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COMMISSION STAFF WORKING DOCUMENT II

**ANNUAL REPORT FROM THE COMMISSION TO THE COUNCIL AND THE
EUROPEAN PARLIAMENT
on Member States' efforts during 2007 to achieve a sustainable balance between fishing
capacity and fishing opportunities**

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1. MEMBER STATES ANNUAL REPORTS

Member States Annual Reports are available on the Community Fleet Register "Europa" web site: http://ec.europa.eu/fisheries/fleet/index.cfm?method=FM_Reporting.menu

2. MINUTES OF THE COMMITTEE FISHERIES AND AQUACULTURE MEETING - OPINION OF THE COMMITTEE ON THE ANNUAL REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT ON MEMBER STATES' EFFORTS DURING 2007 TO ACHIEVE A SUSTAINABLE BALANCE

The Commission presented the draft annual report from the Commission to the European Parliament and the Council at the meeting of the Committee for Fisheries and Aquaculture held on 28 October 2008. The Commission reminded the Committee that the summary annual report for the year 2007 has been presented and discussed a number of times in the previous Committee meetings. The Commission pointed out that the final document which had been distributed to the meeting included some changes with respect to the previous version. It explained that the Commission's report plus a technical annex including tables and graphs would make part of the report transmitted to the European Parliament and the Council, while the detailed calculations of the entry-exit regime and the Member States' reports would be published in the website of the Community Fishing Fleet register.

The Commission gave the floor to Member States representatives to comment on the Commission's draft report.

Sweden pointed out that the capacity assessment indicators proposed in the guidelines although technically complex were useful and declared it would regret that these indicators were not fully implemented after the work that had been carried out by some Member States.

Italy declared that a plan would be implemented to decommission up to 30% of the capacity of the Italian fleet targeting bluefin tuna in the Mediterranean.

The Commission stated that Member States that wanted to submit comment in writing that would be incorporated to the Commission's report could do so until 4 November 2008

Portugal submitted the following comments in writing in relation to the difficulties encounter to apply the guidelines for the assessment of the balance between capacity and fishing opportunities to the Portuguese fleet:

Socio-economic capacity indicators are not suitable for vessels under 12 m

The adequate implementation of the capacity indicators would require a more in depth discussion with the Commission

A transitional period is necessary for its complete implementation

The integral version of the comments submitted by Portugal can be found attached to the Portuguese report in the Commission's website.

3. OPINION OF THE SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES

Extract from 29th plenary meeting report (PLEN-08-03)

3-7 November 2008, Brussels

This report does not necessarily reflect the view of the European Commission and in no way anticipates the Commission's future policy in this area

STECF OPINION ON THE COMMISSION'S SUMMARY ANNUAL REPORT ON MEMBER STATES' EFFORTS DURING 2007 TO ACHIEVE A SUSTAINABLE BALANCE BETWEEN FISHING CAPACITY AND FISHING OPPORTUNITIES

Background

In accordance with Article 14 of Council Regulation (EC) No 2371/2002 and Article 12 of Commission Regulation (EC) No 1438/2003, the Member States and the European Commission have the following obligations:

- 1) Each Member State shall submit its annual report on its efforts during the year 2007 to achieve a sustainable balance between fishing capacity and fishing opportunities to the Commission by 30 April 2008.
- 2) The Commission, on the basis of the data in the Community Fleet Register and information contained in the Member States' annual reports, shall prepare a summary annual report and present it to the Scientific, Technical and Economic Committee for Fisheries and to the Committee for Fisheries and Aquaculture before 31 July 2008.
- 3) These two above-mentioned Committees shall transmit their opinion back to the Commission no later than 31 October 2008.
- 4) The Commission's summary with the Member States' reports attached, accompanied by the opinions of the above mentioned two Committees, shall be sent to the European Parliament and the Council before 31 December 2008.

Terms of reference

The STECF is requested to review the Commission's summary annual report on Member States efforts during 2007 to achieve a sustainable balance between fishing capacity and fishing opportunities, evaluate the findings and make any appropriate comments and recommendations. Particular attention should be paid to Member States which have implemented the 'Guidelines for an improved analysis of the balance between fishing capacity and fishing opportunities' produced by and ad-hoc working group of the STECF.

STECF comments and recommendations

STECF is pleased to note that at least eight MS have applied some or all of the new guidelines on evaluating the balance of fleet capacity and fishing opportunities. It is regrettable that two major fishing MS did not submit any annual report. It is hoped that with more notice available to national correspondents, more MS will be able to include the balance indicators in their annual reports for 2008. STECF will be able to evaluate the usefulness of the indicators when applied more broadly in practice.

However, the Commission's summary report still focuses very much on reports of in-year capacity changes, rather than on the balance between capacity and opportunity. **STECF recommends** that in addition to comments in the Commission summary, the complete set of balance indicators be included in the annex tables for each MS.

STECF recommends that new guidelines for MS are prepared giving more detailed instructions about the calculation of the balance indicators. Some MS have attempted to apply the balance indicators but appear to have misunderstood the requirements. There should be a list of required sections, more detailed explanations of how to calculate and complete tables, how to apply the traffic lights, and a request to draw conclusions about the balance question, rather than just produce the indicator tables and traffic lights.

Evaluation of the findings contained in the summary report

The summary report finds that overall, fleet capacity has been reduced but there is no attempt to say whether, for the EU, the balance between fleet capacity and fishing opportunity has improved, worsened or remained the same.

The lack of any comment from most MS on their own national balance indicators of course makes it a difficult job to create any overview for the whole of the EU.

MS which included balance indicators

In addition to reviewing the Commission's summary, STECF members reviewed the eight MS reports which included some balance indicators.

General observations on the quality of the summaries:

- The summaries in the Commission report failed to capture a lot of significant detail within the original reports and do not tend to include any interpretations or comments on tables provided which are not expressly stated in the MS report.
- In cases where the MS report does not draw conclusions or give a national overview, the Commission could potentially make a more useful summary by including an overview opinion based on the balance indicators provided.
- Because of the lack of detail in some of the Commission's summaries of MS reports, STECF cannot effectively evaluate the findings of the summary report.
- Although it is not a legal requirement to include the balance indicators in annual reports, STECF urges the Commission to encourage MS to calculate and present these indicators and draw conclusions from them about their overall balance between capacity and opportunity. This would enable the Commission to make an overall assessment of the EU fleet and its balance with EU opportunity.

Comments about Commission summaries of specific MS reports

Comments on the summary of the Belgium report

The summary of the Belgian report referred to capacity reduction and included an assessment on balance between capacity and opportunity, along with a comment about likelihood of scrapping in the next six-year period. The summary of this report includes the key points contained in the original report.

Comments on the summary of the Bulgaria report

The summary misses the point that the balance indicators were only calculated on 18 vessels out of the fleet of 2,500 vessels. The summary fails to pick up from the MS report that they have a problem in completing the balance indicators due to the seasonal nature of their fisheries and therefore the low number of days per year that the vessels are at sea.

Comments on the summary of the Denmark report

The Commission's summary report mixes up conclusions from different calculations within the Danish report. There are contradictory statements within the summary. The summary does not make clear the conclusions on balance made in the Danish report.

It is not clear from the summary whether or not the Danish report included the proposed balance indicators.

STECF finds the Danish approach both interesting and useful in the search for an assessment of balance between capacity and quotas (stocks) and suggests that the Commission in cooperation with the MS should widen this approach to all MS.

Comments on the summary of the Italy report

The summary of the Italian report is a good reflection of the contents of the Italian report.

Comments on the summary of Lithuania report

The summary of the Lithuanian report includes only one piece of detail, relating to reduction in fleet capacity, but misses a great deal of information which relates to balance of fleet capacity and fishing opportunity. Although the MS report itself did not draw overall conclusions, there is enough information contained in the tables in the Lithuanian report to conclude that there is still substantial over capacity in their national fleet.

The summary of the Lithuanian report states that no conclusions are drawn in relation to the size of the fleet – but it is the balance of fleet size to fishing opportunity on which conclusions should be drawn, not simply on fleet size.

Comments on the summary of the Malta report

The summary states that the Maltese report uses the balance indicators proposed, but does not mention that only two of the indicators are reported. No economic indicators are calculated.

The Commission's summary of the Maltese report states that capacity of the fleet is judged to be commensurate with the available resources, however STECF cannot find any such conclusion in the Maltese report.

Comments on the summary of the Netherlands report

The summary notes that the guidelines proposed by the Commission were applied, but STECF notes that only a few of the indicators were reported.

There is a section in the Dutch report that relates to the aquaculture fleet but this section is not included in the summary.

Otherwise, the summary captures many of the main points included in the Dutch report.

Comments on the summary of the Sweden report

The summary accurately reports the comprehensive way in which the Swedish report has presented the balance indicators. The main conclusions of the report are well summarised.

STECF notes that the Swedish report gives a good example of how MS annual reports could be completed.