Community Fisheries Control Agency and control system

2004/0108(CNS) - 28/04/2004 - Legislative proposal

PURPOSE : to promote uniform and effective application of the rules of the Common Fisheries Policy (CFP) by Member States through the establishment of a Community Fisheries Control Agency (CFCA) and the framework necessary for operational co-ordination.

PROPOSED ACT : Council Regulation.

CONTENT : this proposal calls for the creation of a Community Fisheries Control Agency (CFCA) as a key part of the drive to improve compliance with the rules under the 2002 reform of the Common

Fisheries Policy (CFP).

More specifically, this proposal stems from the combined results of the 2001 Green Paper on the reform of the Common Fisheries Policy (refer to COS/2001/2115), the Commission's action plan for the reform

of the CFP and its implementation (refer to COS/2002/2174) as well as the Communication entitled "towards uniform and effective implementation of the CFP" which launched the idea of setting up of a Community Fisheries Control Agency (CFCA) following a feasibility study (refer to INI/2003/2104). The Council and the European Parliament both supported this concept and the study. In December 2003, the European Heads of State and Government agreed on the urgency of establishing this Agency and that is was necessary to publish the proposal ahead of the results of the feasibility study. This

study, which should be available in autumn 2004, shall determine the full optimisation of the operational functioning and the structure of the Agency.

As a consequence, the Commission proposes the establishment of the CFCA in response to the abovementioned request. Its core task will be operational coordination of inspection and surveillance by Member States.

The overall objective of the proposal is to promote uniform and effective application of the rules of the Common Fisheries Policy by Member States through the establishment of a (CFCA) and the framework necessary for operational co-ordination. The CFCA will serve as an independent permanent platform for cooperation between Member States in the area of control and enforcement in accordance with Regulation 2371/2002/EC. The CFCA will organise operational coordination of inspection and surveillance activities by the competent authorities in the Member States.

It is expected that the Agency will :

- create a solid partnership with and between Member States and the Commission and that it well contributes to a Community culture of control and enforcement in the fisheries sector;

- support Member States in complying with their obligations under the CFP in the area of

cooperation and coordination of control and inspection by organising a rational deployment by Member States of pooled means of control and inspection (surveillance vessels, aircraft, vehicles and other equipment as well as inspectors and observers and other staff) in accordance with Community

objectives, benchmarks, priorities and uniform inspection procedures adopted by the Commission;

- ensure that the EU's international fisheries commitments (ICCAT and IOTC) are undertaken in as transparent and uniform a manner as possible;

- improve the relations between the Community and outside partners by centralising contact points and promoting uniform traditions and practices.

Furthermore, multinational teams shall be formed for inspection both at sea and on land; issuing instructions concerning geographical areas; stocks; fisheries and allocating which fleets should be

inspected within a given time frame. Part of the Agency's tasks could include providing contractual services to the Member States at their request and at their expense. These services may include the chartering and operation of surveillance vessels and the contracting of observers for joint use.

Other tasks will include:

- assisting the Member States in the training of inspectors,

- the joint procurement of goods for control and inspection (gauges/electronic logbooks),

- the co-ordination of joint pilot projects for testing new control and inspection technologies,

- the development of joint operation control and inspection procedures,

- elaboration of criteria for provision and exchange of means of control and inspection.

To help the Agency in its tasks, an EU fisheries monitoring centre using satellite tracking technology

to provide information regarding the location and movements of EU vessels will be established.

The Agency shall be composed of an Administrative Board made up of representatives of the European Commission, the Member States and the fishing industry. Only those Member States which have fishing vessels that engage in marine fisheries are entitled to appoint a representative The Board

will establish a Work Programme for the Agency; an Executive Director and a staff of 49. Its seat shall be based in Vigo Spain.

FINANCIAL IMPLICATIONS :

Budget line : 110704 Community Fisheries Control Agency (new budget line);

Total allocation for action : EUR 4.9 million for commitment in 2006 increasing to approximately EUR 5.0 million when the Agency is fully operational;

Period of application : as from 2005.

Overall multiannual estimate of expenditure : 11070401 - Human resources and administrative costs of the CFCA : this appropriation is intended to cover the costs of the CFCA's staff and administrative expenditure : EUR 3,8 million in 2006; EUR 4,8 million in 2007 and the following years (costs include buildings and related administrative expenditure (postal charges, telecommunications, IT, etc.) and cover two meetings per year of the Administrative Board of 25 members (EUR 40,000 per year); 11070402 -

Operational costs : this appropriation is intended to cover operational expenditure, which includes installation of computer equipment, meetings and missions. It is estimated that the operational costs would amount to EUR 110,000 in 2006, rising to EUR 220,000 in subsequent years. The costs are higher in the first year mainly as a result of expenditure on computer hardware necessary for the establishment of the fishing monitoring centre. It is estimated that this hardware, together with costs related to its installation and programming will amount to EUR 1 million in the first year.

Human resources : the expenditure is based on a total staff of 38 in the first year rising to 49 in the second year. 9 Commission officials on secondment (6 managerial and administrative posts and 3 performing tasks that in the future will be undertaken by the CFCA) and 40 contractual agents.