

Reducing regulatory burden in the EU fishing sector

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Introductory remarks

As recognized by the Communication *'A Competitiveness Compass for the EU'*, Regulatory burden has become a brake on Europe's competitiveness. Despite the EU's better regulation policy, for two out of three companies this burden is the key obstacle to long-term investment. The fishing industry is no exception. Fishers, producer organizations, and businesses operating in the fisheries and seafood industry increasingly struggle with excessive regulatory constraints that hinder economic viability. Restoring the fishing industry's competitiveness requires more than just reducing reporting requirements, it demands broader regulatory reform. EU legislation must be proportionate, coherent and workable in practice.

In this direction concerns were raised in high-level reports by Mr. Enrico Letta and Mr. Mario Draghi which emphasize that the EU must urgently reduce regulatory burdens and simplify legislation. In this context, Europêche reminds that the fisheries sector, already under pressure due to economic, environmental, and geopolitical challenges, requires urgent action to prevent further decline in competitiveness. As way of example, since 2000, over 28% of the EU fishing fleet has been dismantled.

Europêche aligns with the Business Europe report *'Reducing regulatory burden to restore the EU's competitive edge'*¹. The document identifies 68 of the most pressing burdens across 11 areas and offers suggestions for addressing them. According to the report, more than 60% of businesses in the EU cite regulatory constraints as barriers to investment, and this reality is particularly harsh for small and medium-sized enterprises (SMEs).

Europêche specifically supports the need to simplify the CSRD-CS3D-Taxonomy 'triangle' into the first omnibus proposal. However, concerns remain about their cumulative costs, implementation complexity and potential impact on business competitiveness. Europêche emphasizes that while large companies are affected, most fishing companies are SMEs and will also face impacts as part of the supply chain for major retailers. This revision must therefore proceed swiftly to reduce burdens and provide businesses with much-needed clarity. Postponing adoption deadlines for certain European Sustainability Reporting Standards, would provide EU companies legal security until the revision process is finalized. The COM must also offer clearer guidance on ESRS plans and sector-specific transition benchmarks.

In this context, Europêche welcomes the European Commission's commitment to reducing reporting requirements by at least 25% (and 35% for SMEs). However, reporting is only part of the issue—true regulatory relief must also address compliance costs, fishing ground closures, taxation and bureaucratic inefficiencies.

¹ <https://www.businesseurope.eu/publications/reducing-regulatory-burden-restore-eus-competitive-edge>

Europêche calls on EU policymakers to set up a comprehensive regulatory burden reduction strategy tailored to the fisheries sector, ensuring that the industry can thrive while maintaining sustainability goals.

For that purpose, as a first step, the European Commission should consult fisheries stakeholders to identify unnecessary burdens and shortcomings in EU regulations.

Key priorities for regulatory burden reduction

The fisheries sector faces an accumulation of burdens stemming from multiple regulations. Europêche highlights the following key areas where regulatory simplification and increased flexibility are urgently needed:

1. Common Fisheries Policy (CFP) revision

- The CFP has been effective in meeting its environmental objectives, particularly in terms of increasing the number of fish stocks managed at sustainable levels. However, it has been **ineffective in achieving its socio-economic objectives**. The fishing fleet has shrunk by 28%, profitability has stagnated, and the number of full-time fishers has decreased by 33%
- Europêche therefore recommends a **revision of the CFP** to bring back rational policies, based on science, supporting food security, sustainable growth, less bureaucracy, competitiveness and the social dimension of CFP. The future CFP requires a fundamental shift away from rigid and unattainable targets towards ambitious but at the same time pragmatic and feasible objectives.
- Europêche advocates for **simplification without undermining policy ambition**, ensuring equity across Member States, fleets and regions.
- Despite continuous investments in innovation and gear selectivity, fishers have been criticised for not fully implementing a failed policy that by definition is unachievable – the **landing obligation**. This EU policy generates choke situations, underutilisation of rightful quotas, labour time and costs increase, not marketable undersize fish and changing fishing patterns with destabilising knock-on effects (e.g., North sea cod). Europêche suggests a revision of the policy. From a broader perspective, Europêche advocates shifting from ‘selective fisheries’ to policies that maximise catch utilization and minimize waste, aligning with the principles of the circular economy.
- Created over 20 years ago to prevent overcapacity, the fleet policy is now misaligned with the Green Deal goals of decarbonisation. The EU fishing sector must endure capacity restrictions in the EU in terms of gross tonnage (i.e. space on board), making it even more difficult for vessels to install green technologies. The current definition of fishing capacity in the CFP thus hinders fleet modernisation and social and safety improvements. Europêche advocate for alternative formulas for measuring fishing capacity, by which spaces on board designated for kitchens, cabins, toilets, or recreational areas are not included in fishing capacity calculations. The EU must revise the current fleet policy and **redefine fishing capacity**.

2. **Technical Measures Regulation – need for a viable testing process**

- The current framework offers limited **flexibility for innovation**. Europêche recommends modifying it to allow the fishing industry to test alternative gears, mesh sizes, and other technologies over a five-year period. This approach would set clear policy objectives while granting the fleet and national authorities the freedom to determine the best ways to achieve them. The industry could take a leading role in testing simplified management systems and technical measures. Additionally, the process for obtaining test trial licenses is overly complex and time-consuming. Streamlining administrative procedures is essential to fostering innovation and efficiency.

3. **Fisheries control regulation: A balanced approach**

- Europêche recognizes that new digital tools can help decrease the burden of fishers in their operations. However, the revised Fisheries Control Regulation has introduced **heavy control and compliance requirements**. For instance, the EU law requires precise reporting of minor catches, bycatches, discards and sensitive species. Moreover, in case of errors in the estimated quantities of each species—even if unintentional—fishers face hefty fines and severe sanctions. This is even more worrying in light of ill-conceived policies such as the landing obligation.
- Europêche urges the European Commission to **avoid unnecessarily complicating the regulatory framework or imposing new obligations** through implementing rules. For instance, the Commission's proposed provisions (first draft) for weighing at sea under a new delegated act introduce measures that would disrupt vessel operations and impose significant economic burdens, such as the "three-strikes rule." A similar restrictive approach has been taken regarding derogations for the margin of tolerance.
- Europêche advocates for an implementation process that **minimizes red tape and intrusive control measures**. For example, risk assessments for the mandatory installment of cameras on board and engine power monitoring devices should be limited to a certain percentage of the fleet—such as for instance 10% of the identified vessels. This percentage is consistent with other practices at international level from Regional Fisheries Management Organisations (10% minimum observer coverage) and should be consistently applied across all fleets and countries.
- Europêche requests clarity on the **methodology** to be used at EU and national level to implement these new digital tools, particularly on how the risk-based approach will work in practice. Likewise, the sector demands its **involvement** in the policy implementation process to ensure a pragmatic and feasible approach. In addition, it is vital to ensure the interoperability of the data systems and technologies that EU countries can use under the new regime.
- Furthermore, if the implementation process becomes overly complex, Europêche advocates for a surgical **revision** of some of the rules adopted in the main regulation.

- Europêche recommends counting with the expertise of the **European Fisheries Control Agency (EFCA)** during this process to ensure that the implementing measures are necessary, realistic and implementable.
- Europêche requests a wide **stakeholder consultation** before the draft implementing and delegated acts proposed by the Commission are formally submitted to the Council and the Parliament for adoption.

4. **Multiannual Management Plans (MAPs) – a flexible approach**

- The **rigid framework** of MAPs, such as those for the Baltic and Mediterranean, limits the ability of the sector to respond dynamically to changing fish stocks and environmental conditions.
- Europêche encourages EU policy-makers to **remove the 5% rule** from the Regulations, as this would streamline fisheries management and reduce adverse socio-economic impacts.
- Europêche calls for a **revision of the Mediterranean MAP** to recognize the mixed nature of Mediterranean fisheries and the need to set quotas based on achieving MSY for each species, rather than focusing solely on the weakest fishery. Stabilization measures should be introduced to limit reductions in fishing days and ensure a minimum break-even point, as well as multiannual compliance measures to give economic security to the fleet. Additionally, the assessment model for demersal stocks should be updated with more current scientific data.
- Finally, Europêche calls on the Commission to assess how effectively the existing MAPs are being implemented in order to ensure that they contribute to the CFP objectives. Likewise, Europêche proposes **increased links in these plans with social objectives** such as employment and food sovereignty.

5. **Streamline EU funding rules and implementation**

- According to mid-term evaluation of the EMFAF, the **implementation of the fund has faced delays** due to COVID-19, the war in Ukraine, late approval of national legal frameworks and capacity issues. In addition, bureaucratic reporting procedures slowed down implementation. Moreover, early operations have focused on strengthening the institutional structure rather than providing direct support to economic operators.
- Europêche **urges for faster execution** of EU funds to ensure companies receive financial aid in a timely manner, as some have faced delays exceeding a year. The Commission must take an active role in overseeing and expediting fund allocation at both national and regional levels. For the next financial period, Europêche recommends early preparations before formal programme adoption and the simplification of implementation processes to enhance efficiency.
- The reports highlights that under EMFAF, target setting is generally easier than under EMFF, with more straightforward and logical indicators. However, monitoring and reporting systems initially lacked clear guidance, resulting in

difficulties with target setting. **Stakeholder involvement** throughout the whole process is therefore crucial for addressing needs and innovation.

- The EMFAF requires **repayment of funds** in case of a serious infringement. This rule discourages investment and creates legal and financial instability. Europêche urges the removal of this rule to ensure that funding supports industry resilience rather than penalizing fishers for unintentional administrative infractions.

6. Simplifying environmental legislation and reporting

- The Commission's latest assessment of Member States' updated programmes under Article 17 of the Marine Strategy Framework Directive (MSFD) highlights concerns about the significant impact of fisheries and other human activities on biodiversity. This with the aim to justify further measures and restrictions to an already overregulated fishing activity. Europêche regrets such statement and vision, since **most EU landings come from healthy stocks** and according to STECF data shows a 37% increase in fish stock biomass over the past 20 years (2003-2022).
- Europêche supports the recommendation for Member States to **address MSFD implementation obstacles** like insufficient funding, improving coordination across authorities to integrate relevant policies, involving stakeholders early to enhance social acceptance and strengthening regional collaboration to ensure consistency and joint action where needed.
- Europêche **disagrees with the need to adopt further measures including the strict protection of 10% of EU waters**. Europêche reminds that this objective was included in the EU biodiversity strategy and EU marine action plan and is not an obligation under the Kunming-Montreal Global Biodiversity Framework. Therefore, such target would put the EU fleet at a competitive disadvantage and trigger closures based on a political decision, rather than scientific or economic considerations, not accompanied by a mandatory impact assessment. Instead, Europêche recommends continuing to implement protection and restoration measures on a case-by-case basis guided by scientific advice and socio-economic evaluations.
- The controversial **Nature Restoration Law** is now in implementation phase. For the fishing sector it is crucial to ensure that its implementation is pragmatic, equitable and scientifically sound. Europêche would like to refer and support the specific points made by the European Bottom Fishing Alliance (EBFA) on the matter.²
- Likewise, regarding the application of Article 6 of the Habitats Directive and Article 4 of the Birds Directive to fishing activities, Europêche would like to refer to the comments submitted by the EBFA.³

² https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14480-Nature-Restoration-Regulation-uniform-format-for-the-national-restoration-plans-implementing-act-/F3515716_en

³ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14480-Nature-Restoration-Regulation-uniform-format-for-the-national-restoration-plans-implementing-act-_en

- **Controversial EU Action Plan as a basis:** DG ENV still refers to the disputed '*EU Action Plan on protecting and restoring marine ecosystems for sustainable and resilient fisheries*'. This has been one of the most criticized Communications in the previous legislative term. Europêche fails to understand the repeated citation by DG ENV services, especially in the absence of responses to the numerous questions and concerns raised by EU institutions⁴.
- Several EU rules directly tackle **marine litter**, including clean-up actions and actions to prevent further input (based on the requirements of the Port Reception Facilities Directive and the Single Use Plastics Directive). Europêche reiterates its call to compensate the sector for the collection of marine litter, since most of this waste originates from external sources.

7. External dimension

- In 2017, the EU adopted the Regulation on the sustainable management of external fishing fleets (**SMEFF Regulation**). The Regulation requires a high-level of bureaucracy and long processes to obtain a license to operate in 3rd countries waters. Europêche recommends evaluating the regulation as well as streamlining timelines and processes.
- Europêche calls for the extension of control rules and devices (including CCTV and engine monitoring devices) to the **non-EU fleets operating in EU waters**, in line with the Regulation on Sustainable Management of External Fishing Fleets⁵, and to avoid any exemption to be granted under trade or fisheries agreements. However, the sector is concerned that the earlier implementation of cameras in UK waters may lead to the EU fleet being required to adopt technology and systems developed across the border. To avoid this, it is crucial to ensure that EU systems are fully prepared, certified, and interoperable with UK administration.
- Europêche expresses concern over the **slow transposition of RFMO decisions** into the EU acquis, noting that the lengthy decision-making process consistently lags behind. Additionally, EU policymakers often introduce measures beyond those agreed upon by the international community. To address these issues, Europêche advocates for the direct and swift transposition of RFMO decisions, in line with EESC recommendations⁶.

8. Taxation

- In line with the farm to fork strategy, Europêche insists on the importance from the European Commission to encourage Member States to introduce national measures

⁴ https://www.europarl.europa.eu/doceo/document/TA-9-2024-0046_EN.html

<https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/action-plan-protect-fisheries-resources-and-protect-marine-ecosystems>

⁵ See article 38.1 of Regulation (EU) 2017/2403

⁶ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/conservation-and-control-measures-applicable-area-covered-convention-future-multilateral-cooperation-north-east-atlantic>

such as **VAT reductions** for fish products to promote consumption and healthy diets.

- The EU is currently revising the EU's energy taxation rules to align them with energy and climate objectives. Européche argues that the taxation of fuels for fishing would have a very low impact in terms of ecological benefit and a great negative impact for the fishing vessels, fish supply and employment. Therefore, until new propulsion technologies are commercially available, the **EU should not introduce taxes on fuel for fishing**. The opposite would only penalize the sector since there are no real alternatives.

Governance & implementation

The governance of regulatory burden reduction in the fisheries sector should include:

- A **dedicated fisheries regulatory simplification task force** within the European Commission to systematically review and eliminate unnecessary burdens.
- A structured dialogue with the sector through **stakeholder engagement mechanisms**, ensuring that regulatory reforms are aligned with practical needs.
- A commitment to **ex-ante impact assessments and ex-post evaluations** of fisheries regulations to prevent disproportionate costs and inefficiencies. Any negative socio-economic impact of new management measures should be prevented, reduced and compensated.

Conclusion

The European fisheries sector urgently requires regulatory relief to restore its competitiveness and ensure long-term sustainability. By addressing the burdens, the EU can create a more supportive environment for fishers, coastal communities and seafood businesses. Européche stands ready to collaborate with policymakers to achieve these objectives and calls for immediate action to deliver meaningful regulatory simplification for the sector.