

Common Fisheries Policy (CFP): Community control system for ensuring compliance with the rules of the CFP

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PURPOSE: to establish a Community control system of the rules of the Common Fisheries Policy.

PROPOSED ACT: Council Regulation.

CONTENT: the cornerstone of the Common Fisheries Policy (CFP) is to limit and control catch volumes by setting total allowable catches (TACs) and national quotas coupled with technical rules and effort schemes. The European fisheries control policy is at the heart of the CFP, because its credibility depends on effective application of this control policy. Despite some progress, the control system continues to suffer from substantial shortcomings identified by both the European Commission¹ and the European Court of Auditors (CoA). The current control system is inefficient, expensive and complex and does not produce the desired results. Accordingly, the Commission proposes a substantial reform of the control system underpinning the CFP. This initiative is a core priority for the Commission in the field of fisheries in 2008.

The basic idea of the proposal is that an efficient control policy should be global and integrated and cover all facets of the problem, from net to plate.

A new, common approach to control and inspection: although the level of compliance by fishing vessels with technical measures should not be ignored, greater attention needs to be paid to comprehensive monitoring of catches. In this context, it is, in particular, necessary to achieve:

- standardised, coordinated inspection activities and procedures at every link in the chain (at sea, in port, during transport and on marketing);
- general standards for specific control measures applicable to recovery and multiannual plans, marine protected areas and discards;
- introduction of a comprehensive traceability system;
- full use of modern technologies and efficient data validation systems in order to carry out systematic and comprehensive cross-checks of all relevant data;
- strategic programming, tactical targeting and sampling strategy; and
- use of information that makes it possible to identify risks and to streamline control.

A culture of compliance: in this context, it is necessary to focus on:

- simplification and streamlining of the legal framework;
- introduction of harmonised deterrent sanctions;
- introduction of a penalty point system for infringements committed by masters, operators or beneficial owners of a fishing licence;
- enforcement measures and accompanying sanctions;
- improved cooperation between Member States and with the Commission, including extension of the mandate of the Community Fisheries Control Agency (CFCA);
- a modern approach to transfers of data and exchanges of information, both between Member States and with the Commission or the CFCA via secure websites.

Effective application of CFP rules: in order to ensure effective application of CFP rules, the capacity of the Commission to intervene proportionately to the level of non-compliance by the Member States should be strengthened. At the same time, the management capacity of the Commission should be enhanced. The proposals include:

- redefinition of the powers of Commission inspectors;
- action plans for Member States to improve their implementation if need be;
- powers for the Commission to rectify catch figures of Member States;
- closures of fisheries on the Commission's initiative;
- more flexibility for the Commission to proceed with deductions from quotas in cases of poor quota management; and
- financial measures in cases of bad management Simplification

The proposal will lead to simplification of the relevant legislation, together with improvements in the control system. Over the years the current CFP control policy has added layers of provisions, scattered across different regulations, some of them overlapping. One objective of this proposal is to bring clarity to the applicable control rules. However, control clearly remains a complex issue and a balance has to be found between the necessary obligations which have to be maintained and the need to clarify and reduce the administrative burden for the authorities and the private sector. In this context, simplification has different facets:

- the system establishes a single ambitious framework laying down the principles governing all aspects of control, but leaving it to implementing regulations to establish detailed technical rules.
- the system sets up a single framework applying to Community operators and public authorities by standardising the rules on inspection and control (including introducing harmonised sanctions), thereby contributing to establishment of a level playing field in the EU.