

Basic information	
<b>2003/0238(CNS)</b> CNS - Consultation procedure Decision	Procedure completed
Common Fisheries Policy CFP: establishment of Regional Advisory Councils  Repealed by <a href="#">2011/0195(COD)</a>	
<b>Subject</b>  3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	 Fisheries		Ó NEACHTAIN Seán (UEN)	25/11/2003
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	 Budgets		DÜHRKOP DÜHRKOP Bárbara (PSE)	26/11/2003
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Agriculture and Fisheries		2599	2004-07-19
	Agriculture and Fisheries		2584	2004-05-24
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Maritime Affairs and Fisheries			

Key events			
Date	Event	Reference	Summary
15/10/2003	Legislative proposal published	<a href="#">COM(2003)0607</a> 	Summary
05/11/2003	Committee referral announced in Parliament		
16/03/2004	Vote in committee		Summary
16/03/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0167/2004</a>	
01/04/2004	Decision by Parliament	<a href="#">T5-0269/2004</a>	Summary

19/07/2004	Act adopted by Council after consultation of Parliament		
19/07/2004	End of procedure in Parliament		
03/08/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0238(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Repealed by <a href="#">2011/0195(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/20223

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0167/2004</a>	16/03/2004	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0269/2004</a> OJ C 103 29.04.2004, p. 0683-0806 E	01/04/2004	<a href="#">Summary</a>
<b>European Commission</b>				
Document type		Reference	Date	Summary
Legislative proposal		<a href="#">COM(2003)0607</a> 	15/10/2003	<a href="#">Summary</a>
Document attached to the procedure		<a href="#">COM(2008)0364</a> 	17/06/2008	<a href="#">Summary</a>
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0321/2004</a> OJ C 110 30.04.2004, p. 0108-0110	25/02/2004	

Additional information		
Source	Document	Date

European Commission	<a href="#">EUR-Lex</a>	
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## Final act

[Decision 2004/0585](#)  
[OJ L 256 03.08.2004, p. 0017-0022](#)

[Summary](#)

# Common Fisheries Policy CFP: establishment of Regional Advisory Councils

2003/0238(CNS) - 19/07/2004 - Final act

PURPOSE : to establish Regional Advisory Councils under the Common Fisheries Policy.

LEGISLATIVE ACT : Council Decision 2004/585/EC establishing Regional Advisory Councils under the Common Fisheries Policy.

CONTENT : the Council adopted this Decision establishing seven Regional Advisory Councils under the CFP. The reform of the CFP adopted in December 2002 provided for RACs in order to improve governance within the CFP and specified that the Council would decide on the establishment of a RAC. RACs offer the opportunity for stakeholders to be more closely involved in the development of the CFP.

The new RACs are as follows :

- Baltic Sea;
- Mediterranean Sea Maritime Waters of the Mediterranean of the East of line;
- North Sea;
- North Western waters;
- South Western waters;
- Pelagic stocks (blue whiting, mackerel, horse mackerel, herring);
- High seas/long distance fleet All non EC-waters.

Regarding the structure, each RAC shall consist of a general assembly and an executive committee. The general assembly shall meet at least once a year to approve the annual report and the annual strategic plan drawn up by the executive committee. The general assembly shall appoint an executive committee of up to 24 members. The executive committee shall manage the work of the Regional Advisory Council and adopt its recommendations.

On the functioning of the RACs, they shall adopt the measures necessary for their organisation including, as appropriate, a secretariat and working groups. They shall also ensure transparency in all stages of their decision-making process. Recommendations adopted by the executive committee shall be made available immediately to the general assembly, the Commission, Member States concerned and, upon request, to any member of the public. The members of the executive committee shall, where possible, adopt recommendations by consensus. If no consensus can be reached, dissenting opinions expressed by members shall be recorded in the recommendations adopted by the majority of the members present and voting. Upon receipt in writing of the recommendations, the Commission and, where relevant, the Member States concerned shall reply precisely to them within a reasonable time period and, at the latest, within three months. Each Regional Advisory Council shall designate a chairperson by consensus. The chairperson shall act impartially. The Member States concerned shall provide the appropriate support, including logistical help, to facilitate the functioning of a Regional Advisory Council.

On the reporting and auditing of the RACs, each Regional Advisory Council shall transmit an annual report of its activities to the Commission, the Member States concerned and the Advisory Committee on Fisheries and Aquaculture before 31 March of the year following the year covered by the report.

Lastly, the financial reference amount for the implementation of this action for the period 2004 to 2011 shall be EUR 7 596 000. For the period following 31 December 2006, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial perspectives in force for the period commencing in 2007. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

ENTRY INTO FORCE : 10/08/2004.

# Common Fisheries Policy CFP: establishment of Regional Advisory Councils

2003/0238(CNS) - 01/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Seán ONEACHTAIN (UEN, IRL) amending the proposal. The European Parliament argues, however, that the Commission's proposal is far too timid, especially as regards financing. The Commission's proposal foresees giving a maximum of EUR 100,000 to each of the 6 new RACs in the first year, phasing out all financing after 3 years. MEPs support a maximum of EUR 500,000, thereby giving RACs the capacity to conduct their own research. They also argue that RACs - as non-profit organisations - will require permanent financial support, not just short-term help. The creation of two additional RACs concerning the stocks of tunas and distant waters was proposed by the Parliament. The Parliament also called for a clearer status for RACs, each of which should be a "legally incorporated non-commercial body" registered in a Member-State. Other amendments gave RACs powers to send observers to any meetings, at national or EU level, where stocks in their geographical area are being discussed. MEPs also underlined that the Commission should be present at all RAC meetings.

# Common Fisheries Policy CFP: establishment of Regional Advisory Councils

2003/0238(CNS) - 17/06/2008

This report presents the Commission's analysis and evaluation of the current framework for the functioning of the Regional Advisory Councils (RACs). It also deals with the RACs' input to the Common Fisheries Policy (CFP), highlights current trends and proposes improvements to the consultation process. The Commission's evaluation does not examine the possible development of the RACs' role in the CFP governance system, as defined by Council Regulation No 2371/2002. This should be done in the context of the next CFP reform.

The document makes an **evaluation of the main elements of the general framework** of RACS. The main points are as follows:

- the Commission's view is that, overall, the current **geographical coverage** is satisfactory and that there is no need for additional RACs to be set up. RACs should make use of the possibility of establishing sub-divisions to deal with specific issues;
- on **membership**, with regard to the fisheries sector, participation by grassroots interests has not been as significant as had been hoped. With regard to other interests, the Commission would like to see more active participation by aquaculture producers, recreational and sports fishermen and consumers, given the role that these stakeholders play in current policy and market trends affecting the CFP. A number of groups whose membership includes interests from the fisheries sector have asked to join RACs as "other interests". The proliferation of such organisations seeking seats on the Executive Committees is a cause of concern for the Commission, as it risks upsetting the current balance of interests;
- the paper discusses possible adaptations to the current **composition rule** for the general assembly, and for the executive committee. While recognising that RACs should be composed mainly of fishermen, the Commission believes that effective participation by all other interests is essential. To encourage other interest groups to join the RACs, discussions should include broader issues, such as eco-labelling and market trends;
- the Commission examines issues of transparency. It points out that **internal rules of procedure** are not always detailed enough to avoid conflicts of interpretation, provide solutions and guarantee a balance between the different groups. The Commission could propose relevant guidelines to the RACs based on best practice;
- with regard to **participation by non-members**, the Commission looks at the involvement of scientists, Member States and its own experts, and representatives from third countries, as well as the Advisory Committee on Fisheries and Aquaculture (ACFA).

The document goes on to look at the **input of RACs to the CFP decision-making process**. Overall, the RACs have helped soften hostility towards the CFP, thus facilitating further direct contacts between stakeholders, EU officials, Member States and scientists. However, the RACs are still going through a learning process. In order to agree on common recommendations, stakeholders first need to develop new working methods. Some RACs have benefited from existing regional initiatives, while in other areas/sectors such structures are unprecedented and have faced serious capacity development challenges. This explains why the RACs were not all established at the same time and have not developed their activities at the same pace.

The Commission goes on to examine its **follow-up of RAC advice**, which depends on whether that advice is compatible with CFP objectives and sustainable fisheries. The Commission has repeatedly explained that it cannot follow RAC recommendations when they depart significantly from scientific advice or contradict international obligations or Community long-term management plans. It recognises that it needs to establish clear guidelines, indicating the benchmarks used to evaluate the quality of RAC advice. It looks at possible ways to improve the quality and timeliness of RAC advice.

The Commission concludes that the **current legal framework is generally satisfactory**. There may now be some scope for improvement or clarification of certain provisions of the Decision, and the Commission would like to discuss these issues with all interested parties before eventually proposing amendments.

However, a number of actions can also be implemented in the short term to improve RAC functioning without the need for new legal rules. The Commission will therefore:

- encourage participation by a wider range of stakeholders, by promoting the organisation's image and role;
- improve RACs' access to scientific evidence and data, so that they can fully benefit from the MoU with ICES and from the provisions of the new data collection regulation;
- involve the RACs in reflection on the long-term development of the CFP, including by means of dedicated study trips;
- improve the consultation process by involving the RACs at an earlier stage, giving them sufficient time to respond and providing them with clearer and more easily accessible documents;
- propose benchmarks to improve the consistency of RAC advice with CFP objectives. The Commission will also consider organising annual debriefing meetings with the RACs to discuss its follow-up of their advice;
- improve the visibility of the RACs through the Commission's website; and,
- propose guidelines on the rules of procedure and financial management of Community co-financing;

Despite the difficulties encountered in the start-up phase, the RACs have already made a positive contribution to the development of the CFP.

## **Common Fisheries Policy CFP: establishment of Regional Advisory Councils**

2003/0238(CNS) - 15/10/2003 - Legislative proposal

**PURPOSE** : to establish Regional Advisory Councils under the Common Fisheries Policy. **PROPOSED ACT** : Council Decision. **CONTENT** : with the aim of improving governance within the Common Fisheries Policy (CFP), Regional Advisory Councils have been provided for in the framework of the CFP reform, particularly in Council Regulation 2371/2002/EC on the conservation and sustainable exploitation of fisheries resources under the CFP. This Regulation lays down certain principles which require further development if they are to provide a general framework that will serve as a basis for the establishment of Regional Advisory Councils by stakeholders. Even though stakeholders will be responsible for the operation of Regional Advisory Councils, it is necessary that they comply with this general framework in order to ensure a consistent and balanced approach amongst the Regional Advisory Councils. The Decision focuses on the main aspects that should be clarified at Community level: the definition of the areas to be covered, the main structure of Regional Advisory Councils, their composition, functioning, appointment procedure and financing. On the basis of the criteria laid down in this Decision, stakeholders will submit a request for the establishment of a Regional Advisory Council to the Member States concerned by the Regional Advisory Council and to the Commission for verification and approval. These Regional Advisory Councils are also meant to enhance the dialogue between the different interests concerned with the CFP. Building mutual trust between scientists and fishermen would certainly contribute to improving the transparency of scientific advice. In defining the structure of the Regional Advisory Councils, it is necessary to find a balance between efficiency of discussions and inclusiveness of all parties with a real interest. The Commission proposes that the Regional Advisory Councils consist of a general assembly, which will appoint an executive committee, restricted in size but with a balanced representation of all interests affected by the CFP. Member States are best placed to appoint the representatives of the various interests that will be members of the general assembly. Participants in the Regional Advisory Councils will be considered as members, observers or experts. Another important point is that some meetings will be open to the public. With regard to the financing of Regional Advisory Councils, the aim is that they become self-financing in the long-term. The Commission proposes that a Regional Advisory Council be established for each of the following: - Baltic Sea; Mediterranean Sea; North Sea; North Western waters; South Western waters; Pelagic stocks (blue whiting, mackerel, horse mackerel, atlanto-scandic herring). **FINANCIAL IMPLICATIONS** : - Budget line : B2-903 (110401) : closer dialogue with the fishing industry and those affected by the common fisheries policy. - Total allocation for action : Estimate of expenditure for the period 2004-2009 = EUR 2.278 million in commitment appropriations.