Ms Charlina Vitcheva
Director-General for Maritime Affairs and Fisheries
European Commission
Rue Josef II 99
1000 Brussels
Belgium

Cc: North Sea Member States

NSAC Advice Ref. 03-2526
NSAC Advice on general observations on simplification

This paper was approved with consensus by the NSAC Executive Committee on 2 February 2026 via written procedure.

Executive Summary

This section provides an overview of the key NSAC recommendations concerning regulatory simplification. A detailed elaboration of these points is presented in Section 2 of this paper.

- Sustainable fisheries management requires that the regulatory burden remains bearable, realistic, and humanly achievable.
- Simplification must go hand in hand with a collaborative management model, built on trust and co-creation rather than enforcement of imposed rules.
- Each time a new rule is introduced, *at least one* outdated or redundant rule should be removed.
- Fully Documented Fisheries would test a simpler, trust-based management model that places responsibility in the hands of fishers.
- Co-create well-defined objectives, focusing on achieving policy goals with the *fewest* and *simplest* rules necessary.
- Simplicity and proportionality should be embedded from the earliest stages of policy and regulatory development.
- Collaborative and trust-based approaches enhance implementation quality.
- New measures should not be introduced without thorough regulatory impact assessments broad societal validation.
- Before establishing new mechanisms, current structures (e.g., Advisory Councils) should be fully utilized for consultation, feedback, and implementation monitoring.
- Simplification should aim to create space for experimentation and continuous improvement of sustainability through research and innovation.
- Streamlined, transparent, and flexible regulation allowing technological, social and economic development is essential to ensure generational renewal within the fishing sector.
- A system focused only on enforcement discourages compliance and ownership, while also restraining critical evaluation and innovation of outdated or ineffective regulations.

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- Technical failures, such as temporary VMS or AIS disruptions, should not automatically lead to disproportionate sanctions or vessel immobilisation when intent and compliance are clear.
- Duplication between control authorities and inspection regimes — maritime, labour, food safety, fiscal — creates inefficiencies and undermines the goal of better regulation.
- The Commission should therefore explore options to improve interoperability between these systems, in order to reduce costs, avoid duplication, and minimise the risk of technical failures.

1 Background

The Commission's efforts toward simplifying EU legislation date back to 2012, with the launch of the Regulatory Fitness and Performance (REFIT) Programme[1] which aimed to ensure that EU law remains fit for purpose, up to date, and capable of delivering policy objectives at minimal cost. This initiative was further strengthened in 2016 through the "Better Regulation for Better Results" agenda[2], and again in 2023 by the "Long-Term Competitiveness of the EU: Looking Beyond 2023" Communication, which gave a fresh push to the simplification agenda. In 2025, Commission's aim to simplify the body of EU law was reiterated[3], with the main aim to achieve better policy objectives, reduce administrative burden, and ensure more efficient and effective delivery of economic, social, and environmental objectives. These efforts are also highlighted in the 2025 Commission Work Programme and have been recently underscored by the current Danish Presidency of the Council, reflecting Member States support for the initiative.

In the marine and fisheries context[4], the regulatory framework comprises a wide range of legislative instruments at all scales: International (e.g RFMO), EU (e.g. Common Fisheries Policy, Control Regulation, Technical Measures Regulation, multiannual management plans, data collection framework, EMFAF), national, regional and sometimes at even finer scales. These legislative instruments apply alongside related environmental legislation (e.g. at the EU level the Habitats and Birds Directives, MSFD, MSPD, Nature Restoration Law etc). A significant number of regulations exists (24 175 when looking for "fisheries" on EUR-Lex regulations) and Sissel et al.[5] highlight that this number can drastically increase when considering each regulated elements within a regulation.

While these instruments aim to safeguarding marine resources and ensure compliance, their complexity, overlap and lack of coherence often result in administrative burdens and operational challenges for stakeholders, while not necessarily contributing to conservation objectives. Moreover, literature indicates that the CFP has not achieved significant simplification of rules over time, despite repeated policy reviews.[6] Research also suggests that the sheer volume of regulation is not directly correlated with reduced declines of marine

[1] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52012DC0746
[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52015DC0215
[3] 8556fc33-48a3-4a96-94e8-8ecacef1ea18_en
[4] https://www.sciencedirect.com/science/article/abs/pii/S0308597X10000229
[5] https://www.sciencedirect.com/science/article/pii/S0308597X25000995
[6] https://onlinelibrary.wiley.com/doi/abs/10.1111/faf.12325

resources.[7] With the current drive for simplification and the recent publication of the Ocean Pact, which aims to establish a single reference framework for all ocean-related policies and promote a more integrated and coherent approach, it has become increasingly important to identify redundancies, improve coherence, and resolve contradictions within the EU acquis. The NSAC also underlines that it is important to ensure that simplification does not compromise any EU fisheries sustainability objectives.

This advice seeks to provide general observations on the current challenges stemming from the regulatory complexity and provide recommendations for streamlining the EU fisheries regulatory framework. It also aims to contribute to the development of the Commission's Roadmap on Streamlining and Simplification of the DG MARE Acquis (2025-2029), contributing practical and forward-looking input for future regulatory improvements. A follow-up advice will be prepared with more detailed recommendations addressing specific pieces of EU legislation.

2 NSAC Advice

The NSAC welcomes the Commission's continued work to streamline EU legislation and supports the target to reduce administrative burdens by 25% for all businesses (and 35% for SMEs) by the end of the mandate. It encourages a holistic approach in order to have all stakeholders (EU institutions, scientists, fisher representatives, fishers, NGOs) benefiting from simplification. Nevertheless, it fears that some simplification solutions for ones might imply complexifications for others and, if so, the focus should be on fishers. Any simplification efforts should not compromise the principles of environmental, social and economic sustainability.

Given the complexity of marine resource management, some layered legislation is inevitable; however, there remains significant scope to simplify and improve the current management system, enhancing both efficiency and trust. Simplification should consider both the form of a regulation (e.g. possibility to postpone the work on a regulation, extend eventual delay within a regulation, align reporting requirements of different directives to avoid duplication of efforts and incoherence, etc.) and its content (e.g. possible fusions of regulations, scrapping of a regulation/measures if when their effectiveness is not proven, harmonisation of regulations definitions and data calls, etc.).

A fit-for-purpose and lean regulatory framework depends on clearly defined objectives. Future measures should therefore:

- Embed simplification by design and be drafted as concisely as possible.
- Follow a "one in, one out" principle, scrapping or adapting at least one rule when introducing a new one.
- Follow the principle of the lowest number of rules that still allow to achieve the necessary objectives.

For instance, the "prior notification regulation", created before digital tools like VMS and AIS, appears redundant, as inspectors now have real-time access to vessel positions and

[7] https://www.sciencedirect.com/science/article/abs/pii/S0308597X10000229

electronic logbooks. Such historic regulations should be subject to scrutiny to determine whether they remain necessary and serve a valid purpose today.

Outdated or overlapping regulations not only increase administrative burdens but can impose additional financial and costs on fishers (e.g., fines, penalty points). Better quantification of these costs could strengthen the case for removing unnecessary rules. Comprehensive regulatory impact assessments, including social and behavioural dimensions, should precede any new measures to ensure they are relevant and proportionate.

Policies are most effective when co-created with stakeholders, ensuring credibility, legitimacy, and relevance. The recent study on the evaluation of the Landing Obligation (LO) demonstrates how lack of timely and recurrent stakeholder engagement can weaken ownership, ultimately undermining implementation and outcomes.

Wherever possible, positive incentives should be applied to encourage uptake of new measures rather than relying solely on control and sanctions. A system focused only on enforcement discourages compliance and ownership, while also restraining critical evaluation and innovation of outdated or ineffective regulations. This is particularly relevant for the implementation of the new Fisheries Control Regulation, including the use of CCTV. While the sector supports CCTV as a tool for data collection and improving quota accuracy, its use purely for enforcement purposes is opposed. Excessive control and surveillance risk alienating fishers and ultimately reinforcing the very behaviours the rules are intended to prevent. Breaking this cycle requires building trust and shared responsibility.

While NSAC members welcome clearer policy objectives (which, again, should ideally be co-created rather than imposed), it is equally important to allow flexibility in how these objectives are achieved by Member States and the industry. Excessive detail undermines simplification, reduces coherence across legislative frameworks, and restricts the ability to test or adapt new approaches. Currently, the lack of flexibility makes meaningful scientific trials nearly impossible. For example, a recent scientific sand eel trial had to be carried out using research vessels rather than commercial fishing boats, as releasing fish back into the sea would have breached the Landing Obligation. This illustrates how overly rigid regulation can stifle research, innovation, and adaptive management. The NSAC therefore advocates for the removal of measures that impede the development and uptake of scientifically validated, low-impact fishing gears and other innovations. Furthermore, granting fishers greater flexibility in gear choice and pursuing targeted deregulation could create stronger incentives for the voluntary adoption of Remote Electronic Monitoring (REM), thereby encouraging broader participation in data-driven and collaborative fisheries management. This is reflected in our Advice on the functioning of the Landing Obligation.[8]

Inflexibility also risks discouraging new entrants to the sector. When starting a fishing career involves navigating complex rules and excessive controls, sometimes even affecting safety on board, it becomes less attractive to younger generations. Simplification could therefore not only improve management efficiency but also support generational renewal by making the system more accessible and adaptive.

The NSAC also wishes to highlight the growing human, financial, and operational toll of excessive regulatory complexity. Beyond paperwork, the cumulative pressure of overlapping

[8] https://www.nsrac.org/wp-content/uploads/2023/05/08-2223-NSAC-Advice-on-the-functioning-of-Landing-Obligation.pdf

reporting, inspections, and digital compliance obligations has tangible effects on safety, morale, and well-being at sea. Fishermen today must act as captains, IT specialists, customs officers, and administrators — often with limited connectivity and under unpredictable weather conditions. Simplification must therefore also aim to restore proportionality and trust between authorities and fishers. Technical failures, such as temporary VMS or AIS disruptions, should not automatically lead to disproportionate sanctions or vessel immobilisation when intent and compliance are clear.

The financial burden of mandatory digital systems is also increasing, with multiple communication channels, devices, and subscriptions required on board. The Commission should therefore explore options to improve interoperability between these systems, in order to reduce costs, avoid duplication, and minimise the risk of technical failures.

A coherent simplification strategy should address not only EU-level rules but also their national and local implementation. Duplication between control authorities and inspection regimes — maritime, labour, food safety, fiscal — creates inefficiencies and undermines the goal of better regulation.

Finally, simplification is not only a technical exercise, but also a matter of sectoral resilience. The fishing community has shown remarkable adaptability in the face of constant change, yet its tolerance is not limitless. Sustainable fisheries management also requires that the regulatory burden remains bearable, realistic, and humanly achievable.

Simplification must go hand in hand with a collaborative management model, built on trust and co-creation rather than enforcement of imposed rules. Fishers are generally willing to share data and support management actions when the framework is founded on cooperation and mutual accountability, rather than on a narrative of control. A large-scale trial of Fully Documented Fisheries (FDF), governed by only a few essential rules and carried out in partnership with the Commission, could test a simpler and more efficient management model based on trust. Real-time data collected directly by fishers could support adaptive management and provide more timely and accurate information, unlike the current system, where data often become available only after significant delays. Evidence from existing studies indicates that adopting an FDF approach could reduce reliance on gear-related technical measures. For instance, a Kattegat case study found that nearly half of the existing Technical Measures regulations could become redundant under FDF conditions[9]. Similarly, Vistools, a Belgian system currently being used for data collection, represents a promising approach to precision fisheries that could offer a viable alternative to existing and more rigid legislation.

Lastly, the NSAC welcomes the Commission's forthcoming Roadmap on Streamlining and Simplification of the DG MARE Acquis for 2025–2029, and appreciates its forward-looking initiatives and emphasis on stakeholder engagement through Implementation Dialogues, workshops, and reality checks. However, the NSAC wishes to underline that Advisory Councils already fulfil many of these consultation functions, including stakeholder engagement and policy feedback. Creating additional parallel initiatives risks fragmentation, inefficiency, and growing stakeholder fatigue. Clarification is also needed regarding the scope, purpose, and stakeholder representation within Implementation Dialogues. The NSAC proposes that stakeholders be allowed to propose topics for future dialogues, and for ACs to be formally included in all relevant discussions to ensure effective collaboration.

[9] https://www.sciencedirect.com/science/article/pii/S0308597X25000995

3 Conclusion

The NSAC wishes to thank the Commission and North Sea Member States for considering our recommendations on simplification of EU rules and remains available for further consultations on the subject. In our future advice on the topic, we commit to providing a detailed list of specific regulatory challenges in the EU fisheries acquis that hinder simplification. The Commission and Member States are invited to engage with our focus group and other fora discussing simplification to ensure that any policies are credible, relevant and legitimate.