resources Assessment Group (MRAG), who will deliver the final report by the end of July 2010.

(ii) The plan must ensure that levels of fishing mortality consistent with maximum sustainable yield are achieved by 2015, in line with the EU's commitment to achieve the objectives set out by the World Summit on Sustainable Development in 2002. Possible future initiatives might be to integrate the sole and plaice plan with other multi-annual plans in the North Sea, notably that of cod.

What are the main problems identified?

The STECF report will be finalised in April 2010, so only preliminary results are available at the time of writing. The stocks of both sole and plaice have increased over the last 5 – 6 years, and have now been within safe biological limits for two consecutive years. This was one of the triggers for the evaluation and possible revision of the plan. However, the STECF points out that the recovery of both stocks started before the plan was implemented, and given that the plan has been in force only since that start of 2008 it is difficult at this stage to assess its added value. STECF have provided some indications of where enhancements could be appropriate (notably reducing target fishing mortality on plaice to a level compatible with maximising long term yield, and catering for situations where a scientific assessment of the state of the stocks could not be provided), but no major problems with the current plan were identified.

Who is affected?

The main parties affected from the catching sector would be the sole and plaice fishermen from the Netherlands, Belgian and UK fleets, especially those using beam trawls. Plaice fishermen from Denmark would also be affected.

The current plan aimed first to bring stocks to within safe biological limits, ensuring the sustainability of the resource and hence the viability of the sector and fishing communities that depend on it. That objective has now been achieved, so the revised plan will focus on establishing high long term yields at lower levels of fishing effort. This should increase the profitability of both catching and processing sectors.

Plaice is a shared stock with Norway, though the EU has 93% of the share of the TAC. Although of relatively minor interest to Norway, any revision of the plan must be jointly agreed.

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

(i) – (iii) Under Article 3 of the TFEU the EU has exclusive competence for the conservation of the marine biological resources under the Common Fisheries Policy, managed directly through EU regulations. Therefore the subsidiarity principle does not apply.

B. Objectives of EU initiative

What are the main policy objectives?

The overall objective of the Common Fisheries Policy is to ensure economically, environmentally and socially sustainable use of fisheries resources.

To help achieve these aims, the main policy objectives of this initiative are the following:

- 1) to maintain the stocks of sole and plaice within safe biological limits;
- 2) to achieve levels of fishing mortality consistent with maximum sustainable yield by 2015 in line with the EU's commitment to achieve the objectives set out by the World Summit on Sustainable Development in 2002, and
- 3) to maximise the economic benefits to the fisheries sector in the long term whilst minimising any short-term negative impacts during the transition period.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

No

C. Options

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered? (iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

i) The policy options can be decided only after the STECF's report has been made available. Nevertheless, at least the following two options seem likely:

Option 1: No policy change
To Continue with the current plan unchanged.

Option 2: To reduce the target fishing mortality on plaice to better reflect recent estimates of levels that would be consistent with maximum sustainable yield.

ii) Maintaining the current plan together with complementary soft law measures, such as targets for the reduction of discards, could be considered.

iii) These options would amount to a routine update of existing legislation. However, it is important to remember that plaice is a stock that is shared with Norway, so its future management must be agreed with Norway. The policy options to be evaluated in the impact assessment should therefore be decided jointly with Norway.

Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

No

Explain how the options respect the proportionality principle

The CFP foresees regulations as key instrument for implementing conservation measures. As the options are still more concretely to be defined, the proportionality of the content of each option will be addressed in the planned impact assessment. The objectives of the plan are to maintain stocks within safe biological limits and to reach fishing mortalities consistent the maximum sustainable yield by 2015, both of which the Commission is already committed to achieving. The options will set out ways in which these might be achieved, but will not add any new policy objectives.

D. Initial assessment of impacts

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

Option 1: No policy change

If the current management plan is continued unchanged, both the stock of plaice and the stock of sole would be expected to increase. If recent trends continue, it is likely that the TACs would increase even as fishing mortality is decreased towards the target.

Option 2: To reduce the target fishing mortality on plaice.

If the option to reduce target fishing mortality to better reflect maximum sustainable yields is adopted, this would imply a faster rate of reduction in mortality and correspondingly lower levels of TAC in the short term. However, the long-term aim of obtaining the highest sustainable yields will be achieved sooner.

Both options would progressively decrease the fishing effort needed for a given level of catch. This is especially important for the beam-trawl segment, which has very high fuel costs. There are also obvious environmental benefits associated with lower levels of fishing effort (reduced by-catches, reduced discard rates, fewer carbon emissions). The achievement of maximum sustainable yields would imply the higher availability of fish at lower cost, which should increase the profitability of both catching and processing sectors. However, the higher yields could lower market prices, so it might be more profitable to the industry to exploit the stocks at even lower levels of fishing mortality.

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

There are no implications for the EU budget.

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?

i) No

ii) No

iii) The stock of plaice is shared with Norway. Consequently, Norway will have to be consulted on the development of options.

E. Planning of further impact assessment work

When will the impact assessment work start?

MRAG has begun evaluating the option that there would be no change to the existing plan. Work on the evaluation of two more options, once decided, will take place between April and July 2010

(i) What information and data are already available? (ii) Will this impact assessment build on already existing impact assessment work or evaluations carried out? (iii) What further information needs to be gathered? (iv) How will this be done (e.g. internally or by an external contractor) and by when?

(v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

(i) Information on the development of the state of the resources is available from the International Council for the Exploration of the Sea (ICES), which provides annual assessments to the Commission under a Memorandum of Understanding. Information on the performance of the plan and its contribution to the development of the stocks will become available from the STECF in April 2010.

(ii) An STECF working group performed impact assessment of the proposed management plan for sole and plaice in the North Sea in September 2006. However, in reviewing the report, STECF had considerable difficulty reconciling major differences in model results. As a result it was unable to determine whether the assessment represented a plausible outcome in terms of economic performance. The report has been made available to MRAG.

(iii) Sufficient information to perform the impact assessment is already available.

(iv) On the basis of the information provided by ICES and the STECF an external contractor, MRAG, will examine the likely socio-economic impact of the policy options that the Commission decides on.

(v) The analysis will concentrate on the socio-economic impact of the options up to 2015.

Which stakeholders & experts have been/will be consulted, how and at what stage?

The North Sea Regional Advisory Council (NSRAC) has been kept informed of developments. The STECF report due in April 2010 will be available to the RAC, and it has already been invited to submit views on possible policy options. The report of MRAG on the impact of the various policy options, due to be delivered in July 2010, will be reviewed by the STECF, and both the MRAG report and STECF's evaluation of it will be made available to the NSRAC, which will be invited to send its observations before and during the Commission's negotiations with Norway on the future management of plaice.