

Basic information	
<p><b>2005/0045(CNS)</b></p> <p>CNS - Consultation procedure Regulation</p>	Procedure completed
<p>Common Fisheries Policy CFP: Community financial measures for the implementation of the Fisheries Policy and of the Law of the Sea 2007-2013</p> <p>Repealed by <a href="#">2011/0380(COD)</a> Amended by <a href="#">2010/0080(COD)</a></p> <p><b>Subject</b></p> <p>3.15 Fisheries policy</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">PECH</a> Fisheries		STIHLER Catherine (PSE)	25/04/2005
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<a href="#">BUDG</a> Budgets		TRÜPEL Helga (Verts/ALE)	09/06/2005
	<a href="#">ENVI</a> Environment, Public Health and Food Safety		The committee decided not to give an opinion.	
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Agriculture and Fisheries		2730	2006-05-22
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Maritime Affairs and Fisheries			

Key events			
Date	Event	Reference	Summary
06/04/2005	Legislative proposal published	COM(2005)0117 	<a href="#">Summary</a>
26/05/2005	Committee referral announced in Parliament		
24/11/2005	Vote in committee		<a href="#">Summary</a>

28/11/2005	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0340/2005</a>	
14/12/2005	Debate in Parliament		
15/12/2005	Decision by Parliament	<a href="#">T6-0522/2005</a>	<a href="#">Summary</a>
15/12/2005	Results of vote in Parliament		
22/05/2006	Act adopted by Council after consultation of Parliament		
22/05/2006	End of procedure in Parliament		
14/06/2006	Final act published in Official Journal		

Technical information	
Procedure reference	2005/0045(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by <a href="#">2011/0380(COD)</a> Amended by <a href="#">2010/0080(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/27716

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		<a href="#">PE364.682</a>	17/10/2005	
Committee opinion	<a href="#">BUDG</a>	<a href="#">PE362.627</a>	25/10/2005	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0340/2005</a>	28/11/2005	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0522/2005</a>	15/12/2005	<a href="#">Summary</a>
<b>European Commission</b>				
Document type	Reference	Date	Summary	
Legislative proposal	<a href="#">COM(2005)0117</a> 	06/04/2005	<a href="#">Summary</a>	
Document attached to the procedure	<a href="#">SEC(2005)0426</a> 	06/04/2005	<a href="#">Summary</a>	
Commission response to text adopted in plenary	<a href="#">SP(2006)0053</a>	12/01/2006		
<b>Other institutions and bodies</b>				

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1490/2005 OJ C 065 17.03.2006, p. 0038-0040	15/12/2005	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2006/0861 OJ L 160 14.06.2006, p. 0001-0011	<a href="#">Summary</a>

## 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) - 22/05/2006 - Final act

PURPOSE: the establishment of financial measures in order to implement the Common Fisheries Policy (CFP) and the Law of the Sea.

LEGISLATIVE ACT: Council Regulation 861/2006/EC establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

CONTENT: the Council unanimously adopted this Regulation, which establishes the framework for Community financial measures for implementing the CFP as well as the Law of the Sea. This Regulation has been agreed upon in order to make Community financial intervention in this sector more effective. It introduces streamlined, uniform and co-ordinate procedures both within the Community and in relations with third countries and international organisations. It also provides for greater consistency amongst the varying programmes. A further purpose of this Regulation is to ensure that the objectives of the reformed CFP fit in with the orientations of the financial framework for the period 2007-2013. Community expenditure may take the form of either: a financing decision; a Community grant agreement; a public procurement contract; a Memoranda of Understanding; or an administrative arrangement compatible with Regulation 1605/2002/EC.

The Regulation applies to:

- the control and enforcement of the CFP;
- conservation measures, data collection and improvement of scientific advice concerning the sustainable management of fisheries resources within the scope of the CFP;
- the governance of the CFP; and
- international relations in the area of the CFP and the Law of the Sea.

For each of these categories the Regulation sets out and establishes: General Objectives; Specific Objectives; Financial Measures; Rates of co-financing; and Financing procedures.

### The control and enforcement of the CFP

The specific objectives in the area of control and enforcement will be to improve fishing activities and to ensure effective implementation of the CFP through capacity building and identifying weaknesses in Member States' fishing control. To realise these objectives expenditure will be given to the Member States to purchase, for example, modernised equipment needed to control the enforcement of the CFP. Funding will also be granted for civil

servant training and exchange programmes and for pilot inspections and observation schemes. Expenditure related to inspection by Commission inspectors will also be covered by this Regulation. As far as co-financing rates are concerned, Community financial measures will not exceed 50% of the cost of the eligible public expenditure incurred in carrying out a programme.

#### **Conservation measures, data collection and improvement of scientific advice.**

In the area of basic data collection, expenditure will cover actions such as:

- evaluating the activities of the various fishing fleets,
- estimating the total volume of catches per stock and vessel group,
- estimating the abundance and distribution of stocks,
- evaluating the impact of fishing activities on the environment, and
- evaluating the economic and social situation of the processing and aquaculture industry.

It will also include expenditure on collecting information relating to income from sales and production costs. Concerning "scientific advice" the Regulation foresees funding for partnership contracts with national research institutions and the Joint Research Centre. As regards co-financing rates, Community financial measures and the rate of co-financing will not exceed 50% of the cost of the eligible public expenditure incurred in carrying out a programme.

#### **Governing the CFP**

In the area of governance the kind of activities eligible for Community expenditure will include, amongst others, travelling and accommodation costs for members of the European Trade Organisation (ACFA); the cost of ACFA participation at the meetings of the Regional Advisory Councils (RAGs); and providing wide access to data relating to the CFP through the DG Fisheries Internet website. As regards financing, drawing rights will be allocated to each trade organisation, which is a member of the ACFA plenary.

#### **International relations and the Law of the Sea**

The following expenditure will be eligible for Community funding under the terms of this Regulation:

- expenditure arising from fishing agreements,
- expenditure arising from Community compulsory contributions to the budgets of international organisations;
- expenditure incurred through voluntary membership of the United Nations;
- voluntary contributions for new international organisations or international treaties;
- voluntary contributions to scientific work or programmes carried out by international organisations; and
- financial contributions to activities upholding the interest of the Community in international organisations

Lastly, special provisions are foreseen to protect the Community's financial interests such as audits and financial corrections. Actions financed under this Regulation will be monitored regularly through independent external evaluations. In addition, the Commission will submit an interim evaluation report on this Regulation no later than 31 March 2011. It will also prepare a Communication on the continuation of the actions financed under this Regulation no later than 30 August 2012. An ex-ante evaluation report will be submitted by 31 December 2014.

ENTRY INTO FORCE: 4 July 2006. It will apply as from 1 January 2007 until 31 December 2013.

## **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) - 15/12/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Catherine **STIHLER** (PES, UK) and made some amendments to the proposal:

- the introduction and operating costs of VMS and other surveillance in third countries are specifically included;
- the specific objectives of the Community financial measures are set out, in line with the Council Conclusions of 19 July 2004 regarding Fisheries Partnership Agreements;
- there is an explicit commitment to data collection for Environmental Impact Assessment (EIA) of new fisheries, (which currently only applies to aquaculture), and Strategic Environmental Assessment (SEA) of fisheries programmes and measures;

-one amendment provides funding for RACs for operating costs beyond the initial period of five years and funding so that they might be able to commission scientific advice;

-funding must also be provided for expenditure relating to the establishment and promotion of associations representing small-scale coastal fishing and its involvement in the common fisheries policy decision-making process;

-expenditure on agreements with third countries must be subject, in the case of each agreement, to the level of expenditure proposed being recommended as providing value for money by an evaluation report on the agreement including full justification for all expenditure;

-by 31 December 2009, Council must adopt a framework regulation on third country fisheries agreements based on a proposal from the Commission. It must specify general objectives for agreements, procedures for their negotiation and administration, and include criteria for their evaluation with respect to value to the Community, their coherence with other Community policies including development and environment, and their environmental, economic and social sustainability;

-summaries and aggregated data shall be published by the Commission;

-every fisheries partnership agreement or fisheries agreement shall contain a mechanism allowing the Commission to ascertain whether or not the monies paid to the third country have been disbursed in the manner designated by the agreement.

## **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 - Legislative proposal

PURPOSE: to establish Community financial measures for the implementation of the Common Fisheries Policy and in the area of the Law of the Sea.

PROPOSED ACT: Council Regulation.

CONTENT: this proposal aims to establish the framework for financial interventions for the implementation of the CFP in addition to the proposal for a Council Regulation on the European Fisheries Fund. Interventions are planned in particular in the following areas: control and enforcement, conservation measures, data collection and improvement of scientific advice, governance, international relations and the Law of the Sea. The present proposal will regroup existing legal instruments with a view to making Community financial interventions for the implementation of the CFP more effective, transparent and easier to manage, both for the Commission and for the competent authorities of the Member States and other beneficiaries, in accordance with the principle of sound financial management and the rules laid down in the financial regulation and in line with the requirements of better regulation and simplification of Community legislation.

The proposed Regulation shall contribute to improving the conditions for implementing financial interventions in each of these areas by setting specific objectives for each of them. These objectives can be summarised as follows:

- As regards control and enforcement, the aim is to improve the control of fishing activities in order to combat those fishing activities that are damaging the conservation of resources within and outside Community waters, by providing Community financial support to Member States to reduce weaknesses in their fisheries control programmes; by evaluating and controlling the application by the Member States of the rules of the CFP, and by assisting coordination of control measures, particularly with regard to the joint deployment of national inspection and surveillance systems by means of the Community Fisheries Control Agency.

- As regards the area of data collection and scientific advice the objective is to provide Community support for the collection and management of the data needed to evaluate the state of fisheries resources and the fishing industry, within and outside Community waters, by providing Community financial support to the Member States to establish multi-annual aggregated and science-based data sets which incorporate biological, environmental and economic information. In the area of governance, interventions shall provide information and ensure the involvement of stakeholders at all stages of policy development up to and including implementation.

- In the area of international relations interventions shall provide Community financial support for the conclusion of fisheries agreements with third countries, including partnership agreements, and participation in international organisations relating to fisheries or the law of the sea, contributing to the improvement of the sustainability of the fisheries resources in third country waters and on the high seas.

**For a more detailed assessment of the budgetary implications of this proposal, please refer to the financial statement.**

## **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 from the date on which it takes up its responsibilities, and every five years thereafter.