

Ombudsman welcomes Commission's acknowledgment of error concerning cod fishing quotas

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The European Ombudsman, **P. Nikiforos Diamandouros**, has welcomed the European Commission's acknowledgment of an administrative error concerning fishing quotas in the West of Scotland. This came in a letter to the Ombudsman from the new Commissioner for Maritime Affairs and Fisheries, Maria Damanaki, reversing the position the Commission had adopted during the inquiry.

The Ombudsman's investigation was based on a complaint from a Scottish fishermen's association. He concluded that the Commission had mistakenly switched data between two columns of a table that served as a basis for fishing quotas in 2007. This mistake led to a 10 % reduction of fishing days allocated for a specific group of vessels in the West of Scotland.

Mr Diamandouros commented: "I am grateful to the new Commissioner for recognising that there was indeed a mistake in this case. Errors occur in every administration. A good administration is willing to acknowledge its errors, to correct them if possible and to make sure they do not occur again. The Commissioner is to be commended for setting a good example and precedent for the services to follow in the future".

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 Council Regulation on the matter. In the case of the West of Scotland, this mistake led to a 10 % reduction of fishing days allocated, that is, from 280 to 252, 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 replies to the Ombudsman's findings, the Commission adopted the view that no mistake



had been made.

After his investigation into the complaint, the Ombudsman concluded that the Commission had indeed made an administrative mistake. The Ombudsman urged the Commission to correct its error, pointing out that the mistake might have knock-on effects for subsequent years.

With the Commission now acknowledging its error, the Ombudsman considers the institution's follow up reply to the critical remark he had to make in this case to be satisfactory.

To read the full decision, please go to:

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