

Community Fisheries Control Agency and control system

2004/0108(CNS) - 28/04/2004 - Document attached to the procedure

COMMISSION'S IMPACT ASSESSMENT

For further information regarding the context of this issue, please refer to the summary of the Commission's proposal for a Council Regulation establishing a Community Fisheries Control Agency (CFCA) – COM(2004)0289.

1- POLICY OPTIONS AND IMPACTS : The Commission considered :

1.1- Option 1 - Organisation of co-operation through an Agency: The organisation of operational coordination of inspection and surveillance activities and cooperation carried out by Member States requires a Community mechanism based on an Agency which functions as a permanent platform ensuring operational cooperation and coordination between Member States. This mechanism will be activated in all cases where it is opportune for the achievement of Community objectives.

1.2- Option 2 - Alternative options: Alternative solutions based on voluntary cooperation between Member States and mutual cooperation between Member States without the support of an Agency do not offer sufficient guarantees for consistent and lasting results in terms of effective operational coordination of rational deployment of national means of inspection and surveillance. For Member States to operate individually is costly and wasteful of resources. Sometimes there may be duplication of effort and on other occasions an absence of inspection and surveillance means.

CONCLUSION: By organising deployment at a Community level (*Option 1*), a better spread of deployment will be achieved, thus creating a wider coverage. Value can also be added through the joint procurement and chartering of vessels.

IMPACTS: A strengthening of control and enforcement through the optimisation at the level of the Community of the use of the existing means of inspection and surveillance contributes to the achievement of conservation objectives by uniform and effective implementation of the conservation and control measures applicable to stocks outside safe biological limits. The proposal will, therefore, **positively contribute to sustainable exploitation of depleted stocks.**

Sustainable exploitation of fish stocks is crucial for the medium and long term future for fishermen and the fish processing industry as a whole. Ineffective control and enforcement contributes to investments based on undeclared catches and results in distortions in the industry. Indeed, investments in the fishing industry as a whole must be based on legitimate future fishing opportunities.

The fishing industry demands a genuine level playing field in the Community. The creation of a Joint Inspection Framework (JIF) and the establishment of a CFCA will contribute to the establishment of such a **level playing field** as well as a truly European culture of control and enforcement.

Its independence from the Commission in its capacity as “controller of the controllers” will permit the CFCA to establish a **sound relationship with the national competent authorities** in Member States regarding the organisation of control and inspection by Member States.

The establishment of the CFCA will also **improve the relations between the Community and outside partners** by centralising contact points and promoting uniform traditions and practices.

The impact of the proposed measures will be felt firstly from an environmental or ecological perspective through the **improvement in the state of certain important fish stocks**.

By bringing fishing capacity into balance with the fishing possibilities will create a more stable setting for the fisheries sector to achieve the **economic sustainability**.

The **beneficial social impact** will be reinforced through closer stakeholder involvement and encourage a greater commitment from fishermen to the development of the policy and its implementation.

2- FOLLOW-UP: The activities of the CFCA will be set out in detail in its Work Programme to be established every year by the Administrative Board in close co-operation with the Commission and Member States. The Executive Director will be responsible for organising an effective monitoring system in order to compare the CFCA's achievements with its operational objectives.

The CFCA, in line with its founding regulation, will have to produce every year a general report on its activities for the previous year which will be forwarded to the Member States, the European Parliament, the Council and the Commission. This report will present all specific actions undertaken by the CFCA and will provide elements for the evaluation of the actions undertaken under the proposed revision of the CFCA Regulation.

Within three years from the date of the CFCA having taken up its responsibilities, the Administrative Board shall commission an independent external evaluation. Thereafter, the activities of the CFCA will be evaluated on a regular basis, but at least every six years.