

Ombudsman criticises Commission's error concerning cod fishing quotas

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The European Ombudsman, **P. Nikiforos Diamandouros**, has criticised the Commission for an administrative error concerning fishing quotas in the West of Scotland. This followed a complaint from a Scottish fishermen's association.

After his investigation, the Ombudsman concluded that the Commission had erroneously interchanged the data in two columns of a table contained in a document which served as a basis for the EU Regulation on fishing quotas for the year 2007. This mistake led to a 10 % reduction of fishing days allocated for a specific group of vessels in the West of Scotland. The Ombudsman called on the Commission to correct its error in order not to risk any knock-on effects for subsequent years. The Commission, however, refused to accept the Ombudsman's recommendation.

The Ombudsman commented: "The Commission's defensive approach in this case represents a missed opportunity for the institution and risks damaging the image of the Union's administration in the eyes of citizens. I hope that its follow up, which I have requested by 30 June 2010, will be more encouraging and constructive."

Administrative error led to reduction of fishing days in West of Scotland

Every year, the Council of the EU adopts a fishing plan for EU waters, which allocates a certain number of fishing days to specific groups of vessels. This includes a "Cod recovery Plan" for the protection of cod in the West of Scotland and the North Sea.

In March 2008, a Scottish fishermen's association lodged a complaint with the Ombudsman about the allocation of fishing days for 2007 for cod in the West of Scotland. The association alleged that the Commission had erroneously interchanged data in two columns of a table contained in a document that served as a basis for the relevant Council Regulation. In the case of the West of Scotland, this mistake led to a 10 % reduction, namely, from 282 to 252, of the fishing days allocated for the relevant category of vessels. According to the association, the reduction in the number of fishing days should instead have been applied to the North Sea.

In its opinion, the Commission explained that it had checked the figures and insisted that no mistake had been made. It further explained that the reduction had been discussed and



approved by the Member States.

After his investigation into the complaint, the Ombudsman concluded that the Commission had indeed made an administrative mistake in the relevant document. The Ombudsman urged the Commission to correct its error, pointing out that the mistake might have knock-on effects for subsequent years. The Commission, however, refused to accept the Ombudsman's recommendation. The Ombudsman has asked the Commission to inform him by 30 June 2010 of any action it has taken in relation to his findings.

To read the full decision, please go to:

<http://www.ombudsman.europa.eu/cases/decision.faces/en/4548/html.bookmark> [Link]