Common Fisheries Policy CFP: Community financial measures for the implementation of the Fisheries Policy and of the Law of the Sea 2007-2013

2005/0045(CNS) - 06/04/2005 - 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 initial proposal (COM(2005)0117) for a Community financial measures for the implementation of the Fisheries Policy and of the Law of the Sea.

1- POLICY OPTIONS AND IMPACTS : There are two possible policy and regulatory options to reach the objectives pursued by this proposal.

1.1- Option 1 – the extension of the validity of those legal instruments that expire on 31.12.2006 while proposing at the same time a new legal basis for scientific advice: From a legislative point of view, the financing of the CFP for the period 2007-2013 will be supported by a series of different legal instruments covering structural policy actions, control and enforcement, conservation, data collection, scientific advice and governance. International policy actions will continue to be supported by the existing legal framework (Council Decisions concluding new fisheries agreements, Council Decisions renewing fisheries protocols based on existing fisheries agreements, Council Decisions allowing the Community to become a contracting party to regional fisheries management organisations).

This option would have the advantage of the roll-over of the existing rules and frameworks to which the national administrations and other beneficiaries of Community financial interventions are accustomed to. However, the existing situation characterised by a multitude of legal instruments, is not compatible with the requirements of simplification of Community legislation, better regulation and sound financial management. Current rules and frameworks for Community financing do not always comply with all those requirements and needs.

This option was rejected by the Commission at an early stage of the preparation of the financial perspectives package.

1.2- Option 2 – the regrouping together in one legal text, the different legal instruments currently in place on Community financing on control and enforcement, data collection and fisheries governance: Rules for Community financing related to scientific advice will be added. The proposal foresees the adoption of implementing Commission Regulations where detailed rules and provisions will be laid down, to take account of the specific characteristics of each domain eligible for Community support. This option has the "disadvantage" that the beneficiaries and the interested parties in each domain of the CFP identified as needing Community financial support, will not find their "own" legal instrument to work with. They will not be in a position to negotiate at the level of the Council, the inclusion of provisions and procedures compatible with the "specificity" of control and enforcement as against data collection for example. Nevertheless, this is the option retained by the Commission.

IMPACTS: This impact assessment does not have as an objective to assess the impacts of the CFP policy domains that will be financed by the Community budget, since this analysis has already taken place in the context of the CFP reform adopted in 2002. However, it is worth recalling the impacts that will result from the implementation of the CFP if supported by Community financial interventions.

- Control and enforcement: The main objective of the CFP – the sustainable exploitation of marine resources – will never be reached if rules regarding conservation are not applied in an overall and consistent manner. To do this, it will be necessary to strengthen control measures whether from the point of view of infrastructure, remote control technologies or training. Financial support given in the past yielded good results, because the Member States' control authorities were able to improve their infrastructure or equip themselves with new technologies. Thanks to the support of the Member States and the inspection activities which will be organised and implemented by the Fisheries Control Agency, it will be possible to apply the CFP rules in a strict and uniform way. This will lead to the detection of a greater number of infringements including cases of over-fishing.

The operation of the Control Agency will improve the transparency of the implementation of the rules of the CFP and, in particular, inspection and surveillance activities (availability of sufficient means, qualitative and quantitative results of inspections, etc). A direct effect will be felt in terms of the application of the recovery and management Plans. The specific monitoring programmes to be coordinated by the Agency will underpin these plans through the development of coherent strategies, which ensure that inspections are as effective and economical as possible.

In the long-term the strengthening of the overall control and enforcement framework of the CFP will lead to a more effective implementation of the rules of the CFP (higher compliance levels, improved reliability of catch data, etc). This will strengthen the trust and confidence of fishermen to the CFP. 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. This will in turn have a beneficial economic and social impact for the fishing industry.

- Data collection: As indicated in the Commission's first report on the implementation of the Council Regulation 1543/2000, a common data collection system is already proving to be effective in respect of biological data. The collection of economic data has become obligatory from 2004. Standardized presentation of national data will make it easier for scientists to provide advice on fisheries management. The addition of environmental impact data in the coming years will provide an essential tool for assessing the degree of integration of environmental protection requirements into the common fisheries policy stock. Closer cooperation between national fisheries research institutes (such as through joint stock surveys) will provide significant economies of financial and human resources.

The data that are going to be collected with the help of Community financial support will also improve fleet management by the Community because they contribute to the evaluation of the activities of the various fishing fleets and of the changes in their fishing power.

Last but not least, the data collected will also contribute to the evaluation of the economic state of the European fishing fleets, aquaculture and processing industries. Good quality data will lead to better fisheries management decisions which will contribute to the conservation of fish stocks and the protection of the marine ecosystems. Healthy marine ecosystems will bring in the longer-term economic and social benefits for the fisheries sector.

- Scientific advice: The development of Community instruments for programming and funding scientific advice to fisheries managers is expected to promote the concentration of scientific expertise on the most pressing management problems while at the same time providing additional financial and human resources for this essential activity. The establishment of a common priority programme for scientific advice (similar to the mandatory programme for data collection) should allow the transfer of scarce human resources from less important research work. Community co-financing of priority scientific advice will allow national research institutes to recruit additional staff for these tasks.

Good quality and timely scientific advice will help minimise biological risks for the fish stocks and related ecosystems and will improve fisheries management with benefits for the ecosystem and for the fisheries sector.

- Governance: The strengthening of good governance structures will increase stakeholder involvement in the fisheries management process. It will create the necessary conditions for greater compliance with CFP rules by fishermen since the latter will be closely associated to the various stages of elaboration of Commission conservation and management measures.

- International fisheries relations and the Law of the Sea: Community financing in support of international fisheries policy and the law of the sea will strengthen the Union’s international standing in the UN bodies and the regional fisheries organisations. It will confirm its role as a leading power promoting sustainable fisheries and fighting illegal fishing practices also outside Community waters.

2- FOLLOW-UP: The actions financed under this Regulation will be monitored regularly. The Commission shall ensure the regular, independent and external evaluation of the actions financed. The Commission will submit to the European Parliament and the Council:

- An interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the actions financed under this Regulation no later than 31 March 2011;

- A Communication on the continuation of the actions financed under this Regulation no later than 30 August 2012;

- An ex-post evaluation report no later than 31 December 2014.

As far as the Fisheries Control Agency is concerned, the Commission proposal which was adopted by the Council foresees an evaluation clause according to which the Agency shall submit itself to an independent external evaluation within five years form the date on which it takes up its responsibilities, and every five years thereafter.