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**COMMUNITY FISHERIES CONTROL AGENCY**  
**Administrative Board**

**WORK PROGRAMME OF THE  
COMMUNITY FISHERIES CONTROL AGENCY  
FOR YEAR 2008**

**Adopted by the Administrative Board at its 6<sup>th</sup> meeting  
Brussels – 17 October 2007**

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## **ABBREVIATIONS**

<b>BFT</b>	Bluefin Tuna
<b>CA</b>	Conventional Area
<b>CFP</b>	Common Fisheries Policy
<b>CFCA</b>	Community Fisheries Control Agency
<b>FAO</b>	Food and Agriculture Organisation
<b>FMC</b>	Fisheries Monitoring Centre
<b>ICCAT</b>	International Commission for the Conservation of the Atlantic Tuna
<b>ICT</b>	Information and Communication Technologies
<b>IUU</b>	Illegal, Unregulated and Unreported fishing
<b>JDP</b>	Joint Deployment Plan
<b>JISS</b>	Joint Inspection and Surveillance Scheme
<b>MCS</b>	Monitoring, Control and Surveillance
<b>MSY</b>	Maximum Sustainable Yield
<b>NAFO</b>	Northwest Atlantic Fisheries Organisation
<b>NAFO CEM</b>	NAFO Control and Enforcement Measures
<b>NEAFC</b>	Northeast Atlantic Fisheries Commission
<b>RA</b>	Regulatory Area
<b>RAC</b>	Regional Advisory Council
<b>RFMO</b>	Regional Fisheries Management Organisation
<b>TJDG</b>	Technical Joint Deployment Group
<b>YMS</b>	Vessel Monitoring System

## **1. Introduction**

### **1.1. Community Fisheries Control Agency**

The CFCA has been established by Council Regulation (EC) No. 768/2005 of 26 April 2005<sup>1</sup>.

After having ensured its initial set up in Brussels, the CFCA will relocate to its seat at Vigo, Spain, by April 2008. The CFCA is currently in the process of completing its basic administrative and financial structures and recruiting staff to the levels initially foreseen.

The CFCA's Administrative Board was constituted at its first meeting held on 1 February 2006. At its second meeting held on 14 June 2006 in Vigo, the Administrative Board appointed the Executive Director of the CFCA. The Executive Director has taken up his function as from September 2006.

A first meeting of the Advisory Board of the CFCA took place on 15 September 2006. The Advisory Board concluded that, provisionally, the Chairman of the North Sea RAC is appointed to take part in the deliberations of the Administrative Board without the right to vote.

The first Annual Work Programme of the CFCA was adopted by the Administrative Board on 27 October 2006. The CFCA has assumed its operational competence in relation to the coordination of control, inspection and surveillance activities in the NAFO RA starting in the end of January 2007, and the coordination of Member States' efforts in the Baltic Sea area to implement joint inspection and surveillance campaigns as from the beginning of May 2007. Furthermore it adopted the first Joint Deployment Plan (JDP) in relation to the cod recovery plan in the North Sea and adjacent areas on 13 July 2007.

### **1.2. Mission, tasks and organisation**

The Community control and enforcement system, laid down in Chapter V of Regulation (EC) No. 2371/2002<sup>2</sup>, stipulates the distribution of responsibilities for fisheries control and enforcement between the Commission and Member States. The Member States are primarily responsible for control and enforcement of the rules of the CFP whilst the Commission is responsible for the monitoring and enforcing of the correct application of these rules by Member States. The establishment of the CFCA does not affect this distribution of responsibilities.

In accordance with its competences, the CFCA shall promote uniform and effective application of the rules of the CFP primarily through the organisation of operational cooperation between Member States in the area of control and inspection. Moreover, the CFCA will provide support in the area of monitoring, control and surveillance (MCS) of fishing activities in the form of elaborating harmonised inspection procedures, training modules, developing control and inspection methodologies, etc. This support will promote the uniform application of the rules of the CFP.

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<sup>1</sup> OJ L 128, 21.5.2005, p. 1.

<sup>2</sup> OJ L 358, 31.12.2002, p.59

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The CFCA acts as a facilitator assisting Member States to comply with their obligations under the CFP in the area of control and inspection of fishing activities whilst the Commission, in its capacity as guardian of the Treaty, may act against Member States which do not comply with their obligations.

In fact, the above distribution of responsibilities corresponds to the normal distribution of responsibilities under the Treaty between the European Institutions and the Member States. All important decisions on the CFP are taken, on proposal of the Commission and after consulting the European Parliament, by the Council ("Fisheries Council") whilst each Member State has to implement, to control and to enforce the adopted measures.

Each Member State, in accordance with its domestic rules and procedures, is responsible for assigning its competent authorities and providing these authorities with the means required for their mission. As each Member State is organised in accordance with its own constitution and traditions, the organisational structure ensuring control and enforcement of the rules of the CFP differs significantly from one Member State to the other as well as the national priorities and working methods.

For the above reason, uniform and effective application of the rules of the CFP by 27 Member States including, where appropriate, autonomous regions, is not as obvious as often is assumed. On the other hand, the fishing industry in the Community claims both sustainable fisheries and a level playing field. The sacrifices to achieve sustainable fisheries should be evenly spread between all participants to these fisheries but a level playing field cannot be achieved without uniform and effective application of the rules of the CFP.

Each Member State is required to ensure control and enforcement in relation to fisheries in its jurisdictional area as well as fisheries beyond this area in which vessels flying its flag participate. As fish stocks inhabit maritime areas often shared by several Member States, third countries, and/or with international waters, and fishermen exploiting such stocks claim equal treatment with regard to the application of the rules of the CFP, the CFCA develops operational coordination between the Member States on a regional basis and through JDP's. Therefore, all Member States interested in fisheries carried out in a particular maritime area shall proportionally participate to the JDP in question.

When organising operational cooperation, the CFCA acts for the Member States interested in the fisheries in question. In this sense, JDP's will not be modelled as "one size fits all". Indeed, taking into account the regional characteristics of the fisheries in the different areas, JDP's will be tailored to the needs in each geographical area.

Accordingly, as far as it concerns its operational activities, the CFCA's organisational structure as well as its budget structure corresponds on the one hand with a regional set up (desks in charge of JDP regions) and a horizontal set up covering general MCS support and coordination.

### **1.3. Institutional relations**

As a Community body, headed by an Administrative Board consisting of members appointed by Member States and by the Commission, the CFCA operates in accordance with the Community's financial regulations and the Staff Regulations of Officials of the European Communities and Conditions of employment of other servants of the European

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Communities ("Staff Regulations"). Its annual budget and its staff establishment plan are agreed by the Community Budgetary Authority before the adoption of the CFCA budget by the Administrative Board.

The CFCA actively cooperates with the Commission and, in the first place, its Directorate General "Fisheries and Maritime Affairs" as well as, where appropriate, other Community institutions. In addition to the requirements set out in Regulation (EC) No. 768/2005, the CFCA will consult the Commission on its internal staff regulations (Art. 110 of the "Staff Regulations") before adoption by the Administrative Board and adopt annually a Staff Policy Plan on which the Commission will be consulted. Moreover, the CFCA will be audited by the Internal Audit Service of the Commission.

The CFCA will also actively cooperate with other Community Agencies in the framework of the existing inter-agency arrangements which provide for cooperation notably in matters pertaining to administrative and financial matters.

Taking into account its mission in the area of coordination of control and inspection of fishing activities by Member States, the CFCA has a mandate in the maritime domain. In the framework of the discussions on the Commission's Green Paper "Towards a future Maritime Policy for the Union: A European Vision for the oceans and seas", the European Parliament has, inter alia, drawn the attention to the role of Community Agencies and called for coordination between Agencies having a mandate in the maritime domain.

Both on national level as well as on European level, coordination of activities between public authorities active in the maritime domain may offer synergies in the interest of the Community as a whole. In several Member States, the maritime means of inspection and surveillance are not only used for fisheries but also for other missions such as customs, police, immigration, pollution, safety at sea, etc. Therefore, potential synergies may be explored in areas such as communication systems, use of modern technology including satellite surveillance and joint use of national means of inspection and surveillance.

In the framework of the forthcoming initiatives of the Commission, the CFCA is ready to share its expertise and experience with the other relevant Agencies and to cooperate with the Commission. The CFCA will also explore the scope for closer cooperation with in particular EMSA and FRONTEX as their mandates have links with the CFCA mandate.

As regards MCS support and coordination, where appropriate and in the framework of the action "Monitoring Compliance with EU Fisheries Regulations (FISHREG)", the CFCA will cooperate closely with the Joint Research Centre of the European Commission.

The activities to be deployed in this context by the CFCA in 2008 will imply expenditure for participation to meetings, events, missions and other initiatives promoting cooperation between Agencies and with the Commission.

## **2. Good Governance**

### **2.1. Context**

In the last two decades, the major world commercial fisheries declined rapidly due to the depletion of a significant number of important commercial stocks. Excessive fishing effort

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compounded by destructive fishing practices and illegal, unreported and unregulated fishing activities have been and are key factors of the increasing critical condition in a number of main world fisheries, the abundance of several stocks being reduced to a fraction of the historic production levels.

Moreover, significant changes in terms of abundance and geographical distribution of important commercial stocks as a result of the impacts of a diversified set of factors, such as the direct impact of fishing effort, the quality of statistical information and the effect of significant climatic changes, including reversed oceanic conditions are all of them contributing to increasing degrees of uncertainty in the prediction of long term evolution in the main fishing grounds, since conditions and trends are yet largely unknown or estimated with insufficient approximation.

The state of most stocks in European waters is not better than those in other areas of the globe. An alarming number of stocks in Community waters are outside safe biological limits and historical records show that their sizes and landings have declined rapidly during the last two decades. For many commercially important demersal stocks, the numbers of mature fish were about twice as high in the early 1970's than at the turn of the last century.

In most main Community demersal fisheries, such as cod in the Baltic and the North Sea and hake in Western Waters, fishing mortality exceeds by far the officially reported catches. Scientists have estimated this discrepancy in several cases at about the same level as official catches. A large part of the unreported catch may be attributed to illegal fishing. Furthermore, disrespect of technical conservation measures (use of blinders and other means to restrict the legal mesh size) result in the catch of a large proportion of juvenile fish. Such conditioning factors and the resulting uncertainties undermine responsible management of the fisheries in question.

Since the CFP has in the first place to ensure the sustainable exploitation of the Community's common living marine resources, the Council adopted, at the end of 2002, the reform package of the CFP; a number of important measures have been conceived and developed in order to make this policy more effective (such as good governance and a multi-annual approach based on improved integration of scientific advice in decision making). Within this particular context, Member States reviewed, restructured and reinforced their arrangements delivering, as a result, national commitments.

However, as the state of a number of key stocks remains at alarming low levels and the proportion of unreported landings of catch from such stocks continues to undermine sustainable exploitation, further initiatives in the area of control and enforcement of the rules of the CFP are required and initiated by the Commission. Moreover, Member States have to secure the means and the organisation of public services necessary to ensure uniform and effective application of the relevant legislation.

All these initiatives provide for a momentum and an opportunity where, as an independent Community body and in close cooperation with the Commission, the Member States, and the RAC's, the CFCA will build upon.



## 2.2. Responsibility, accountability and sustainability

Sustainability cannot be achieved without compliance with the rules of the CFP. Compliance with the rules of the CFP should be achieved through close cooperation between all interested parties affected, directly and indirectly, by fishing activities: stakeholders, managers, consumers, inspectors, etc. Indeed, all parties should promote together a culture of compliance with the rules of the CFP at the level of the Community by assuming their responsibility and being accountable for acting.

Management of stocks, based for example on the MSY strategy, makes only sense when fishing activities are pursued in compliance with the applicable rules. Illegal activities tend to maximise the short term gain of the offender on the expense of legal activities, as illegal fishing can be very destructive in terms of fishing mortality including of juveniles and associated species (through by-catches and discards), besides representing clear disloyal competition. Indeed, longer term profitability of fisheries cannot be ensured if a culture of compliance by the participants of such fisheries is not achieved.

The CFCA, will as a priority, contribute to the achievement of sustainability by ensuring operational coordination of control and inspection activities by Member States. The CFCA's operational involvement in control and inspection by Member States will be based on a systemic and integrated approach of the matters under its responsibility.

Control and inspection must be implemented in line with a genuine Community strategy in order to achieve the objectives of the CFP. To this end, the CFCA will assist national control and inspection services in order to ensure harmonised and effective control and inspection throughout the geographical distribution of the main fisheries.

## 2.3. Main guiding principles

A high degree of compliance requires a coherently prevailing culture of compliance at Community level and the CFCA can provide a significant contribution to the promotion of such culture and sense of responsibility throughout the Community. It may be expected from each actor in the fisheries sector that he/she is willing to display a systematic attitude of compliance with the applicable, properly understood legal requirements.

Against this background, it is equally important that, in the exercise of its mission, the CFCA promotes the application of the following principles to control and inspection of fisheries activities:

- *Proportionality*

The control and inspection activities to be deployed by the competent Authorities of the Member States under JDP's should be proportionate to the need to ensure a high degree of compliance. This principle should apply both, quantitatively and qualitatively, to the available means of inspection and surveillance, as well as to the strategy, working methods and procedures.

Control and inspection activities should not unduly interfere with the economical activities pursued by the actors in the fisheries sector.

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- *Harmonisation*

The CFCA will actively promote that Community inspectors display a Community culture of control and inspection. In coordination with the national competent Authorities, the CFCA will organise training as well as briefing and debriefing sessions with inspectors operating under Joint Development Plans, in which the attention of the inspectors will be drawn to procedures and working methods.

Indeed, as a matter of priority the CFCA will promote that inspectors will broadly apply the same or similar working methods and procedures.

All inspectors should collect the facts on non-compliance in the same manner as to ensure the objectivity of the facts constituting an infringement of the rules of the CFP.

- *Transparency*

The CFCA will promote that control and inspection is properly documented by the competent Authorities and in particular the Community inspectors. In this manner, it should be possible to verify the application of equal treatment to all actors in the fisheries sector under JDP's regardless the flag under which they operate.

The CFCA will report regularly on the results of control, inspection and surveillance campaigns under JDP's on its web site.

- *Assessment*

The CFCA will analyse and assess the results of the JDP's to see whether the measures applied are effective and will report on its conclusions.

- *Applicability and simplicity*

Where so requested, and where possible, the CFCA will make available its expertise in order to contribute to the applicability and simplicity of control and inspection measures.

## **2.4. Culture of compliance**

In addition to the meetings of the Advisory Board, in each of the geographical areas where it develops operational cooperation between Member States, the CFCA will closely work together with the stakeholders in the framework of the relevant RAC. In each of these regions a culture of compliance should be established.

The CFCA has established bilateral contacts with the North Sea RAC, the Baltic Sea RAC and ensured presentations at the constitutional meeting of the Long Distance fisheries RAC and a preparatory meeting of the Mediterranean RAC under establishment. The impetus of the conference convened by the Baltic Sea RAC on Compliance and Control of the Baltic Sea Cod in order to stimulate better conditions for the sustainability of the cod fishery in the Baltic should not be underestimated, although the immediate effects have been limited so far. Indeed, stakeholders in the framework of the RAC's have

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an opportunity to contribute to enhanced control and enforcement and improving sustainability of the relevant fisheries.

The CFCA is willing to contribute to conferences and round tables convened by RAC's on topics related to the application of the rules of the CFP and, in particular, improved control and enforcement. Moreover, in the case where RAC's would mandate committees or working groups to deal with issues in relation to the level playing field and notably control and enforcement, the CFCA will ensure its participation to such fora, in order to contribute to their discussions and to provide regular updates as well as the results and conclusions from control and inspection activities carried out under JDP's.

In line with the above principles, the CFCA is already publishing on its web site the results of joint control and inspection campaigns carried out in the North Sea and adjacent areas, the Baltic Sea as well as the NAFO RA.

The activities to be deployed, in 2008, by the CFCA will imply expenditure for participation to meetings and events convened by the RAC's, missions and other initiatives, within its competency, promoting a culture of compliance.

### **3. 2008 Operational Activities**

#### **3.1. General background and priorities**

##### **3.1.1. General background**

The first Work Programme of the CFCA laid down the basic principles for its approach to developing coordination between Member States as well as the priorities for its operational activities and the areas where it commences its activities.

Furthermore, the 2007 Work Programme describes the future perspectives for the operational activities to be developed by CFCA beyond 2007. It is foreseen that the CFCA will progressively develop its involvement in organising operational coordination of control and inspection by Member States in Community waters, the Mediterranean and the Black Sea as well as other areas beyond Community waters.

Most of the 2007 efforts have been allocated to preparatory work and testing feasible arrangements for operational coordination of pooled national means of control and inspection.

The arrangements developed in the areas, which are currently identified as a priority, should first be consolidated. Moreover, the CFCA has to secure the relocation to its seat, ensure recruitment of its staff to the initially foreseen levels and complete its administrative and financial structures. Therefore, as regards the priorities for the 2008 Work Programme, it seems too early to broaden next year the number of areas in which the CFCA will commence developing its operational activities.

Indeed, the CFCA should concentrate its resources in the areas already identified in its 2007 Work Programme in order to develop and, where appropriate, consolidate operational coordination of control and inspection by Member States concerned.

Once the coordination routines are well established, the resources which will be required in order to maintain the CFCA's operational activities on a stable basis in these areas can

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be optimized and used to develop operational activities in new areas. Moreover, the experience gained in the initial priority areas will be used to develop operational coordination in new areas.

### 3.1.2. Priorities for 2008

So far the experience has shown that the basic approach outlined in the CFCA's first Annual Work Programme constitutes a solid basis for developing its activities. The objective of sustainable fisheries cannot be achieved without a culture of compliance. Therefore, the Member States, the Commission and the CFCA have to work together with the stakeholders in order to promote a culture of compliance with relevant legislation.

The 2008 Work Programme requires that, as a matter of priority, the CFCA concentrates on organising operational coordination of control and inspection by Member States in the following areas:

- The recovery of cod stocks in the North Sea and adjacent areas;
- The multi-annual plan for cod stocks in the Baltic;
- The multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean Sea;
- The Northwest Atlantic Fisheries Organisation (NAFO) international scheme for joint inspection and surveillance as well as, when requested by the Commission, the control and enforcement scheme of the North East Atlantic Fisheries Commission (NEAFC);
- Control measures applied by Member States to combat Illegal, Unregulated and Unreported (IUU) fishing activities; and
- The implementation of possible Community pilot projects notably in relation to reduction of discards.

Moreover, the 2008 Work Programme provides for the elaboration of an inventory of possible horizontal support and coordination activities by the CFCA (for example coordination of research into development of control and inspection techniques and harmonization of inspector training).

## 3. 2. Operational coordination

### 3.2.1. Joint Deployment Plans

In accordance with the above priorities, the CFCA will organise operational cooperation between Member States in the following geographical areas:

- Elaboration, adoption and implementation of JDP's in relation to
  - the cod stocks in the North Sea and adjacent areas;
  - the cod stocks in the Baltic Sea;
  - the Eastern Atlantic bluefin tuna stock, in the Mediterranean; and
  - the regulated stocks in the NAFO RA.

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Each JDP will clearly define how the deployment of pooled national means of control and inspection shall be coordinated. Each JDP will be implemented through one or more joint control, inspection and surveillance campaign(s) to which the pooled means are assigned. Each joint campaign is coordinated by a coordinator in charge. The joint campaign leader will chair the TJDG in which representatives of each national competent authority and the CFCA participate. In the case where coordination problems might occur in the course of a joint campaign that cannot be solved at the level of the TJDG, the Executive Director of the CFCA will convene a meeting of the Steering Group in which an advisor of each of the participating Member States will have a seat.

Each joint campaign will consist of control, inspection and surveillance activities at sea by joint inspection teams of Community inspectors and inspection of activities in the territories of Member States including landings and transshipments by mixed teams to which national inspectors from non-port Member States participate as observers.

Depending of the scope of the JDP in question, the pooled means of control and inspection are deployed on a rational basis in Community waters across national boundaries and/or in international waters. Each Member State concerned will make available, in real time, to the coordinator in charge all data on fishing activities as well as on control and inspection activities.

The strategy of deployment of pooled national means is based on an analysis of the probability that certain fishing activities may be non-compliant and is agreed within the TJDG. The CFCA assigns a coordinator to each joint campaign, who assists, on the spot, the coordinator in charge of the joint campaign.

The specific context regarding control and enforcement in the relevant fisheries and the approach to be followed in each of the geographical areas as well as the CFCA's objectives and resources are outlined in the following sections.

The CFCA will also carry out preparatory work in relation to the combat against IUU fishing activities such as the establishment of networks of contact persons, the development of a methodology for monitoring landings and tracing back the fishing vessel having caught the fishing products in question and the setting up of a centralised information point in the EU.

### 3.2.2. JDP North Sea, Skagerrak, Kattegat and the Eastern Channel

#### 3.2.2.1. 2007 Experience

The first Joint Deployment Plan was adopted by the CFCA on 13 July 2007. This JDP is implemented through 8 joint campaigns consisting of control and inspection activities at sea and ashore. All coastal Member States in one or more of the above sub-areas participate in the campaign whilst others provide assistance where necessary.

The means of control and inspection pooled by the Member States are assigned to these joint campaigns. The means at sea are deployed across national boundaries and supported by mobile mixed landing inspection teams (including inspectors from other Member States) and surveillance aircrafts.

Each joint campaign is guided by the coordination centre in charge of one of the Member States concerned. A CFCA coordinator assists on the spot of the coordination centre in

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charge with advice and additional support as necessary. In the framework of the campaigns, all Member States around the North Sea share all relevant information on fishing activities in real time with the coordination centre in charge.

To this end, the CFCA has deployed in 2007 resources notably for meetings with Member States as well as for missions of coordinators advising and assisting the coordination centres in charge in guiding the joint campaigns.

The JDP builds on the already existing bilateral and multilateral operational cooperation between Member States in the area of control and inspection of fishing activities. In the framework of this cooperation Member States concerned developed procedures for inspection vessels to operate across the limits of their jurisdiction and experimented with inspections in territorial waters by other Member States inspection vessels, for example in the framework of operation "SHARK" and "St. Pierre". The existing routines and practices of operational cooperation have been extended to all Member States around the North Sea and adjacent areas and made more systematic. Moreover, each joint campaign is based on a thorough analysis of the information on fishing activities in previous years (risk analysis) and takes into account the priorities identified in the specific monitoring programme related to the recovery of cod stocks<sup>3</sup>.

Organisation of a rational and efficient control and inspection in the northern North Sea can only be optimised by collaboration with Norway. Such collaboration during the joint campaigns took place within the framework of the bilateral Agreement between the Scottish Fisheries Protection Agency and Norway.

From a technical point of view, the joint deployment of national means of control and inspection worked smoothly and was perceived as a constructive exercise by the national authorities. The campaigns carried out show that all Member States dispose of very qualified professional staff and significant resources adapted to their tasks. Each campaign has been well prepared with all Member States involved and a high level of cooperation is observed between the participating national means and the coordination centre in charge.

#### 3.2.2.2. Further development of Operational Cooperation

The pooled resources should be used in the most rational manner in order to ensure a high level of compliance. To this end, a strategy should be agreed between the Member States and the CFCA in consultation with the North Sea RAC and in accordance with the objectives and priorities defined by the Commission.

Although control and inspection of landings in all Member States around the North Sea and adjacent areas have become more stricter over the past years notably through the introduction of compulsory authorised buyers schemes and sales through auctions, according to the scientists, there is still a very significant proportion of fishing mortality of cod which cannot be explained by declared catches. A part of this unexplained mortality is believed to correspond to discards, but a significant portion of it may most likely be attributed to unreported landings.

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<sup>3</sup> OJ L 148, 11.6.2005, p. 36. Decision as last amended by Decision 2007/429/EC (OJ L160, 21.6.2007, p. 28).

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Demersal fisheries in the North Sea and the adjacent areas are complex. Several types of fisheries are targeting certain species living on the sea bottom (i.e. white fish, flat fish, Norway lobster and prawns) but catch also cod. In addition, fisheries such as industrial fishing can have significant by-catches of cod. In some fisheries, catches of cod can be substantially reduced through technical measures or fishing strategies but in other fisheries this is very difficult to achieve. Moreover, juveniles/undersized fish and catches in excess of quota allocations must be discarded.

On the basis of risk analysis and experience, control and inspection should focus on fishing activities which may not be compliant with the applicable rules. In the framework of the campaigns carried out under the above JDP, information on discards is collected by all inspectors participating in the campaign. When representative time series of such systematically collected inspector's information is available, the data could factor into scientific analysis.

The North Sea RAC is clearly in favour of a level playing field implying fair and strict control and enforcement across national boundaries. Accordingly the CFCA, Member States and the North Sea RAC should work together in order to promote a culture of compliance and identify the basis for such a culture (simplification of complicated rules, uniform and transparent inspection methods, information on results of inspections, accountability for inspection activities, etc.).

### 3.2.2.3. Activities in 2008

As regards the JDP to be established for 2008, the specific monitoring programme related to the recovery of cod stocks expires by the end of June 2008 and should be replaced by a new specific control and inspection programme. Against this background the JDP for 2008 will be split in two. The CFCA intends to prepare the planning for the whole year. An annual planning is opportune as in several Member States inspection vessels and surveillance aircraft are also used for national priorities involving other purposes beyond fisheries.

On the basis of risk analysis, joint campaigns will be planned throughout the year to be executed through coordination centres in charge which guide control and inspection activities by pooled national means assigned to the campaigns at sea as well as ashore.

The sub-division in sea areas and control and inspection of landings will have consequences in terms of resources for the CFCA, as each sub-area would have its own coordination arrangements agreed between the Member States concerned. Moreover, as long as the CFCA does not have an operational ICT system, the CFCA should rely on facilities offered by Member States. In these circumstances, the CFCA will ensure the presence of on the spot coordinators in order to facilitate joint coordination by the Member States concerned.

In order to ensure a level playing field, the CFCA will organise specific training seminars and work shops for the Member States' authorities involved.

## Objectives

- Elaborating, together with the Member States concerned and the Commission and in consultation with the North Sea RAC, adopting and implementing a JDP for 2008, in the North Sea and adjacent waters, giving effect to the specific monitoring programme related to the recovery of cod stocks.
- Making available the results of joint campaigns under the JDP for 2008 to all parties and publishing summaries on the CFCA web site.
- Promoting and enhancing, in 2008, an adequate, uniform and effective standard of control and inspection, through training of the Member States' authorities involved, in order to ensure uniform control and inspection.
- Contributing, in 2008, together with the stakeholders, to a culture of compliance with the conservation measures applicable to fishing of cod in the North Sea and adjacent waters.

## Resources

1 Desk Manager  
1 Senior Coordinator of Control Operations  
1 Coordinator of Control Operations  
1 National Expert for NS

### **NORTH SEA AND ADJACENT AREAS - Operational Activities and Estimated Expenditure in 2008**

<b>OPERATIONAL ACTIVITIES</b>	<b>ESTIMATED EXPENDITURE</b>
Missions of staff to ensure the contribution of the CFCA to the operational coordination of joint campaigns including to ensure presence of on the spot coordinators.	85.000,00
Convening meetings, workshops and other events with national authorities to which third parties (for example relevant RAC) may participate in relation with the JDP.	40.000,00
Specific training seminars, briefings and debriefings to which national inspectors and associated national staff, participating in or contributing to joint campaigns, are attending in order to ensure uniform application of the rules of the CFP.	20.000,00
The CFCA will make available the results of joint campaigns, notably to the relevant RAC, and publish summaries on its web site and, where appropriate, will undertake other initiatives contributing to transparency and culture of compliance.	30.000,00
Development and Maintenance of databases to compile data on the results and risk analysis in relation to the joint campaigns.	60.000,00
Studies in the framework of the JDP in relation to operational coordination and monitoring, cross-checking, analysing and reporting information on fishing activities as well as to assess the effectiveness of the JDP.	60.000,00
<b>TOTAL</b>	<b>295.000 €</b>





### 3.2.3. JDP Baltic Sea

#### 3.2.3.1. 2007 Experience

The CFCA has deployed resources for meetings with Member States and the Baltic RAC as well as coordinators assisting Member States in carrying out joint inspection and surveillance campaigns in order to test joint deployment of pooled national resources for the purpose of control, inspection and surveillance of the Baltic cod fishery in order to prepare for the establishment of a JDP in relation to control and inspection of fishing activities involving catches of cod in the Baltic Sea.

In accordance with Annex III, point 2.12. of Council Regulation (EC) No.1941/2006, Member States concerned have carried out joint inspection and surveillance campaigns coordinated by the CFCA in the form of the Baltic Sea JISS. In the framework of each campaign, Member States concerned assigned national means of control and inspection pooled in the JISS for coordinated deployment. Each campaign, consisting of integrated control and inspection activities at sea and ashore, was prepared with the Member States concerned and the deployment of the pooled national means of control and inspection was coordinated by one coordination centre in charge of one of the Member States concerned to guide and ensure their use in the most rational and effective manner across national boundaries. Preparation and coordination of the deployment of the means is based on sharing all relevant information available on operational and fishing activities.

From a technical point of view the JISS can be considered a success, since the combination of efforts, based on sharing VMS and aerial surveillance information made available in real time to the coordination centre from which inspection vessels and mobile landing inspection teams are guided throughout the cod fishing area in the Baltic Sea across national boundaries, is believed to be much more effective than control and inspection carried out independently by each of the concerned Member States. The coordination centre in charge disposes of a good overview of all fishing activities involving catches of cod throughout the Baltic. On this basis it guides inspection vessels and landing inspection teams as well as surveillance aircrafts to the areas where fishing activities and landings are concentrated or to areas where fishing is prohibited. Against this background, it is fair to conclude that, on the basis of the experience obtained with the JISS, the competent authorities of the Member States concerned together with the CFCA are ready for a JDP which should fit in with a strategy for conservation and management of Baltic cod fisheries fully supported by those Member States and the stakeholders.

#### 3.2.3.2. Further development of Operational Coordination

The current strategy for conservation and management of Baltic cod fisheries can not be considered satisfactory from the point of view of the stakeholders as well as the Member States and the European Community. The actual catch levels are estimated significantly beyond the authorised catch levels and therefore undermine the sustainable exploitation of the cod stock whilst the conservation and management measures become increasingly severe (in terms of allowed catch, fishing efforts restrictions and other technical measures) precisely in order to ensure sustainable exploitation. However, the number of fishing vessels catching cod in the Baltic has not been reduced accordingly and control and inspection are consequently ineffective as only a limited percentage of the fishing trips are inspected.

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Unreported catches and the increasingly severe conservation and management measures are not working out evenly over the different fleets fishing for cod. As cod fishery in the Baltic is overwhelmingly a clean fishery, trawlers have no alternatives. Fishing effort restrictions and the introduction of bacoma trawl (a diamond meshed trawl with a square meshed window in the cod end), albeit necessary, are effectively limiting their catch rates and their economic return. Small vessels using gill nets are more flexible and less affected by effort restrictions. Moreover, although the evaluation report of the Commission points to unreported landings in all Member States concerned, it seems unlikely to assume that unreported catches are equally distributed over the diversified fleets active in this fishery. At level playing field remains therefore a priority objective to be achieved in the coming years.

At the Conference on "Control and Compliance of the Baltic Sea Cod fishery" convened by the Baltic Sea RAC on 28-29 March 2007, it was concluded that unreported catches of Baltic Sea cod are the main problems associated with non-compliance. The Conference also agreed that inter alia unreported landings create a significant threat to the sustainability of the Baltic cod stock and the ecosystem. The conclusions of the Conference were shared by stakeholders (fishermen organisations, the processing industry and the NGO's).

At this occasion, the Ministers responsible for fisheries in all Member States bordering the Baltic Sea and the Commissioner responsible for fisheries representing the European Commission adopted the so-called Copenhagen Declaration which recognises, inter alia, the threat of unreported fishing to sustainable fishing in the Baltic Sea and the need for strengthening of control and inspection measures and improved management of fisheries.

Subsequently and by consensus, the Executive Committee of the Baltic Sea RAC fully endorsed the conclusions from the Conference and will use them as the basis of its commitments to work for a more sustainable cod fisheries in the Baltic.

The fisheries scientists and the processing industry concur with the conclusions of the Evaluation Report from the Commission Services on "Catch Registration in Baltic-sea Member States, 2005-2006". The evaluation of this Report is based on a systematic comparison between inspected fishing trips and non-inspected fishing trips. It appears from this analysis that the reported catches are systematically higher during inspected fishing trips than when no inspection took place during a trip. This conclusion points to a systematic under-declaration of catches. These unreported catches are compounded by catches taken by the fishing fleets as well as unreported catches of cod by semi-professional or sport fishing vessels which, according to scientific reports, amount to very significant quantities of cod.

It is estimated that, out of the 10.894 vessels active in the Baltic Sea at least 1.935 vessels are involved in fishing of cod in the Baltic. Most of these vessels are small vessels not exceeding 15 m length. Although the number of vessels authorised to engage in a targeted cod fishery has been reduced over the past years, it is still too large to achieve an economic fisheries. Moreover, it seems that a large number of vessels not authorised for targeted cod fishing is still fishing in the same areas with the same gear as semi-professional or sports fishermen.

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**Number of vessels with special permit for Cod and total number of other licensed fishing vessels in the Baltic Sea**

Vessels LOA	EE		FI		DE		DK		PL		LT		LV		SW		Total	
	Cod	Others	Cod	Others	Cod	Others	Cod	Others	Cod	Others	Cod	Others	Cod	Others	Cod	Others	Cod	Others
F/v < 8 m	0	581	0	2258	1	1311	0	459	146	119	0	156	0	595	1	639	148	6118
F/v 8 - 10 m	0	214	0	596	151	98	209	59	135	139	2	25	16	95	123	246	636	1472
F/v 10 - 12 m	0	67	1	209	76	30	73	23	73	1	3	21	8	18	98	144	332	513
F/v 12 - 15 m	0	18	5	56	32	31	93	70	49	3	2	4	0	6	41	59	390	247
F/v > 15m	5	43	8	53	100	207	103	99	217	2	30	19	72	54	62	132	429	609
<b>Total</b>	<b>5</b>	<b>923</b>	<b>14</b>	<b>3172</b>	<b>360</b>	<b>1677</b>	<b>478</b>	<b>710</b>	<b>620</b>	<b>264</b>	<b>37</b>	<b>225</b>	<b>96</b>	<b>768</b>	<b>325</b>	<b>1220</b>	<b>1935</b>	<b>8959</b>

As regards the organisation of control and inspection, the above issues are very important. The CFCA is in favour of a holistic approach where a balance is achieved between the catch possibilities, the fishing effort deployed by each fleet and the number of fishing vessels participating in the fishery. Indeed, each vessel participating in the Baltic cod fishery should be able to obtain an economic return which does not force the fishermen to engage in illegal fishing.

It is unavoidable that the current control measures applicable to the Baltic cod fishery are strengthened and properly implemented. Against this background, it seems necessary to differentiate between vessels equipped with VMS and smaller vessels. Since vessels equipped with VMS are mostly delivering their catch directly to the processing industry, it should be possible to agree a scheme relying on the support of the processing industry. Smaller vessels land their fish in nearby small ports where it is transported to various destinations. The quantities of cod landed by these vessels are very significant. It will require a disproportional number of inspectors to ensure proper recording of catches by these vessels.

Against this background, the Baltic RAC, the Member States and the Commission may consider the most appropriate conservation and management measures for the Baltic cod fishery but also ensure that the fishing activities are controllable against the background of the means of control available. The CFCA, in particular, together with the Member States concerned, will establish a JDP 2008 which fits with the strategy for conservation and management of the Baltic cod fishery agreed between the Member States and the Commission in consultation with the Baltic RAC.

### 3.2.3.3. Activities in 2008

The JDP in relation to the multi-annual plan for Baltic cod will be based on operational coordination at sea and control and inspections of landings. Catches of cod fishery in the Baltic are mostly taken in a targeted clean cod fishery. This fishery is mostly undertaken in the west and central part of the Baltic Sea.

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Due to the characteristic of Baltic Sea fisheries with many small vessels and sheltered ports, the strategy for coordinated deployment of pooled national means of control and inspection must be carefully elaborated. The JDP will be, in principle, elaborated on the same basis as the one for cod in the North Sea and adjacent areas but require fewer resources from the CFCA for its implementation.

In order to ensure a level playing field, the CFCA will organise specific training seminars and work shops for the Member States authorities involved.

### Objectives

- Elaborating, together with the Member States concerned and the Commission and in consultation with the Baltic Sea RAC, adopting and implementing a JDP for 2008, in the Baltic Sea, giving effect to the specific control and inspection programme to be adopted by the Commission.
- Making available the results of joint campaigns under the JDP for 2008 to all parties and publishing summaries on the CFCA web site.
- Promoting and enhancing, in 2008, an adequate, uniform and effective standard of control and inspection, through training of the Member States' authorities involved, in order to ensure uniform control and inspection.
- Contributing, in 2008, together with the stakeholders, to a culture of compliance with the conservation measures applicable to fishing of cod in the Baltic Sea.

### Resources

1 Desk Manager  
1 Senior Coordinator of Control Operations  
1 Coordinator of Control Operations  
1 National Expert for BS

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## BALTIC SEA - Operational Activities and Estimated Expenditure in 2008

OPERATIONAL ACTIVITIES	ESTIMATED EXPENDITURE
Missions of staff to ensure the contribution of the CFCA to the operational coordination of joint campaigns including to ensure presence of on the spot coordinators.	63.000,00
Convening meetings, workshops and other events with national authorities to which third parties (for example relevant RAC) may participate in relation with the JDP.	39.000,00
Specific training seminars, briefings and debriefings to which national inspectors and associated national staff, participating in or contributing to joint campaigns, are attending in order to ensure uniform application of the rules of the CFP.	20.000,00
The CFCA will make available the results of joint campaigns, notably to the relevant RAC, and publish summaries on its web site and, where appropriate, will undertake other initiatives contributing to transparency and culture of compliance.	20.000,00
Studies in the framework of the JDP in relation to operational coordination and monitoring, cross-checking, analysing and reporting information on fishing activities as well as to assess the effectiveness of the JDP.	30.000,00
Development and Maintenance of databases to compile data on the results and risk analysis in relation to the joint campaigns.	30.000,00
<b>TOTAL</b>	<b>202.000 €</b>

### 3.2.4. JDP NAFO

#### 3.2.4.1. Background

As a RFMO, NAFO's overall objective is to contribute through consultation and cooperation to the optimum utilization, rational management and conservation of the fishery resources of the NAFO CA.

At present, the NAFO Contracting Parties are: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russian Federation, Ukraine and the United States of America.

The control at sea is organised through a Joint Inspection and Surveillance Scheme as established by the NAFO CEM. As a Contracting Party having most of the time more than 15 fishing vessels operating in the NAFO RA, the European Union is obliged to have a competent authority in the NAFO CA or in a country adjacent to the NAFO CA. The European Union is fulfilling this obligation by the presence of a joint inspection team, on board of a chartered EU inspection vessel or national EU inspection vessel, in the NAFO RA.

#### 3.2.4.2. 2007 Transitional Arrangement

In 2007, at the request from the European Commission and after the transfer of certain tasks to the CFCA, such as the coordination of inspection and surveillance activities, the CFCA commenced to coordinate the EU inspection and surveillance activities in accordance with Article 4 of Regulation (EC) No. 768/2005, in the NAFO RA.

In the framework of a transitional arrangement, the CFCA coordinated the presence on

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the EU inspection vessel and the activities of appointed national inspectors to carry out the direct inspections and surveillance in the NAFO RA. A seminar for NAFO inspectors was organised by the CFCA in January 2007 in order to update the knowledge of the new provisions of the NAFO CEM for 2007 and it was attended by 27 national inspectors. An important feature in the seminar was to harmonise the interpretation and implementation of the NAFO rules in order to ensure a level playing field.

From January 2007, the CFCA has been managing the patrol vessel, "Jean Charcot", chartered by the European Commission to operate in the NAFO RA. One coordinator from the CFCA is always present on board the patrol vessel, and is in charge of planning, organising and coordinating activities in conformity with the NAFO Joint Inspection and Surveillance Scheme whilst the inspections are carried out by NAFO Community inspectors.

From mid November to mid December, a Spanish EU inspection vessel replaces the chartered EU inspection vessel in the NAFO RA.

By the end of August 2007, 10 missions (of three weeks each) and 81 inspections were carried out and five apparent infringements (of which two serious) were detected.

#### 3.2.4.3. JDP for 2008

The JDP to be adopted for 2008 will be based on the requirements needed for operational coordination in the NAFO RA as well as control of landings in the Community by fishing vessels returning from the NAFO RA and reflect the experience achieved during 2007.

The presence of an EU Inspection vessel in the NAFO CA will be assured partly by the presence of national EU inspection vessels and partly by the chartering of the joint EU inspection vessel "Jean Charcot" for a period of at least three months.

The means of control and inspection (inspectors and EU inspection vessels) to be pooled by each of the interested Member States is expressed in days of inspection presence and assessed as follows:

- The relative number of fishing vessels (Art. 12 (2) c) and d) of Regulation (EC) No. 768/2005) in 2006 weighed to the number of days of presence in the RA (65%); and
- The level of quotas (Art. 12 (d) of the said Reg.) in the particular case of the shrimp in 3M where the quotas are in fishing days, the catches have been taken in account (35%); as well as
- A minimum number of days of inspection presence for each of the Member States concerned.

The CFCA will charter the joint EU inspection vessel "Jean Charcot" on the request of certain Member States in accordance with Art. 6 of Regulation (EC) No. 768/2005.

A specific training seminar for NAFO inspectors will be organised by the CFCA, with the main objective, to ensure an harmonised interpretation and implementation of the NAFO rules including any new decisions which may be taken during the forthcoming NAFO annual meeting.

### Objectives

- Maintaining, in 2008, the level of presence in the NAFO CA and control and inspection in the NAFO RA to fulfil the obligations of the EU as a Contracting Party to NAFO.
- Elaborating, together with the Member States concerned and the Commission and in consultation with the "Long Distance RAC", adopting and implementing, in 2008, the first JDP for NAFO giving effect to the obligations of the EU under the NAFO CEM both in relation to activities at sea as well as to landings.
- In the scope of the JDP for 2008, facilitating and implementing the chartering of the "Jean Charcot" on the basis of contracts between each of the concerned Member States and the CFCA.
- Making available the results of the joint inspection and surveillance activities carried out under the JDP for 2008 to all parties and publishing summaries on the CFCA web site.
- Promoting and enhancing, in 2008, an adequate, uniform and effective standard of control and inspection, through training of the Member States' authorities involved, in order to ensure uniform control and inspection.
- Contributing, in 2008, together with the stakeholders, to a culture of compliance with the NAFO CEM applicable to the fisheries of certain stocks in the NAFO RA.

### Resources

1 Desk Manager  
1 Senior Coordinator for NAFO Operations  
1 Coordinator for NAFO Operations  
1 Coordinator for NAFO Operations

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**NAFO - Operational Activities and Estimated Expenditure in 2008**

OPERATIONAL ACTIVITIES	ESTIMATED EXPENDITURE
Development and Maintenance of databases to compile data on the results and risk analysis in relation to the implementation of the JDP.	60.000,00
Missions of staff, notably to coordinate on the spot control and inspection by Member States in order to comply with EU obligations under the NAFO Convention.	143.000,00
Convening meetings, workshops and other events with national authorities to which third parties (for example relevant RAC) may participate in relation with the JDP.	55.000,00
The CFCA will make available the results of joint campaigns, notably to the relevant RAC, and publish summaries on its web site and, where appropriate, will undertake other initiatives contributing to transparency and culture of compliance.	40.000,00
Specific training seminars, briefings and debriefings to which national inspectors and associated national staff, participating in or contributing to the implementation of the JDP, are attending in order to ensure uniform application of the NAFO rules.	40.000,00
Facilitating and implementing the chartering of the Jean Charcot on the basis of contracts between each of the concerned Member States and the CFCA.	1.200.000,00
<b>TOTAL</b>	<b>1.538.000 €</b>

### 3.2.5. JDP Bluefin Tuna

#### 3.2.5.1. Background

As an RFMO, ICCAT is responsible for the conservation and management of tunas and tuna-like species in the Atlantic Ocean and Mediterranean. The EU is one of the 43 Contracting Parties to ICCAT.

The conservation and management of BFT is currently one of the priorities for ICCAT and the EU.

After a continuous decline of the BFT stock biomass ICCAT established a multi-annual recovery plan for BFT in the Eastern Atlantic and Mediterranean. At Community level, this plan is implemented on a provisional basis for 2007 by Regulation (EC) No. 643/2007.

The main element in the ICCAT Recommendation is to reduce gradually the BFT TAC for all Contracting Parties from 32 000 tons in the multi-annual conservation and management plan 2003-2006, to 29 500 tons in 2007 and to reach 25 500 tons in 2010.

With around 57% of this TAC, the EU is the main player in the Eastern Atlantic BFT fishery and has a high responsibility in the successful implementation of the recovery plan. In this connection it should be noted that, in particular, EU fishing companies and Japanese buyers are also largely involved in the BFT activities of the third countries in the Mediterranean Sea.

The EU fleet has in recent years increased its catching capacity, inter alia, by building new more efficient purse seiners, whilst a part of the old fleet was transferred to continue to fish for tuna under third country flags, increasing the catching capacities mainly in the



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Mediterranean Sea. In parallel, the farm capacities for the fattening of BFT also increased in the past years.

Due to ineffective controls combined with a disfunctioning of the catch reporting systems in the Member States involved, the scientists estimate that the EU quotas may have been overshot by more than 100% during recent years. No reliable estimates of over-fishing by third countries and IUU vessels are available.

The fishing opportunities for bluefin tuna allocated to the Community for 2007 within the framework of the International commission for the conservation of Atlantic Tunas (ICCAT) being deemed to be exhausted, and fishing for bluefin tuna for Italian and French flagged vessels being already prohibited, the Commission has adopted on 19 September 2007 a Regulation (C(2007)4274) closing the fisheries completely and prohibiting the retention on board, transshipment and landing of fish from that stock caught by Cypriot, Greek, Spanish, Maltese and Portuguese vessels for the rest of the year.

### 3.2.5.2. 2008 JDP

The JDP will cover the control, inspection and surveillance activities relevant for the implementation of the recovery plan for BFT and any other measure adopted during the ICCAT annual meeting in November 2007. It will be based on operational coordination of national means of control and inspection pooled by Member States at sea and mixed teams from Member States to inspect fattening farms and landings ashore.

The large majority of the catches is taken in international waters throughout the Mediterranean Sea depending on the gears and the season. Some of the designated fishing areas in which the purse seiners operate are located in the Western (Balearic Islands) and the South Eastern Mediterranean (off the coasts of Libya and Egypt).

The technical means to be deployed shall meet the requirements and the specific characteristics of the areas to be controlled and focus on the purse seiner fleet as well as other catch units. Where possible, any non-Community fishing activities will be subject to surveillance. In addition, all cage operations (transfers, transport and fattening farms) will be subject to particular coordinated control, inspection and surveillance.

In order to contribute to a level playing field the CFCA will organise specific training seminars and work shops for the Member States' authorities involved.

For the above reasons the JDP should focus mainly on the following issues:

- Ensure accurate and timely reporting of catches;
- Verify reliability of catch reports through control, inspection and surveillance activities;
- Ensure control, inspection and surveillance activities aiming at verifying compliance levels with the technical measures.

Moreover, as a matter of priority, all non-Community fishing activities targeting BFT will be subject to surveillance under the JDP in order to document the vessels involved in these activities and to assess their impact on the fishery. These tasks could be undertaken

more effectively if arrangements for cooperation with the relevant third countries were established.

### Objectives

- Elaborating, together with the Member States concerned, adopting and implementing a Joint Deployment Plan for 2008 in the Mediterranean Sea and the Eastern Atlantic giving effect to the obligations of the EU in the area of control and inspection under the ICCAT multi-annual recovery plan.
- Making available the results of joint campaigns under the JDP for 2008 to all parties and publishing summaries on the CFCA web site.
- Promoting and enhancing, in 2008, an adequate and uniform standard of control and inspection, through training of the Member States' authorities involved, in order to ensure uniform control and inspection.
- Contributing, in 2008, together with the stakeholders, to a culture of compliance with the conservation measures applicable to fishing of BFT in the Mediterranean.

### Resources

- 1 Desk Manager
- 1 Senior Coordinator of Control Operations
- 1 Senior Coordinator of Control Operations
- 1 Senior Coordinator of Control Operations
- 1 National Expert for BFT

### **BLUEFIN TUNA - Operational Activities and Estimated Expenditure in 2008**

<b>OPERATIONAL ACTIVITIES</b>	<b>ESTIMATED EXPENDITURE</b>
Development and Maintenance of databases to compile data on the results and risk analysis in relation to the joint campaigns.	10.000,00
Studies in the framework of the JDP in relation to operational coordination and monitoring, cross-checking, analysing and reporting information on fishing activities as well as to assess the effectiveness of the JDP.	30.000,00
Missions of staff to ensure the contribution of the CFCA to the operational coordination of joint campaigns including to ensure presence of on the spot coordinators.	12.000,00
Convening meetings, workshops and other events with national authorities to which third parties (for example relevant RAC) may participate in relation with the JDP.	25.000,00
The CFCA will make available the results of joint campaigns, notably to the relevant RAC, and publish summaries on its web site and, where appropriate, will undertake other initiatives contributing to transparency and culture of compliance.	5.000,00
Specific training seminars, briefings and debriefings to which national inspectors and associated national staff, participating in or contributing to joint campaigns, are attending in order to ensure uniform application of the ICCAT rules.	30.000,00
<b>TOTAL</b>	<b>112.000 €</b>

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(These figures may be reviewed in the light of agreements to be finalised between the CFCA and Member States concerned for the implementation of the JDP.)

### 3.2.6. IUU

#### 3.2.6.1. Background

In 2001, FAO adopted an "International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing".

In line with this plan, some RFMO's and especially NAFO and NEAFC have developed a specific policy which has significantly reduced IUU fishing in the North Atlantic. The EU, as a Contracting Party to these two RFMO's, has contributed to the success of the implementation of this policy.

The term "IUU" under this section of the Work Programme, refers to fishing activities carried out by fishing vessels in international waters or in waters under the jurisdiction or sovereignty of third countries that undermine the effectiveness of the conservation measures adopted by RFMO's and third countries.

In accordance with UNCLOS, coastal States shall ensure control and enforcement of the conservation and management measures applicable to fishing activities by all fishing vessels operating in the waters under their jurisdiction or sovereignty whilst beyond the waters under jurisdiction of coastal States, the flag State shall ensure control and enforcement of the applicable conservation and management measures to the activities of their fishing vessels in these areas. Moreover, all States have an obligation to cooperate with each other notably in the framework of RFMO's in order to ensure sustainable exploitation of living marine resources.

As far as the Community is concerned the main type of IUU relates to fishing activities by vessels flying several flags in the North Atlantic, the South Atlantic, the Antarctic and the Indian Ocean. In the framework of NEAFC, NAFO, ICCAT, IOTC and CCMLR, legal measures have been established on the basis of which no logistic assistance can be supplied to vessels inserted on an IUU list which wish to make a port call in the Community. A similar legal framework which requires the cooperation of the interested States, has not yet been established in relation to all IUU activities such as those in West Africa.

As regards the North Atlantic, the level of cooperation between all concerned parties allowed to detect vessels involved in IUU activities. These vessels have been placed on the IUU list and have been denied the use of landing facilities. These measures have deprived the fishing vessels concerned from the commercial benefit sustaining their operations. Therefore, IUU activities targeting species such as red fish have practically disappeared and those targeting, in particular cod, in the Barents Sea have been significantly reduced.

As regards IUU activities in other areas, it is more difficult to detect vessels engaged in IUU fishing and to trace their catch, which is mainly marketed in the Community, Japan and North America. Indeed, the vessels in question land their fish in ports in the South Atlantic and Indian Ocean region, where the catch is processed and transported to the

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main markets. The corresponding lots arrive in the main Community ports as part of larger shipments and be declared for import or kept in transit.

In Community ports, such products are controlled by the customs and the authorities responsible for sanitary checks as well as, in fishing ports, by fisheries inspectors. Each Member State has organised landing control and imports of fishery products originating from IUU fishing activities in its own manner. In most cases, however, such controls are not systematically applied to imports of fishery products and products in transit.

The verification of the identification of any IUU origin of the products requires specific information which may have to be confirmed via the relevant RFMO and third countries. Instead of each authority or Member State checking the information on suspected imports, the CFCA could act as a central point of information in the Community on IUU fishing activities. The CFCA should have the mandate and the resources in order to confirm IUU origin of products declared for import in the Community or in transit in cooperation with the Member States, the RFMO's and third countries.

On 17 October 2007, the Commission has approved a Communication describing the damages caused by illegal, unreported and unregulated fishing, setting out how the Community is affected by this problem and what has been done to combat it so far (COM(2007)602 final). The communication also explains why there is a need for a renewed action to enhance the efficiency of the Community policy in that area, and announces the measures to be taken. The Commission has also adopted the same day a proposal for a Council Regulation containing these measures designed to improve the contribution of the Community to the fight against illegal, unreported and unregulated fishing and its environmental, economic and social consequences (COM(2007)602 final).


#### 3.2.6.2. Activities in 2008

The CFCA will organise meetings with Member States and establish contacts with the main RFMO's concerned and the international MSC network. These activities may include missions by the CFCA staff and contracting of studies and involvement of external experts.

In the framework of the establishment of its operational ICT platform, the CFCA will provide for the setting up of an IUU intra-net accessible by the correspondents from Member States and the Commission.

##### Objectives

- Initiating the set up of a network of IUU correspondents in the Member States in 2008.
- Liaising, in 2008, with the international network of correspondents on IUU activities and RFMO's.
- Elaborating, in 2008, in cooperation with the Member States, the arrangements ensuring the operational cooperation between Member States concerning the monitoring and validation of the fishing vessel from which imports of fishery products are originating.

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- Developing, in 2008, the capacities of the CFCA to act as a central point of information in the Community on IUU fishing activities.
  - Exploring, in 2008, the need for actions to increase the awareness not only of national competent services involved in control of import and export of fishery products and transit from vessels placed on lists of vessels having engaged in IUU activities but also of consumers and traders.

### Resources

1 Desk Manager  
1 National Expert for IUU

### **IUU- Operational Activities and Estimated Expenditure in 2008**

<b>OPERATIONAL ACTIVITIES</b>	<b>ESTIMATED EXPENDITURE</b>
Development and maintenance of databases to compile data for the establishment of the ICT platform and the setting up of the IUU intra-net.	20.000,00
Missions necessary to organise meetings with Member States as well as establishing contacts with the main RFMO's concerned and the international MSC network.	25.000,00
Meetings with Member States as well as establishing contacts with the main RFMO's concerned and the international MSC network.	10.000,00
Resources necessary for the communication with Member States, the Commission and other parties in relation to the publishing of information on the IUU activities on an intra-net accessible notably by national competent authorities.	15.000,00
<b>TOTAL</b>	<b>70.000 €</b>

### **3.3. MCS Coordination and Support**

#### **3.3.1. Background**

In 2008, the CFCA will start to invest in its MCS capabilities. The application of the rules of the CFP by 27 different Member States requires a strong input from the CFCA to promote uniformity and effectiveness. The MCS activities of the CFCA will focus broadly on the following areas:

- Uniform control and inspection methodologies and training (level playing field);
- Data collection, processing, communication and analysis;
- Assessment of the effectiveness of control and inspection.

The experience has shown that each Member State has developed its own procedures and methodologies for the application of CFP legislation. Fishermen operating in the waters of several Member States feel, therefore, treated not the same. The CFCA will commence to develop a general curriculum on control and inspection based on the best practices in the Member States which will be inspired by relevant material available from international organisations such as the FAO and the RFMO's. This curriculum should cover all type of fisheries and all type of inspections from fishing to marketing. As set out under the points above, the CFCA will provide training, briefings and debriefing in relation to JDP's.

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As regards its capabilities to ensure data collection, processing, communication and analysis, the CFCA will proceed to a detailed study concerning its operational ICT platform. This study should include an evaluation of all possible future tasks of the CFCA in the field of control and inspection. On the basis of this study, the CFCA will commence building its operational ICT platform on its premises in Vigo, Spain.

The assessment of the effectiveness of control and inspection activities under JDP's should be based on a proper methodology. In cooperation with the Member States and the Commission, the CFCA will establish such methodology.

### 3.3.2. Activities in 2008

The CFCA will establish a Working Group, in which it will work together with experts of Member States, the Commission, and in consultation with the RAC's, with the view to compile a general curriculum on control and inspection. It will convene meetings of this group and may contract studies and involve external experts as appropriate.

The CFCA will contract a detailed study concerning its operational ICT platform and prepare for the building of this platform.

The CFCA will convene meetings with the Member States and the RAC's and may contract studies and involve external experts as appropriate with the view to establish an assessment methodology for the effectiveness of control and inspection activities under JDP's.

#### Objectives

- Compiling a comprehensive general curriculum on control and inspection to be ready in the course of 2009.
- Setting up an operational ICT platform to be operational by 2009.
- Establishing, in 2008, a methodology for the assessment of the effectiveness of control and inspection activities.

#### Resources

1 Head of Unit MCS  
1 Administrative Assistant  
1 Secretariat  
1 Senior Assistant control & inspection methodologies  
1 Senior Assistant training modules & coordination  
1 Head of Sector Data Monitoring and Analysis  
1 Administrator in monitoring and control systems  
1 Project Officer for data management  
1 Web Manager  
2 Assistants for monitoring and analysis  
1 Assessment Coordinator

## Financial Resources

The budgetary resources allocated to the MCS coordination and support activities have been integrated into the different geographical projects already mentioned in this work programme.

### **4. Future Perspectives**

#### **4.1. Development of the CFCA capacities and priorities beyond 2008**

In line with the CFCA's 2007 Work Programme, the main objectives for 2007 and 2008 such as setting up the financial and administrative structures of the CFCA, securing the relocation of the CFCA to its seat at Vigo, Spain, and organising operational cooperation between Member States in priority areas will be achieved in the course of 2008. Indeed, by the end of 2008, the CFCA is expected to complete the recruitment of 49 staff members as initially foreseen in the proposal of the Commission to establish the CFCA as adopted by the Council in April 2005 after consulting the European Parliament. Apart from the costs of the relocation of the CFCA to its seat at Vigo, its budget is also in line with the amounts foreseen in 2005. These resources allow the CFCA to fulfil, in the short term, its basic core tasks in the already established priority areas.

In the framework of the financial perspectives for the period 2007 – 2012, a possible increase of the CFCA's resources has been included in the forecast. In fact, a doubling of the budget of the CFCA was inserted in the forecast of the relevant budget heading. The Administrative Board of the CFCA has to consider any enlargement of the current priority areas as from 2009. Moreover, since the CFCA should be fully operational in 2009 and, thus, capable to take on possible tasks for the Member States and from the Commission, it is opportune to evaluate responsibilities and synergies in the distribution of tasks in the area of control and inspection under the CFP between the Commission and the Member States.

In the case the Administrative Board of the CFCA would opt, as from 2009, for an enlargement of priority areas and the evaluation of the current distribution of tasks between the Commission and the Member States would imply that the CFCA should take on additional tasks, the budgetary impact has to be analysed by the end of 2007 in order to program the necessary budgetary means in the proposal for the CFCA's budget for 2009 to be approved by the Administrative Board early 2008.

As regards the further development of its tasks and activities beyond 2008, the CFCA should be open minded regarding the conclusions to be drawn early 2008. In the light of these conclusions, the CFCA's budget for 2008 provides for funds to carry out preparatory work in relation to the activities to be undertaken beyond 2008.

#### **4.2. Further development of MCS Coordination and Support**

On the basis of the preparatory work in 2007 and 2008 as well as the CFCA's 2009 Work Programme to be adopted in October 2008, the Unit "MCS methodology, monitoring & assessment" has to develop the role of the CFCA in assisting Member States in:

- harmonising the application of the CFP through development of uniform control and inspection techniques and training (level playing field);

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- reporting information on fishing activities, control and inspection activities to the Commission and third parties;
  - analysing the problems in each geographical area and
  - assessing the effectiveness of each JDP.

This Unit is organised on a horizontal basis and not split up in sections by geographical area. Its work programme should focus on objectives related to uniform and effective application of the CFP.

Moreover, the Unit "MCS methodology, monitoring & assessment" should provide support to the Unit "Operational Coordination" which has to handle short term objectives by geographical area.

As regards control and inspection methods and procedures, the CFCA should in the first place concentrate on the most urgent needs at a horizontal level as well as at the level of priority areas (JDP's for NAFO, North Sea, Baltic Sea and Mediterranean). The most pragmatic approach appears to consist of working out a set of general procedures for each type of control and inspection. This work should be inspired on the rules adopted by the FAO and the RFMO's as well as the rules established by Member States on a national level. In specific cases these general procedures may be tailored to the requirements in certain fisheries or geographical areas. Furthermore, the CFCA has to respond to any technical queries from the Commission in relation to issues discussed in the framework of the Expert Group on Fisheries Control.

Once the general procedures for uniform control and inspection are agreed, training should be provided to Community inspectors to ensure that these rules are applied in practice. To this end, the CFCA should establish a core curriculum for training of fisheries inspectors as well as specific training modules tailored to JDP's.

By 2009, the CFCA's operational ICT platform should be up and running. This system should in the first place function as a joint FMC for each JDP. Through this FMC, it should be easy to provide all available data from all Member States, concerning fishing vessels covered by the relevant JDP, to the national Coordination Centre in charge of operational coordination of deployment of pooled national means of inspection under a JDP.

This operational ICT platform is necessary for monitoring and analysing data on fishing activities from several sources and, in particular, inspection and surveillance data in relation to the priority areas set out in its annual Work Programme. Maritime inspections are costly and, therefore, their impact in terms of improvement of compliance levels needs to be maximised. Thus, operational coordination of pooled national means of control and inspection should be based on risk analysis of all data available in the Member States. Taking into account large numbers of data, the CFCA needs a solid operational ICT platform which is linked to the national data bases and those of the RFMO's and equipped with analytical and geographical analysing tools.

All data on activities of fishing vessels should be linked to the relevant vessel which carried out the activities concerned including transshipments and subsequent landings; in this context fishing vessels are Community fishing vessels, vessels from other Contracting Parties in the framework of the RFMO or IUU vessels. Inspections of quantities imported, transported, landed and marketed should include verifications tracing



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back the products to the fishing vessels which caught the fish. Indeed, the operational ICT platform should form the back bone of one of the coordination activities of the CFCA.

In accordance with Art. 14 of Regulation (EC) No. 768/2005, the CFCA shall undertake an annual assessment of the effectiveness of each JDP. Pursuant to the adoption of the appropriate indicators, methodology and evaluation criteria, the CFCA, together with the Member States concerned, will assess each JDP. Each assessment will be promptly communicated to the European Parliament, the Commission and the Member States.

#### **4.3. Operational coordination**

##### **4.3.1. Background**

The activities of the CFCA should be linked to those priorities under the CFP where the interventions of the CFCA are required or the most useful. Effective and uniform control and inspection in line with a genuine Community strategy will be notably crucial for the success of recovery and multi-annual plans aimed at the recovery of stocks outside safe biological limits. In order to ensure the preservation of stocks outside safe biological limits, several recovery plans and multi-annual plans for stocks and fisheries exploiting these stocks have been adopted by the Council and others are under consideration.

The operational coordination by the CFCA in priority areas, as started in 2007 and to be carried through in 2008, may be expanded to new areas in 2009. The experience shows that it takes time to organise operational cooperation between Member States and to build confidence. Once all competent authorities are used to working together, the operational cooperation between Member States can be broadened and intensified. Against this background, it is opportune to start at an early stage in new areas.

The involvement of the CFCA in the operational coordination of joint deployment of pooled national means of control and inspection in order to ensure the implementation of Community pilot projects aiming to resolve deficiencies in the application of the rules of the CFP, such as for example, reducing discards should also be considered a priority. Indeed, it is in the interest of all parties to dispose as soon as possible of the results of a properly implemented pilot project.

##### **4.3.2. Community waters, Mediterranean and the Black Sea**

The CFCA will progressively develop its involvement in operational coordination of joint control and inspection by Member States in function of the staff available. Fisheries in which vessels from a large number of Member States participate, and where several Member States are responsible for control and inspection, are qualifying in the first place for the involvement of the CFCA in operational coordination of joint control and inspection by Member States.

In 2009, the JDP concerning the organisation of the use of pooled national means of control and inspection in the Community waters in the North Sea, Kattegat, Skagerrak and the Eastern Channel to give effect to Commission Decision (2005/429/EC) establishing a specific monitoring programme related to the recovery of cod stocks, should be extended to the Irish Sea and the waters West of Scotland. Although control

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and inspection of fishing activities in the Irish Sea and the waters West of Scotland is carried out by only two Member States, fishing vessels of many Member States are operating in these waters. Moreover, it would be more rational if the above mentioned Specific Control and Inspection Programme would also apply to the other demersal species exploited by fishing vessels operating in these fisheries.

In function of the priorities for the conservation of certain other demersal stocks in Western Waters, the CFCA should be open minded towards the elaboration and adoption of a new JDP concerning the organisation of the use of pooled national means of control and inspection in Community waters. Depending on the stocks in question, Ireland, UK, France, Ireland, Spain and Portugal and other concerned Member States will be involved in such operational cooperation.

Apart from species regulated under the ICCAT convention, no fisheries on other stocks should be labelled at this stage as priority area for JDP's in the Mediterranean. As regards the Black Sea, most stocks are over exploited but the Community's participation in these fisheries is relatively small. In order to be effective, any measures should apply also to vessels flying the flag of other countries in this region.

#### 4.3.3. Beyond Community waters (excluding Mediterranean and the Black Sea)

Activities in the area of control and inspection in areas beyond Community waters corresponding to Community obligations which should be carried out by Member States concerned may be coordinated by the CFCA. In the field of its responsibilities, the CFCA should progressively take over these tasks.

On request of the Commission, the CFCA shall undertake the tasks in the international field which are listed in its Annual Work Programme. In addition to its commitment regarding NAFO fisheries, the CFCA should be prepared to take commitments concerning NEAFC. In addition, it should also be prepared to ensure operational coordination of control and inspection of blue whiting fishery (NEAFC) in Community waters and the NEAFC RA.



## ANNEX

### **Mission Statement and Internal Organisation**

#### **1. Mission statement and overall policy objectives**

- The CFCA will function at the highest levels of excellence and transparency with a view to ensure effectiveness and efficiency of its operation, and develop the necessary confidence of all parties involved. For that purpose, the CFCA will act as a bridge builder, facilitator and a service provider, promoting best practices in the field of control and inspection.
- The CFCA shall elaborate relevant indicators which will enable the performance review, in accordance with principles and objectives of the CFP.
- Year 2008 is to be considered as a transition period exercise with the operational capacities to be consolidated and the administrative infrastructure to be implemented at the seat of Vigo, Spain.

#### **2. Internal organisation**

The internal organisation of the CFCA will be developed in accordance with its mandate and missions.

- Core activities: The CFCA's coordinating operations are deployed in accordance with the Work Programme of the Unit "Operational Coordination" (Unit C). Unit C is structured, like the operational activities, on a geographical basis. Teams are organised into desks relating to areas identified as priorities. Operations will be organised with campaigns along the lines of JDPs and for IUU in setting up a network. The five desks (North Sea, Baltic Sea, NA-NAFO, Med, and IUU), plans and programmes, are coordinated at unit level for ensuring sound management of resources.
- Information and data collected are processed, analysed and assessed in the Unit "MCS Methodology, monitoring and assessment" (Unit B). Unit B is composed of three functional sections (MCS methodology and training, Data Monitoring and Analysis, Assessment), each of them being in close contact with desks of Unit C.
- The Unit "Resources" is a service provider for facilitating the daily functioning of the CFCA and ensuring sound management of human and financial resources (Unit A). Unit A, for management of resources, has four departments (Human Resources, Budget and Finance, ICT, Infrastructure and Security), whose mission is to provide support for facilitating operations. Unit A will be in a key position for the establishment in Vigo, Spain.
- The Executive Director, assisted by the Secretariat General ensures the proper management, guidance and coordination of the CFCA.

With a small team, the Executive Director has to ensure strategic development, planning and follow up of activities, to develop the relations with stakeholders, to assure legal compliance, information and transparency, and to monitor risk and quality.

The organisational chart of the CFCA includes more detailed information, in particular on all positions to be filled by the end of year 2008 in accordance with the multi-annual staff policy plan.

**Executive Director  
Harm Koster ( TAD )**

Office of the Executive Director	
Assistant Secretary	TAST
Secretary	CA

Secretariat General	
Secretary General	TAD
Secretariat	TAST
Internal Audit Administrator	TAD
Legal Officer	TAD
Public Relations Officer	TAD

A. Resources	
Head of Unit Resources	TAD
Administrative Assistant	CA
Secretariat	TAST
A1. Human Resources	TAD
HR Officer	TAST
Rights and Obligations Manager	TAST
Career Development Manager	TAST
A2. Budget and Finance	TAD
Budget Officer	TAST
Assistant for Finance and Contracts	TAST
A3. ICT and Facilities	TAD
Head of ICT	TAST
Systems Administrator	CA
ICT Operations Officer	TAST
Liaison Officer	TAST
Office Manager	TAST
Reception/Security	EXT
A4. Accounting	TAD
Accounting Officer	TAD

B. MCS methodology, monitoring & assessment	
Head of Unit MCS	TAD
Administrative Assistant	TAST
Secretariat	TAST
B1. MCS Methodology & Training	TAST
Senior assistant control & inspection methodologies	TAST
Senior assistant training modules & coordination	TAST
B2. Data Monitoring & Analysis	TAD
Head of Sector DMA	TAST
Administrator in monitoring & control systems	TAST
Project Officer for data management	TAST
Web Manager	TAST
Assistant monitoring & analysis	TAST
Assistant monitoring & analysis	EXT
B3. Assessment	TAD
Assessment Coordinator	TAD

C. Operational Coordination	
Head of Unit Operational Coordination	TAD
Administrative Assistant	TAST
Secretariat	TAST
CA	CA
C1. Programmes and Plans	TAD
Head of Programmes	TAST
Assistant for Coordination	TAST
C2. Desk North Sea	TAD
Desk Manager	TAST
Senior Coordinator of Control Operations	TAST
Coordinator of Control Operations	TAST
National Expert for NS	DNE
C3. Desk Baltic Sea	TAD
Desk Manager	TAST
Senior Coordinator of Control Operations	TAST
Senior Coordinator of Control Operations	TAST
National Expert for BS	DNE
C4. Desk North Atlantic and NAFO	TAD
Desk Manager	TAST
Senior Coordinator for NAFO Operations	TAST
Coordinator for NAFO Operations	TAST
Coordinator for NAFO Operations	TAST
C5. Desk Mediterranean and Black Sea	TAD
Desk Manager	TAST
Senior Coordinator of Control Operations	TAST
Senior Coordinator of Control Operations	TAST
Senior Coordinator of Control Operations	TAST
National Expert for BFT	DNE
C6. Desk IUU	TAD
Desk Manager	TAST
National Expert for IUU	DNE