



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2012)

Opinion

Title **DG MARE - Impact Assessment on a European Plan of Action for reducing incidental catches of seabirds in fishing gears**

(Resubmitted draft version of 4 June 2012)

(A) Context

This impact assessment concerns a proposal aiming to reduce the incidental catches of seabirds in fishing gears. This is within the framework of an International Plan of Action for Reducing the Incidental Catches of Seabirds in Longline Fisheries, adopted in 1999 by the UN Food and Agriculture Organisation Committee on Fisheries. The European Commission, in fulfilment of its responsibilities as a contracting party of international organisations acting in the context of the International Plan of Action, is committed to developing a Plan of Action for EU vessels fishing in EU and non-EU waters. It is estimated conservatively that the EU fishing fleet is responsible for the death of c. 200,000 seabirds annually in EU and external waters.

(B) Overall assessment

The revised report has been improved in line with the recommendations issued by the IA Board in its previous opinion. However, the report still needs some further work in a number of aspects. Firstly, the evidence base to demonstrate the unsustainability of current fishing practices for seabird populations should be further strengthened. The policy objectives should be presented in more specific and operational terms including a clear timeline and level of ambition. Secondly, the report should present the different views of stakeholders in relation to the policy options, and should explain more clearly the process behind introducing any future technical measures to reduce the incidence of seabird bycatch. Thirdly the report should provide a more substantiated analysis of the social/employment impacts, and should more transparently present the impacts on SMEs.

(C) Main recommendations for improvements

(1) Strengthen the evidence base in support of further EU action and sharpen the objectives. The problem definition section should provide further evidence to better demonstrate the extent and scale of the problem of incidental bycatch of seabirds. While the revised report has more clearly presented existing data on the incidence of seabird bycatch it should still make an effort to provide firm data on the incidence of seabird

bycatch and seabird population levels to the extent possible. The report should also be more concrete in its level of ambition and set out more clearly the short to medium term objectives (in terms of identifying weaknesses in current management systems, collecting data, and reducing the incidence of seabird bycatch) which are to be pursued prior to introducing the new technical measures framework. It should provide a clearer timeline for action and more specific and operational objectives.

(2) Improve the options design. The revised report has better presented the range of policy options and provided a clearer explanation of how each option will work in practice. However, in relation to the data collection provisions in option 2, 'Plan of Action', the report should more clearly present the basis for which any new technical measures framework will be introduced, and at what stage. As the introduction of specific future mitigation measures at a regional level will rely upon '*the effectiveness of measures introduced in the short term*', it should be clearer, through closer linkage with the refined objectives as discussed above, on what criteria will be used to ascertain the effectiveness of short term measures and subsequent decision on the need for additional action. The report should also present the views of the key stakeholders more transparently for each of the policy options, and in particular the preferred option, option 2.

(3) Provide a fuller assessment of the impacts on employment and SMEs. The report should further substantiate and detail the analysis of regional and social/employment impacts, and in particular should more transparently assess the impacts on SMEs. It should further discuss the implications of the direct cost of the mitigation measures and the foreseen administrative burden impacts, especially on SMEs, in particular in relation to the chosen option 2 ('Plan of Action'). In this context, the report should explain more clearly why impacts are considered to be minimal for SMEs. The report should also more systematically quantify the impacts in table 12. The report should be more explicit as to the validity of all the input figures it uses for the calculation of the administrative burden through the EU Standard cost model. The assumptions for the cost of inspections and frequency of actions need to be better substantiated.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

References to the different stakeholder views expressed in the public consultation or in other fora should be more systematically presented throughout the report, especially in the problem definition and policy options sections. Furthermore the report should provide more convincing argumentation outlining the reasons why the European Sectoral Social Dialogue Committee for Sea Fisheries was not consulted. The report should also be shortened, and would benefit from additional proofreading and language check.

(E) IAB scrutiny process

Reference number	2009/MARE/071
External expertise used	No
Date of IAB meeting	Written procedure. An earlier version of this report was submitted to the IAB in February 2012, for which the Board has issued an opinion on 2 March 2012.