ANNUAL REPORT OF THE CFCA FOR 2009



AGENCY

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Legal basis

Articles 14 and 23(2)(b) of Council Regulation (EC) No 768/2005 (¹), as amended by Regulation (EC) No 1224/2009 (²), and Article 40 of the financial regulation of the CFCA (³)

This is the printed version of the Annual Report adopted by the Administrative Board on 18 March 2010. The full version of it can be found on the CFCA website at http://www.cfca.europa.eu/pages/home/docs_basicdocs.htm

(¹) OJ L 128, 21.5.2005, p. 1.

- (²) OJ L 343, 22.12.2009, p. 1.
- (3) AB Decision No 09-W-01 of 9 January 2009.

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Foreword



Serge Beslier, Chairman of the Administrative Board

Sustainable exploitation of living marine resources goes hand in hand with a culture of compliance with the rules of the common fisheries policy (CFP). Pursuant to the Green Paper (⁴) tabled by the Commission, fisheries itself is now at the heart of the debate in the Union.

The political debate on fisheries will focus in the coming years on the future shape of the CFP. Meanwhile, the CFCA will concentrate its activities on the implementation of the new CFP control framework. Indeed, it is crucial for European policies that their rules are fully implemented by Member States as, during the past, the level of implementation of the CFP was a critical issue. It is in this spirit that the CFCA has launched its operations and pursues its objective to ensure uniform and effective application of the rules of the CFP by Member States. The last two years have been important for EU legislation in the area of fisheries control and enforcement. The root and branch reform of the CFP control framework has been put into effect with the adoption of the IUU (⁵) and the new control regulations (⁶). This new framework has not only strengthened the mandate of the CFCA but will also determine its mid-term strategy. In this regard, and in close cooperation with the Member States and the Commission, the CFCA is confident that it can demonstrate its added value in terms of uniformity and effectiveness of the application of the rules of the CFP by Member States, and thus on delivering of compliance.

In maintaining its dialogue with the regional advisory councils, the CFCA demonstrates its willingness to be transparent in its operations. This report serves to provide information on the 2009 operations of the CFCA to stakeholders, European institutions and the public at large. In a nutshell, the results speak for themselves and show the new dynamics of cooperation between national enforcement services. I am fully confident that this spirit of cooperation and enthusiasm will progressively deliver compliance, in the interest of a profitable fishing industry that provides safe nutritious food from a healthy marine environment.

^{(&}lt;sup>5</sup>) Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (OJ L 286, 29.10.2008, p. 1).

⁽⁴⁾ Green Paper on the reform of the common fisheries policy (COM(2009) 163 final).

^{(&}lt;sup>6</sup>) Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy (OJ L 343, 22.12.2009, p.1).



Introductory statement



Harm Koster, Executive Director

The CFCA has completed its first full year at its seat in Vigo, Spain. The agency is progressing at cruising speed and its efforts aiming at better compliance are bearing their first fruits. I am, therefore, proud to write the introduction to the present report, which is an illustration of all activities undertaken by the CFCA during 2009.

Since its launch, operational coordination of control, inspection and surveillance activities by Member States in relation to recovery measures for depleted stocks has been the first priority for the CFCA. Compliance with recovery measures applicable to cod in the Baltic and North Sea areas, the eastern Atlantic bluefin tuna and in the NAFO and NEAFC regulatory areas has been the agency's main challenge in 2009.

Six joint deployment plans (JDPs), giving effect to specific control and inspection programmes adopted by the Commission or RFMO schemes for joint international inspection and surveillance, have been adopted and implemented by

the CFCA. The level of control, inspection and surveillance activities carried out under these JDPs has increased significantly as can be read in this report.

In the framework of the JDPs, the CFCA has worked closely together with Member States and the Commission. All joint activities have been planned and implemented on the basis of joint risk analysis, prior training of national inspectors, harmonised inspections, cross-boundary control, inspection and surveillance activities and, to a large extent, by teams of inspectors of mixed nationalities. The level of cooperation has been exemplary and the first signs of enhanced compliance levels have been observed notably in the Mediterranean and the Baltic Sea.

At the seminar 'JDP, the way forward', convened by the CFCA in Vigo, the foundations for the implementation of the midterm strategy adopted by the Administrative Board were agreed with the Member States and the Commission. The conclusions of the seminar, concerning common risk analysis, better management and assessment of the effectiveness of JDPs, are currently being brought forward by the respective steering groups established under each of the JDPs.

In 2009, the CFCA also initiated activities in the area of the fight against illegal, unreported and unregulated (IUU) activities and in the area of capacity building in order to be ready for the priorities set for these activities in the 2010 work programme. The CFCA is ready to deliver in 2010 on the priorities reserved by the Administrative Board for these activities.

The delivery of the operational priorities for 2009 was possible in particular due to the support of the Resources Unit. Indeed, effective administrative and financial support enhances the operational performance of the CFCA as a whole. In 2009, the agency went through a considerable optimisation of all support services and a consolidation of its internal organisation. On this basis the available resources can be better managed so as to deliver on the operational priorities of the CFCA.

Finally, I would like to thank Serge Beslier and the Administrative Board for their guidance and support during 2009 as well as the CFCA staff for their enormous efforts.



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1. Introduction

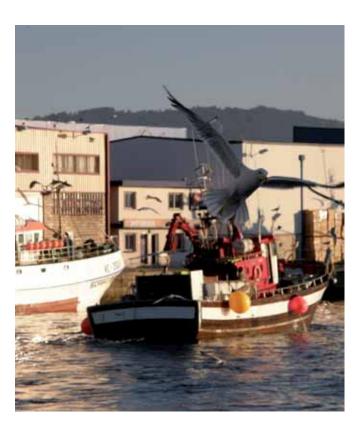
The Annual Report of the Community Fisheries Control Agency (CFCA) for 2009 is not only intended as an administrative document fulfilling the CFCA requirements of the founding regulation (⁷) and financial regulation (⁸), but also as a communication to the stakeholders, EU bodies and national authorities.

Marine living resources are a common heritage. Sustainable exploitation of these resources goes hand in hand with a culture of compliance. Public authorities, including the CFCA, should report annually on their efforts to establish the conditions required by the legislation regulating the exploitation of common living resources and on the level of control and enforcement necessary for maintaining a culture of compliance.

The need to preserve our main fish stocks, the optimum level of fishing capacity, and the need to fight against illegal, unreported and unregulated (IUU) fishing figure in the media headlines. Since 2007, the CFCA has organised operational cooperation between Member States, coordinates fisheries control and inspection activities by them and provides assistance to Member States and the Commission; thus facilitating the implementation of the common fisheries policy (CFP). Despite being relatively new to the scene, the CFCA has made an important contribution to demonstrably better compliance in several areas.

Having said that, an important measure in building trust is to report on the achievements and be accountable for our activity. The distribution of this report is a milestone in communicating our activities to a broader audience.

The content of the report has been structured in such a way that permits a general overview of the main CFCA activities.



2. Mission statement

The overall 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 will function at the highest level of excellence and transparency with a view to developing the necessary confidence and cooperation of all parties involved and, in so doing, to ensure the effectiveness and efficiency of its operations.

The European Council agreed to establish the agency after the 2002 CFP reform as part of the drive to instil a culture of compliance within the fisheries sector across Europe. In April 2005, Council Regulation (EC) No 768/2005 was adopted, establishing the CFCA.

To comply with its mission, the CFCA has two main strategic axes:

- (a) the organisation of the operational coordination of pooled national means in the fisheries identified by the Commis-
- sion and accepted by the Administrative Board,

⁽⁷⁾ 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.

⁽⁸⁾ Decision No 09-W-01 of the Administrative Board of the Community Fisheries Control Agency of 9 January 2009 concerning the financial regulation of the Community Fisheries Control Agency.





(b) the building of the necessary capacity to apply the rules of the CFP by Member States in a uniform way.

As a complementary activity, the CFCA contributes to building a culture of compliance of the CFP rules through a communication strategy, coherent with that of the European Commission in the field of the common fisheries policy, in particular in control and enforcement.

(a) Coordination of pooled national means

The CFCA coordinates, through the joint deployment plans, control and inspection activities in Community and international waters and ashore. The CFCA organises the deployment of national human resources, and material means of control and inspection pooled by Member States. This deployment is coordinated by the CFCA through coordination centres in different Member States or on the CFCA premises. Specific training sessions are organised to ensure a proper uniform application of the CFP rules.

The CFCA also plays a role in the fight against illegal, unreported and unregulated (IUU) fishing, through the fulfilment of several tasks assigned by the Commission and through assistance to the national authorities to facilitate proper application of the rules.

(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. 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 guaranteeing its reliability, the CFCA is ensuring that the rules of the CFP are applied 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 creating a level playing field for the European fishing industry with the primary objective of ensuring compliance with the rules; thus providing a long-term, biologically and ecologically sustainable exploitation of resources for the common good.

3. Operational activities

3.1. Operational coordination

The year 2009 has been a key one in the development and the consolidation of the CFCA's operational coordination activities. Many challenges were foreseen in the annual work programme (WP):

- the management of six JDPs,
- the initiation of the preparatory work to apply the EU regulation against IUU,
- the review with all the actors concerned of the functioning of the JDPs after three years of experience, and the implementation of potential improvements.

Table 1 presents in summary the data confirming the execution of all the tasks established by the 2009 work programme with regard to operational activities, demonstrating that the deliverables foreseen in the WP 2009 have been achieved.

In 2009, a first attempt to establish performance indicators of the operational activities was carried out. In Table 2 the quantification of the performance indicators to these activities is displayed.

As required by Article 14 of Regulation (EC) No 768/2005, the CFCA has to issue an annual assessment of each JDP. The assessments in Annex I (which can be consulted on the CFCA website) provide a detailed analysis of the execution of JDPs. An overview of the activities deployed under the JDPs is summarised in this report.





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The CFCA is a vehicle to foster cooperation, and its main objective has been to work in partnership with Member States and the Commission in reaching the strategic goals and objectives of the WP 2009. Thus, all phases of operational coordination, from the setting of operational objectives and planning of JDPs, to risk management and assessment of activities, was done in cooperation with the steering group of each JDP, in which Member States and the Commission are represented.

Deliverable of activities

Activities performed	North Sea JDP		Western Waters JDP		Baltic Sea JDP	
	Budget (º): 104 117.60	Staff: 4	Budget: 20 226.01	Staff: 3	Budget: 127 864.63	Staff: 4
Meetings of the steering group	 24 and 25 March, Edinburgh 30 September, Vigo 4 and 5 November, Hamburg 		 24 and 25 March, Edinburgh 30 September, Vigo 4 and 5 November, Hamburg 		 26 March, Copenhagen 29 September, Vigo 4 and 5 November, Hamburg 	
Adoption of JDP for 2009 and 2010	2009: 1st half adopted on 11 December 2008 2nd half adopted on 25 May 2009 2010: 1st half adopted on 14 December 2009		2009: 1st half adopted on 22 December 2008 2nd half adopted on 20 May 2009 2010: 1st half adopted on 14 December 2009		2009: 1st half adopted on 11 December 2008 2nd half adopted on 23 June 2009 2010: 1st half adopted on 14 December 2009	
Joint campaigns	10 JCs according to the JDP schedule		3 JCs according to the JDP schedule		13 JCs according to the JDP schedule	
Training seminars	1 training seminar, Ireland: 1 and 2 April		1 training seminar, Ireland: 1 and 2 April		1 training seminar, Copenhagen: 15 June 2009 1 training seminar, Riga: 19 and 20 May 2009	
Chartering of FPVs	Not available		Not available		Not available	

Table 1: WP 2009 general follow-up table (amounts in EUR)

^{(&}lt;sup>9</sup>) Budget refers to final availability in the chapter after transfers.





	Bluefin Tuna JDP		NAFO JDP		NEAFC JDP	
	Budget: 121 727.02	Staff: 11	Budget: 219 793.24	Staff 4	Budget: (with NAFO)	Staff: (with NAFO)
Deli	verables					
	 13 January 17 February 19 May 2 June 19 June 16 and 17 September 9 December 		 24 February 16 June 2 and 3 September 27 October 		 24 February 16 June 2 and 3 September 27 October 	
	2009 and 2010: adopted on 1 April 2009		2009: adopted on 16 December 2008 2010: adopted on 17 December 2009		2009: adopted on 16 December 2008 2010: adopted on 17 December 2009	
	1 JC according to the JDP schedule		12 JCs according to the JDP schedule 1 landing inspection by mixed team		6 JCs with joint teams according to the JDP schedule Additional 14 trips of FPVs and 30 aircraft flights	
	1 regional training seminar, Vigo: 10 to 12 March 9 national training courses		1 training seminar, Bamio, Spain: 9 to 12 December 2008		1 training seminar, E Spain: 17 and 18 Ma	
			Contract signed on 29 January 2009 (framework contract 15 December 2008)		Not available	



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Table 2: Performance indicators' evaluation, WP 2009

				Performance indicators
	Nort	h Sea JDP	Western Waters JDP	Baltic Sea JDP
 Number of days of operation of the join campaigns at sea a ashore, compared previous joint camp and with the JDP sea 	nd 146 days of o with In 2009: baigns 121 days of o	peration planned, peration executed peration planned, peration executed	In 2009: 36 days of operation planned, 36 days of operation executed	In 2008: 128 days of operation In 2009: 140 days of operation
2. Type and character the control and ins means deployed in area, compared wit previous joint camp and with the JDP so	pection28 FPVs commonthe28 FPVs deploch17 airplanes coch15 airplanes co	oyed, ommitted, leployed nitted, oyed, ommitted,	In 2009: 10 FPVs committed, 10 FPVs deployed, 6 airplanes committed, 4 airplanes deployed	In 2008: 26 flights, 12 FPVs deployed In 2009: 32 flights, 11 FPVs deployed
 Number of sighting inspections and pre- infringements deter by the joint campa compared with pre- joint campaigns 	esumed 1 362 air sight octed 638 sea sighti igns 1 160 inspect vious 84 presumed In 2009: 543 air sightir 484 sea sighti 940 inspectio	ngs, ions, infringements ngs, ngs,	In 2009: 380 air sightings, 110 sea sightings, 347 inspections, 10 presumed infringements	In 2008: 1 350 sightings, 404 sea inspections, 37 presumed infringements, 711 shore inspections, 41 presumed infringements In 2009: 749 sightings, 416 sea inspections, 25 presumed infringements, 3 478 shore inspections, 67 presumed infringements
4. Ratios for sightings inspections and pre- infringements per of activity, compared previous joint cam	esumed sea sightings/ day of sea inspection with presumed infi oaigns day: 0.6 In 2009: sea sightings/ sea inspection	ns/day: 3.1 ractions at sea/ 'day: 4	In 2009: sea sightings/day: 5.7 sea inspections/day: 3.4 presumed infractions at sea/ day: 0.22	In 2008: sea sightings/day: 9.6 inspections/day: 16.1 infringements/day: 1.09 In 2009: sea sightings/day: 3.51 air sighting/day: 1.83 inspections/day: 27.8 infringements/day: 0.65
5. Percentage of cod landings controlled the joint campaign compared with tot landings	I during 2.6 % of cod in s JDP compared landing In 2009: 2 % of cod ins	nspected during d to total yearly pected during d to total yearly	In 2009: 11.6 % of cod inspected during JDP compared to total yearly landing	Not available
6. Number and qualit risk analysis produc compared with pre years	ed on risk analys	igns were based is using a variety factors such as	All the campaigns were based on risk analysis using a variety of influencing factors such as catch data	All the campaigns were based on risk analysis using a variety of influencing factors such as catch data

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Bluefin Tuna JDP	NAFO JDP	NEAFC JDP
In 2008: 463 at sea, 177 ashore, 105 air In 2009: 267 at sea, 202 ashore, 81 air	In 2008: 2 881 days in the NAFO CA, 290 foreseen in JDP (99 %), no port inspections In 2009: 256 days in the NAFO CA, 2 501 foreseen in JDP (102 %); 1 port inspection, 5 days	In 2009: 131 days in the NEAFC RA, 30 aircraft flights in the NEAFC RA
In 2008: 11 high seas patrol vessels, 45 coastal patrol vessels, 12 airplanes/helicopters In 2009: 11 high seas patrol vessels, 18 coastal patrol vessels, 9 airplanes/helicopters	In 2008: 5 FPVs (1 chartered EE, LV, LT, PL, PT; 1 DE, 3 ES), deployed according to the JDP schedule In 2009: 4 FPVs (1 chartered EE, LV, LT, PL, PT; 1 DE, 2 ES), deployed according to the JDP schedule	In 2009: 10 FPVs (1 ES, 1 DE, 1 NL, 1 DK, 3 UK, 3 IE)
In 2008: 1 250 sightings, 382 inspections, 55 presumed infringements In 2009: 1 344 sightings, 733 inspections, 92 presumed infringements	In 2008: 339 sightings, 71 inspections, 1 infringement In 2009: 227 sightings, 73 inspections, 5 infringements	In 2009: 506 sightings (423 sea, 83 air), 58 inspections, 3 infringements
In 2008: sightings/day: 2.2 inspections/day: 0.6 presumed infractions/day: 0.1 In 2009: sightings/day: 3.9 inspections/day: 1.6 presumed infractions/day: 0.2	In 2008: sightings/day: 1.8 inspections/day: 0.25 infringements/day: 0003 In 2009: 0.89 sightings/day 0.29 inspections/day 0.02 infringements/day	In 2009: sightings/day: 3.2 inspections/day: 0.44 infringements/day: 0.02
Not available	Not available	Not available
Campaigns based on both strategic planning and operational (short-term) risk analysis	Campaigns based on both strategic planning and operational (short-term) risk analysis	Campaigns based on both strategic planning and operational (short-term) risk analysis



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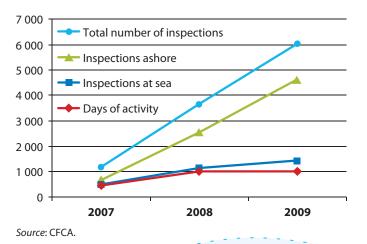
				Performance indicators
		North Sea JDP	Western Waters JDP	Baltic Sea JDP
7.	Number of inspectors trained compared with previous joint campaigns	In 2008: 30 inspectors attended a seminar in Copenhagen In 2009: 29 inspectors attended a seminar in the NMCI, Ireland	In 2009: 29 inspectors attended a seminar in the NMCI, Ireland	In 2008: 24 inspectors attended a seminar in Sweden In 2009: 28 inspectors attended the Riga seminar and 16 the pre-JDP training seminar in Copenhagen
8.	Satisfaction questionnaire standards completed by participants in the joint campaigns and the training seminar	Yes	Yes	Yes

3.1.1. Key figures

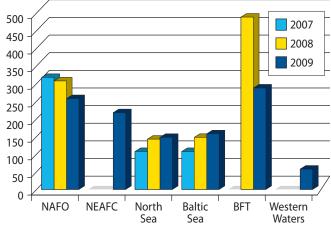
As can be seen in Table 1, the objectives and tasks included in WP 2009 have been achieved and delivered on time, fulfilling the targets established in WP 2009. The coordination of joint campaigns was carried out as planned, training courses were organised for each of the JDPs executed, and regular meetings of the steering and technical groups to develop the cooperation between Member States and CFCA took place.

From 2007 onwards, the number of fisheries in which the CFCA is operating has been increased (from three to six) and the level of activity (inspections) has doubled every year.

Graph 1: Key figures for JDPs, 2007-09



Graph 2: Total number of days of activity per geographical area, 2007–09



Source: CFCA.

The JDPs can be divided in two clear groups: the ones operating under Community waters and those operating under non-Community waters.

Community water JDPs are organised through periodical joint campaigns, responding to the year-round fisheries. In these campaigns, the number of days has increased slightly compared with 2008, responding to a need to maintain the level of control established by the respective specific control and monitoring programme. The increase observed in days

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Bluefin Tuna JDP	NAFO JDP	NEAFC JDP
In 2008: no regional training course was organised, 8 national training courses, 128 inspectors trained In 2009: 19 trainers of trainees attended the regional training course, 222 inspectors were trained during national training courses	In 2008: January, 34 participants from 7 Member States In 2008: December, 53 participants from 10 Member States	In 2009: March, 27 participants from 11 Member States
Yes	Yes	Yes

of activity (Graph 2) is mostly related to start of operations for cod in Western Waters.

In the JDPs affecting waters managed by regional fisheries management organisations (RFOs) (NAFO, NEAFC and BFT), a decrease of the number of campaign days in respect of 2008 can be noted. In these JDPs, the fisheries to which a JDP applies take place during a specific period in the year. The decrease of operational days is linked to a reduction of the fishing activity of the Community fleet in some areas and to a better planning based on risk analysis and the accumulated experience from the previous JDPs. In fact, an increase of the number of inspections in these areas can be seen despite a reduction of the campaign days, because a proper risk analysis was carried out.

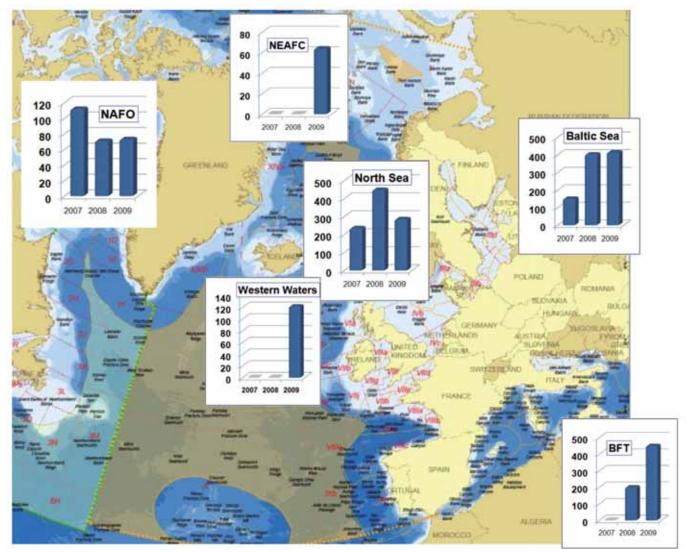




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Inspections

Graph 3: Total number of inspections at sea, 2007–09

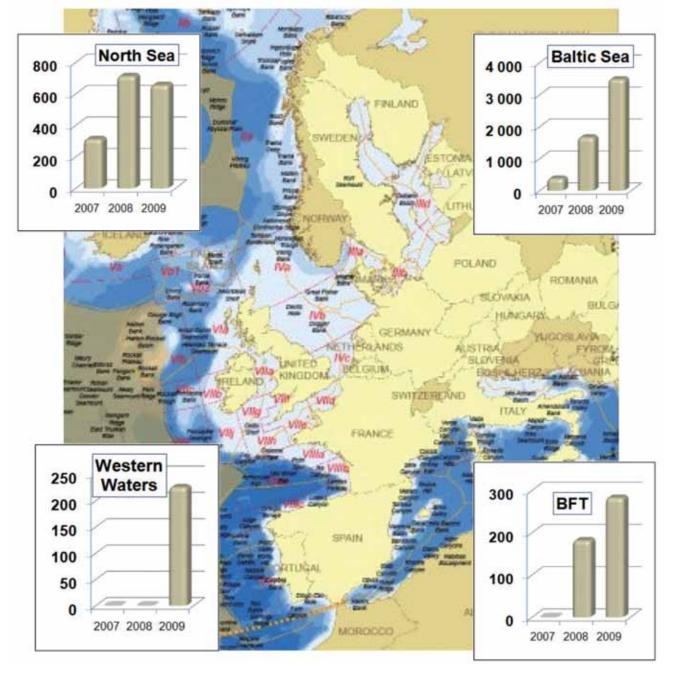


Source: CFCA.





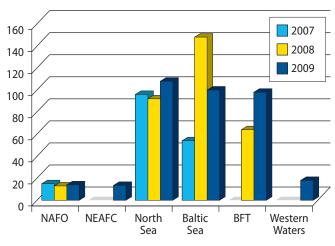




Source: CFCA.

In general, a marked increase in the number of inspections deployed through the year is evident. The main increase was produced in the Baltic Sea, as a successful response to the priority fixed to reinforce the landing inspections in the cod fishery. The BFT fishery also has an important increase in the number of inspections, while other areas show certain stability.

Infringements

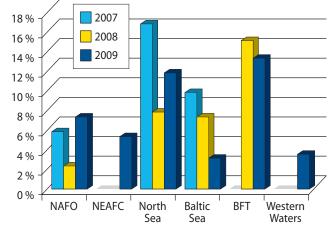


Graph 5: Total number of infringements, per geographical area, 2007–09

There was an overall increase of the detected infringements, which can partly be explained by the increase in the number of operations in certain areas.

The most important point in that respect is the ratio inspections:infringements that can be seen as an indicator of the compliance in the fishery.

Graph 6: Infringement ratio, per geographical area, 2007–09



Source: CFCA.

There was a slight decrease of the ratio of infringements versus inspections in the last year for the Baltic Sea, whilst for NAFO and BFT this ratio remained fairly constant. For the North Sea, there was an increase of this ratio when compared to 2008

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(and still below the levels of 2007), which can be linked to the introduction of the new mesh gauge regulation.

A very important point related to operational coordination is the cooperation between Member States through the creation of joint teams of inspectors of different nationalities. The number of joint teams deployed during 2009 was around 150. This practice has been one of the main tools to foster cooperation, increasing transparency of activities, exchange of best practices and building confidence between the different national authorities.

The training sessions linked to JDPs during the different campaigns are also considered a major factor for a level playing field. A total of 187 staff from Member States received training during 2009 and, additionally, the CFCA participated in 10 national training courses organised by Member States for the Bluefin Tuna (BFT) JDP.

3.1.2. JDPs, improving the quality of coordination

Most of the tasks assigned to the operational team during 2009 have been fulfilled, considering the figures and data of the different JDPs and the objectives stated in the 2009 work programme. However, there is a need for a global analysis of the quality and relevance of the activities developed, to see if they respond to the needs identified by the WP 2009.

All the specific details of the activities developed during 2009 are contained in the annual assessment reports of the effectiveness of JDPs (Annex I.A which can be consulted on the CFCA website). In general, some common conclusions can be made, as shown below.

- Member States contributed satisfactorily to the success of the JDPs, permitting the campaigns to be carried out with adequate means or, if there are none available (e.g. NAFO), through the joint chartering of a fisheries patrol vessel (FPV). In a minority of cases, the means were not available due to *force majeure*.
- The preparation of inspectors participating during the campaigns is improving. Notwithstanding this, Member States should try, in some specific campaigns such as NAFO or BFT, to deploy inspectors that have attended a specific training session by the CFCA. Training remains a high priority and the CFCA will continue to further cooperate with Member States on this.

Source: CFCA.



- Periodical reporting has been established in all JDPs, ensuring good communication of the results through the steering group (SG) members after the different campaigns. This reporting system is not only based on figures: a quality report analyses all the different parts of the activities. This system has allowed an analysis with Member States of the possible problems and solutions in cooperation with them.
- Risk analysis is the basis of well-directed inspections and ensures a good cost-benefit ratio. All campaigns have been planned based on a general risk analysis. Joint shortterm risk analysis has been developed during some campaigns depending on the coordination centre in charge (CCIC), with the definition of objectives of inspection based on the experience of the participants. These elements have proved to be very effective in the planning of the daily activities, allowing for a more precise definition of potentially 'non-compliant' targets.



3.1.3. CFCA activities to fight IUU fishing

During 2009 the CFCA supported Member States and the Commission in the preparation for the implementation of Regulation (EC) No 1005/2008. This involved:

- cooperation with the Commission in the training of authorities from third countries in two regional seminars;
- the organisation of training courses for the competent authorities of Member States. The CFCA convened four training sessions for Member States' officials.

The 2010 work programme identifies IUU as a foremost priority, and more resources will be allocated to this area in the future. Details of the activities developed can be found in the table below.

Table 3: WP 2009 IUU follow-up table

	IUU		
Activities performed	Budget: EUR 54 394.14	Staff: 2	
	Deliv	rerables	
Meetings of the IUU Working Group	Postponed to 25 February 2010		
Training seminars for third countries	Participation in two training seminars for third-country authorities: — Johannesburg, March 2009 — Bogota, March 2009		
Training seminars for Member States	Organisation of four training seminars in Vigo for Member States' authorities (28 September; 2, 19 and 23 October) with 47 national participants		
Coordination meetings with the Maritime Affairs and Fisheries DG	Participation in ei meetings with the and Fisheries DG i	e Maritime Affairs	
IUU Expert Group meetings	Participation in four IUU Expert Group meetings in Brussels		
New competences definition		tasks for the CFCA (EC) No 1005/2008: '988/EU	

3.1.4. JDP seminar: the way forward

A peer review on the functioning of the joint deployment plans was needed to evaluate and establish the basis for the future of operational cooperation. A seminar of JDPs 'The way forward' took place in Vigo from 8 to 10 July 2009. Twenty Member States and the Commission were represented, and some independent experts and specialists participated as invited speakers.

The seminar was organised in three sessions:

- Session 1: Risk management: How to plan control activities with efficacy and efficiency
- Session 2: Assessment and performance indicators: How to evaluate the control activities



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Session 3: Best practices in JDP coordination: How to improve the work of the different JDPs

The outcome of the seminar consisted of a general statement and a set of recommendations posted on our website. Member States and the Commission concluded, in the form of the general statement, that:

- cooperation between Member States for control has been improved by JDPs from 2007;
- an annual seminar will be convened to discuss specific aspects of control as a follow-up from 2009;
- future work has to be organised by an interlinked approach between:
 - o JDP planning, based on risk management,
 - o JDP management, based on flexibility,
 - $_{\odot}$ $\,$ JDP assessment, based on accountability.

The conclusions will form the basis for the future developments in JDP management in cooperation with the Commission and the Member States.

One of the keys to success for CFCA activities is to build on the efforts of all actors involved in the operational activities. Member States' capacity is essential for carrying out the planned activities and, together with the Commission, they are an active voice in all phases of JDP management: from planning to execution and evaluation of the activities.

As a result of the seminar, one of the main aims in 2009 was to create a common framework of cooperation between Member States, the Commission and the CFCA. Several initiatives, which are now fully integrated in the JDP systems, can be highlighted.

- A common joint risk analysis exercise is prepared for all the joint campaigns; a more advanced system is in development in which Member States will provide their national data to be shared and discussed before the planning of the joint campaigns.
- A reporting system is now established for all the JDPs, after each joint campaign. This reporting is done along different timelines, and ensures that all views are considered

through an agreed consultation system with members of the steering groups.

- A system of common assessment is in place, which allows a preliminary discussion and approval with the steering groups of the annual reports, and inclusion of the views of Member States in establishing the objectives for future campaigns, following the identification of the main risks of non-compliance.
- The CFCA is also tightening the links with industrial operators participating in the different meetings of the regional advisory councils in which control is discussed.



3.2. Capacity building

The roadmaps for training and exchange of experience, and for the CFCA Data Centre were defined at the end of 2008. In line with the content of these roadmaps, 2009 has been the year for launching the capacity-building activities of the agency.

First steps on data exchange for coordination of joint inspection activities have been achieved, and a general programme for training has been presented to the Commission and Member States. Other basic needs such as identification of Community inspectors and joint procurement of inspection tools have been covered.





Table 4: Performance indicators' evaluation, WP 2009 (amounts in EUR)

Activity performed		Deliverables
Fisheries Data Monitoring Centre (FDN	ЛC)	
Budget: 227 834.04	Staff: 2	
 Establishment of basic structure for FDMC with VMS capabilities Mapping of Member States' information systems Development of a control activities management system (CAMS) 		 WMS fully operational for BFT campaign Acquisition of hardware and software for business continuity of FDMC Study of methodology for mapping national information systems Definition of a CAMS prototype
Training and exchange of experience		
Budget: 25 418.89	Staff: 2	
 Development of a training programme with the Commission and Member States Development of a common core curriculum for trainers of inspectors Specialised training seminars 		 First meeting of the Steering Group for Training Visits to Member States to analyse national training programmes Participation in nine seminars for specialised training
Pooled capacities		
Budget: 21 033.67	Staff: 1	
 Development of an inventory of inspection means of Member States available for joint operations Undertaking of joint procurement inspection tools required by Member States 		 All Community inspectors provided with identification documents issued by the CFCA Publication of the list of Community inspectors on the CFCA webpage Framework joint contract for acquisition of electronic mesh gauges concluded
FishNet		
Budget: 13 070.00	Staff: 1	
 Development of remote collaborat for operational coordination 	ion tools	 Study of needs and possible solutions for FishNet

3.2.1. Fisheries Data Monitoring Centre (FDMC)

The first phase of the FDMC was completed in 2009, establishing the basic infrastructure in equipment and communications necessary for incorporation of the different control data systems, and the development of a computer-based system with capability to exchange and map the data of the vessel monitoring system (VMS) received from Member States and regional fisheries management organisations.

The system, supported by a web-based user interface, has been successfully used for the coordination of the 2009 Bluefin Tuna campaign. The CFCA received VMS data from nine Member States involved in the bluefin tuna fishery. In addition the system was receiving VMS data from 12 non-EU countries that are contracting parties of the International Commission for the Conservation of the Atlantic Tuna (ICCAT). More than 1.5 million VMS messages were received during the campaign.

During that first year of activities, the CFCA Fisheries Data Monitoring Centre also provided some support for the planning of the joint control campaigns, in particular the spatiotemporal distribution of catch data based on aggregated data submitted by Member States and the spatio-temporal distribution of fishing effort based on VMS data. Moreover, the development of a prototype of application for the management of activities carried out by joint deployment plans (campaigns, missions, inspections) was started. Users' requirements have been collected and analysed, with the objective



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to satisfy as many of the joint inspection needs as possible. This web-based application will be implemented in 2010.

The CFCA launched in 2009 a project to facilitate the pooling of relevant data required for risk analysis in the operational coordination of joint deployment plans. A preliminary task towards achieving this objective is the mapping of Member States' information systems supporting fisheries control activities. For that purpose, three Member States were visited in a case study, and the methodology for the mapping of Member States' systems was prepared to be conducted in 2010. The result of the study will permit the organising of a common reflection on issues such as procedures for the secure sharing of data, ways to improve data quality, and the development of tools for risk analysis.



3.2.2. Training and exchange of experience

As a point of departure, to determine the content and the methodology of the training programme of the CFCA, in October 2009 the first meeting of a Steering Group for Training and Exchange of Experiences was convened, with participation by representatives of the Member States. The objective of this group was to give guidance in the coordination work and training programmes of the CFCA and, especially, to the development of a common core curriculum for the training of the instructors of the fisheries inspectorates of Member States.

Following the steering group's conclusions the CFCA visited the authorities in charge of the training of inspectors in six Member States, in order to analyse national programmes and to examine training needs, possible synergies, cooperation and exchange of experience in the field, and to prepare a draft outline of the content of the future core curriculum. Also, specialised training seminars were conducted throughout 2009 directed towards inspectors participating in each of the different joint deployment plans coordinated by the CFCA, as listed in Table 2: Performance indicators' evaluation, WP 2009. On average, each seminar was attended by more than 30 participants from 11 different Member States.

3.2.3. Pooled capacities



One of the forms of cooperation between Member States is the deployment of Community inspectors and inspection means, who and which may be assigned for specific control and inspection programmes, international control and inspection programmes or inspection programmes developed by Member States.

Community inspectors and Community inspection means are nominated by the Member States and their assignment is formalised by adding them to the 'List of Community inspectors and inspection means'. This list is managed by the CFCA and now contains nearly 1 500 inspectors and more than 200 inspection means. As the body designated by the Commission, the CFCA publishes regular updates to the list on its website and provides Community inspectors with specific Community identification documents.

In line with Article 7(b) of Council Regulation (EC) No 768/2005 establishing the CFCA and following the request of 15 Member States, the CFCA organised a joint procurement procedure, in accordance with applicable rules, for the acquisition of electronic mesh gauges and associated items by the individual Member States concerned and by the CFCA.

Following a comprehensive technical evaluation, the CFCA concluded on 17 July 2009 a framework contract for the supply





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of electronic mesh gauges to the Member States concerned. The estimated volume of the framework contract, based on indicative order projections from individual Member States, is set at 640 mesh gauges over four years with a total contract value between EUR 800 000 and EUR 2 000 000.

In addition the CFCA has facilitated a harmonised introduction of the new electronic mesh gauge as from 1 September 2009, particularly in the framework of North Sea joint inspection campaigns coordinated by the CFCA.

3.2.4. FishNet

FishNet is projected as a network platform for the collaboration of groups of users involved in the operational coordination of joint deployment plans. It will be organised in different virtual offices restricted to authorised users, with a capability of exchanging information, sharing data and documents, and providing the appropriate tools for working together in the planning and implementation of the joint inspection and surveillance activities.

A study of needs and possible solutions was launched in 2009 with the aim of developing an operational prototype in 2010.

4. Governance and support activities

4.1. Administrative and Advisory Boards

4.1.1. 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 2009, two meetings of the Administrative Board were held in Vigo, the ninth meeting of the Administrative Board being held on 19 March and the 10th meeting on 15 October.

At its ninth meeting, a general presentation about the then proposed new fisheries control regulation was given by the Commission. At that stage, it was already underlined that the proposal would have a significant impact on the CFCA operational field from 2010 onwards.



During its 10th meeting, the Administrative Board approved the budget and the work programme for 2010; the latter already taking into account the new control regulation that entered into force on 1 January 2010. Nevertheless, with regard to financial issues, for the time being no additional funds were assigned for the implementation of the new tasks.

At the same meeting, the CFCA also presented its mid-term strategy, in which the main aim is to enhance substantially the current compliance levels with the rules of the CFP and a business continuity roadmap to avoid or negate disruptions affecting the activities of the CFCA and to ensure protection of staff, buildings, property, activities and information against security threats.

4.1.2. Advisory Board

The Advisory Board is composed of one representative of each regional advisory council (RAC). Two meetings of the Advisory Board were held in Vigo, on 6 March and 14 September, in conjunction with the meetings of the Administrative Board. The CFCA chaired the meetings.

On 15 October 2009 an amendment to the rules of procedure of the Advisory Board was adopted by the Administrative Board. Since the coming into force of AB Decision No 9-II-08 there is a more frequent rotation of the representative appointed by the Advisory Board to take part in the deliberations of the Administrative Board, with a term of one year. Furthermore, the Advisory Board has been given the possibility to appoint an alternate representative to ensure the



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ve **4.3. Representation and networks**

4.3.1. Regional advisory councils

The regional advisory councils (RACs) represent the stakeholders in the relevant geographical area or fishery. There are seven regional advisory councils which cover different fishing grounds, both in EU and international waters or those under fisheries agreements, these being: 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 2009, the CFCA participated 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, but solely when issues referring to CFCA competences were included in the agendas of the relevant meetings.

4.3.2. Cooperation with other agencies in the maritime domain

In November 2009, the European Maritime Safety Agency (EMSA), based in Lisbon, the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) of the Member States of the European Union, based in Warsaw, and the Community Fisheries Control Agency (CFCA) concluded an agreement with a view to cooperate, in accordance with their respective mandates, in the field of maritime surveillance that will be mutually beneficial for the three agencies.

The cooperation agreement will allow for the exchange of information and expertise as well as for the exploration of the joint use of assets as relevant, optimising the functioning of the European Union as a whole regarding maritime surveillance. It is anticipated that the cooperation will result in an improvement of the control of the external maritime borders of the EU (competence of Frontex), an increase in maritime safety (competence of EMSA) and an enhancement of the coordination of fisheries control and inspection activities by the Member States (competence of the CFCA).

representation of the Advisory Board in the Administrative Board meetings, in the absence of the appointed representative. Therefore, the election of the new representative and alternate of the Advisory Board in the Administrative Board will take place in 2010.

4.2. Internal control systems and audits

Since the start of its activities, and in pace with its growth, the CFCA has progressively developed and implemented a series of internal measures to ensure that its activities are sufficiently monitored, controlled and evaluated to provide reasonable assurance to management of the achievement of the agency's objectives. These measures are in line with the set of 'internal control standards for effective management and requirements' (ICS) that was adopted by the CFCA Administrative Board in its seventh meeting on 13 March 2008.

The existing internal control measures help to ensure that the CFCA's operational activities are effective and efficient whilst also certifying that all legal and regulatory requirements are met, that financial and management reporting is reliable and that assets and information are safeguarded. Examples of measures already in place are: implementation of organisational structures; development of several staff policies and operational procedures; provision of training in various areas; setting of clear objectives and their monitoring through well-developed management reporting and monitoring tools including performance indicators. Taken together, these measures constitute the internal control system of the agency.

Following an internal audit performed by the Internal Audit Service of the Commission and the Internal Audit Capability of the CFCA, a number of recommendations were made to further enhance the internal control system of the agency. All recommendations have been accepted and appropriate action plans for the implementation of these improvements have been developed. The management is monitoring, on a regular basis, the progress in the implementation of this action plan.

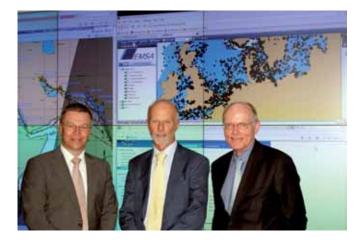
One of the ICS concerns is the yearly assessment of recorded exceptions. These exceptions concern cases which deviate from established policies and practices or where internal controls are overridden. In 2009, the agency did not record any exception of material value.





The main activities comprised in the agreement are the following:

- exchange information and data on matters of common interest,
- explore synergies in the use of the maritime surveillance and information systems,
- explore the possibilities of joint use of assets,
- investigate potential cooperation in the field of maritime surveillance directed to the protection of external maritime borders and fisheries control,
- expand mutual collaboration between the agencies in areas such as coordination of inspections, research and development, and training.



4.3.3. EU agencies, networks and institutional representation

As a matter of sound management the CFCA attends the meetings convened by the Commission, the European Parliament and the Council where its presence is desirable, required or in its own interest.

Thus, amongst the meetings that can be outlined during 2009 were two presences in the Fisheries Working Group of the Council when the new mandate of the CFCA was being discussed; there was also a presentation in the European Parliament at the end of December 2008 and another is forecast for January 2010. Last but not least, CFCA representatives also attended meetings of the Commission expert groups on control for fisheries and aquaculture.

The CFCA participated, at the request of the Commission, in the meetings of the regional fisheries organisations in which JDPs are being executed, NAFO, NEAFC and ICCAT during 2009. The CFCA representatives supported the Community delegation in these meetings.

In the field of horizontal matters, the inter-agency cooperation network coordinates the relations between the agencies, the Commission and the European Parliament. In this context, the Executive Director and the Head of Administration attended the yearly meetings of the heads of agencies and heads of administration. Likewise, apart from meetings of directors, agency experts met through the different agency networks with their counterparts in other agencies.

The EU agencies 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 participated in the following EU agency networks: procurement (NAPO), communication, data protection, legal (IALN), IT and accounting.

Last but not least, the CFCA also took also part in the two Management Board meetings of the Translation Centre.

4.4. Horizontal support activities

The year 2009 was the first full-year exercise at the CFCA's new premises, following the move to Vigo in 2008. After the initial effort to organise the main processes, the CFCA went through a considerable optimisation of all support services in 2009. This has led to the consolidation of the CFCA's overall internal organisation ensuring a more efficient and effective management of the resources available in relation to the operational priorities. This has been achieved by adopting appropriate best practices, an effective recruitment campaign, and further improving tools and applications for the day-to-day management of transactions.

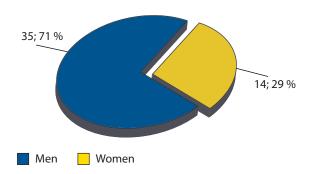
4.4.1. Human resources

Recruitment was a priority task in 2009 and was carried out in line with the CFCA's objectives and budgetary considerations. Most temporary agent (TA) posts were filled or recruitment is at an advanced stage. Two SNEs are now employed on a longer-term basis. All contract agent (CA) positions have been filled.



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Graph 7: Human resources



Around 70 % of CFCA staff is male (31 December 2009). While in Unit A and the Executive Director's office (ED) gender balance exists (11 women and 10 men), in Units B and the C there is a minority of three women (and one female SNE) among mainly experts from a traditionally male domain. However, the recruitment of four female staff members in the operational units for 2010 shows a tendency to change.

Eighteen different nationalities are represented. The percentage of local nationality is 23 %. The best represented expatriate nationalities are French, Belgian, Portuguese and Italian.

TAs and CAs by nationality (31.12.2009)	
ES	11
FR	5
BE	6
РТ	5
ІТ	5
DE	3
IE	2
NL	2
UK	1
DK	1
SE	1
EE	1
LT	1
BG	1
EL	1
PL	1
AT	1
FI	1
Total (18)	49

Training of staff was enhanced in 2009, based on the needs of the CFCA and those expressed by the staff in relation to the development of skills and expertise linked to the different job profiles. Many of the training courses were organised at the agency's premises using different service level agreements concluded between the CFCA and the Commission.

A human resources (HR) application facilitating administrative procedures in HR and with the possibility for further development was under test. Along with this, considerable work was dedicated to improving the planning, the coordination and the reporting activities in HR. A systematic description of procedures in HR was also initiated.

In accordance with Article 110 of the Staff Regulations, two implementing provisions, one for the appraisal of the Executive Director and the other for the engagement and use of temporary agents, were adopted. Selection procedure panels were aligned to the new requirements for conducting and assessing written tests.

Two notifications were set up regarding data protection for personal data in recruitment and for the treatment of personnel medical data.

Preparations were made for the performance appraisal 2009 (CDR) which is planned to take place in early 2010. The job descriptions were updated and the organisational chart adapted in accordance with the new organisational decision of 2009 which specifies the unit missions and the subsequent structures for functions and job descriptions. At the beginning of 2009, all staff members agreed specific individual objectives for their work, which will now form the basis for the CDR appraisal.





4.4.2. Finance and procurement developments

The main focus for 2009 was the consolidation of financial and procurement procedures. The aim was to streamline processes, thus facilitating compliance with the applicable financial regulation and implementing rules. Particular attention was paid to IAS recommendations and the Court of Auditors' findings. To this end, a number of significant actions were undertaken successfully.

- Starting from March 2009, certain responsibilities in administrative management were delegated by an ED decision to the Head of Unit A, in particular with a view to accelerate the approval of financial transactions in Titles I and II; a delegation to the Head of Unit C for financial transactions in operational coordination is prepared for 1 January 2010.
- A specific reporting package to management was developed from the second quarter of 2009 with key and detailed information related to the budget execution, programming and procurement activities. This reporting tool, together with regular monthly meetings between the finance team and project managers, has improved the capacity of the CFCA management for budget monitoring and planning of resources. The impact of this has been reflected in several procedures, for example the year-end exercise, with the cut off exercise 2009–10 being more precise and effective than the previous year.
- A particular effort was made to improve the follow-up of payment requests and cost claims. More resources were used for this purpose with the result that payments



are now finalised within the allowed 30 days from the registration of the invoice.

On the procurement side, an ambitious plan was prepared for 2009. The relocation to Vigo required the CFCA to put in place, in a very short timeframe, a significant number of contracts for the provision of main services and supplies. A considerable effort was dedicated to the preparation and finalisation of several open calls for tender launched during the year. By the end of 2009 a wide range of services was covered with the award of several framework contracts and other direct contracts, thus giving the agency the possibility to better plan and manage its own resources for the coming years.

The year 2009 also saw a general review of procurement processes focused on the enhancement of the control for compliance with the general rules, particularly in relation to the management of the risks related to procurement contracts. This review will be finalised in mid-2010 with the expected result to streamline the procurement circuit and to increase the efficiency of all related administrative processes.

4.4.3. Budget execution CFCA 2009

During the Administrative Board meeting of 16 October 2008, the budget of the CFCA for 2009 was adopted, which became final in December 2008 when the budgetary authority adopted the 2009 general budget. There were EUR 6.8 million set as a contribution to the CFCA from the total subsidy of the European Community. There were two amendments to cover a shortage of appropriations under the staff expenditure allocated for 2009, which implied a total of EUR 7.9 million as the final amount for the subsidy in the 2009 budget.

By the end of the 2009 financial year, the agency had committed 98.2 % of the total subsidy granted, which shows a significant increase compared with 2008 budget execution levels (88 %). The CFCA also paid out around 88 % of the available payment appropriations (excluding expenditure from other sources of revenue).



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		COMMITMENTS		PAYMENTS	
Title	Budget 2009	Consumed (EUR)	% exec.	Consumed (EUR)	% exec.
Title I	5 621 500.00	5 425 404.95	97 %	5 319 545.57	95 %
Title II	1 356 000.00	1 460 912.66	108 %	862 582.58	64 %
Total titles I and II	6 977 500.00	6 886 317.61	99 %	6 182 128.15	89 %
Title III	937 500.00	883 770.77	94 %	792 598.13	85 %
Capacity building	300 000.00	287 356.60	96 %	211 532.12	71 %
Operations	637 500.00	596 414.17	94 %	581 066.01	91 %
Total	7 915 000.00	7 770 088.38	<mark>98</mark> %	6 974 726.28	88 %

4.4.4. Information and communication technologies (ICT)

After the initial effort in mid-2008 to procure and provide the agency with the main services for its basic functioning, 2009 was dedicated to equipping the agency with the necessary ICT tools to enable the staff to carry out its activities in a more efficient and effective manner. Particularly relevant to this end was the effort made in the identification of solutions to enhance the overall ICT infrastructure for the coming years. Of particular note is the analysis of users' requirements for the implementation of a collaboration and document management system (CMS). This initial phase was successfully completed and the target platform on which to develop the agency's CMS was identified. This development is essential for the operational systems of the CFCA.

In addition to the above, the definition of the first multiannual ICT strategy, including the draft of a first IT self risk assessment and business continuity analysis, was successfully addressed in line with the ICS and auditors' recommendations.

The CFCA paid particular attention in 2009 to adopting a green IT approach for any ICT infrastructure and equipment, in line with the EU Eco-Management and Audit Scheme (EMAS).

4.4.5. Communication

The CFCA further built its communication capacities so they could contribute more effectively to the goals of building a culture of compliance with the common fisheries policy by its stakeholders, supporting the communication strategy defined by the European Commission in the field of the common fisheries policy and in particular control and enforcement toward the general public, and fostering the European Union's values locally, as CFCA activities have a clear impact in the Member States.

The CFCA website, the main access point to get information on the agency, was completely revamped. The current website receives around 2 000 visitors per month and is in continuous development.





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As part of its activities towards the goal of supporting the communication policy of the European Commission regarding the common fisheries policy, the CFCA was present at the Seafood Exposition, in Brussels from 28 to 30 April, participating at the stand of the Commission. Moreover, the Community Fisheries Control Agency, the European Commission Maritime Affairs and Fisheries DG and the European Maritime Safety Agency (EMSA) participated in the World Fishing Exhibition in Vigo from 16 to 19 September. During this exhibition, on 18 September, the CFCA organised a day dedicated to Europe. Around 200 attendees participated in the whole programme, comprising local authorities, the fishing sector, exhibitors and journalists.

With a view to foster the European Union values locally in Vigo, the CFCA celebrated Europe Day in Vigo, on 9 May, in cooperation with the City Hall and the Port Authority. The cooperation was extended to the European Parliament. It was the occasion to announce the winner of the European art contest 'Human activity in the maritime environment, in relation to fishing' for young people, organised by the CFCA. Around 100 very prominent guests attended. On the street, the CFCA held a stand as a way of communicating one on one with Vigo citizens. The event resulted in a vast coverage. On another point, the CFCA finalised its visual identity guidelines, which will support the perception of the CFCA as a centre of excellence and transparency, as it is defined in its mission.



Finally, other media activities in 2009 included adoption of the agency's work programme and budget for 2010, the seminar on the assessments of the JDPs, the agreement signed with EMSA and Frontex, and the Bluefin Tuna control campaign.



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