



EUROPEAN COMMISSION  
IMPACT ASSESSMENT BOARD

Brussels,  
D(2011)

## Opinion

### Title

**DG MARE - Impact Assessment on: Proposal for a Regulation of the European Parliament and of the Council establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks and repealing Council Regulation (EC) No 2347/2002**

**(Resubmitted draft: version of 15 April 2011)**

### **(A) Context**

The 'access regime' (Council Regulation 2347/2002) is one of the measures aiming to ensure sustainable exploitation of deep-sea fish stocks. It consists of a system of allowable fishing effort, centralised reporting on the activities of vessels engaged in deep-sea fisheries, an obligatory sampling of the activity of these vessels for monitoring by independent observers, freezing the size of the dedicated fleet accompanied by a system of special fishing permits, and further rules to improve the surveillance of the vessels' activity. The 'access regime' is subject to regular review. This impact assessment explores different options for a revision of the 'access regime'.

### **(B) Overall assessment**

**While the report has been improved along the lines of most of the recommendations issued by the Board in its first opinion, several aspects should be further strengthened. Firstly, the report should still provide further information on the substance of some of the measures envisaged under the different policy options, in particular for option 3 ('ban on gears'). Secondly, the consistency of policy options with other areas of fisheries policy should be strengthened. Finally, the report should be more explicit about the link between the objectives and the expected outcomes of the options, and should clarify what sources of evidence informed the assessment of expected outcomes.**

### **(C) Main recommendations for improvements**

**(1) Describe in greater detail the measures envisaged under the preferred policy option.** While the range of policy options has been expanded and their presentation improved, the report should still provide further information on the substance of some of

the measures envisaged under the different policy options, to allow for a clearer explanation of the impacts. In particular, the measures under option 3 ('ban on gears') which aim to tackle the problems other than damage to vulnerable marine ecosystems and discards should be described in greater detail. The transposition and compliance aspects of the preferred option should also be better assessed, given that the current 'access regime' has suffered implementation shortcomings. Discussion on the legal form of the proposal (section 2.7.2) should be placed in the options section.

**(2) Better assess the consistency of policy options with other areas of fisheries policy.**

The assessment of consistency of policy options with the Common Fisheries Policy (CFP) reform should be further strengthened. The options should be analysed with regard to their coherence with all the key elements of the reform, including the mandatory system of individually transferable quotas and simplification of rules at the EU level (p.17). The consistency of the proposal with the concepts of regionalisation and 'fishery-specific' management and with the foreseen revision of the Data Collection Regulation scheduled for 2012 (p.18) should also be explained.

**(3) Strengthen the link between the objectives and the expected outcomes of the policy intervention.**

The intervention logic in the revised report has been improved. However, the report should be more explicit about the link between the objectives and the expected outcomes of the options. This could be done either by adding qualitative assessment of options in relation to the objectives to summary table 6.1.1.1, or by expanding their assessment in section 6.1.1.2. As requested in the Board's first opinion, the report should also clarify what sources of evidence informed the assessment of expected outcomes.

**(D) Procedure and presentation**

The views of different stakeholders' groups should be reflected in greater detail throughout the main text. The executive summary should also include a section on the main expected impacts of various policy options.

**(E) IAB scrutiny process**

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| Reference number        | 2008/MARE/025  |
| External expertise used | No   |
| Date of Board Meeting   | Written procedure.<br>The present opinion concerns a resubmitted draft IA report.<br>The first opinion was issued on 25 February 2011. |