


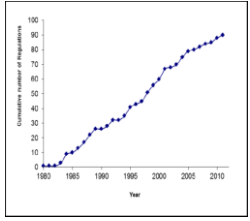


Technical Measures Proposal

Proposal for a Regulation of the European Parliament and of the Council on the conservation of fishery resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1096/2007, (EC) No 1224/2009 and Regulations (EU) No 1343/2011 and (EU) No 1380/2013 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005



90 regulations since 1980



Year	Cumulative number of regulations
1980	0
1985	10
1990	20
1995	35
2000	55
2005	75
2010	90




- Sub-optimal performance
- Difficult to measure effectiveness
- Prescriptive and complex
- Lack of flexibility
- Lack of "buy-in"



Lack of Clear Objectives & Targets

Qualitative objectives:
 "ensure the protection of resources and the balanced exploitation of fishery resources"
 "reducing the capture of juveniles"
 "protecting nursery and spawning areas"

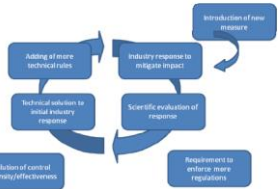
How to measure success?
 No quantitative metrics
 TCMs part of broader input/output controls
 Not possible to disentangle effects




Lack of Incentive

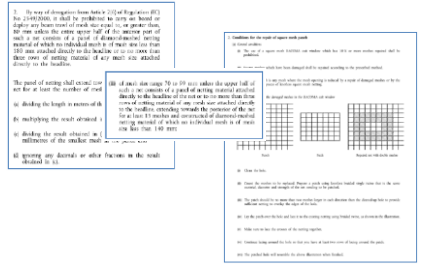
Incentive to mitigate regulations not unwanted catches

*Additional rules added:
 Technological and legislative arms race*





Prescriptive and complex





Impact Assessment: consultation

public consultation (2014)
internet contributions
continued consultation of key stakeholders (2011-2015)

main conclusions/recommendations/needs identified:

- results-based management
- accountability of fishermen for catches
- simplification, but safeguard level playing field
- regionalization
- framework approach – overarching objectives, common standards, safeguards
- incentive structures for selectivity



impact assessment: comparing options

options	baseline scenario	option 1 consultation	option 2 baseline with baseline standards	option 3 baseline without baseline standards	option 4 - elaboration
general objectives					
All European fisheries to MSY by 2013 or 2020 at the latest	0	0	0	0	0
Reduce unreported catches and eliminate discards by 2019	0	0	0	0	0
Achieve of 2015 an ambitious vision for MSY improvement in the effectiveness of technical measures	0	0	0	0	0
Define clear objectives and success criteria	0	0	0	0	0
Eliminate over-regulation and simplify	0	0	0	0	0
Facilitate legal framework for MS, vehicle for regionalization	0	0	0	0	0
Promote a transparent and participatory approach to the definition and modification of technical measures	0	0	0	0	0
specific objectives					
Establish incentive structures linked to the added flexibility offered by regionalization and resulting of "responsible fishing"	0	0	0	0	0
Establish clear targets	0	0	0	0	0
Facilitate incentives to measure success	0	0	0	0	0
Identify redundant rules and simplify other rules to make them understandable and comparable	0	0	0	0	0
Manage the transition to regionalization in the period up to 2020 for defining baseline standards	0	0	0	0	0
Establish the necessary legal architecture to allow deviation from these baseline standards and provide for the development of alternative measures	0	0	0	0	0
Establish linkages with the CFP to allow for stakeholder involvement in the development of technical measures	0	0	0	0	0



new technical measures: key elements

focus on governance and managing the transition to 2019/2020

1. general structure for future technical measures – agreed with long-term perspective (co-decision)
2. baseline measures by sea basin – in absence of measures adopted under regionalization (COM regulations)

no fundamental changes to existing rules and provisions

Scope - all EU waters
review of closures and area restrictions based on scientific advice – NATURA 2000 unaffected;
simplification for mesh size regulations
shift of detail to COM acts

existing conservation/selectivity standards retained

New Element - Specific targets (co-decision)

- catches of species below minimum size shall not exceed 5%
- catches of marine mammals, reptiles and seabirds do not exceed specified levels (e.g. ASCOBANS 1.7%)
- Ensure environmental impacts do not exceed levels required for good environmental status (MSFD)



architecture

co-decided

general provisions (chapter I):
objectives
scope
targets
definitions

co-decided

common technical rules (chapter II):
prohibited gears/methods
species/habitats
general minimum conservation sizes
measures to reduce discarding

co-decided but provisions to amend annexes under regionalisation

Regionalisation (chapter III) :
species & size selectivity
closed/restricted areas
minimum conservation reference sizes
real-time closures and moving on
innovative fishing gears
nature conservation measures

annexes under regionalisation



common provisions, rules & measures

common technical measures

- definitions (art. 5 & 6)
- prohibited gears and practices (art. 7 & 8)
- restrictions on use of towed and static gears (art. 9 & 10 plus Annex III)
- protection of sensitive fish and shellfish species (art. 11 plus Annex I)
- bycatches of marine mammals, seabirds, marine reptiles (art. 12)
- protection of sensitive habitats (including VMEs) (art. 13 plus Annex II)
- provisions on marine species below mcrs (art. 14 & 15 plus Annex IV)
- discard reduction: high-grading and slipping prohibitions (art. 16)
- pilot projects on species not under catch limits (art. 17)
- scientific research and artificial restocking and transplantation (art. 29 & 30)
- safeguard measures (art. 31)



regionalization – relevant articles

regionalization framework – link to Annexes V – XI (art. 18)

regional measures under multiannual plans (art. 19)

- species & size selectivity (art. 20)
- closed/restricted areas (art. 21)
- minimum conservation reference sizes (art. 22)
- real-time closures and moving on (art. 23)
- innovative fishing gears (art. 24)
- nature conservation measures (art. 25)

regional measures under temporary discard plans (art. 26, linked to Art. 15(6) of 2014 CFP)

