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Accompanying the document

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on Member States' efforts during 2009 to achieve a sustainable balance between fishing
capacity and fishing opportunities**

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1. FISHING CAPACITY MANAGEMENT UNDER THE COMMON FISHERIES POLICY

The present document presents data in the form of tables and graphs to illustrate the trend in fishing capacity, the compliance of the Member States' fleet with the fishing capacity management rules and the application of the guidelines for the assessment of the balance between fishing capacity and fishing opportunities. A short description of the applicable provisions is given next.

1.1. The entry-exit regime

The entry-exit regime, which applies to the fleet of each Member State, excluding the fleet registered in the outermost regions since 1 January 2003 is one of the main pillars of the fishing capacity management system (Article 13 of the basic regulation). The entry-exit regime applies separately to the capacity measured in terms of tonnage and power. Any entry of capacity into the fleet of a Member State has to be compensated by the previous exit of at least the same amount of capacity (entry to exit ratio of 1:1).

Two exceptions to this rule allow capacity increases exempted from the entry-exit regime when they result from improvements in safety, hygiene or living and working conditions on board:

- Article 11(5) gives Member States the possibility to increase the tonnage of existing vessels which are at least 5 years old and when the increases of volume result from works above the main deck
- Article 11(6) allows Member States to re-allocate 4% of the capacity scrapped with public aid to increase the tonnage of some vessels; in this case Member States are obliged to give priority to small scale coastal vessels. This provision was adopted in 2007 and has resulted in slightly increased tonnage ceilings for most Member States.

For entries of new vessels of more than 100 GT built with public aid on the basis of an administrative decision adopted after 1 January 2003, Member States had to withdraw 35% more capacity than they introduced, i.e. apply an entry to exit ratio of 1:1,35 (Article 13(1)(b)). The effects of this transitional measure are reflected in the value of the capacity ceilings, but this provision no longer applies, since aid for vessels construction was only permitted until the end of 2004.

All of this means that, as a general rule, the capacity of the national fleets cannot increase with respect to its levels on 1 January 2003, for 'EU 15' Member States and on the accession date for the Member States, which acceded to the Community after 2003. However, in accordance with Articles 6, 6a, 7 and 7a of Commission Regulation (EC) No 1277/2007 amending Commission Regulation (EC) 1438/2003, the implementing rules for the fleet policy allowed for the registration of vessels outside the framework of the entry-exit regime if administrative decisions have been adopted by the national authorities.

1.2. Prohibition to replace capacity withdrawn with public aid

The second pillar of the fishing capacity management system is the rule that capacity leaving the fleet with public aid cannot be replaced (Article 11(3)). Such capacity, expressed both in

tonnage and power, is subtracted directly from the maximum fleet capacity of each Member State. Capacity reductions supported with public aid are therefore permanent. The total amount of fishing capacity withdrawn with public aid during the period 2003-2009 is shown in table 5.

1.3. Reference levels

The reference levels for the fleets of Member States are the sum of the global final objectives of the Fourth Multi-annual Guidance Programme (MAGP IV) as established by Article 12 of Council Regulation (EC) No 2371/2002. Since the reference levels are a legacy of MAGP IV¹ (period 1997- 2002), the Council decided that they would not apply to the 'EU 10' Member States (Council Regulation (EC) No 1242/2004²). Member States may not exceed their reference levels at any time.

In the same way as it is done for the entry exit regime, the reference levels are revised to take into account the amount of capacity scrapped, the increase in tonnage under the provisions of Article 11(5) and (6) of Regulation 2371 and the 35% extra capacity withdrawn for new vessels of 100 GT or more built with public aid after 1 January 2003.

For the 'EU 15' Member States, the comparison between the capacity of their fleets and the reference levels on 31 December 2009 is shown in Table 2. It can be seen that for all these Member States the reference levels are greater, and for most Member States much greater, than the capacity ceilings resulting from the entry-exit regime, which makes the reference levels irrelevant.

1.4. Management of the fleets registered in the outermost regions

The fishing fleets registered in the outermost regions of the European Union, namely the French Overseas Departments, the Spanish Canary Islands and the Portuguese Azores and Madeira have to comply with specific rules for the management of fishing capacity. These fleets are divided into fleet 'segments', according to their region of registration, vessel characteristics, fishing areas or target species. For each fleet segment, reference levels are fixed in terms of tonnage and power. The capacity of the vessels decommissioned with public aid is deducted from the reference levels of the corresponding fleet segment.

The specific regime for the fleets registered in the outermost regions is defined by Council Regulation (EC) No 639/2004 and Commission Regulation (EC) No 2104/2004. The latter includes the definition of fleet segments and their reference levels.

The variations in the capacity of the outermost regions' fleets are shown in Table 4. Detailed calculations per segment are published on the Fleet Register website.

1.5. Use of the guidelines

With a view to helping the Member States to carry out a harmonised and well-founded analysis of the balance between their fleet and the available fishing opportunities, the Commission produced in cooperation with the STECF guidelines for an improved analysis of the balance between fishing capacity and fishing opportunities. The 'guidelines' were prepared

¹ 4th Multiannual Guidance Programs

² Council Regulation (EC) No 1242/2004 (OJ L 236 of 7 July 2004, p. 1 – 2)

in March 2008. They contain a set of indicators (technical, biological, economic and social) on the basis of which Member States could better assess the balance between fishing capacity and fishing opportunities. For the third time, Member States were requested to apply the guidelines to their fleets. A summary of the indicators provided by Member States is shown in Table 6. Its values can be consulted in the Member States' reports.

1.6. European Union fishing fleet register

The European Union fleet register is the main tool for monitoring the EU fishing fleet. In accordance with Commission Regulation (EC) No 26/2004, Member States are obliged to keep a register of fishing vessels and transmit electronically to the Commission on a quarterly basis ("snapshots" are sent on the first working day of March, June, September and December) all relevant information on their identification and characteristics, together with information on entries to and exits from the fleet. The EU fleet register is managed via a web-based application, called the **Fleet Register On the NeT (FRONT)**.

The FRONT is also available for the general public on the following web page: <http://ec.europa.eu/comm/fisheries/fleet/index.cfm>

It is important to note that all information which is provided in this Commission Staff Working Document can be found on the "Europa" site³ and has been taken from the CFR, with the exception of:

- data on entries corresponding to administrative decisions taken by national authorities before 1 January 2003 (or accession date for Member States which acceded after 1 January 2003) and for which the special transitional provisions apply;
- data on exits with public aid in some cases where this information was not available.

Only in these two cases has the information been taken directly from the Member States.

³ http://ec.europa.eu/fisheries/fleet/index.cfm?method=FM_Reporting.AnnualReport

2. SUMMARY TABLES AND GRAPHS

Table 1: Compliance with the entry-exit ceiling at 31 December 2009 (Except outermost regions)

Member State	GT			kW		
	Fleet capacity A	Entry/Exit ceiling B	A/B	Fleet capacity C	Entry/Exit ceiling D	C/D
	at 31/12/2009			at 31/12/2009		
Belgium	16.048	19.113	83,97%	51.590	52.719	97,86%
Bulgaria	7.702	8.448	91,18%	60.380	67.606	89,31%
Denmark	67.122	88.528	75,82%	243.941	313.341	77,85%
Germany	67.620	71.114	95,09%	160.235	167.089	95,90%
Estonia	14.274	22.379	63,79%	39.840	54.652	72,90%
Ireland	63.880	77.222	82,72%	181.251	210.083	86,28%
Greece	88.209	91.245	96,67%	507.835	514.198	98,76%
Spain	412.009	422.186	97,59%	918.382	963.107	95,36%
France	170.078	185.414	91,73%	745.445	806.137	92,47%
Italy	193.672	200.008	96,83%	1.136.723	1.184.463	95,97%
Cyprus	5.280	11.212	47,09%	48.461	48.658	99,60%
Latvia	41.229	49.287	83,65%	62.458	65.692	95,08%
Lithuania	49.289	73.620	66,95%	56.386	74.553	75,63%
Malta	12.006	15.183	79,08%	87.071	97.953	88,89%
Netherlands	137.910	166.384	82,89%	294.867	350.736	84,07%
Poland	38.244	39.536	96,73%	90.749	97.124	93,44%
Portugal	89.455	96.104	93,08%	308.310	319.361	96,54%
Romania	1.816	2.428	74,83%	7.199	8.215	87,63%
Slovenia	1.004	1.057	95,01%	10.953	10.974	99,82%
Finland	16.376	18.187	90,04%	171.176	182.385	93,85%
Sweden	38.632	43.981	87,84%	196.574	217.028	90,58%
United Kingdom	208.018	235.570	88,30%	833.584	924.739	90,14%
Total at 31/12/2009	1.739.876	1.938.206	89,77%	6.213.412	6.730.813	92,31%

NB : Data extracted from the Community Fleet Register on 23/03/2011

Figure 1: Overall trend of the EU fishing fleet capacity ceiling (except outermost regions)

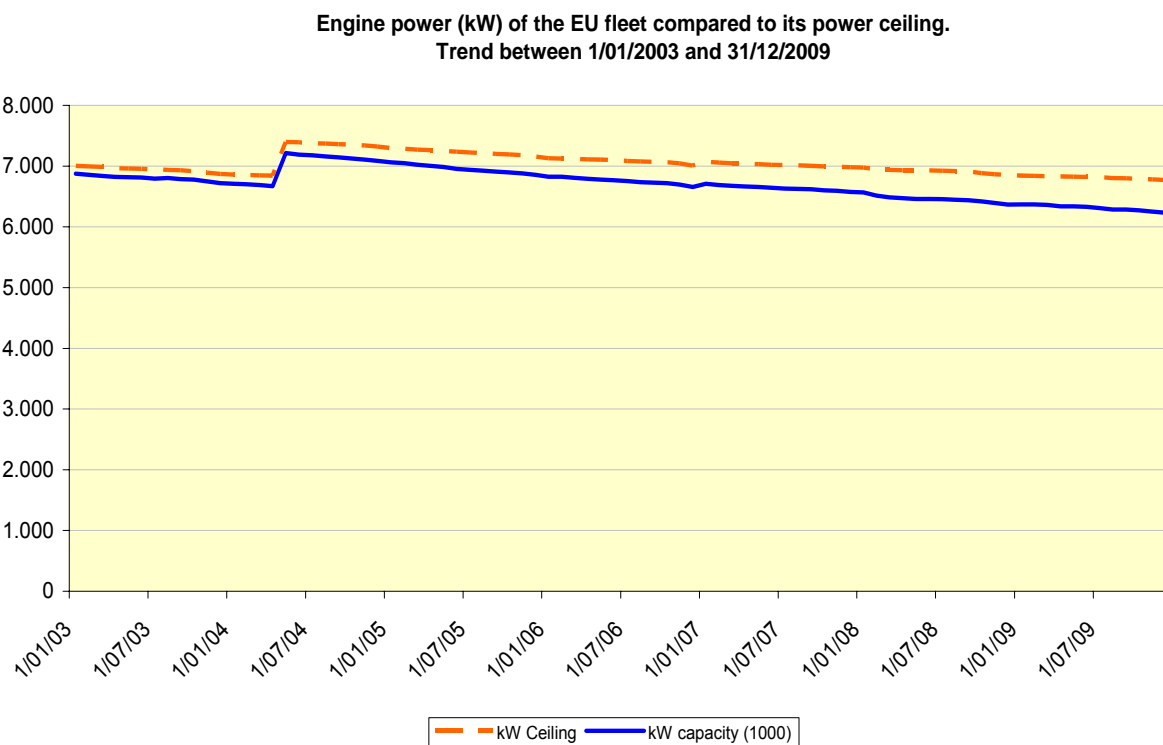
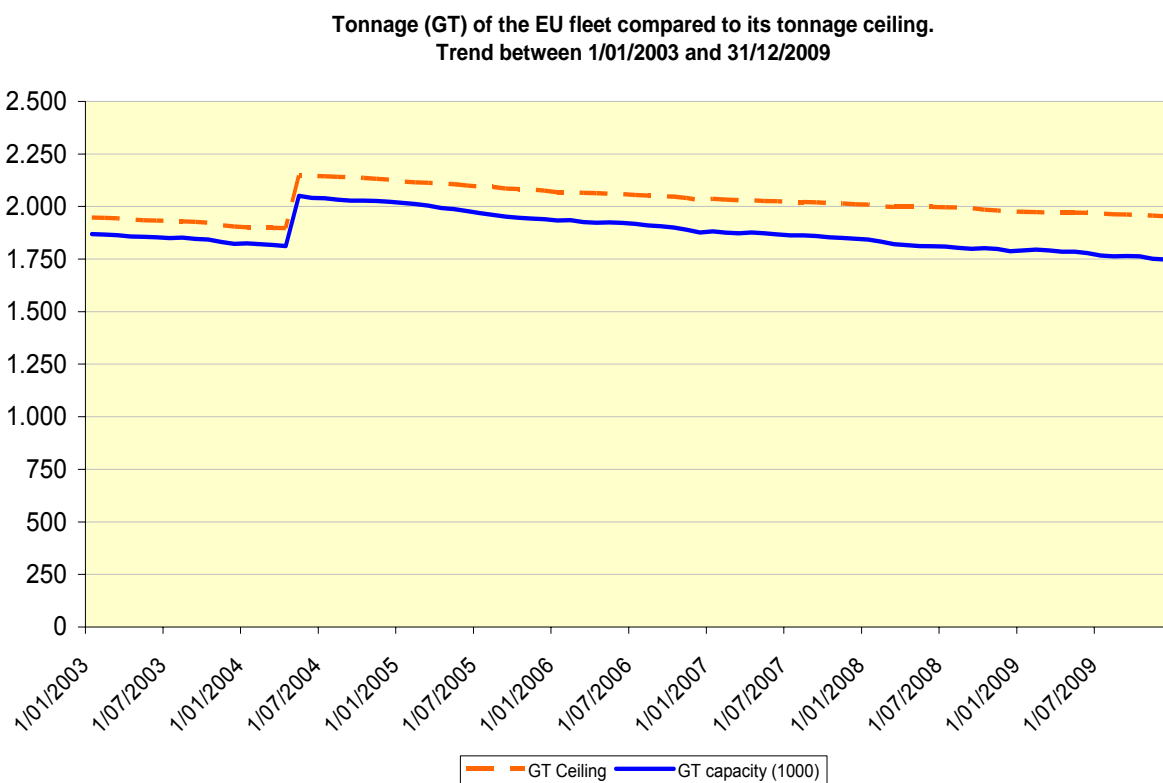


Table 2: Compliance with reference levels at 31 December 2009 (except outermost regions)

Member State	GT			kW		
	Fleet capacity A	Reference level B	A/B	Fleet capacity C	Reference level D	C/D
	at 31/12/2009			at 31/12/2009		
Belgium	16.048	19.113	83,97%	51.590	52.719	97,86%
Denmark	67.122	117.871	56,95%	243.941	405.902	60,10%
Germany	67.620	84.259	80,25%	160.235	175.839	91,13%
Ireland	63.880	77.222	82,72%	181.251	210.083	86,28%
Greece	88.209	104.973	84,03%	507.835	575.553	88,23%
Spain	412.009	647.740	63,61%	918.382	1.463.273	62,76%
France	170.078	202.374	84,04%	745.445	811.965	91,81%
Italy	193.672	205.333	94,32%	1.136.723	1.219.800	93,19%
Netherlands	137.910	179.181	76,97%	294.867	417.302	70,66%
Portugal	89.455	157.929	56,64%	308.310	374.445	82,34%
Finland	16.376	21.587	75,86%	171.176	208.380	82,15%
Sweden	38.632	49.452	78,12%	196.574	250.690	78,41%
United Kingdom	208.018	267.459	77,78%	833.584	1.071.409	77,80%
Total at 31/12/2009	1.569.029	2.134.494	73,51%	5.749.915	7.237.360	79,45%

NB : Data extracted from the Community Fleet Register on 23/03/2011

Figure 2: Overall trend of the EU fishing fleet reference levels (only for the Member States concerned, except the outermost regions)

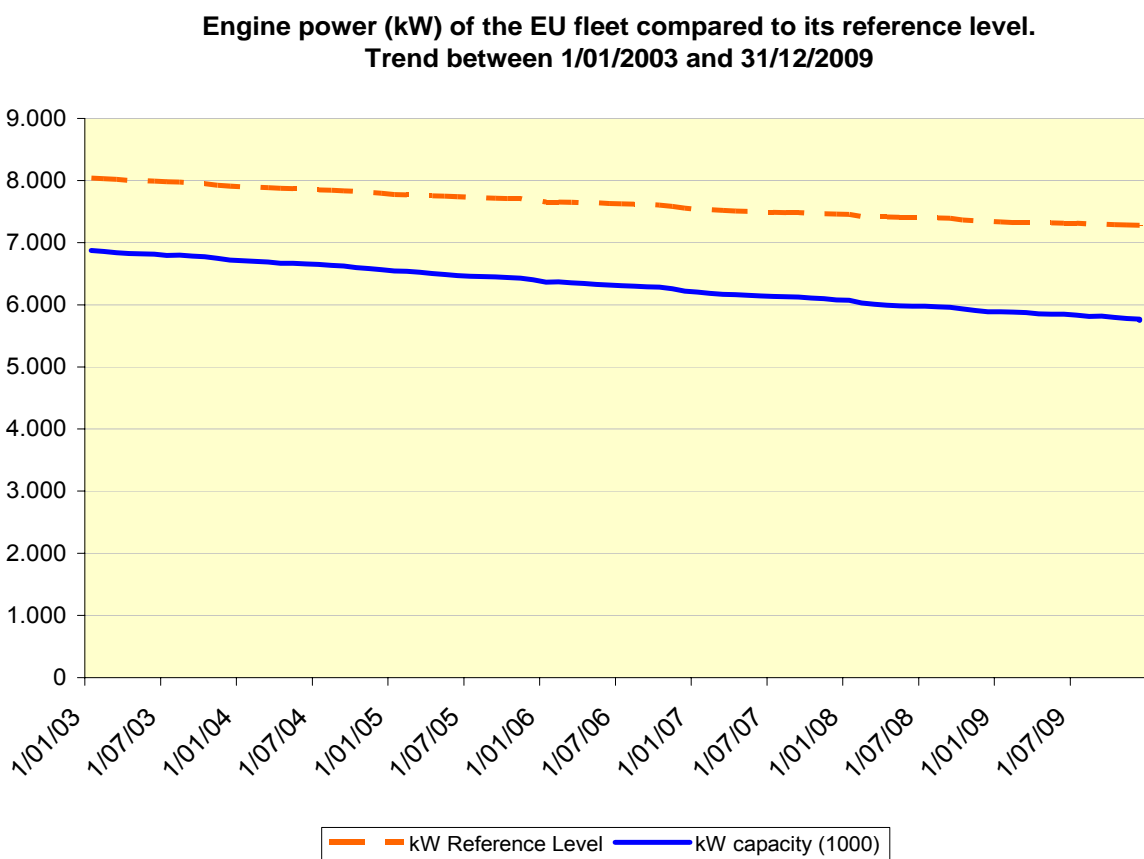
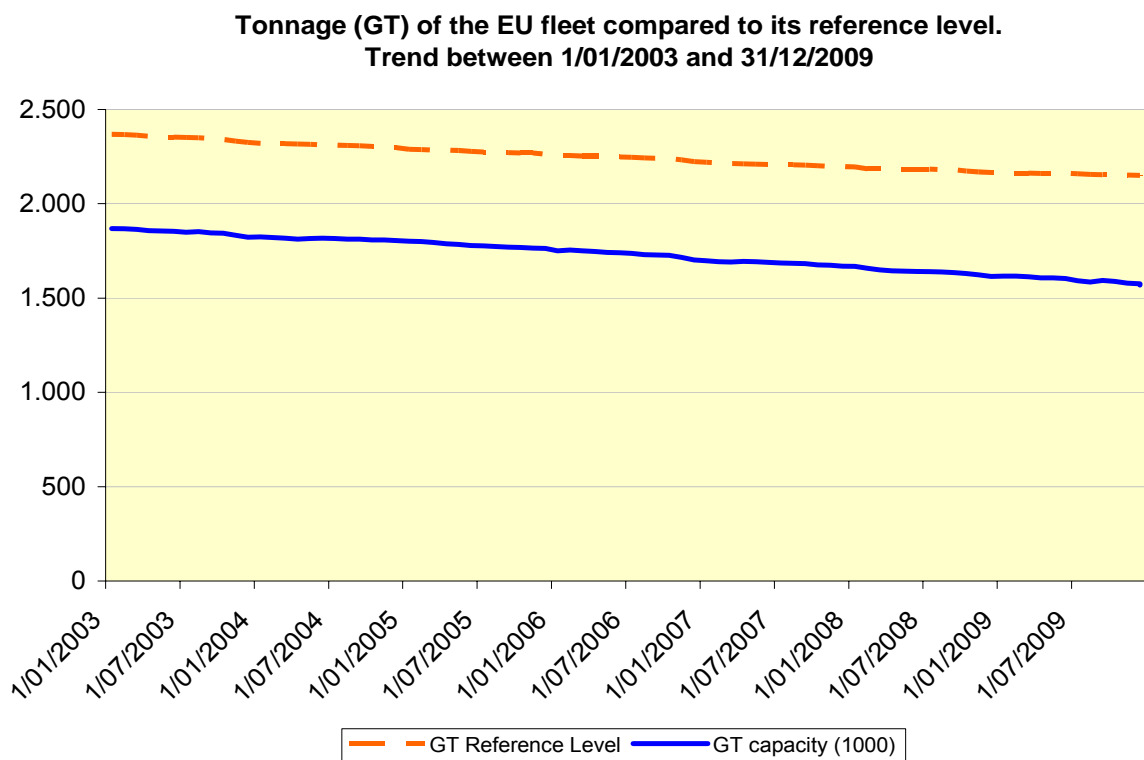


Table 3: Fleet fishing capacity variations between 1 January 2003 and 31 December 2009 (except outermost regions)

Member States	N° of vessels	GT	kW	N° of vessels	GT	kW	N° of vessels	Δ GT	Δ GT in %	Δ kW	Δ kW in %
EU-15	01/01/2003			31/12/2009			Fleet capacity variations				
BE	132	24.363	68.304	89	16.048	51.590	-43	-8.315	-34,13%	-16.714	-24,47%
DK	3.816	103.364	366.965	2.826	67.122	243.941	-990	-36.242	-35,06%	-123.024	-33,52%
DE	2.244	66.844	161.045	1.767	67.620	160.235	-477	776	1,16%	-810	-0,50%
IE	2.086	87.279	242.977	2.029	63.880	181.251	-57	-23.399	-26,81%	-61.726	-25,40%
EL	19.110	101.655	590.908	17.291	88.209	507.835	-1.819	-13.447	-13,23%	-83.073	-14,06%
ES	13.637	466.071	1.147.596	10.149	412.009	918.382	-3.488	-54.062	-11,60%	-229.214	-19,97%
FR	5.745	212.406	913.082	4.833	170.078	745.445	-912	-42.328	-19,93%	-167.637	-18,36%
IT	15.771	217.259	1.278.302	13.587	193.672	1.136.723	-2.184	-23.586	-10,86%	-141.579	-11,08%
NL	779	183.669	418.521	731	137.910	294.867	-48	-45.759	-24,91%	-123.653	-29,55%
PT	8.209	99.734	333.318	7.269	89.455	308.310	-940	-10.279	-10,31%	-25.008	-7,50%
FI	3.573	19.803	190.200	3.271	16.376	171.176	-302	-3.427	-17,31%	-19.024	-10,00%
SE	1.813	45.651	224.777	1.417	38.632	196.574	-396	-7.019	-15,38%	-28.203	-12,55%
UK	7.435	240.940	943.143	6.490	208.018	833.584	-945	-32.922	-13,66%	-109.559	-11,62%
Total	84.350	1.869.038	6.879.139	71.749	1.569.029	5.749.915	-12.601	-300.009	-16,05%	-1.129.224	-16,42%
EU-10	01/05/2004			31/12/2009			Fleet capacity variations				
EE	1054	26.625	64.967	945	14.274	39.840	-109	-12.351	-46,39%	-25.127	-38,68%
CY	901	11.994	53.066	1162	5.280	48.461	261	-6.714	-55,98%	-4.605	-8,68%
LV	898	44.449	74.283	794	41.229	62.458	-104	-3.219	-7,24%	-11.825	-15,92%
LT	307	76.738	80.702	193	49.289	56.386	-114	-27.449	-35,77%	-24.316	-30,13%
MT	1431	15.318	99.206	1112	12.006	87.071	-319	-3.312	-21,62%	-12.136	-12,23%
PL	1283	58.880	160.984	807	38.244	90.749	-476	-20.636	-35,05%	-70.235	-43,63%
SI	176	1.057	10.974	185	1.004	10.953	9	-53	-4,99%	-20	-0,18%
Total	6.050	235.061	544.182	5.198	161.328	395.918	-852	-73.733	-31,37%	-148.264	-27,25%
EU-2	01/01/2007			31/12/2009			Fleet capacity variations				
BG	2545	8.147	64.923	2206	7.702	60.380	-339	-444	-5,45%	-4.544	-7,00%
RO	438	2.312	7.748	444	1.816	7.199	6	-495	-21,42%	-549	-7,09%
Total	2.983	10.458	72.672	2.650	9.519	67.579	-333	-939	-8,98%	-5.093	-7,01%
Total EU fishing fleet at 31/12/2009				79.597	1.739.876	6.213.412					

NB : Data extracted from the Community Fleet Register on 23/03/2011

Figure 3: Trend in the number of EU fishing vessels between 1992 and 2009

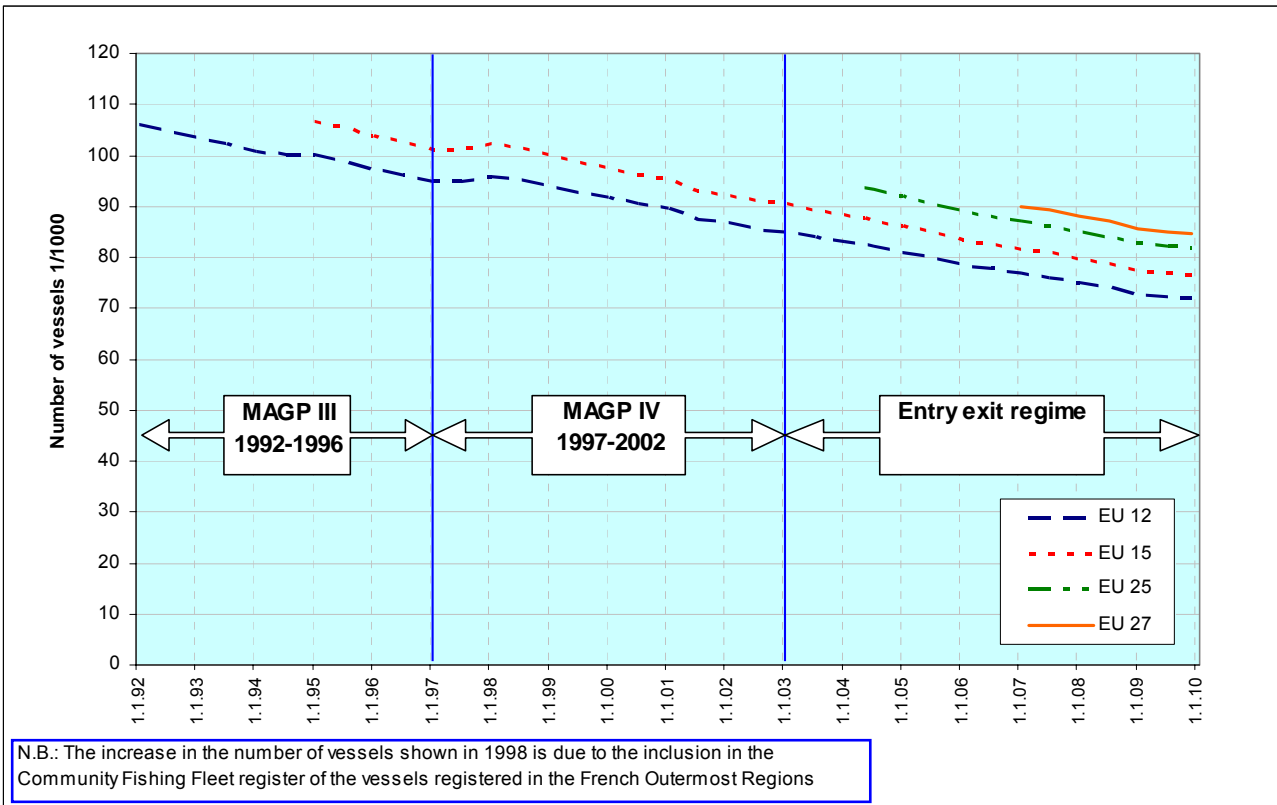


Figure 4: Trend in the EU fishing fleet capacity in terms of tonnage between 1992 and 2009

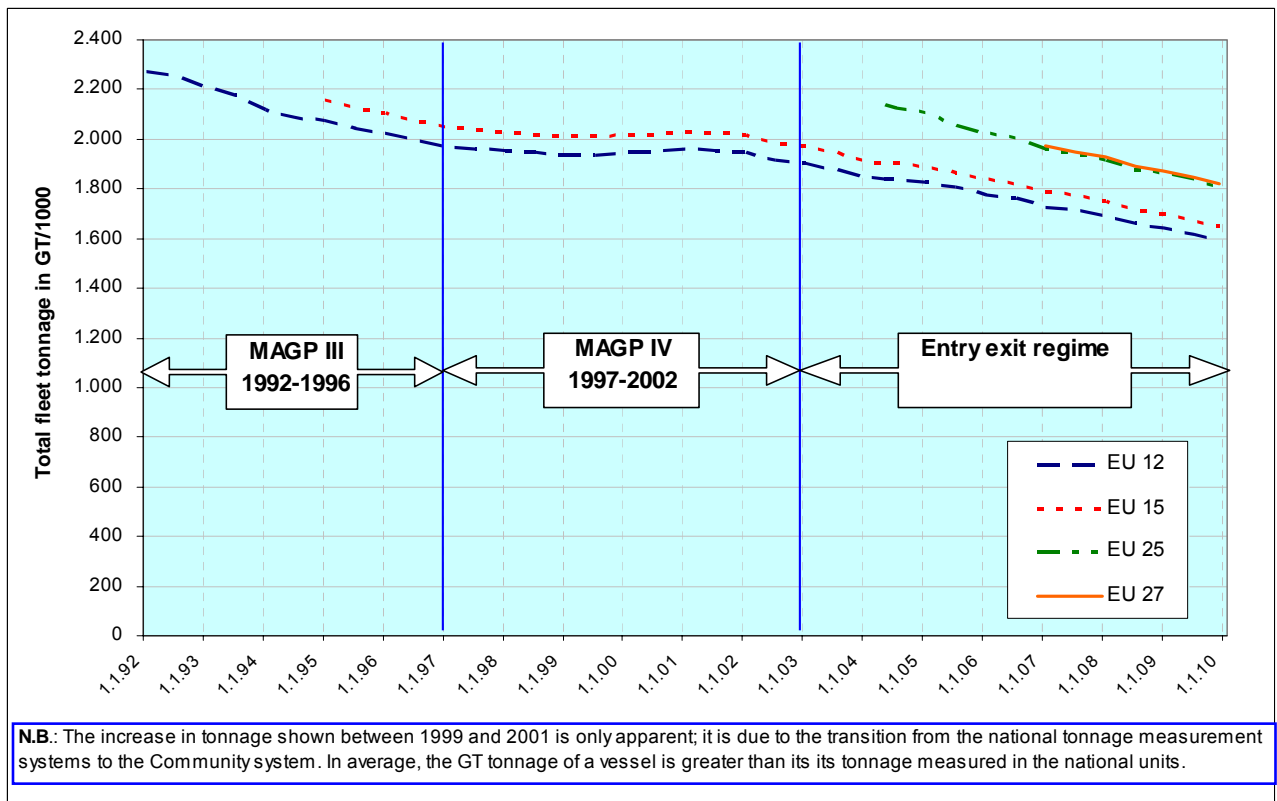


Figure 5: Trend in the EU fishing fleet capacity in terms of power between 1992 and 2009

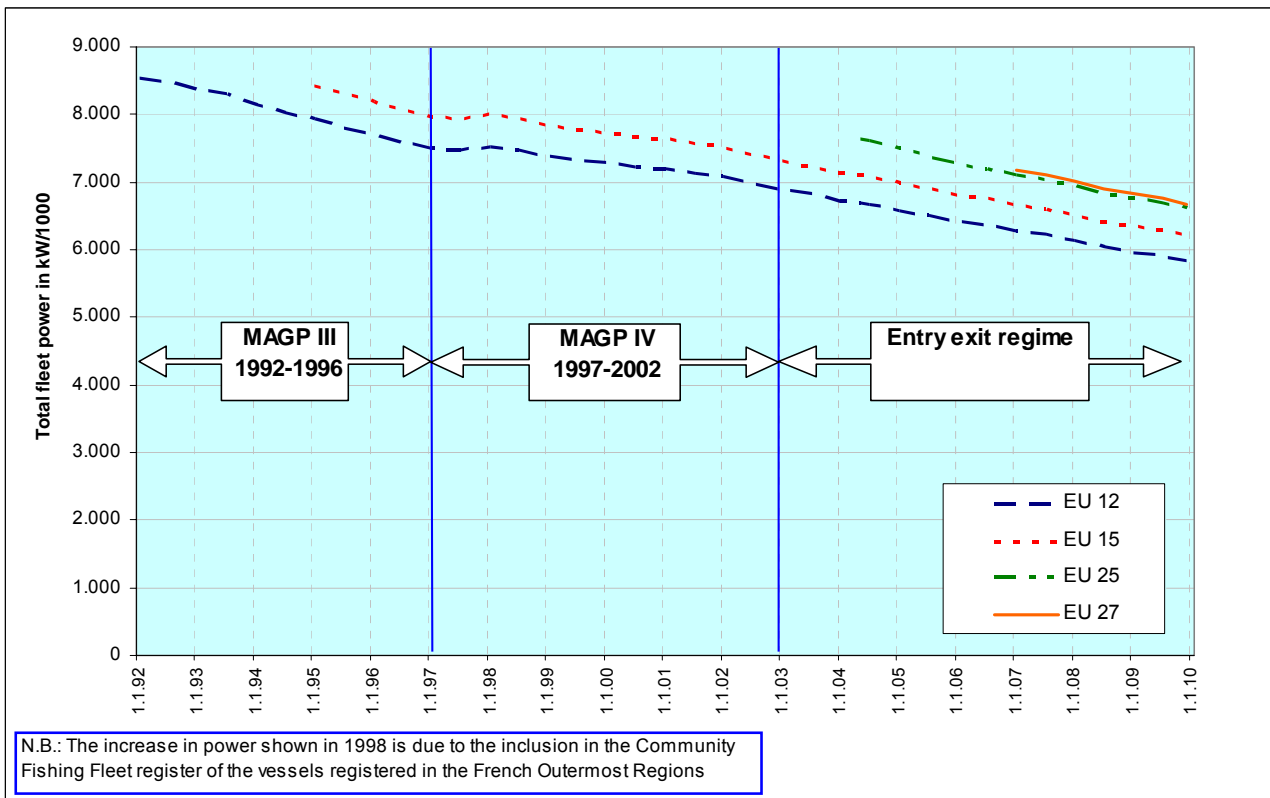


Table 4: Fleet capacity variations between 1 January 2003 and 31 December 2009 in the outermost regions of the EU

Member State	Segment code*	01/01/2003			31/12/2009			Fleet capacity variations				
		Number of vessels	GT	kW	Number of vessels	GT	kW	Number of vessels	Δ GT	Δ GT in %	Δ kW	Δ kW in %
Spain	CA1	1.082	2.110	16.386	832	1.819	16.936	-250	-291	-13,78%	550	3,35%
	CA2	104	4.243	15.387	78	2.468	9.507	-26	-1.775	-41,83%	-5.880	-38,22%
	CA3	131	45.996	83.667	60	23.077	35.027	-71	-22.918	-49,83%	-48.640	-58,14%
	Total	1.317	52.349	115.441	970	27.365	61.470	-347	-24.984	-47,73%	-53.971	-46,75%
France	4FC	266	362	11.535	235	404	12.834	-31	42	11,51%	1.299	11,26%
	4FD	48	4.321	14.049	51	4.970	16.628	3	648	15,00%	2.579	18,36%
	4FF	89	349	4.739	115	500	5.891	26	150	43,03%	1.152	24,31%
	4FG	63	7.199	20.172	40	4.253	12.496	-23	-2.946	-40,93%	-7.676	-38,05%
	4FH	7	355	1.429	5	211	1.017	-2	-144	-40,56%	-412	-28,83%
	4FJ	1.153	2.167	61.946	1.090	1.811	84.778	-63	-356	-16,44%	22.832	36,86%
	4FK	8	848	2.598	8	460	2.642	0	-388	-45,71%	44	1,69%
	4FL	944	2.553	99.676	902	2.629	125.543	-42	76	2,98%	25.867	25,95%
	4FM	2	124	551	1	112	331	-1	-12	-9,60%	-220	-39,93%
Total	2.580	18.279	216.695	2.447	15.349	262.160	-133	-2.930	-16,03%	45.465	20,98%	
Portugal	4K6	423	411	2.808	405	483	3.863	-18	72	17,50%	1.055	37,55%
	4K7	51	3.622	12.840	51	3.542	12.953	0	-80	-2,21%	113	0,88%
	4K8	5	193	1.006	5	208	1.170	0	15	7,63%	164	16,32%
	4K9	1475	2.267	20.461	712	2.011	28.057	-763	-256	-11,30%	7.596	37,12%
	4KA	115	10.047	29.622	114	8.348	25.472	-1	-1.700	-16,91%	-4.151	-14,01%
Total	2.069	16.542	66.737	1.287	14.593	71.515	-782	-1.949	-11,78%	4.777	7,16%	
Total EU RUP	5.966	87.169	398.873	4.704	57.307	395.144	-1.262	-29.862	-34,26%	-3.728	-0,93%	

NB : Data extracted from the Fleet Register on : 23/03/2011

* Description of the outermost regions fleets segmentation codes are given in the Commission Regulation (EC) No 2104/2004

Table 5: Vessels withdrawn from the fleet with public aid over the period 2003-2009

Year	Vessels	GT	kW
2003	1 028	67 326	186 244
2004	1 132	37 539	134 037
2005	1 020	53 334	169 016
2006	797	42 427	134 877
2007	630	28 756	94 385
2008	648	36 556	133 803
2009	527	39 273	117 236
Total	5 782	305.212	969.597

Data extracted from the EU fleet register on 3/2/2011

Table 6: Use by MS of the indicators⁴ for assessment of the balance between fleet capacity and fishing opportunities

Member State	Technical ⁵	Biological ⁶		Economic ⁷		social ⁸		Traffic light-system ⁹
		used	type	used	type	used	type	used
Belgium	√	√	Fest/Ft	√	ROI	√	ACS	√
Bulgaria	√	√	cpue	√	ROI + CR/BER	√	ACS + GVA	–
Denmark	√	√	cpue	√	ROI + CR/BER	√	ACS + GVA	√
Germany	–	–	–	–	–	–	–	–
Estonia	√	√	cpue	–	–	–	–	–
Ireland	–	–	–	–	–	–	–	–
Greece	–	–	–	–	–	–	–	–
Spain	–	–	–	–	–	–	–	–
France	–	–	–	–	–	–	–	–
Italy	√	√	cpue	√	ROI + CR/BER	√	ACS + GVA	√
Cyprus	√	√	cpue	√	ROI	–	–	–
Latvia	√	√	Fest/Ft	√	CR/BER	√	ACS + GVA	–
Lithuania	–	√	Fest/Ft + cpue	√	ROI + CR/BER	√	ACS	–
Malta	√	√	Fest/Ft + cpue	√	CR/BER	√	ACS	–
Netherlands	√	√	Fest/Ft	√	ROI + CR/BER	√	ACS + GVA	√
Poland	–	√	Fest/Ft	–	–	–	–	–
Portugal	√	–	–	√	CR/BER	√	GVA	–

⁴ The indicators are explained in the Commission working document "guidelines for the improved analysis of the balance between fishing capacity and fishing opportunities", March 2008.

⁵ Ratio between days at sea and maximum days at sea

⁶ Ratio Estimated fishing mortality / targeted fishing mortality (Fest/Ft) or Catch per unit of effort (cpue)

⁷ Return on Investment (ROI) or Ratio between current revenue and break-even revenue (CR/BER)

⁸ Average crew share per Full-time equivalent (ACS) OR Gross value added (GVA)

⁹ Green: ROI>=0 and F =< Ft, Orange: ROI>=0 and F>=Ft, or ROI=<0 and F=<Ft, Red: ROI=<0 and F>=Ft.

Member State	Technical ⁵	Biological ⁶		Economic ⁷		social ⁸		Traffic light-system ⁹
		used	type	used	type	used	type	used
Romania	–	–	–	–		–	–	–
Slovenia	√	–	–	√	ROI + CR/BER	√	ACS + GVA	–
Finland	–	–	–	–		–	–	–
Sweden	√	√	Fest/Ft	√	ROI + CR/BER	√	GVA	–
United Kingdom	–	–	–	–		–	–	–