



COMMUNITY FISHERIES CONTROL AGENCY
Administrative Board

DECISION NO 09-II-04
OF THE ADMINISTRATIVE BOARD
OF THE COMMUNITY FISHERIES CONTROL AGENCY

of 15 October 2009

**relating to the adoption of the Work Programme and the Final Budget of the
Community Fisheries Control Agency for year 2010**

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THE ADMINISTRATIVE BOARD OF THE COMMUNITY FISHERIES CONTROL AGENCY

Having regard to Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and in particular Articles 23(2)(c) and 23(2)(d) thereof,

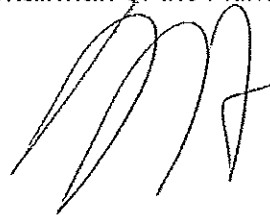
HAS DECIDED AS FOLLOWS:

Article

1. The Work Programme of the Community Fisheries Control Agency for year 2010 as contained in Annex I and the Final Budget of the Community Fisheries Control Agency for year 2010 as contained in Annex II are adopted.
2. This decision shall take effect on 15 October 2009.

Done in Vigo on 15 October 2009

Serge Beslier
Chairman of the Administrative Board

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WORK PROGRAMME OF THE CFCA FOR YEAR 2010





COMMUNITY FISHERIES CONTROL AGENCY

Work Programme 2010

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Foreword by Serge Beslier, Chairman of the Administrative Board

Illegal, unregulated and unreported fishing activities undermine not only the sustainable exploitation of living marine resources but cause also unfair competition to fleets operating in compliance with the applicable conservation and control measures. After many years of work to develop effective measures on international level, within the FAO and RFMO's, and at European level, by the Commission, to which I have personally actively contributed, at the first of January 2010, the Council Regulation establishing the Community system to prevent, deter and eliminate IUU fishing enters into force. For this reason, in my capacity as Chairman of the Administrative Board of the CFCA, it is a great pleasure to announce that the fight against IUU fisheries, as an overriding priority, is at the core front of the CFCA Work Programme 2010.

I am convinced that the CFCA can play a crucial role in assisting the Member States and the Commission in the implementation of the above Regulation. Indeed, if we want to prevent imports of fishery products originating from IUU activities, it is essential that the rules under this regulation are applied, in effective and uniform manner, by all Member States. Having this mind, the Commission and the CFCA will coordinate closely the application of this regulation by all Member States as from the beginning of 2010.

Furthermore, I am confident that the European Institutions will adopt soon a new comprehensive control regulation consolidating and extending, in a coherent way, the current control provisions applicable under the Common Fisheries Policy which are spread out over a number of different regulations. The effective and uniform implementation of the new Community control system by Member States will become another challenge for Member States and the Commission. When the new Community control system will enter into force, the CFCA should assist Member States and the Commission in achieving this objective whilst, in 2010, the Commission and the CFCA should assist Member States in the preparations for the implementation of the new Community control system.

This Regulation may include a modification of the Agency's mandate and possible new tasks to be developed. If so, the Agency should work in close cooperation with the Commission and the Member States to ensure a prompt and effective implementation of the new tasks.

Before the upcoming reform of the Common Fisheries Policy, the enhanced effective and uniform application by Member States of the new rules against IUU fisheries activities and the new Community control system should mark the shift towards a culture of compliance at Community level. The CFCA Work Programme 2010 has been elaborated by having this objective in mind. Ultimately, it has to contribute to sustainable exploitation of the resources and to prevent unfair competition by illegal catches. When its effective application is ensured, the debate on the reform of the Common Fisheries Policy can focus on the basic questions concerning the conservation of stocks and the management of fisheries.

The operational coordination of joint deployment of pooled national means of control, inspection and surveillance is a tangible example of successful assistance by the

CFCA Work Programme 2010

CFCA to Member States. Joint risk analysis of data on fishing activities as well as inspection and surveillance activities and operational coordination organised by the CFCA and exchange of inspectors between Member States are contributing to the uniform and effective application of the rules of the Common Fishery Policy by Member States. Fishermen, NGOs and national control authorities have recognized the added value of the activities of the CFCA not only in terms of cooperation between Member States but also in terms of effectiveness and harmonisation of inspection and surveillance.

Having in mind the adoption of the new Community control system the CFCA has an important role to play in enhancing capacities in Member States to apply the rules of the CFP in a uniform and effective manner. The experience under Joint Deployment Plans shows that a lot is to be gained by training of national inspectors and assisting Member States in pooling of data necessary for common risk analysis and operational coordination organised by the CFCA. The CFCA Work Programme lists the concrete activities to be undertaken in this field in 2010. In line with the new Community control system and the priorities to be determined by the Commission, the CFCA will assist in this way Member States to adapt to the new requirements.

Foreword by Harm Koster, Executive Director

The 2010 Work Programme will be the 4th in its kind since the Agency launched its operational activities in 2007. I am very proud to say that the 2010 Work Programme is the result of the hard work by the CFCA staff from the very beginning and would not have been possible without the support and the collaboration of the Member States and the Commission.

The Commission has assigned new tasks to the CFCA in relation to the implementation of the Regulation against IUU activities. The CFCA attaches a high priority to the execution of these tasks and will work closely together with the Commission on this issue.

Since 2007, the CFCA has organized operational cooperation between Member States through Joint Deployment Plans (JDP's). In fact, the conclusions of the JDP's seminar that took place in Vigo (July 2009) recognize the enhanced cooperation between Member States through JDP's. Future development of JDP's will integrate an interlinked approach between JDP Planning, based on risk management, JDP management, based on flexibility, and JDP assessment, based on accountability.

In the course of 2010, as regards operational coordination, the CFCA will consolidate the current activities. In the framework of each JDP, the methodology for common risk analysis will be optimised and the performance parameters quantified in each steering groups. Furthermore, as regards the assessment of the effectiveness of JDP's, a proper methodology, based on predefined quantified performance parameters and an analysis of the impact on compliance levels, will be developed.

In line with the development of JDP's, the capacities to pool data between Member States and the CFCA will be further developed. The Fisheries Data Monitoring Centre of the CFCA was established in 2009 and will be further extended in 2010. Moreover, the CFCA will facilitate the pooling of non-standardised data on fishing activities as well as inspection and surveillance activities by Member States through a mapping of national data monitoring centres.

The CFCA is further investing in 2010 in training of national inspectors and other control staff through the organisation of training on the provisions of the Regulation against IUU and specific training in the framework of JDP's. The number of officials trained by the CFCA will increase in 2010. In accordance with the new Community control system currently debated on the level of the relevant Community Institutions and the priorities to be determined by the Commission concerning its implementation, the CFCA will organise the drawing up and finalisation of a common core curriculum for training of fisheries inspectors.

CHAPTER 1. Introduction

1.1 General overview

The Community Fisheries Control Agency (CFCA) has been created with the objective to organise operational coordination of fisheries control and inspection activities by the Member States and to assist them to cooperate so as to comply with the rules of the Common Fisheries Policy (CFP), in order to ensure its effective and uniform application.

To this aim, the CFCA Administrative Board shall adopt by 31 October each year the Work Programme of the Agency for the coming year (Art. 23(2)(c) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy).

The Administrative Board ensures that sufficient consensus is reached, including the matching of tasks foreseen for the Agency in the Work Programme with resources available to the Agency, based on the information provided by Member States.

In March 2009, the Provisional Work Programme 2010 was presented to the Administrative Board and the Advisory Board for discussion. In accordance with Art. 35 of Council Regulation (EC) No 768/2005, the Administrative Board of the CFCA, by 31 March 2009, forwarded to the European Commission a statement of estimates of revenue and expenditure, together with the provisional work programme.

In July 2009, a revised draft of the Work Programme 2010 was circulated for consultation to the Member States, the Commission and the Advisory Board in order to have the final draft ready for adoption at the Administrative Board meeting in October 2009.

The activities included in the Work Programme 2010 are clearly linked to the budgetary resources available and mainly focus on the consolidation of the current activities of the Agency.

1.2 Vision

The Agency's vision is as follows:

"The Member States and the stakeholders should benefit from a European level playing field for the enforcement of the Common Fisheries Policy which has as its main objective to ensure a long-term biologically and ecologically sustainable exploitation of resources which constitute a common good".

This vision underpins every aspect of the activities of the Agency, taking into consideration that the cooperation with the Commission and national administrations is a strategic element and one of the key success factors.

1.3 Mission statement

The European Council agreed to establish the Agency in the 2002 Common Fisheries Policy reform, as part of the drive to instil a culture of compliance within the fisheries sector across Europe. In April 2005, the CFCA was established by Council Regulation (EC) No 768/2005.

The mission statement of the CFCA is the following:

"The Agency's mission is to promote the highest common standards for control, inspection and surveillance under the Common Fisheries Policy".

The CFCA strives to function at the highest levels of excellence and transparency with a view to develop the necessary confidence and cooperation of all parties involved and, in doing so, to ensure the effectiveness and efficiency of its operations.

The CFCA develops its activities on a multiannual basis and, in accordance with a global perspective, a systemic approach and an adaptive strategy.

In practice, the CFCA acts as a bridge-builder, facilitator and service provider, promoting cooperation, fairness and best practices in the field of control and inspection.

1.4 Strategy

The primary role of the CFCA is to promote effective and uniform application of the rules of the Common Fisheries Policy by the Member States. In order to achieve this goal, the activities of the CFCA are defined along the following main strategic axes, firmly interlinked:

a) Coordination of pooled national means

The CFCA ensures the coordination of joint control, inspection and surveillance activities of means pooled by Member States on land and in Community and international waters, as appropriate. This is done through the Joint Deployment Plans, the vehicle through which the CFCA organises the deployment of national human and material means of control and inspection pooled by Member States. The deployment of pooled national means is coordinated by the CFCA through coordination centres in charge in a Member State or at CFCA premises.

While Member States are responsible for applying the rules on their own territory, in waters under their sovereignty and jurisdiction and to fishing vessels flying their flag, the Agency may act as a facilitator brokering cooperation and ensuring that legislation is implemented in a systematic, uniform and effective way. Pooling separate national efforts should overcome shortcomings which may arise because of the different resources and priorities national authorities allocate to their own controls and inspections.

b) Capacity building

Capacity building facilitates the uniform application of the rules of the CFP by Member States and provides guidance to them in respecting their obligations under the CFP, while Joint Deployment Plans address specific, recurrent compliance problems in certain areas and fisheries. Uniform inspection procedures by national inspectors also make it possible to document all cases of non-compliance in a transparent manner.

By monitoring national means, training national experts in line with Community guidelines established by the Commission, providing a communication platform for control, inspection and surveillance and facilitating the exchange of data and validating their reliability, the CFCA is contributing to ensuring that the rules of the CFP are applied by the Member States in a uniform way.

Ultimately, by building capacities in Member States to apply uniformly the rules of the Common Fisheries Policy, the Agency contributes to building a level playing field for the European fishing industry with the primary objective of ensuring compliance with the rules, thus providing for a long term, biologically and ecologically sustainable, exploitation of resources which constitute a common good.

The mid-term strategy of the CFCA was developed to optimise the immediate and long-term impacts of its activities on the objective, to ensure uniform and effective application of the rules of the CFP by Member States. The activities of the CFCA are contributing to a level playing field at the level of the Community, both through operational coordination of joint deployment of national means of control, inspection and surveillance pooled by Member States and the building of capacities in Member States (such as training of inspectors) to apply uniformly the rules of the CFP.

During 2010 the Agency, in close cooperation with the Member States and the Commission, will implement the activities in the work programme along the different lines established in the mid-term strategy:

- Elaboration of strategic plans and roadmaps,
- Development of performance indicators,
- Assessment of the effectiveness of control, inspection and surveillance activities.

1.5 Priorities for 2010

The first and foremost priority for 2010 is:

- To assist the Member States and the Commission in the implementation of the Regulation to prevent the Illegal, unreported and unregulated (IUU) fishing throughout the Community in a uniform manner. The budget dedicated to these activities is multiplied by 4 and the number of staff is increased from 1 to 5.

- Other priorities identified are:
 - Operational coordination of control, inspection and surveillance activities in relation to fisheries by fleets from several Member States exploiting shared stocks, particularly those which are outside a safe biological limit and subject to a Specific Control and Inspection Programme adopted by the Commission (cod in the North Sea and Western Waters, cod in the Baltic Sea and bluefin tuna in the Mediterranean and the Eastern Atlantic);
 - The capacity building effort will be directed to assist Member States and the Commission in operational coordination under JDP's and in the preparation of the harmonised and effective implementation of the new control regime, in particular, through the coordination of training of inspectors and facilitating the pooling of data and information relevant to fisheries control, inspection and surveillance.

In close cooperation with the Commission and the Member States concerned, the CFCA will explore a further rationalisation of its activities in other areas including NAFO/NEAFC and, where appropriate, transfers of additional staff to priority areas. It should be noticed however, that despite the reduction of activities in areas such as NAFO and NEAFC, a significant financial allocation is required to ensure the minimum EU international obligations.

CHAPTER 2. Operational Coordination

Context

Operational coordination is the core competence of the CFCA. Joint Deployment Plans will facilitate a uniform and effective application of the CFP rules (catch and effort restrictions and technical conservation measures), through the accomplishment of the objectives and benchmarks of the Specific Control and Inspection Programmes and the International Control and Inspection Schemes.

In line with the priorities set out in Chapter 1, operational coordination will be assured by applying three main principles:

- consolidation of existing JDPs
- enhancing its scope through reinforcement of risk management and evaluation of results and
- extending cooperation between Member States.

In organizing operational cooperation between Member States through the adoption of Joint Deployment Plans and for the purpose of operational coordination of joint control, inspection and surveillance activities by Member States, the CFCA has established two joint working groups for the elaboration and implementation of each JDP:

– Steering Group

The Steering Group is composed of national contact persons appointed by the participating Member States and a representative of the Commission and chaired by the CFCA. The Steering Group is responsible for ensuring the elaboration, overall coordination of the implementation and the assessment of the effectiveness of the Joint Deployment Plan.

– Technical Joint Deployment Group

The Technical Joint Deployment Group is composed of national coordinators assisted by the CFCA coordinators, for the purpose of the operational planning and execution of joint deployment of pooled means of control, inspection and surveillance. It is chaired by a representative of one of the Member States concerned.

In accordance with the conclusions of the seminar of JDPs 2009, "The Way forward", the CFCA will continue to drive towards extended cooperation, by

- Improving JDP planning, based on precise objectives and risk-management procedures
- Promoting a flexible approach in inspection planning, following risk analysis by the Steering Group and/or the Technical Joint Deployment Group
- Adopting, where appropriate, multiannual JDPs, consistent with the time-frame of the relevant specific control and inspection programme
- Promoting JDP assessment based on accountability, including a feed-back mechanism for constant improvement.

During 2010, another seminar will be organised with the Member States and the Commission to continue with the discussions started at the 2009 "Way Forward" seminar.

In line with the conclusions of the seminar, in each of the geographical areas of its activities, the CFCA will review possible methods to measure the short-term and mid-term outcomes in the framework of the Steering Groups. Subsequently, an assessment of the outcome of the Joint Deployment Plans and their Community added value and relative contribution to compliance levels will be launched in 2010.

Furthermore, the CFCA will quantify the following performance indicators for all JDPs:

Performance Indicators

1. % of campaign days and sea days carried out in accordance with the JDP schedule.
2. Number of campaign days at sea and ashore per JDP.
3. Control and inspection means deployed in accordance with the JDP schedule (% of total planned).
4. Number of sightings, inspections and presumed infringements detected during JDP.
5. Ratios for sightings-inspection-presumed infringements/ per campaign day during JDP.
6. Man/days in mixed teams.
7. % of main specie landings (by weight) controlled during the JDP compared with total main specie landings (by weight).
8. Ratios for targeted vessels- inspection- presumed infringements/ per campaign day.
9. % of Community inspectors participating in Joint Campaigns who have attended a training course provided by the CFCA.
10. Satisfaction questionnaire standards completed by participants in the Joint Campaigns and the Training Seminar.

2.1 Cod Fisheries Baltic Sea

Legal Basis

Art. 5(2) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy¹.

Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97².

Commission Decision (2008/589/EC) of 12 June 2008 establishing a specific control and inspection programme related to the cod stocks in the Baltic Sea³.

Assessment current situation

The objective of sustainable exploitation of the stocks concerned requires an effective control and inspection of landings of Baltic cod.

¹ OJ L 128, 21.5.2005, p. 1.

² OJ L 248, 22.9.2007, p. 1.

³ OJ L 190, 18.7.2008, p. 11.

Uniform and effective implementation of the applicable rules in the fishery includes, in particular, compliance with closed areas, technical measures and catch restrictions. On the basis of Community legislation, each flag Member State determines the number of vessels licensed to fish cod, the fishing effort, as well as the monitoring of catch restrictions. Monitoring and surveillance activities by Member States, supported and coordinated by the CFCA, should ensure compliance with the applicable rules.

The Joint Campaigns coordinated by the CFCA, made it possible to control more effectively technical measures, fishing effort limitation, closed areas, catches and landings.

The proportion of inspected landings of vessels fishing for cod should be increased in order to be effective. Small vessels, using gillnets and longlines and which are not licensed, could have a substantial impact on the catches of cod. The catches of this fleet segment should be properly managed, monitored and inspected.

Scope for improvement of effectiveness

The CFCA will look for the application of best practices for both shore and sea inspections during Joint Campaigns. The Steering Group will be more closely involved in the decision-making process for the overall JDP planning. The Technical Joint Deployment Group is expected to have a more active role during Joint Campaigns, in order to ensure that tactics are adapted to reflect the results of short-term risk analysis and changing weather conditions.

CFCA coordinators will continue their participation during the Joint Campaigns in the Coordination Centre and ashore in 2010.

The CFCA will need to be provided with the necessary data to develop a joint risk analysis process which will make it possible to increase the efficiency of the implementation of the JDPs.

In order to evaluate the functioning of the JDP and its contribution to the enforcement objectives, an assessment of results and achievements will be carried out.

Significantly, more training will be provided to inspectors from all Member States involved in both Community legislation and control and inspection methodologies applied to the fishery, with the objective of achieving a uniform and effective application of Community Fisheries legislation

Inputs

Desk officer: 1.

CFCA coordinators: 3.

Control means (Fisheries patrol vessels (FPV's), airplanes, inspectors) of Member States for 140 days/ year.

Budget: 165.554 euro.

Tasks

1. Meetings of Steering Group.
2. Preparation of JDP for 2010 and 2011.
3. Coordination of the activities of Member States inspection and control means during the Joint Campaigns.
4. Operation of the TJDG and follow-up of the Joint Campaigns.
5. Setting up and application of a reliable risk analysis process.
6. Assessment of JDP.
7. Training for inspectors.
8. Communication and dissemination of results.

Deliverables

1. Strategy for operational implementation of JDP based on risk analysis.
2. Reports of inspections, sightings and presumed infringements during the Joint Campaigns.
3. Joint Campaign reports produced by the CFCA coordinators.
4. Daily situation reports produced by the Coordination Centre during the respective Joint Campaign.
5. Evaluation report of JDP.
6. Training Seminar for Inspectors.
7. JDP for 2010 and 2011.
9. Communication references in CFCA Web site.
10. Popular leaflet of JDP results prepared in cooperation with the relevant RAC.

2.2 Bluefin tuna fisheries in Mediterranean and East Atlantic

Legal Basis

Art. 5(2) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007⁴.

Commission Decision (2009/296/EC) of 25 March 2009 establishing a specific control and inspection programme related to the recovery of bluefin tuna in the eastern Atlantic and the Mediterranean⁵.

⁴ OJ L 96, 15.4.2009, p. 1.

⁵ OJ L 80, 26.3.2009, p. 18.

Assessment current situation

Bluefin tuna (BFT) in the Eastern Atlantic and the Mediterranean has been overfished for several years. Presently, the International Commission for the Conservation of the Atlantic Tunas (ICCAT) Standing Committee on Research and Statistics (SCRS) considers that the stock is being exploited outside safe biological limits. In addition, the SCRS estimated that underreporting is substantial. Misreporting and non-notified transfers are a risk in the bluefin tuna fishery.

The BFT recovery plan includes measures such as total allowable catches, restriction on fishing within certain areas and time periods, minimum sizes, measures concerning sport and recreational fishing activities, as well as control measures and the implementation of the ICCAT Scheme of Joint International Inspection.

The implementation of a JDP in this fishery has been positive. The considerable efforts made by the Member States and the Commission have permitted an improvement in the level of control and inspection activities on Community and non-Community fishing vessels, as well as on the operators involved.

It is important to maintain the substantial effort by Member States concerned, both for controls at sea and ashore (patrol vessels, aircraft and inspectors), and there is a need to deploy additional patrol vessels in the Eastern Mediterranean, considering the increasing level of fishing activity in the area.

Scope for improvement of effectiveness

The coordination of the control activities by the TJDG based in the CFCA premises should continue, with the participation of experts from all Member States concerned. It presents a number of advantages for the planning of the activities as well as contributing to increasing the transparency and the cooperation between the control authorities.

The use of a chartered vessel in the peak period of the fishery, with a large range of action, will allow Member States to improve the level of inspection in the area.

Regarding the inspection activities as such, there is a need to have more advanced technology to evaluate the quantities of bluefin tuna held in a farm or in a cage. Existing technology must be explored in order to provide appropriate inspection equipment to the inspectors.

The CFCA will continue to develop a joint risk analysis process that will permit the improvement of the definition of the operative section of the JDP. This analysis will allow the identification of the best strategy for inspection and control activities, and to update it constantly, thus maximising the efficiency of the joint operations.

In order to evaluate the functioning of the JDP and its contribution to the enforcement objectives, an assessment of results and achievements will be carried out.

Significantly more training will be provided to the trainers of inspectors from all Member States concerned, both in Community legislation and control and inspection methodologies applied to the fishery, with the objective to achieve a uniform and effective application of the Community rules. Special attention will be given to the completion of uniform inspection reports. Participation of CFCA coordinators in the Member States' courses for training of inspectors will be provided.

Inputs

*Desk officer: 1.
CFCA coordinators: 3 (+1 temporal reallocation from other activity).
Seconded National Experts: 6 x 4 months.
Control means (FPV's, airplanes, inspectors) of Member States for p.m. days/ year.
Deployment of chartered EU inspection vessel during 40 days.
Budget: 175.223 euro.*

Tasks

- 1. Meetings of Steering Group.*
- 2. Preparation and adoption of JDP for 2010.*
- 3. Signature charter and contracts with the Member States concerned.*
- 4. Coordination of the activities of Member States inspection and control means during the Campaign.*
- 5. Operation of the TJDG and follow-up of the Joint Campaigns at the Agency's premises.*
- 6. Setting up and application of a reliable risk analysis process.*
- 7. Assessment of JDP.*
- 8. Training of inspectors.*
- 9. Communication and dissemination of results.*

Deliverables

- 1. Strategy for operational implementation of JDP based on risk assessment.*
- 2. Reports of Inspections, sightings and presumed infringement during the Campaign.*
- 3. Weekly Progress reports produced by the TJDG.*
- 4. Campaign reports produced by the CFCA coordinators.*
- 5. Daily situation reports produced by the Coordination Centre during the Campaign.*
- 6. Evaluation of the JDP.*
- 7. 1 Training Seminar for Inspectors trainers.*
- 8. Participation of CFCA in Member States' training.*
- 9. JDP for 2010.*
- 10. Communication references in CFCA Web site.*
- 11. Popular leaflet of JDP results prepared in cooperation with the relevant RAC.*

2.3 Cod Fisheries in the North Sea and Western Waters

Legal Basis

Art. 5(2) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004⁶.

Commission Decision (2008/620/EC) of 22 July 2008 establishing a specific control and inspection programme related to the cod stocks in the Kattegat, the North Sea, the Skagerrak, the eastern Channel, the waters west of Scotland and the Irish Sea⁷.

Assessment current situation

Uniform and effective implementation of the applicable rules in the cod fishery includes, in particular, compliance with technical measures and catch restrictions. On the basis of Community legislation, including TAC and quota annual Regulations, each flag Member State determines the number of vessels licensed for cod fishing inside the effort levels fixed by the Council, as well as the monitoring of catch restrictions. Monitoring, control, inspection and surveillance activities by Member States coordinated by the CFCA should ensure compliance with the applicable rules.

The Joint Campaigns coordinated by the CFCA, thanks to the efforts undertaken by Member States, made it possible to prioritise and focus the control activities on inspection tasks as laid down in Commission Decision (2008/620/EC). The Joint Campaigns have proved also that close cooperation between Member States may be achieved with very positive results concerning the efficiency of inspection activities and uniform application of Community rules.

To some extent, notably in terms of promptness, the exchange of information concerning targets for inspection and results of control activities needs to be improved.

New rules have been applied in the fishery, regarding the fishing effort scheme, a prohibition on high grading and a real time closures scheme. The functioning of these measures should be evaluated.

Scope for improvement of effectiveness

Control and inspection activities exercised by Member States in the North Sea and Western Waters under separate Joint Deployment Plans will be merged into one JDP related to cod stocks, with the objective of gaining more operational flexibility and of

⁶ OJ L 348, 24.12.2008, p. 20.

⁷ OJ L 198, 26.7.2008, p. 68.

increasing the efficiency of pooled human and technical means. CFCA coordinators will actively support the Coordination Centre with advice. They will also look for the best practices for both shore and sea inspections during Joint Campaigns. The Steering Group will be more closely involved in the decision-making process for the overall JDP planning. The Technical Joint Deployment Group is expected to have a more active role during Joint Campaigns, in order to ensure that tactics are adapted to the results of short-term risk analysis and changing weather conditions.

Attention should be paid during the Joint Campaigns to the new fishing effort scheme, the measures regarding discards and the prohibition on high grading and the application of the real time closures scheme. The functioning of these measures should be evaluated

CFCA coordinators will continue their participation during the Joint Campaigns in the Coordination Centre and ashore during 2010.

The flow of information exchange shall be improved and data collection will be further developed, in order to make risk analysis more reliable for accurately defining control targets during the JDP. Coordination Centres will be encouraged to use more effective risk analysis tools and to more broadly apply the results. The CFCA will need to be provided with the necessary data to develop a joint risk analysis process which will make it possible to increase the efficiency of the implementation of the JDP.

In order to evaluate the functioning of the JDP and its contribution to the enforcement objectives, an assessment of results and achievements will be produced.

New training schemes will be provided for inspectors from all Member States concerned, both in Community legislation and control and inspection methodologies, with the objective of achieving a uniform and effective application of Community rules.

Inputs

*Desk officer: 1.
CFCA coordinators: 2 + 1 SNE.
Control means (FPV's, aircraft, inspectors) of Member States: 140 days/year in the area.
Budget: 165.223 euro.*

Tasks

- 1. Meetings of Steering Group.*
- 2. Preparation of JDP for 2010 and 2011.*
- 3. Coordination of the activities of Member States' inspection and control means during the Joint Campaigns.*
- 4. Operation of the TJDG and follow-up of the Joint Campaigns at the Agency's premises.*
- 5. Setting up and application of a reliable risk analysis process.*

6. *Assessment of the JDP.*
7. *Training for inspectors.*
8. *Communication and dissemination of results.*

Deliverables

1. *Strategy for operational implementation of JDP based on risk assessment.*
2. *Reports of Inspections, sightings and presumed infringement during the Joint Campaigns.*
3. *Joint Campaign reports produced by the CFCA coordinators.*
4. *Daily situation reports produced by the Coordination Centre during the campaign.*
5. *Evaluation of the JDP.*
6. *Training Seminar for Inspectors.*
7. *JDP for 2010 and 2011.*
8. *Communication references in CFCA Web site.*
9. *A leaflet on JDP results prepared in cooperation with the relevant RAC.*

2.4 JDP for regulated fisheries in NAFO and NEAFC regulatory areas

Legal Basis

Art. 5 (2) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Council Regulation (EC) No 1386/2007 of 22 October 2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation⁸.

Council Regulation (EC) No 2791/1999 laying down certain control measures applicable in the area covered by the Convention on future multilateral cooperation in the north-east Atlantic fisheries⁹.

Assessment current situation

The CFCA has been requested by the Commission to coordinate the EC participation in the International Control and Inspection Programmes in NAFO and NEAFC areas.

According to the NAFO Scientific Council, the Greenland halibut catches are substantially underreported. The real catches, according to scientific advice, could exceed the established TACs by more than 20%.

⁸ OJ L 318, 5.12.2007, p. 1. Regulation as last amended by Regulation (EC) No 679/2009 (OJ L 197, 29.7.2009, p.1).

⁹ OJ L 337, 30.12.1999, p. 1.

NAFO control and enforcement measures include measures such as a total allowable catches, restriction on fishing within certain areas and time periods, minimum fish sizes and by-catch requirements. Part of these measures is the Joint Inspection and Surveillance Scheme in which inspection procedures in the NAFO RA are laid down.

The NAFO Fisheries Commission has adopted a multiannual recovery plan for Greenland halibut stock in NAFO Sub-area 2 and Divisions 3KLMNO. The rebuilding plan includes measures such as total allowable catches as well as some additional control measures (designated ports for landings of Greenland halibut, inspections of all landings and checkpoint for vessels intending to fish Greenland halibut in the NAFO Regulatory Area which are entering the NAFO RA with more than 50 tonnes of fish on board). The European Community incorporated this recovery plan into Community law by Council Regulation (EC) No 2115/2005. The CFCA has to contribute to the effective and uniform implementation of the recovery plan.

For the NEAFC Regulatory Area, the first JDP was adopted in 2009. In the NEAFC Regulatory Area fishery and inspection activities must be conducted in accordance with the Scheme of Control and Enforcement which has been transposed into Community Law by Council Regulation (EC) No 2791/1999 and Commission Regulation (EC) No 1085/2000.

The NAFO and NEAFC JDPs executed during 2009 focused on ensuring the presence of a Member State's fisheries patrol vessel in the NAFO and NEAFC Regulatory Areas with joint inspection teams from the Member States concerned. The Member States are discharging their obligations either with their own control means or through the chartering of a fisheries patrol vessel organised by the CFCA.

Scope for improvement of effectiveness

To rationalize the participation of the EC in the International programme of both areas, the JDPs will be merged. Benchmarks to be established will have to consider the reduction of the activity in the NAFO area, which would permit a substantial reduction of the presence of control means in the area. In NEAFC, the JDP will primarily consider the redfish fishery, considering that it is the only regulated fishery carried out mainly in International waters.

The Technical Joint Deployment Group has to be more active in the adoption of a strategy and the organisation of the control and inspection activities, including as an objective an increase of the proportion of landings inspected by mixed teams.

Considering the limited financial resources, the CFCA coordinators will optimise participation in the Campaigns on board of inspection platforms and ashore during 2010.

The use of a chartered FPV in the NAFO and NEAFC RA will allow those Member States not having enough control means to fulfil their responsibilities. The Merging of the NAFO and NEAFC JDPs could give more flexibility in deploying national inspection vessels.

The CFCA will need to be provided with the necessary data to develop a joint risk analysis process which will make it possible to increase the efficiency of the implementation of the JDP.

In order to evaluate the functioning of the JDP and its contribution to the enforcement objectives, an assessment of results and achievements will be carried out.

Training will be provided to inspectors from all Member States concerned, both in Community legislation and control and inspection methodologies applied to the fishery in NAFO and NEAFC Regulatory Areas, with the objective to achieve a uniform and effective application of the Community rules implementing the NEAFC and NAFO schemes.

Inputs

*Desk officer: 1.
CFCA coordinators: 4.
Control means (FPVs, airplanes, inspectors) of Member States to comply with the benchmarks established).
Deployment of chartered EU inspection vessel during p.m. days.
Budget: 200.000 euro.*

Tasks

- 1. Meetings of Steering Group.*
- 2. Preparation of JDP for 2011.*
- 3. Coordination of Member States control and inspection means during the Campaigns.*
- 4. Operation of the TJDG and follow-up of the Campaigns at the Agency's premises.*
- 5. Setting up and application of a reliable risk analysis process.*
- 6. Assessment of JDP.*
- 7. (possibly) Signature charter and contracts with the Member States concerned for 2011.*
- 8. Training for inspectors.*

Deliverables

1. *Strategy for operational implementation of JDP based on risk assessment.*
2. *Reports of Inspections, sightings and presumed infringements during the Campaigns.*
3. *Monthly reports produced by the TJDG.*
4. *Campaigns reports produced by the CFCA coordinators.*
5. *Evaluation of JDP.*
6. *1 Training Seminar for Inspectors.*
7. *JDP for 2011.*
8. *Communication references in CFCA Web site.*
9. *Leaflet of JDP results prepared in cooperation with the relevant RAC.*

2.5 New Community system to fight illegal, unreported and unregulated fishing (IUU)

Legal Basis

Art. 3 (h) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999¹⁰.

Future Commission Regulation establishing detailed rules to apply Regulation (EC) No 1005/2008 (IUU regulation.)¹¹.

Future Commission Decision designating the CFCA as the body to execute certain tasks contained in Regulation (EC) No 1005/2008¹².

Assessment of the current situation

The Council Regulation establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing requires that the system will have to be applied from January 2010. It foresees that some tasks may be assigned by the Commission to the CFCA. During 2009, the CFCA prepared its internal structure and the tools required for developing these new functions.

¹⁰ OJ L 286, 29.10.2008, p. 1.

¹¹ Adoption pending.

¹² Adoption pending.

The functions during 2010 will be based on the execution of the tasks to be assigned by the Commission, to give assistance to the Commission and Member States in the uniform and effective implementation of the Regulation, and on training support upon request by the Commission for Third countries in accordance with article 4 of Regulation (EC) No 768/2005, and in cooperation with the Commission in respect of training actions for Member States. The activities will be developed considering budget and staff limitations

Scope for improvement of effectiveness

Specific tasks to be transferred to the CFCA by *Commission Decision*¹³ under the Council Regulation (EC) No 1005/2008 to prevent, deter and eliminate IUU fishing:

- Communication to the flag States, Coastal States concerned and, if appropriate, to the competent RFMO Secretariat of refusals of landing or transshipment operations notified by the Member States under article 11(3) of Council Regulation (EC) No 1005/2008.
- Audits in third countries, on Commission request, on the effective implementation of cooperation arrangements under the catch certification provisions under article 20(4)(c) of Council Regulation (EC) No 1005/2008.
- Communication to Member States and flag states concerned of information and evidence relevant for the establishment of the Community IUU vessel list which has been submitted by the Member States to the Commission under article 25(2) of Council Regulation (EC) No 1005/2008.
- Transmission of sighting reports to the flag States concerned, all Member States and, where appropriate, the RFMOs concerned under articles 48(4), 49(2), 50(2) and 50(4) of Council Regulation (EC) No 1005/2008.

Working group

The CFCA will continue to convene a working group with participation of the Member States and the Commission to support the uniform and effective implementation of the IUU Regulation by the Member States.

Training

The new functions of the Agency, in relation to the implementation of the Regulation will include contributing to training to apply IUU Regulation in cooperation with the Commission, as done during 2009. During 2009, the CFCA co-organised with the Commission several training seminars for Member States' authorities and participated alongside the Commission in 2 regional seminars for Third Country authorities. The effort to be done by the Agency during 2010, in relation to application of IUU Regulation training, will be dependant on the results achieved in 2009 and further needs identified.

¹³ Adoption pending

1. Training of Member States' authorities

The CFCA will co-organise, with the Commission, 4 training sessions for relevant Member States' administration officials. They will be organised using geographical criteria. These sessions will be supported by the updated training materials and guidelines developed during 2009 by the Commission with the assistance of the CFCA and based, among other, on the implementing rules of the IUU Regulation.

2. Training of Third Country Officials

For the correct and successful implementation of the IUU Regulation, cooperation of officials from the authorities of Third Countries is crucial. CFCA officials should contribute, alongside the Commission officials, to further training actions to be decided and financed by the Commission.

Inputs

*Desk officer: 1.
CFCA coordinators: 3
SNE: 1.
Budget: 140.000 Euros.*

Tasks

- 1. Preparation of the IUU work plan for 2011 and beyond.*
- 2. Execution of the competences transferred by the Commission.*
- 3. Training of Member States' authorities.*
- 4. Contribution to the training of Third Country officials.*

Deliverables

- 1. IUU work plan for 2011.*
- 2. Data report on IUU activities managed through the CFCA.*
- 3. Audit reports.*
- 4. 6 Training seminars for Member States' authorities.*
- 5. Report on the conclusion documents of the Third Country Seminars held.*
- 6. Update of training material used in training sessions for Member States and Third Country seminars.*
- 7. Communication references in CFCA Web site.*

CHAPTER 3. Capacity Building

Context

Capacity building will be ensured by supporting control and inspection infrastructure and by developing human potential.

Support to control and inspection infrastructure will target the development of a Fisheries Data Monitoring Centre and an efficient management of pooled capacities, allowing for the pooling of inspection and surveillance resources and for the development of a coordination platform at the CFCA's facilities.

The experience during JDPs has shown that the effectiveness of control, inspection and surveillance activities can be improved significantly through training. Indeed, the CFCA's activities in the area of operational coordination rely heavily on the continuous development of human potential by providing training in support of the different JDPs and by supporting a multiannual training schemes for Community and National inspectors. In general Member States need an inspectors' curriculum for training of their fisheries inspectors. Properly trained inspectors enhance a Member State's capacity to apply the rules of the Common Fisheries Policy in a uniform and effective manner.

In parallel, the CFCA will also facilitate the development of common methodologies and the establishment of best practices in control operations.

<i>Budget: 564 000 Euros</i>

3.1 Assessment of JDP activities, inspection methodologies and risk of non compliance methodologies and performance indicators

Legal Basis

<i>Art. 14 of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.</i>
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Assessment current situation

In the course of 2009 a basic assessment will be conducted on the joint deployment activities carried out in 2008. A standard methodology for the collection of inspection activity and performance information during JDP activities has been developed in the course of 2009 and has been used for the assessment of the activities in the second half of 2009. Experience has shown that, in order to provide the management with

high quality assessment and guidelines, standardised assessment methodologies should be further developed in 2010.

Scope for 2010

As well as the actual assessment of the joint deployment activities, the main focus in 2010 will be, in cooperation with the Fisheries Data Monitoring Centre to generate a procedure for data collection, evaluation and exchange during joint inspection activities.

The emphasis of the assessment will be on the possible impact of joint deployment activities on compliance, the added value of such operations in general and a cost benefit analysis of joint operations against unilateral ones. Performance indicators will be further developed in this respect.

In this respect, the results and experiences of the utilisation of the jointly-contracted Electronic Mesh Gauge (Commission Regulation (EC) No 517/2008) in the Member States will be monitored and reviewed early in 2010.

Inputs

AST:1.
Forecast: 10.000 Euros.

Tasks

1. *Develop a standard procedure and guidelines for the collection of inspection data and operational information.*
2. *Harmonise methodologies for joint inspection and control activities.*
3. *Provide the management of the CFCA with guidelines and recommendations for improvement.*
4. *Review the efficiency of the Joint Deployment Activities, Cost-Benefit issues and impact assessments taking into account pre defined performance indicators.*
5. *Carrying out analysis for supporting quantitative risk assessments.*
6. *Monitor the risk of possible non compliance.*
7. *Monitor the utilisation of the mesh gauge (Commission Regulation (EC) No 517/2008).*

Deliverables

1. *Standard procedure/ template for the collection of data and operational information during Joint Deployment activities of the Member States.*
2. *Assessment reports on the results of the CFCA field activities:*
JDP North Sea
JDP Baltic Sea
JDP Bluefin tuna
JDP NAFO
JDP NEAFC.
3. *Reports on possible risk of non compliance and implementation problems and formulation of guidelines and recommendations for development.*
4. *Presentations and publications.*
5. *Review the application of the new mesh gauge (Commission Regulation (EC) No 517/2008).*

Performance indicators

1. *User friendliness of the procedure/ template for the collection of data and operational information.*
2. *Production of assessment reports for each JDP and the quality of such assessment reports.*
3. *Added value and applicability of assessment information in the framework of improved performance.*
4. *Review of the application of the Electronic Mesh Gauge and the added value of such review.*
5. *Capability of monitoring possible risks of non compliance and the usefulness and quality of such information for fisheries management.*

3.2 Development of a Fisheries Data Monitoring Centre

Legal Basis

Art. 3, 14, 16 and 34 of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Assessment current situation

The operational coordination of fisheries control requires Member States participating in a JDPs to pool all the relevant information related to fishing and control, inspection and surveillance activities. In order to fulfil its commitments, the Agency needs to have full access to the pooled information and, at the same time the Commission and

the participating Member States may have access to the information collected by the Agency.

This implies that there is an urgent need to establish a Fisheries Data Monitoring Centre (FDMC) in the CFCA with the capacity to exchange, process and integrate all pooled information with standardized procedures and communication protocols, as well as data analysis tools to elaborate strategies and support rapid operational decisions. The promotion of synergies with the Commission and the Member States must be specially considered in the development of the FDMC.

Following the CFCA annual Work Programme for 2009 a basic FDMC has been set-up. In this first phase a computer-based system with essential functionalities required for the operational coordination of a Joint Deployment Plan is included. The Technical Joint Deployment Group in charge of the operational coordination of the Bluefin Tuna JDP has been the first users group to operate from the CFCA FDMC in 2009. A prototype of the system component for the monitoring of the control, inspection and surveillance activities has started in 2009, to be integrated with the other modules of the system in a second step. 2009 activities will also include the development of a methodology for the mapping of Member States' fisheries information systems.

Scope for improvement of effectiveness

In close cooperation with the Member States and the Commission, the Agency will examine the possibility to facilitate data exchange and validation for use in risk analysis for cooperation and coordination, having in mind the obligations related to Data and Information that will be established by the new Control Regulation.

The results of the mapping will permit the organisation of a common reflexion in order to agree harmonised procedures for data interchange, validation procedures to improve the security and quality of data, and the necessary risk analysis tools to elaborate the control and inspection strategies.

An enhanced FDMC with permanent availability via Intranet/Internet will incorporate the capabilities to manage the full array of pooled data on fishing activities and control, inspection and surveillance activities and facilitate the use of this data by the CFCA, Commission and concerned Member States.

A part of the CFCA premises will be equipped to support operational coordination.

Inputs

AD: 2. AST: 1. Forecast: 200.000 Euros.

Tasks

1. *To improve the Vessel Monitoring System and provide the FDMC with other tools to exchange, process and analyse all the relevant data related to fisheries activities: Electronic Reporting System, Vessel Detection System, Automatic Identification System, etc.).*
2. *To develop an information system for the control, inspection and surveillance activities related to the JDP.*
3. *To develop a working space for communication and display of activities under JDPs in the CFCA premises.*
4. *To finalise the analysis of existing structures and solutions used by national services and propose operational solutions for pooling of data (external study).*
5. *To facilitate a harmonised and effective exploitation of control data in close cooperation with Commission and Member States.*

Deliverables

1. *Mapping study of current situation in the Member States.*
2. *An information system providing users of CFCA and of the Commission, where appropriate, with relevant tools for remote access, visualisation and reporting of data in FDMC.*
3. *Agreed action plan for the definition of protocols and minimum standards for data interchange.*
4. *Agreed action plan for the definition of common risk analysis and data quality control requirements.*

Performance indicators

1. *Number of Member States' information systems mapped.*
2. *Number of JDPs using the FDMC facilities.*
3. *Action Plans approved by Members States and Commission.*
4. *Result of user satisfaction survey.*

3.3 Coordination of training

Legal Basis

Art. 3, 7(a) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Assessment current situation

The court of Auditors special report 7/2007 states that: "The absence of general control standards is an impediment to adequate control pressure and optimisation of inspection activities in the Member States". The Commission is developing control standards and the adoption of new control provisions is expected. Subsequently, all national inspectors should be trained to enforce these provisions in a uniform manner.

The CFCA started a training programme in 2007 – 2009 in the framework of the JDPs. This training programme focused on a practical, regional approach concentrated on priority areas.

In order to improve the effectiveness of the performance of the human resources involved in control and inspection on the application of the CFP and to give effect to its legal commitments, the CFCA will contribute to the elaboration of a multi – annual training programme, in close cooperation with the Member States and the Commission.

To give guidance to this training programme, a Steering Group on harmonising the application of the CFP by the Member States has been created in 2009. This Steering Group, chaired by the CFCA and composed by representatives of the Member States and the Commission, will give guidance to the multi-annual training programme, deciding inter alia on the content of the Core Curriculum for national and Community inspectors and the seminars for training of trainers and Community inspectors.

For the elaboration of the core curriculum, the idea was to bring together national experts in working seminars. The national expert group meetings can only start after the necessary consent is obtained for the implementing rules of the new Control Regulation.

Scope for improvement of effectiveness

1. Mapping of national training programmes

In order to investigate the necessity and possibilities of a training programme for the Member States' officials having in mind the requirement of the new Control Regulation, mapping of the existing national training capacities is necessary. This will be done by visiting the MS on an individual basis and utilising a standardised questionnaire.

2. Compiling a Common Core Curriculum on inspector training

The CFCA will compile a draft, as a basis for discussion with the Member States and the Commission, on the basis of documents on training and procedures on control and inspection provided by the Member States. The Curriculum should address, in a modular way, the training requirements for the different groups of inspectors according to their related tasks and taking into account the new control provisions.

The CFCA will convene 4 workshops for experts of the Commission and Member States in order to agree the modules forming part of the Core Curriculum. The CFCA will contract a consultancy in order to adapt the agreed modules to modern teaching standards.

3. The training of trainers and Community inspectors

After the final version of the Core Curriculum has been agreed, the CFCA will engage in additional training for national inspectors and officials assigned to the national competent authorities. This additional training will commence from 2011 onwards.

4. The regional and IUU training

In the framework of the JDPs (NAFO, NEAFC, North Sea, Baltic Sea, BFT and Western waters) and the tasks assigned by the Commission in relation to IUU (Regulation (EC) No 1005/2008) specific seminars, workshops and training sessions will be organised as appropriate.

Inputs

AD: 1.
AST: 2.
Forecast: 284.000 Euros.

Tasks

1. *To map the existing training programmes of the Member States and assist them at their request in improving their training capacity.*
2. *Compiling of a study draft version of the Common Core Curriculum (CCC) on the basis of information based on the national training handbooks and existing procedures.*
3. *To organise 4 workshops of 1 week each for National experts for the consultation of the Member States and the drafting of the Common Core Curriculum and the harmonisation of control and inspection techniques.*
4. *To have a consultant work on the drafting of a pedagogically adapted ratification draft of the CCC.*
5. *To organise at least one meeting of the Steering Group on harmonising the application of the CFP by the Member States in order to give guidance to the training programme of the CFCA.*
6. *To assist in training programmes organised in the framework of JDPs by working out practical arrangements and logistics.*
7. *To organise Seminars and workshops requested by the Commission.*

Deliverables

1. *A compiled study draft version of the CCC based on existing documentation within the Member States as a basis for discussion for the Member States' National experts and the Commission.*
2. *A draft version of the Curriculum produced during the meetings of the National experts.*
3. *To begin a detailed pedagogical version of the CCC produced by a consultant based on the draft version made during the workshops of the National experts.*
4. *Detailed capacity plan of the Member States' training programmes.*
5. *Logistical support and / or lecturing at request during the regional training programmes*
6. *Annual training report.*

Indicators

1. *Quality of the multiannual training programme.*
2. *Quality and quantity of documents drafted related to the CCC.*
3. *Quantity and quality of guidance material reflecting best practice*
4. *Satisfaction questionnaire according logistical support and lecturing for Regional programmes.*
5. *Quality of the mapping of Member States' programmes.*

3.4 Pooled capacities

Legal Basis

Art. 3, 6, 7(b) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Art. 6 and 8 (3) of Commission Regulation (EC) No 1042/2006 of 7 July 2006 laying down detailed rules for the implementation of Article 28 (3) and (4) of Council Regulation (EC) No 2371/2002¹⁴.

Art. 1(d) of Commission Decision (2008/201/EC) of 28 February 2008 designating the Community Fisheries Control Agency as the body to carry out certain tasks under Regulation (EC) No 1042/2006 and amending Decision 2007/166/EC adopting the list of Community inspectors and inspection means¹⁵.

¹⁴ OJ L 187, 8.7.2006, p. 14.

¹⁵ OJ L 60, 5.3.2008, p. 36.

Assessment current situation

- In the framework of the existing obligation of Member States to nominate and notify inspection means that can be deployed for joint operations, a project was started in 2009 to collect and map the existing fishery inspection means available in the Member States.
- The concept of the operations/ communications room at the CFCA should be further expanded in particular regarding the operational procedures during joint control, inspection and surveillance activities and the exchange of inspection activity and intelligence information.
- An updated Community Inspectors list is already available and Community Inspectors to be deployed have been issued with identification documents.
- A joint procurement procedure was organised in name of 15 Member States for the purchase of electronic mesh gauges and twine thickness gauges. The delivery of the mesh gauges to Member States for 2009 is approaching its finalisation.

Scope for 2010

The collection of data regarding the available control, inspection and surveillance capacity in the Community and the possibilities for pooling those means during joint operations will continue. The scope for 2010 is to consolidate this information, make it available to Member States and to provide workable and flexible procedures for the exchange of inspection means.

The tasks related to the responsibilities of the CFCA under Regulation (EC) No 1042/2006 (i.e. Community Inspectors List, ID documents) will be further developed. In this respect the existing list of Community Inspectors will be improved and made more user-friendly.

In addition, this regularly-updated information will be made available to Member States' authorities. In this respect, the development of Fishnet could play a significant role as a platform for information-sharing and exchange. Guidelines for the development of Fishnet will be provided.

The management and future development of charter contracts related to inspection platforms and other possible service contracts will continue.

In light of the possible coordination of future joint inspection activities at the premises of the CFCA, the functionalities of the operations room will be improved and expanded.

The follow up relating to the joint procurement of electronic mesh gauges and twine thickness gauges will remain an important task in 2010.

Inputs

AST: 1.
Forecast: 10.000 euro.

Tasks

1. *Managing an inventory of inspection and surveillance resources, logistical support and their availability for joint deployment and guidelines for their technical equipment.*
2. *Management of the procedures for the pooling of inspection and surveillance resources, technical assets and logistical support and assessment of the use of those means.*
3. *Management of the CFCA's responsibilities regarding the list of Community Inspectors and inspection means.*
4. *Management of the joint procurement of technical equipment and follow up on the contract conditions and the quality of the services provided by the suppliers to the Member States.*
5. *Providing the Fishnet project with input regarding operational requirements and needs during the development phase.*
6. *Enhancement of the operations room functionalities*
7. *Management of charter and other service contracts.*

Deliverables

1. *Database containing detailed information on the operational means available in the Member States their use and their availability.*
2. *Assessment report on the availability and pooling of inspection assets during joint inspection activities.*
3. *Updated list of Community Inspectors and issuing of Community Inspectors ID cards.*
4. *Reports providing guidelines and recommendations on specific issues in the framework of pooled capacities such as the development of the operations room.*
5. *Contracts providing supplies and services for Member States related to control and inspection capacity.*

Indicators

1. *Availability and quality of detailed information regarding inspection means.*
2. *Availability and quality of an updated list of Community Inspectors.*
3. *Community inspectors provided with Community Inspectors ID cards.*
4. *Quality and applicability of the recommendations regarding the development of the operations room taking into account the existing and future mandate of the CFCA.*
5. *Quality and compliance of the contracts with the needs of the Member States.*

3.5 Implement remote collaboration tools for the operational coordination of joint control, inspection and surveillance activities

Legal Basis

Art. 3, 16, 34 of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the Common Fisheries Policy.

Communication is a key success factor which contributes to the decision-making process in the operational activities coordinated by CFCA. The FISHNET platform will coordinate the selection and establishment of rapid, efficient and secured channels for the dissemination and exchange of information.

The FISHNET platform will provide user groups with customisable virtual communication/ operation rooms for the coordination of Joint Deployment Plans, including capacities to

- share and have joint access to documentation and non-structured information, including legislation, operational programmes, activity reports, weather reports, daily SITREPSs, etc.
- organize remote coordination meetings and conferences with video, voice and messaging facilities
- jointly access shared office applications such as worksheets, text processors, and viewers, and also to dedicated applications of the CFCA Fisheries Data Monitoring Centre

In order to accomplish the full establishment in year 2010 of the FISHNET as a meeting point with the Agency, during year 2009 preparatory work has been performed, including meetings with end users, a study of solutions available and how they have been implemented in a selected set of organisations with similar needs. The activities performed in 2009 will be used to produce a detailed specification document. Compatibility and synergies with other nets and collaboration instruments will be a priority in the FISHNET development.

Input

AD: 1.
Forecast: 60.000 euro.

Tasks

1. *Call for Tenders for the development and implementation of the IT FISHNET platform.*
2. *Monitor development progress, installation and testing of the IT FISHNET platform.*
3. *Promote the use of virtual rooms for the coordination of control operations.*

Deliverables

FISHNET platform.

Performance indicators

1. *Number of virtual events organized.*
2. *Number of JDPs using the FISNET facilities.*
3. *Result of users satisfaction survey.*

CHAPTER 4. Governance and support activities

Context

The role of the Administrative Board, as governing body of the Agency, is essential to supervise the functioning of the CFCA in the accomplishment of its mission and to provide the Agency with the human and budgetary resources to comply with its work programme.

Furthermore, the Advisory Board provides the Executive Director, at his request, with advice and ensures the close involvement of stakeholders in the activities of the CFCA.

The success of the operational coordination and capacity building activities would not be possible without a proper coordination of the Agency's activities which is done by the Office of the Executive Director and the support activities, which are managed by Unit A- Resources.

In the accomplishment of its mission, the Agency participates in meetings with EU institutions, national and international bodies and the stakeholders. This mainly involves, among others, the European Commission, the European Parliament, the Council, other EU Agencies and the RACs.

4.1 Administrative and Advisory Boards

a) Administrative Board

The Administrative Board is the main governing and controlling body of the CFCA. It is composed of six members representing the Commission and one representative

per Member State. From October 2008, with a term of office of three years, the Chairman is Mr Serge Beslier and the Deputy Chairperson Ms Birgit Bolgann.

In 2010, two meetings of the Administrative Board are planned in Vigo; one in mid-March and the second in mid-October. In the event that a third meeting of the Administrative Board is deemed necessary in 2010, the resources for such meeting are available.

<i>Number of meetings foreseen: 2 + 1 extra. Budget: 65.000 Euros.</i>
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b) Advisory Board

The Advisory Board, composed of one representative of each Regional Advisory Council (RAC) is planning to meet twice in 2010, in connection with the meetings of the Administrative Board. The CFCA chairs the meetings.

<i>Number of meetings foreseen: 2. Budget: 20.000 Euros.</i>
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4.2 Representation and networks¹⁶

a) Regional Advisory Councils

Regional Advisory Councils represent the stakeholders in the relevant geographical area or fishery. There are seven Regional Advisory Councils which cover different fisheries grounds, both in EU and international waters or those under fisheries agreements: North Sea RAC, Pelagic Stocks RAC, North Western Waters RAC, Baltic Sea RAC, Long Distance RAC, South Western Waters RAC and Mediterranean Sea RAC.

The RACs are an important target audience for the CFCA in its Communication policy, as they are partners and suppliers of information to fisheries organisations and companies.

During 2010, the CFCA will participate in meetings of the Executive Committees of the RACs, especially in those of the RACs affected by the Joint Deployment Plans adopted by the CFCA, and in the RAC Working Groups, only when issues referring to CFCA competences have been inserted in the agenda of the relevant meeting and are being discussed.

b) Cooperation with other Agencies in the Maritime domain

As regards the maritime domain, the CFCA is planning to participate in meetings with EMSA and FRONTEX. The objective of these meetings is to explore possible forms of cooperation in matters within its competence. The cooperation would mainly focus on maritime surveillance and information systems currently under development and

¹⁶ The forecasted attendance is subject to budget availability.

would explore the technical and operational possibilities of the joint use of assets. The CFCA will keep the Commission (DG MARE) fully informed of this cooperation and, in particular, of any meetings scheduled.

c) EU Agencies, networks and institutional representation

The presence of the CFCA at certain meetings convened by the Commission, the European Parliament and the Council is desirable, required or in its interest. Moreover, in relation to horizontal matters, the inter-agency cooperation network coordinates the relations between the Agencies, the Commission and the European Parliament. Apart from meetings of Directors, Agency experts meet with their counterparts in other Agencies. The Commission is in most cases represented at these meetings.

In order to ensure its institutional representation in the Council, European Parliament and the Commission, the CFCA is planning to participate, as appropriate, in meetings where its presence is required or requested.

The EU Agency network coordinates the dialogue between Agencies and, in particular, the European Commission in matters pertaining to administration and finance and other topics of general interest. The CFCA participates to the following EU Agencies networks: Directors of EU Agencies, Heads of Administration of EU Agencies, Procurement (NAPO), Communication, Data protection, Legal (IALN), IT and Accounting. The CFCA is planning to participate to the extent possible in the meetings convened by these networks in 2010.

The CFCA is nominating a member to the Management Board of the Translation Centre who will represent the CFCA. The meetings of the Management Board are usually convened twice a year.

In line with its objectives and, where so requested, the CFCA plans to present its activities in relevant seminars or other international forums organised by institutional stakeholders.

<i>Number of missions foreseen: 108</i> <i>Budget : 82000 Euros¹⁷</i>

4.3 Horizontal support activities

a) Business Continuity Plan

The CFCA will analyse the business continuity of its operation and security aspects. It has planned a number of activities in this respect which will be carried out by its services. However, for certain aspects, the CFCA plans to use external experts.

¹⁷ This budget is also intended to cover the expenditures for medical checks and training missions.

The CFCA is planning to present the Administrative Board with a draft Business Continuity Plan at the meeting in October 2010.

b) Personal Data protection

The CFCA accomplished the first part of the requirements relating to the implementation of the applicable legislation on the protection of personal data processed by the CFCA (Regulation (EC) No 45/2001). It has notified to the European Data Protection Supervisor the first inventory of personal data processed by the CFCA and procedures subject to prior checking. It will consolidate its personal data protection arrangements in 2010.

c) Communication

In 2010, the CFCA will place special emphasis on two topics: ensuring a good understanding and application of the IUU Regulation and reaching stakeholders in the framework of JDPs adopted by the CFCA.

As regards the stakeholders, the CFCA aims to build a culture of compliance with the Common Fisheries Policy through, amongst other things, coordinating and supporting communication activities in the framework of the bluefin tuna JDP (such as the coordination of press trips, the creation of a common database of images and videos, issuing press releases at the beginning of the control campaign simultaneously, etc.) in close cooperation with the Commission and the Member States, participating in a control seminar convened by the Long Distance RAC and supporting the CFCA's training programme for fisheries inspectors and other staff of national competent.

There are other communication activities planned for the other target audiences (general public, local public and institutional actors) in 2010: maintaining of CFCA website, participating in the Seafood Exhibition, supporting activities to the CFP, contributing to the Maritime Day in Gijón and the Informal Council of Fisheries in Vigo, celebrating Europe's Day in Vigo, participation in activities organised by the Commission Representation Office in Madrid and establishment of cooperation.

<i>Budget: 82000 Euros.</i>

d) Human Resources

After slowing down the recruitment in 2009, in order to adjust staff expenditure to the budgetary limits, the CFCA will consolidate its staff numbers to the available numbers agreed with the European Commission. Taking into account the budgetary limits for 2010, the CFCA will closely monitor the impact of staff mobility and recruitment. In line with this, the main HR objective for 2010 is to improve its planning, monitoring and reporting capacity in order to establish well-informed decision-making processes and to comply with the requirements of the Staff Regulations. In this context, the introduction of an IT-based solution in the area of HR during 2009 will be further developed throughout 2010, thus giving the possibility to integrate a wide range of

HR services (e.g. personal files, mission requests, leave management etc.), at the same time providing a set of tools for statistical and management reporting purposes.

Training of staff will remain a priority. In particular, training in the area of budget, finance, accounting, project management, HR and IT is indispensable for CFCA staff.

e) Budget, Finance and Accounting

The CFCA will very closely monitor in 2010 the Budget execution since the appropriations inscribed on a number of budget lines are very tight, particularly recruitment, social security and annual travel and missions. It will take the appropriate initiatives to resolve any imbalances between expenditures and available appropriations.

The planning, programming and reporting process for the budget is becoming very effective and will be again accompanied in 2010 by specific training, to be delivered to all users involved. The periodic financial reporting and other financial documents for such management will be consolidated in 2010.

The CFCA will further decentralise the responsibility for financial matters to the Units.

The establishment of manuals for procurement and finance, along with a more effective utilisation of the Intranet, will be actively pursued in order to diffuse a culture of compliance and sound management of all activities.

f) ICT, Facilities and Logistics

The growth of the Agency and the increase of its activities for 2010 require the acquisition of a content management software, application which will be gradually introduced as a common platform for the integrated management of information flows, both internal and external. A new intranet will be developed and new collaboration tools for the staff will be offered to produce all in the light of a more effective internal communication strategy. This software will also serve as a basis for Fishnet.

Against the background of the budgetary availabilities, the CFCA will explore the provision of lighter computing equipment, mobile dedicated data and voice connections, the reinforcement of IT security and business continuity measures and the introduction of a flexible and cost effective video conferencing system, in order to boost the Agency's coordination activities in a cost-effective way.

The basic provisions have been adopted to ensure the continuity of all services during interruptions (such as sick leave, staff mobility, migration to new IT systems, incidents, etc.), by organising handover files and deputising arrangements for relevant operational activities and financial transactions. The same applies to security. The CFCA ensures basic protection of staff, buildings, property, activities and information.

In 2010, the CFCA will continue examining in-depth business continuity in order to address preparedness of the CFCA for major disruptions as well as security threats.

The IT Green approach will be further developed: all services will be offered to the highest standard and in line with the Green IT Directive as defined by the EU Eco-Management and Audit Scheme (EMAS) and best practices.

Some adjustments to the layout and equipment of the CFCA's premises have become necessary. The secure area in the building for IT and the Technical Joint Deployment Group for the coordination of control, inspection and surveillance activities by Member States in relation to the fishing of blue fin tuna needs to be optimised and consolidated (shredders, dedicated photocopier, large screens for displaying activities, etc.). Moreover, the facilities to provide training to national officials in the CFCA's premises need also to be optimised.

Last but not least in accordance with Art. 22 of Regulation (EC) No 768/2005, the CFCA is required to provide translations of its decisions applicable to Member States concerned. Within the limits of the budget reserved for translations, the CFCA will programme the translation of its decisions applicable to Member States.

Office of the Executive Director	
Function	Staff category (FTE)
Management and Coordination	2 AD, 2AST
Internal Auditor	Service Level Agreement (EMSA)
Legal matters and Communication	2 AD

Unit A- Resources	
Function	Staff category (FTE)
Management and Coordination	1 AD, 1 CA
Human Resources	1 AD, 2 AST, 1 CA +
Finance and Accounting	2 AD, 4 AST +
ICT	1 AD, 2AST +
Facilities and Logistics	1 AST, 1 CA

Resources of the CFCA for the year 20101 – BUDGET

		Budget 2009	PDB 2010	% variation
Title I	Staff Expenditure	5,426,500.00	6,036,000.00	11.2%
Title II	Administrative Expenditure	1,386,000.00	964,000.00	-30.4%
Title III	Operational Expenditure	937,500.00	1,410,000.00	50.4%
	TOTAL SUBSIDY	7,750,000.00	8,410,000.00	8.5%
	ASSIGNED REVENUE	2,150,000.00	2,603,000.00	21.1%
	TOTAL BUDGET	9,900,000.00	11,013,000.00	11.2%

2 - STAFF

Position	2009	2010	Percentage
Temporary Agents	42.4	53	+25%
Administrators	17.4	20	+15%
Assistants	25.0	33	+32%
Contract Agents	6.4	5	-22%
SNEs	2.2	4 ¹⁸	+81%
TOTAL	51.0	62	+21%

(Average number of staff for full year)

¹⁸ 48 months.

B



LIST OF ABBREVIATIONS

BFT	Bluefin Tuna
CA	Conventional Area
CFP	Common Fisheries Policy
CFCA	Community Fisheries Control Agency
FDMC	Fisheries Data Monitoring Centre
FPV	Fisheries Patrol Vessel
ICCAT	International Commission for the Conservation of the Atlantic Tuna
ICES	International Council for the Exploration of the Sea
ICT	Information and Communication Technologies
IUU	Illegal, Unreported and Unregulated fishing
JDP	Joint Deployment Plan
JISS	Joint Inspection and Surveillance Scheme
MCS	Monitoring, Control and Surveillance
MSY	Maximum Sustainable Yield
NAFO	Northwest Atlantic Fisheries Organisation
NAFO CEM	NAFO Control and Enforcement Measures
NEAFC	Northeast Atlantic Fisheries Commission
NGO	Non Governmental Organisation
RA	Regulatory Area
RAC	Regional Advisory Council
RFMO	Regional Fisheries Management Organisation
SCRS	Standing Committee on Research and Statistics
TJDG	Technical Joint Deployment Group
VMS	Vessel Monitoring System