



COMMUNITY FISHERIES CONTROL AGENCY

ANNUAL REPORT OF THE CFCA FOR 2008

Legal basis:

Art. 23(2)(b) Council Regulation (EC) No 768/2005 Art. 40 of Financial
Regulation of CFCA (*AB Decision No 09-W-01 of 9 January 2008*)

This report includes the Annual Activity Report.

ABBREVIATIONS

BFT	Bluefin Tuna
CA	Conventional Area
CFP	Common Fisheries Policy
CFCA	Community Fisheries Control Agency
FMC	Fisheries Monitoring Centre
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
TJDG	Technical Joint Deployment Group
VMS	Vessel Monitoring System

Foreword by Serge Beslier, Chairman of the Administrative Board

Delivering compliance

Compliance is in the first place a matter for the fishing industry. Sustainable exploitation of living marine resources is going hand in hand with a culture of compliance with the applicable rules of the Common Fisheries Policy. The fishing industry should adopt such culture and not tolerate exceptions to it.

Public authorities should establish the conditions required by the legislation as well as on the level of control and enforcement for maintaining a culture of compliance. To this end, the Commission, Member States and the CFCA should closely work together in order to achieve this goal.

The proposed new Community regulatory framework for control and the Council Regulation combating IUU activities entering into force in 2010 will be a major breakthrough in the promotion and strengthening of a culture of compliance.

The CFCA has been launched successfully and is well established in Vigo. It is ready, together with the Commission and the competent authorities of Member States, to deliver compliance so that the planned reform of the Common Fisheries Policy in 2012, once adopted by the European institutions, will be implemented by Member States in a truly uniform and effective manner.

I am convinced that the Agency will play a key role in developing a culture of compliance within Europe. The new control regulatory framework will be essential in deterring fraud and ensuring sustainable fishing, and the Agency will be a main character in ensuring more uniform and effective enforcement by pooling EU and national fisheries control means, monitoring resources and coordinating enforcement activities. Such operational coordination will help tackle the shortcomings witnessed in enforcement which stem from disparities in means and priorities in the control systems for Member States.

It is an honour to have been elected Chair of the Administrative Board of the CFCA at the meeting of October of 2008 at such a crucial time both for the Common Fisheries Policy and for the Agency itself. For the Agency, because already settled in Vigo and coordinating four control campaigns in 2008, it is a grown-up body ready to deliver its responsibilities in the new arena.

I would like to thank Marcelo Vasconcelos, who has chaired this Board until my arrival. He has done it with enthusiasm, commitment and leadership, consolidating the establishment of the CFCA which has delivered impressive results in its short life as it can be seen through the pages of this Annual Report. With this new chairmanship, the start-up phase has finished, the first results are there, for the eyes of everyone to see. It is now time to work hard and further building capacities in the Member States to apply in a uniform and effective manner the rules of the Common Fisheries Policy. By building these

capacities, the CFCA will have a great impact in uniform enforcement and therefore respond positively to the legislators who decided to create the Agency.

Finally, on behalf of my fellow colleagues at the Administrative Board, I would like to thank my fellow Administrative Board members and our Executive Director, Harm Koster as well as the team he has led for their endeavours and hard work enabling the CFCA to become a centre of excellence and transparency which, in its short life, has already gained the necessary confidence and cooperation of all partners involved.

Introduction by Harm Koster, Executive Director

It has been a pleasure and a privilege to serve as Executive Director of the CFCA since its creation and seeing its consolidation in 2008. At the same time, the Agency has relocated to its new seat in Vigo and doubled its staff. It has ensured that its core work has been delivered, with the execution of four joint deployment plans (JDPs) through the year.

As a matter of fact, the operational coordination the CFCA has carried out, with limited resources of its own but substantial pooled national resources, has turned out in some very intense coordination activity, with the final figures amounting to 3636 coordinated inspections, including 731 days of joint control campaigns, 181 coordinated aerial surveillance flights and 2597 coordinated sightings in total. All in all, four joint deployment plans have been executed in relation to the cod stocks in the North Sea and adjacent waters, the Baltic Sea, the bluefin tuna in the Mediterranean and the Eastern Atlantic and the regulated stocks in the NAFO RA, these two last being undertaken for the first time. Moreover, the JDP for the NEAFC RA was adopted for the first time and preparations started for the activities to be undertaken to combat IUU fishing in 2009, after the adoption of Council Regulation (EC) No 1005/2008 of 29 September 2008.

The JDP for the bluefin tuna in the Mediterranean and Eastern Atlantic, the first of its kind and the first one in which the coordination centre of the JDP was at the Agency premises, is a text book example of European cooperation with positive results. In 2007, the control, inspection and surveillance activities carried out by each of the Member States concerned were not well coordinated and not evenly spread over throughout the fleet. The assessment report for the 2008 control campaign highlights the exemplary cooperation between the competent authorities of the Member States, the European Commission and the CFCA. On the basis of the large number of means pooled by the Member States concerned, an enormous control effort has been deployed, which has been coordinated by the CFCA.

Overall, the first evaluation of the results from the implementation of the JDPs shows a series of positive elements, even though the methodologies, procedures and performance indicators to properly undertake an annual assessment of the effectiveness of each JDP have not yet been adopted. The JDP concept has enhanced cooperation between Member States, not only at sea and in ports but also at the managerial level. In addition, the CFCA has extensively contributed towards an improved level of uniformity of control and inspection standards through training sessions and the sharing of common procedures. Finally, when it comes to effectiveness it can be said that the increased number of means available during the campaigns and the cross-border operations has increased the probability of inspection and included an additional surprise moment when inspecting in areas of dense fishing activity.

Concerning capacity building for the further harmonisation of EU control and inspection measures and methods, in 2008 we have built its foundations, by hiring the necessary staff members, organising the unit in charge of these tasks, projecting the work to be done in 2009 and building the necessary infrastructure to develop its capabilities.

What is more rewarding to me is that we were able to carry out all this concentrated activity, without precedent, while securing our installation in our seat in Vigo, Spain, and starting to function at our new premises as of the 1 July. This we did retaining the staff who were working in the Agency in Brussels and almost doubling the number after the move. However, we would not have been able to do that alone. Indeed, the Commission and Member States have cooperated extensively with the Agency. Without their support the results would not have been achieved. I am grateful for this support and would like in particular to thank the Spanish authorities for all their support in the conclusion of the Seat Agreement, which secures the status of the CFCA as a Community body in Spain and regulates the relations between Spain and the Agency as well as the support provided by the Spanish administration to the CFCA. It bodes well for the future.

I take the opportunity to express my gratitude to all CFCA staff for their hard work over the past year and encourage them to maintain the standards so that the CFCA will give valuable assistance to the Commission and the Member States with a view to the new challenges ahead. I invite you to learn about our considerable achievements this year in this annual report.

Have an enjoyable read!

TABLE OF CONTENTS

Foreword by Serge Beslier, Chairman of the Administrative Board.....	4
Introduction by Harm Koster, Executive Director.....	6
Chapter 1: Community Fisheries Control Agency	9
1.1 Introduction.....	9
1.2 Mission statement	9
1.3 Administrative and Advisory Board.....	10
1.4 Priorities for 2008	11
1.5 Future outlook	12
Chapter 2: Operational activities	13
2.1 North Sea, Skagerrak, Kattegat and the Eastern Channel	15
2.2 Baltic Sea	17
2.3 NAFO	19
2.4 Bluefin tuna	21
2.5 IUU and possible pilot project on discards	23
2.6 Capacity Building and support.....	23
Chapter 3: Support activities.....	25
3.1 Relocation to Vigo	25
3.2 Human Resources.....	26
3.3 Financial report.....	27
3.4 Improving working practices	28
3.5 Communication and relations with stakeholders	29
Annex	31
Annex I Administrative Board decisions	31
Annex II	33
Assessment report 1: JDP North Sea, Eastern Channel, Skagerrak- Kattegat	33
Assessment report 2: JISS/JDP Baltic Sea.....	46
Assessment Report 3: JDP NAFO RA.....	60
Assessment report 4: JDP Bluefin tuna Mediterranean, Eastern Atlantic	72
Annex III Seat Agreement	855
Annex IV Organisational Chart as adopted in October 2008	1033
Annex V Financial statement:	1044
Annex VI Declaration of the Executive Director.....	1100

Chapter 1: Community Fisheries Control Agency

1.1 Introduction

The general report this year has been structured following the main activities executed by the Community Fisheries Control Agency according to the Work Programme for 2008. The first chapter is dedicated to an overview of the CFCA mandate as well as the priorities for 2008. The second describes the core work of the CFCA, the operational coordination of the control and inspection activities and the preparatory work in terms of capacity building. The third chapter depicts the activities supporting the CFCA and enabling it to perform its core work. Finally, the reader can find more detailed information in the annexes.

1.2 Mission statement

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 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 effectiveness and efficiency of its operations.

The European Council agreed to establish the Agency in the 2002 Common Fisheries Policy (CFP) 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 primary role of the Community Fisheries Control Agency (CFCA) is to promote effective and uniform application of the rules of the Common Fisheries Policy by the Member States, mainly through the organisation of operational cooperation between Member States. In order to achieve this goal, the two main strategic axes are the organisation of operational cooperation and coordination of pooled national means in the fisheries identified by the Commission and the Administrative Board and the building of the necessary capacities to apply the rules of the CFP by Member States in a uniform way.

The CFCA aims to contribute to building a culture of compliance of the CFP by the stakeholders; promote the values of the European Union locally and support the Communication Strategy defined by the European Commission in the field of the Common Fisheries Policy in general and the Control and Enforcement in particular. These objectives will be achieved by developing the necessary communications channels to reach its target groups: the stakeholders, the general and local public and the institutional actors.

Coordination of pooled national means

The CFCA coordinates activities 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 on CFCA premises.

While Member States are responsible for applying the rules on their own territory, in waters under their sovereignty and jurisdiction and on fishing vessels flying their flag, wheresoever their activity is carried out, the Agency has been designed to act as a facilitator enhancing 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 authorities allocate to their own controls and inspections.

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 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 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, biological and ecological sustainable, exploitation of resources which constitute a common good.

1.3 Administrative and Advisory Board

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. It meets twice a year. The terms of the Chairman and the Deputy Chairperson came to an end in 2008. Serge Beslier, replaced Marcelo Vasconcelos, as Chairman.

At its second meeting in 2008, the Administrative Board not only adopted a work programme for 2009 but also discussed a future multi-annual plan, in order to ensure the long-term strategic development of the Agency. It will help the effective organisation of CFCA operations and will cover a five-year period, with annual reviews. In addition, it was decided to develop a set of appropriate indicators to provide an instrument for the evaluation of performance in achieving fixed targets with the ultimate goal of ensuring full compliance with the rules of the CFP.

The multiannual plan will focus on the two main strategic axes of the CFCA; the operational coordination of the deployment of pooled national means of control, inspection and surveillance in the areas and fisheries as determined by the Commission and the Administrative Board; and on capacity building, to establish and maintain centres for operational cooperation between national services, the Commission and the CFCA in order to enhance the available capacity within the European Union for implementing the CFP.

Advisory Board

The Advisory Board is composed of representatives of the Regional Fisheries Advisory Councils and provides advice to the Executive Director of the CFCA. During 2008, two meetings were held where possible ways of cooperation between the RACs and the CFCA were explored.

1.4 Priorities for 2008

The main organisational objectives established for 2008 were to secure the relocation of the CFCA to its seat in Vigo, Spain; to organise operational coordination between Member States in priority areas and to set up the financial and administrative structures of the CFCA.

In terms of operational coordination, the main priorities were the following:

- The recovery of cod stocks in the North Sea and adjacent areas
- The multi-annual plan for cod stocks in the Baltic Sea
- The multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and the Mediterranean Sea
- Control Measures to combat IUU fishing activities
- Implementation of possible pilot projects on reduction of discards

Joint Deployment Plans were to be elaborated in relation to the cod stocks in the North Sea and the Adjacent areas, the cod stocks in the Baltic Sea, the bluefin tuna stock in the Mediterranean and Eastern Atlantic and the regulated stocks in the NAFO RA. In relation to IUU, the CFCA had to develop the capacity to act as a central point of information on IUU fishing activities.

In addition, specific training seminars and workshops for Member States authorities were planned and the results of the JDPs were to be made available on the CFCA website.

Regarding the Capacity Building, the CFCA had to start to invest in its Monitoring Surveillance Coordination and Support capabilities with a view to uniform control and inspection methodologies and training. In particular, it had to compile a general curriculum on control and inspection; set up an operational ICT platform for 2009, and establish a methodology for assessment of the effectiveness of control and inspection activities.

1.5 Future outlook

In 2009, the CFCA will take a step forward and have a more ambitious work programme towards a further harmonisation and effective application of the control and inspection rules of the CFP. The coordination of control operations will continue and, at the same time, the necessary investment will be made in the services for enhancing the capacities for control at the Community level and achieving a level playing field. In terms of the coordination of control and inspection operations, the work programme caters for:

- Maintaining the operational coordination in the regulated fisheries in the NAFO RA, the cod fisheries in the Baltic Sea, North Sea and adjacent areas as well as the bluefin tuna fisheries in the Mediterranean and Eastern Atlantic
- Carrying out two new joint deployment plans for cod fisheries in Western Waters and for regulated fisheries in the NEAFC RA
- Preparing the fulfilment of the tasks attributed to the CFCA in the framework of the Council Regulation to prevent, deter and eliminate IUU fishing

Concerning the capacity building for further harmonisation of EU control and inspection measures and methods, in 2009 the Agency will:

- Create a Monitoring Centre for Assessment of control that will set performance indicators, validate methodologies and evaluate the effectiveness of the activities
- Build a Data Monitoring Centre that will ensure the exchange and quality of data on fishing and inspection activities
- Develop a Centre for Training and Development that will manage training programmes for inspectors by the organisation of workshops and seminars
- Establish FISHNET, as a web access point for all actors involved in the joint activities coordinated by the CFCA or, in other words, the creation of a virtual joint working place
- Organise a Centre for Pooled Capacities that will maintain an up to date inventory for the national means available and handle procurement

Chapter 2: Operational activities

Organising operational cooperation

This chapter reflects the activities carried out in 2008 against the background of the objectives established in the 2008 Work Programme. Operational coordination of pooled national means through the adoption and execution of JDPs took place, in relation to:

- The cod stocks in the North Sea and adjacent waters
- The cod stocks in the Baltic Sea
- The Eastern Atlantic bluefin tuna stock, in the Mediterranean
- The regulated stocks in the NAFO RA

Indeed, the work carried out in 2007 in Baltic and North Sea was consolidated with the two JDPs in the North Sea and one Joint Inspection Surveillance Scheme (JISS) and one Joint Deployment Plan (JDP) in the Baltic Sea. New tasks were also developed. The following tasks were undertaken for the first time:

- Implementation of new Joint Deployment Plans for the NAFO CA and the bluefin tuna fishery in the Mediterranean and Eastern Atlantic
- Adoption of the JDP for NEAFC RA, which will be executed accordingly in 2009
- Preparation of the activities to be carried out to combat IUU fishing in 2009, after the adoption of Council Regulation (EC) No 1005/2008 of 29 September 2008

In Community waters, two criteria have to be met before a JDP can be established. The fish stocks concerned must be subject to a long-term recovery plan or a multi-annual management plan. In addition, a specific control and inspection programme, adopted by the Commission, must be in place. The Executive Director of the CFCA adopts these joint deployment plans in close cooperation with the Member States concerned and the Commission. In the NAFO RA, the Commission entrusted the Agency with the inspection activities, by carrying out JDPs both at sea and at landing ports, thus complying with the international obligations of the EU.

JDP	Campaign Days	Coordinated Inspections		Infringements		Sightings	
		Sea	Shore	Sea	Shore	Flights	Sightings
North Sea & Adjacent waters	119	449	711	43	41	50	1362
Baltic Sea	128	404	1659	37	103	26	1235
Bluefin Tuna	215	193	149	47	7	105	-
NAFO	269	71	-	1	-	-	-

The CFCA has an obligation to undertake an annual assessment of the effectiveness of each Member State in close cooperation with the Member State concerned and the Commission but, so far, the methodologies, procedures and performance indicators to do so have not been adopted. However, the first evaluation of the results from the implementation of the JDPs shows a number of positive elements(The assessment reports of the JDPs can be found at Annex II.)

Cooperation: The JDP concept has enhanced cooperation between Member States, not only at sea and in ports, but also at the managerial level, with the experience of the Steering Groups and Technical Joint Deployment Groups (TJDG) of the JDPs. The Steering Groups are composed of national contact persons appointed by the participating Member States and a representative of the Commission and chaired by the Agency. They are responsible for ensuring overall coordination and evaluation of the implementation of the JDP. The TJDGs, composed of representatives designated by participating Member States and CFCA coordinators was, in the case of the bluefin tuna JDP, based in the Agency premises.

The Member States, represented by the members of the Steering Groups and the TJDGs, together with the inspectors in the field, the personnel of the coordination centre and the crews of the inspection vessels, have invested much energy in order to execute the scheduled campaigns.

Compliance: The CFCA has extensively contributed towards an improved level of uniformity of control and inspection standards through training sessions and the sharing of common procedures. Experiences were exchanged and inspectors are now fully aware of the existing similarities and differences related to inspection duties, creating a momentum for further development of standardised methodologies

Effectiveness: The CFCA has revealed that certain activities may not comply with the rules. Yet, since the focus was more on activities at sea than on land, it is not possible to have the complete picture at this stage. Until proper performance indicators and assessment methodologies are developed, no proper judgement can be made. However, it can be said that the increased number of means available during the campaigns and the cross-border operations have increased the probability of inspection and included an additional surprise moment when inspecting in areas with dense fishing activity.

Capacity Building

During the latter half of 2008 the capacity of the Agency was further increased by the engagement of additional members of staff who, together with the existing staff, commenced preparations for the planning and implementation of activities proposed for 2009 as well as developing the required infrastructure to further increase the Agency's capacity.

2.1 North Sea, Skagerrak, Kattegat and the Eastern Channel

2.1.1 Introduction

Two Joint Deployment Plans have been elaborated and adopted implementing the specific control and inspection programme of cod stocks, with the corresponding reports of the campaigns made available through CFCA website. In 2008, a two-day training seminar was organised for inspectors in Denmark, on 24-25 April, with a view to presenting CFCA's approach and methodology regarding minimum standards of inspection and exchanging views.

In this fishery, a number of different fleets operate demersal, multi-species fisheries which are of great importance to several Member States and in which cod is taken mostly as a by-catch. Fishing activity in the region is undertaken by fishing vessels originating from the Member States bordering the North Sea, the Eastern Channel and the Skagerrak and Kattegat. With regards to the cod stock, based on the most recent estimate of spawning stock biomass (SBB) in 2008 and fishing mortality in 2007, ICES classifies the stock as suffering reduced reproductive capacity. Therefore, inspection and surveillance activities should concentrate on fishing vessels using gear types that are likely to catch cod or as a by-catch.

2.1.2 Organising operational cooperation

With an average of approximately 40 sea inspections and 57 landing inspections per joint control campaign, the overall result of the inspection activity during the 2008 North Sea JDP was 449 inspections at sea and 711 inspections on shore. The inspection activity during the 2008 JDP, with 43 infringements detected at sea and 41 infringements detected on shore, resulted in approximately a 9.6 % detection rate of suspected infringements at sea, and in slightly less than a 6 % detection rate during landing inspections.

All seven Member States in the area, i.e Denmark, Belgium, France, Netherlands, Germany, UK and Sweden, participated in each of the joint campaigns as agreed in the initial JDP planning. The quality of the means for sea inspection and surveillance was adequate, with 216 sea days made by the patrol vessels deployed. As regards aerial surveillance, 50 flights were carried out during 9 joint campaigns. In total, 1362 sightings were made. 56 inspectors have been exchanged and formed part of mixed teams on board of inspection vessels.

As a control strategy, each joint campaign covered an area selected on the basis of the results of the initial data analysis. The means were to be deployed throughout the whole area and mixed teams of inspectors were placed on board of inspection platforms. Each campaign was coordinated from a single coordination centre in charge.

LIST OF JOINT CAMPAIGNS NORTH SEA

No	Date	Area	Participating MS
1	04Feb-14Feb	Southern North Sea-Eastern Channel	FR,BE,NL,UK
2	03Mar-16Mar	Eastern North Sea-Skagerrak	DK,DE,SE
3	31Mar-13Apr	Skagerrak-Kattegat	SE,DK
4	19May-01Jun	Northern North Sea	UK,DE
5	16Jun-29Jun	Eastern North Sea and Skagerrak	DK,DE,UK
6	21Jul-03Aug	Northern North Sea	UK
7	01Sep-12Sep	Southern North Sea-Eastern Channel	NL,BE,FR,UK
8	01Sep-14Sep	Northern North Sea	DK,DE,SE,UK
9	29Sep-10Oct	Eastern North Sea-Skagerrak-Kattegat	DK,DE,SE
10	20Oct-31Oct	Southern North Sea-Eastern Channel	UK,BE,FR,NL
11	20Nov-05Dec	Eastern North Sea-Skagerrak	SE,DK

DETAILED INSPECTION ACTIVITY TABLE

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA			MEANS - AIR		MEANS - SHORE		INFR. DETECT. RATE	
	SEA DAYS	NO. OF INSP.	NO. OF INFRING.	NO. OF FLIGHTS	NO. OF SIGHT.	NO. OF INSP.	NO. OF INFRING.	SEA	SHORE
BEL	16	80	6	4	79	16	2	7,5%	12,5%
DEN	55	137	4	0	0	348	29	2,9%	8,3%
FRA	15	38	5	3	99	39	5	13,2%	12,8%
GER	27	41	0	0	0	0	0	0,0%	0,0%
NDL	14	48	13	2	15	13	0	27,1%	0,0%
SWE	29	25	0	3	15	27	3	0,0%	11,1%
UK	59	80	6	38	1154	268	2	7,5%	0,7%

2.1.3 Results

The evidence collected during the joint campaigns in the southern North Sea and the eastern Channel confirms that there is a risk that compliance with the minimum mesh size is not respected in particular by vessels fishing sole. During periods in which the probability of inspections at sea is low or non-existent or when inspection activity is based on a constant pattern, the use of illegal attachments still seems to be a problem and may have an important negative impact on the selectivity of other species, in particular immature cod.

The emphasis of the deployment of mixed inspection teams and the coordination of joint surveillance and inspection activities was concentrated on

sea inspections, and, to a lesser extent, on landing inspections. The impact of the JDP on compliance with landing requirements seems therefore to be limited.

2.2 Baltic Sea

2.2.1 Introduction

A Joint Inspection and Surveillance Scheme for the first half of 2008 and a Joint Deployment Plan for the second half of 2008 have been elaborated and adopted; the latter giving effect to the specific control and inspection programme of cod stocks, with the corresponding reports of the campaigns made available through CFCA website. A two day seminar was organised for inspectors, on 8-9 of April 2009, at the Swedish Coast Guard's Headquarters in Karlskrona. The seminar was the first of its kind in this area, with a view to presenting the CFCA's approach and methodology regarding minimum standards of inspection and exchanging views.

The Baltic Sea, being neither truly salt nor freshwater, contains a limited number of species; the most predominant of those, from a socio-economic point of view, is cod, but there is also salmon, herring, sprat and flounder. The gear used are either trawls or gillnets. The Baltic Sea cod is managed as two separate stocks. The western stock has been overfished for many years, according to ICES. For the eastern cod stock, as in the case of western stock, ICES points out that the stock could be much larger and the potential exists for greater catches in the future. The inspection and surveillance activities concentrated on fishing vessels using gear types that are likely to catch cod. Inspections of transport and the marketing of cod were also carried out.

2.2.2 Organising operational cooperation

With an average of approximately 31 sea inspections and 128 landing inspections per joint campaign, the overall result of the inspection activity during the 2008 Baltic Sea JISS/JDP is some 404 inspections at sea and 1659 inspections on shore. The inspection activity during 2008, with 37 detected infringements at sea and 103 ashore, resulted in a detection rate of slightly less than 10 % at sea and, on average, 6% during landing inspections.

All Member States bordering the Baltic Sea, i.e Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden, participated in each of the joint campaigns as agreed in the initial JDP planning. The quality of the means for sea inspection and surveillance was adequate, with 236 sea days of patrol vessels deployed. As regards aerial surveillance, 26 flights were carried out during 13 joint campaigns. In total, 1235 sightings were made. 37 inspectors have been exchanged and formed part of mixed teams on board of inspection vessels.

As a control strategy, each joint campaign covered an area selected on the basis of the results of the initial data analysis. The means were to be deployed throughout the whole area and mixed teams of inspectors were placed on board of inspection platforms. Each campaign was coordinated from a single coordination centre in charge.

LIST OF JOINT CAMPAIGNS BALTIC SEA

No	Date	Area	Participating MS
1	07Jan-20Jan	Central Southern Baltic Sea	LT, LV, PL, SE
2	21Jan-03Feb	Western Baltic Sea and the Belts	DE,DK,NL
3	25Feb-09Mar	Central Southern Baltic Sea	DK, LT, PL, SE
4	24Mar-06Apr	Central Southern Baltic Sea	DK, LT, LV, PL, SE
5	21Apr-04May	Central Southern Baltic Sea	FI, LT, LV, PL, SE, EE
6	05May-18May	Central Southern Baltic Sea	DE, DK, LT, LV, PL, SE, EE
7	19May-01Jun	Central Southern Baltic Sea	DE, DK, LT, PL, SE
8	02Jun-15Jun	Western Baltic Sea	DE, DK
9	6Aug- 10Aug 18Aug-22Aug	Southern & South Eastern Baltic	DK, LT LV, PL,SE
10	15Sep -26Sep	South Eastern Baltic Sea	FI, LT, LV, PL, SE
11	13 Oct -24 Oct	Southern & South Eastern Baltic	DE, DK, EE, LT, LV, PL
12	10Nov – 21Nov	Western Baltic Sea	DE, DK, SE
13	01DEC-12DEC	Western and southern Baltic Sea	DE, DK, LT, LV, PL, SE

DETAILED INSPECTION ACTIVITY TABLE

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA			MEANS - AIR		MEANS - SHORE		INFR. DETECT. RATE	
	SEA DAYS	NO. OF INSP.	NO. OF INFR. ING.	NO. OF FLIGHTS	NO. OF SIGHT.	NO. OF INSP.	NO. OF INFR. ING.	SEA	SHORE
DEN	73	124	3	0	0	200	10	2,42%	0,50%
EST	0	0	0	0	0	0	0	0%	0%
FIN	5	13	1	0	0	0	0	7,69%	0%
GER	74	121	27	0	0	130	2	22,31%	1,54%
LAT	3	5	0	0	0	101	6	0,00%	5,94%
LIT	12	17	0	0	0	95	1	0,00%	1,05%
POL	37	105	3	10	66	850	29	2,86%	3,41%
SWE	32	19	0	16	159	308	47	0,00%	15,3%

2.2.3 Results

It is too early to assess the extent of the impact of the joint campaigns. During periods in which the probability of inspection at sea is low or non-existent, or when inspection activity is based on a constant pattern, the use of illegal gear and under recording of cod catches may still be a problem. The evidence collected during the campaigns in the Baltic Sea can not clearly confirm that this is still the case.

2.3 NAFO

2.3.1 Introduction

A Joint Deployment Plan has been elaborated and adopted in such a way that the presence of inspection means could be maintained in accordance with the obligations of the EU as a Contracting Party to NAFO. In 2008 the CFCA was the facilitator for the chartering of the Joint Inspection platform *Jean Charcot* and, through the implementation of the charter contract, provided individual Member States with a solution fulfilling their responsibilities in the framework of NAFO inspection. After each leg of the JDP an overview of the inspection activity, the inspection results and a short evaluation was published on the CFCA web site. A training seminar was organised by the CFCA in cooperation with the Spanish authorities in Escuela Marítima Barmio (Vilagarcía de Arousa, Spain) on 24-25 January.

In the NAFO RA, the European Union fleet has been the biggest player for many years. In 2008, of all the EU Member States, Spain had the biggest fleet present in the area, followed by Portugal, Estonia, Lithuania and Latvia. Yet, the presence of EU fishing vessels in the NAFO RA decreased significantly in 2008. The scientific estimation of catches of Greenland halibut in 2004-2007 have exceeded the rebuilding plan TACs, despite reductions in fishing effort. The current (2004-2008) estimates of exploitable biomass are amongst the lowest in the series. Regarding thorny skate, the current state of the stock is unclear. In relation to redfish in Division 3M, the Scientific Council concluded that the stock biomass and spawning biomass are increasing and, in Division 30, surveys indicate that the stock has remained stable since 2001 but at a lower level than in the mid 1990s.

2.3.2 Organising operational cooperation

With an average of approximately six sea inspections per leg, the overall result of the inspection activity during the 2008 NAFO JDP adds up to 71 sea inspections which resulted in one detected infringement for exceeding a by-catch limit for a moratorium species. The inspection and surveillance activities concentrated on vessels fishing for regulatory species and in the areas where these species are most likely to be caught. The two main fishing areas for the EU fleet in the NAFO RA are the 'Flemish Cap' and the 'Tale of the Bank'. As the distance between these areas is over 200 nautical miles, an effective operational planning is essential in order to ensure a cost-effective and efficient use of resources.

EU Member States, namely Estonia, Germany, Latvia, Lithuania, Poland, Portugal and Spain, participated in each of the legs as agreed in the initial JDP planning. With a total of 269 campaign days, 170 days at sea for the patrol vessels and 29 inspectors exchanged and forming part of the joint inspection teams, the quality of the available sea inspection means seems to be adequate. In addition to the EU chartered vessel *Jean Charcot*, Germany pooled the inspection vessel *Meerkatze* and Spain the three inspection vessels, *Chilreu*, *Tarifa* and *Arnomendi*.

The 2008 NAFO Campaign has contributed to the uniform and harmonised application of the conservation and enforcement measures in the NAFO RA and to the inspection procedures of the different national 'NAFO' inspectors through training of inspectors, exchange of best practices, harmonised inspection procedures and the deployment of mixed inspection teams and on scene coordinators. Indeed, steered and coordinated by the on scene coordinator on board the inspection platform, the NAFO Campaign was more efficiently focused in accordance with the fishing activity. Thus the quality of the control activities could be guaranteed. The presence of the CFCA coordinator also enhanced the cooperation with other contracting parties having inspection means in the area, such as Canada, which resulted in a good and close cooperation and better mutual understanding.

LIST OF SCHEDULED LEGS IN NAFO

No	Period	Vessels	Inspectors
1	31/01-20/02	chartered, Jean Charcot	1 LT + 1 EE
2	20/02-11/03	chartered, Jean Charcot	1 EE + 1 PT
3	11/03-31/03	chartered, Jean Charcot	1 LV + 1PL
4	31/03-19/04	chartered, Jean Charcot	1 ES + 1 DE
5	23/05-13/06	chartered, Jean Charcot	1 PT + 1 ES
6	13/06-04/07	chartered, Jean Charcot	1 PT + 1 LT
7	04/07-26/07	chartered, Jean Charcot	1 PT + 1 ES
8	28/07-08/08	German, Meerkatze	1DE + 1 ES
9	08/08-30/08	Spanish, Chilreu	1 ES + 1 EE
10	30/08-20/09	Spanish, Chilreu	1 ES + 1 ES
11	20/09-13/10	Spanish, Tarifa	1 ES + 1 EE
12	13/10-04/11	Spanish, Arnomendi	1 ES + 1 PT
13	04/11-26/11	Spanish, Arnomendi	1 ES + 1 PT

MEMBER STATE PARTICIPATION

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA		
	SEA DAY S	NO. OF INSPECTORS	NO. OF INSPECTORS ' DAYS AT SEA
EST	50	4	89
GER	7	2	32
LAT	18	1	21

LIT	23	2	44
POL	7	1	21
POR	70	6	135
ESP	115	10	214

2.3.3 Results

The results of the 2008 inspection activities seem to indicate a high level of compliance.

2.4 Bluefin tuna

2.4.1 Introduction

The CFCA adopted and executed a Joint Deployment Plan for the first time in this fishery. The inspections at sea were carried out by joint inspection teams composed of ICCAT or Community inspectors from different Member States. On land the inspections foreseen in the JDP planning were carried out by mixed teams composed of national inspectors from different Member States. A series of training seminars were organised by the CFCA, in cooperation with the Member States concerned, to disseminate necessary information to the national inspectors working on the bluefin tuna campaign.

More than 1000 fishing vessels, of which 131 are purse seiners, have been authorised to fish bluefin tuna by EU Member States during the 2008 season. The Member States involved in this fishery are Cyprus, Italy, Malta, and Greece in the Mediterranean Sea, and France and Spain both in the Mediterranean and Northern Atlantic. Portugal did not issue special fishing permits for bluefin tuna to its fleet. The two main fishing techniques used to fish the northern bluefin tuna in the Mediterranean Sea are purse-seine and longliners.

During 2007, the Community quota was overfished and the Commission had to close the fishery before some Member States reported the exhaustion of their quota. The control, inspection and surveillance activities carried out by each of the Member States concerned in 2007 were not well coordinated and not evenly spread over the different fleets targeting bluefin tuna. The industry and NGO's pointed out several cases where Member States did not effectively intervene against illegal activities.

2.4.2. Organising operational cooperation

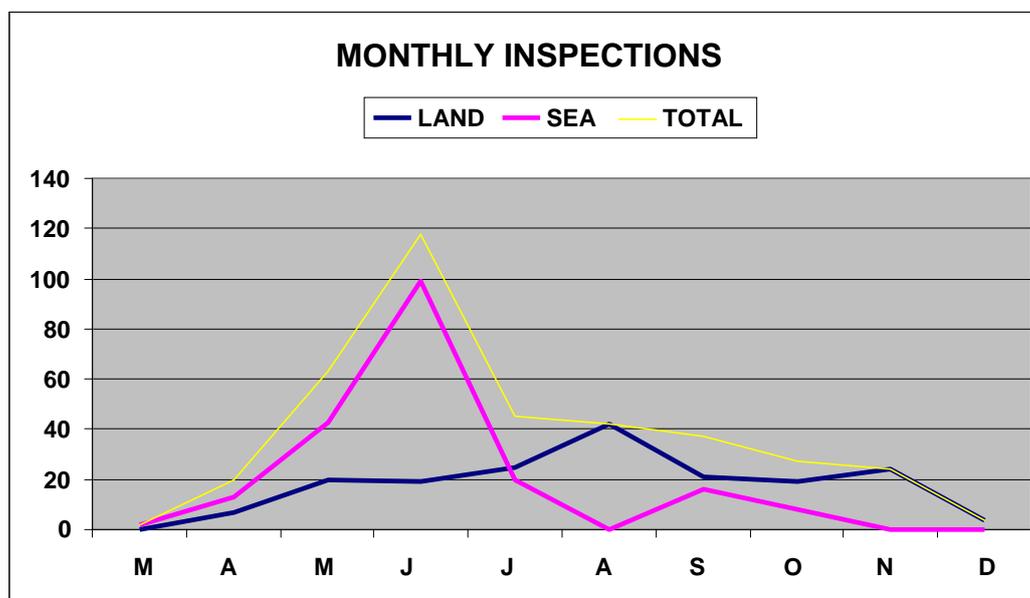
A total of 382 inspections have been recorded in the area, 201 at sea and 181 ashore, primarily during the main part of the fishing campaign in the Mediterranean. Fishing vessels (54%) and tugs (18%) have been the main objective of the inspections, as the campaign has been focused on control at sea. 55 apparent infringements have been detected and the corresponding procedures have been launched. Nearly all the apparent infringements have been discovered in fishing vessels and tugs. In the specific case of the tugs, more than 40% of the inspections found an apparent infringement. The main apparent infringements discovered are related with catch documentation and VMS (75%). An important air surveillance activity was developed during the

campaign and focused on detecting aircraft used for spotting the bluefin tuna in support of the fishing activities, mainly in the month of June.

The means committed by Member States involved in the fishery, i.e. Cyprus, France, Greece, Italy, Malta, Portugal and Spain have been active some 463 days at sea and have also carried out more than 100 surveillance flights. Additionally, 177 days of farm and shore inspections have been coordinated by the CFCA. Joint teams of inspectors have been operating for 279 days during the campaign.

The JDP has been focused notably on control, inspection and surveillance at sea. On the basis of VMS and other data all fishing activities at sea (purse seiners searching and setting nets, tugs receiving live fish and transport to fattening farms, longliners, reefers, spotter planes) have been closely monitored.

INSPECTIONS BY MONTH



2.4.3 Results

During inspections, checks of catch documents on board the fishing vessels and the tugs have been carried out. The purse-seiner fleet in cooperation with the tugs is responsible for the bulk of the catches. The level of apparent infringements detected in the tugs and the purse seiner fleet has been considerable. Most infringements concerned catch documentation and VMS.

Moreover, the inspection activities carried out by inspection vessels equipped with helicopters showed that the use of spotter planes for searching for bluefin tuna concentrations is still widespread.

It can be concluded that despite all meetings with the stakeholders convened by the Commission and Member States before the start of the season, compliance with ICCAT recommendations by the operators still needs to be

improved. As regards the recording and reporting of blue fin tuna catches and the use of tugs and spotter planes the ICCAT rules have not been sufficiently respected by all contracting parties.

Regarding the respect of the minimum landing sizes, there have been some apparent infringements detected.

2.5 IUU and possible pilot project on discards

Council Regulation (EC) No. 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, adopted on 29 September 2008, will enter into force on 1 January 2010. Certain tasks identified in this Regulation will be executed by the CFCA. Therefore, the CFCA initiated its first activities preparing for future assistance to the European Commission and the Member States in the fight against illegal, unreported and unregulated (IUU) fishing. The Community and national authorities will have to be ready for applying this regulation, which signifies a major step forward against this practice, as of 1st of January 2010.

The Commission will identify the tasks to be assigned to the CFCA and which will be included in its 2010 Work Programme. During 2008, the CFCA has established its internal structure, recruited experts and planned the tools required for assuming the new tasks in this area. During the second half of 2008, the desk officer in charge of IUU fishing joined the CFCA. The CFCA engaged in preparatory meetings with the Commission and participated in the Second Global Fisheries Enforcement Training Workshop in Trondheim (Norway) dealing with IUU issues.

Amongst the different initiatives foreseen, the CFCA will initiate seminars to be held in Vigo for experts from the Member States in order to ensure the correct implementation of the different obligations laid down in the Council Regulation as well as the elaboration of the scope of activities and measures that the Commission may assign to the CFCA. Further initiatives include a training programme for the relevant Member State authorities to be developed in close coordination with the Commission and the Member States as well as training courses for officials of third countries.

As pilot projects on discards did not emerge at Community level such activities were postponed.

2.6 Capacity Building

Whereas the coordination of pooled national means in the form of JDPs has been carried out throughout 2008, the capacity building activities during the same period have been oriented towards building the foundations for this area, by hiring the necessary staff members, organising the Unit in charge of these tasks, projecting the work to be done in 2009 and building the necessary infrastructure to develop its capabilities.

In total, five staff members entered into service, mainly during the second half of 2008, in this Unit. In addition, in accordance with the Decision No 2008/35 of the Executive Director of the CFCA of 9 October 2009 relating to the

organisation chart of the Agency, the Unit B/MCS methodology, monitoring and assessment became Unit B/ Capacity Building tasked with promoting the highest level of expertise, best quality of data and the organising of knowledge transfer as well as promoting best practices.

Regarding to its capabilities to ensure data collection, processing, communication and analysis as contemplated at the 2008 Work Programme, the CFCA has carried out a study concerning its operational ICT platform. This was reflected in the activity-oriented projects contained in the 2009 Work Programme: the creation of a Monitoring Centre for Assessment of control that will set performance indicators, validate methodologies and evaluate the effectiveness of the activities, the building of a Data Monitoring Centre that will ensure the exchange and quality of data on fishing and inspection activities and the establishment of FISHNET, as a web access point for all actors involved that will mean a joint working place.

When it comes to training, the first training courses linked to Joint Deployment Plans were organised regarding bluefin tuna fishery, NAFO, Baltic and North Sea cod, with the participation of Member States inspectors. For 2009, a Centre for Training and Development will manage training programmes for inspectors through the organisation of workshops and seminars.

Some preliminary initiatives in the framework of pooled capacities were carried out throughout the year. In order to fulfil its obligation under Article 1(d) of Commission Decision 2008/201/EC, the CFCA has to publish each year an updated list of Community inspectors and inspection means and deliver Community inspectors ID documents. During 2008, the CFCA launched the tender for the machine for the production of ID cards and provided the inspectors with ID documents. In addition, after holding several meetings with Member States, a joint procurement for twine thickness and mesh gauges was prepared to be launched early 2009.

Chapter 3: Support activities

3.1 Relocation to Vigo

On 1 July, the CFCA successfully started its operations from its provisional headquarters in Vigo, moving from Brussels, where the Agency had functioned since its creation. The vast majority of the staff followed the Agency from Brussels to its destination, which is considered to be highly positive as well as unusual compared to the experience of other agencies.

The decision to make Spain (Vigo) as the seat of the Agency had been taken by the Heads of State and Government at a meeting of the European Council in December 2003. This decision has been reflected in the founding Council Regulation of the Agency, by which the CFCA is established as an independent Community body.

The relocation to Vigo was celebrated with an opening event attended by high-level representatives of the EU institutions such as Commissioner Joe Borg and the Vice President of the Fisheries Committee of the European Parliament, Rosa Miguélez and other Members of the European Parliament as well as governmental representatives such as the President of the Galician Government, Emilio Pérez Touriño, the Spanish Minister of Environment and Marine and Rural Affairs, Elena Espinosa and the Mayor of the city of Vigo, Abel Caballero, together with the Administrative and Advisory Board members and numerous stakeholders. The event received positive reaction from participants and enjoyed widespread attention from a large number of leading pan-European media and news agencies, as well as vast reporting from the main press of the German speaking Member States as well as France, Italy, Benelux and Spain.

Seat Agreement

During the opening ceremony, the Spanish Minister of Environment and Marine and Rural Affairs, Elena Espinosa and the Executive Director of the CFCA, Harm Koster signed the Seat Agreement between the Kingdom of Spain and the CFCA. To secure the status of the CFCA as a Community body in Spain, the Seat Agreement regulates the relations between Spain and the Agency as well as the support provided by the Spanish administration to the CFCA.

The Seat Agreement stipulates privileges and immunities, exemptions and financial facilities granted to the Agency and to its staff, security and access to its headquarters in Vigo, logistical support as well as other appropriate measures to be taken by the Spanish administration in order to facilitate the installation of the Agency in Vigo. In addition, the agreement determines also the present Comandancia de la Marina as the final headquarters of the CFCA, sets out the provisions on the necessary adaptations for that building and provides for the facilitation of temporary office space for the CFCA, in the Odriozola building in García Barbón street. Moreover it guarantees the support from the Spanish administration with regards to the schooling of

children of Agency staff and the integration of Agency staff and their families in Vigo. The Seat Agreement full text can be found in Annex III.

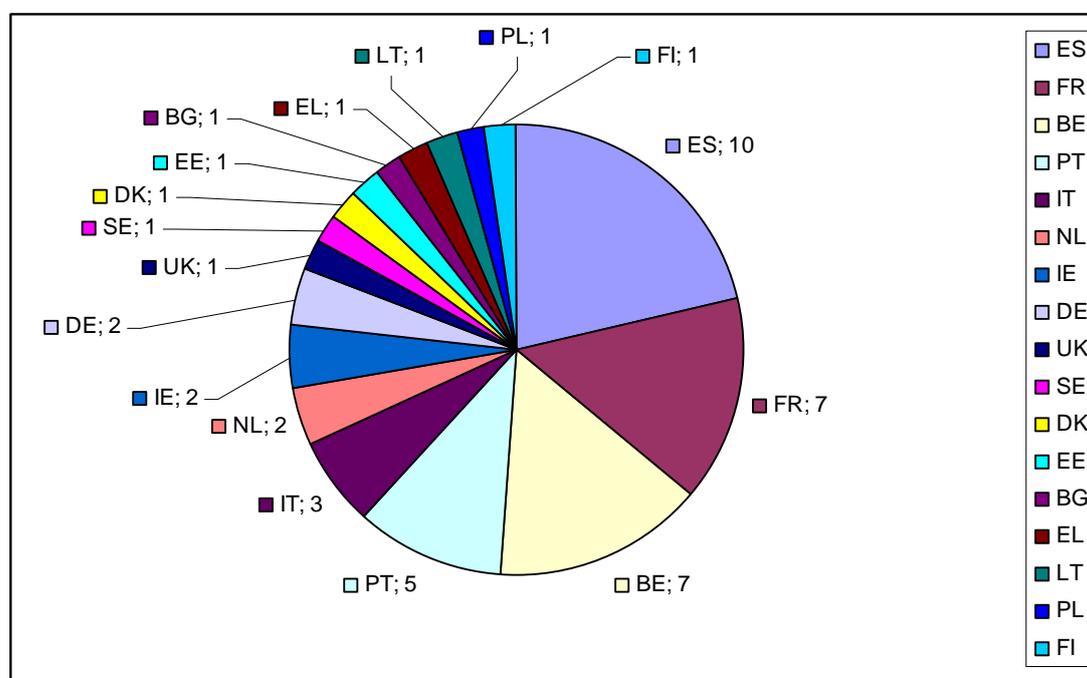
3.2 Human Resources

Almost doubling its staff

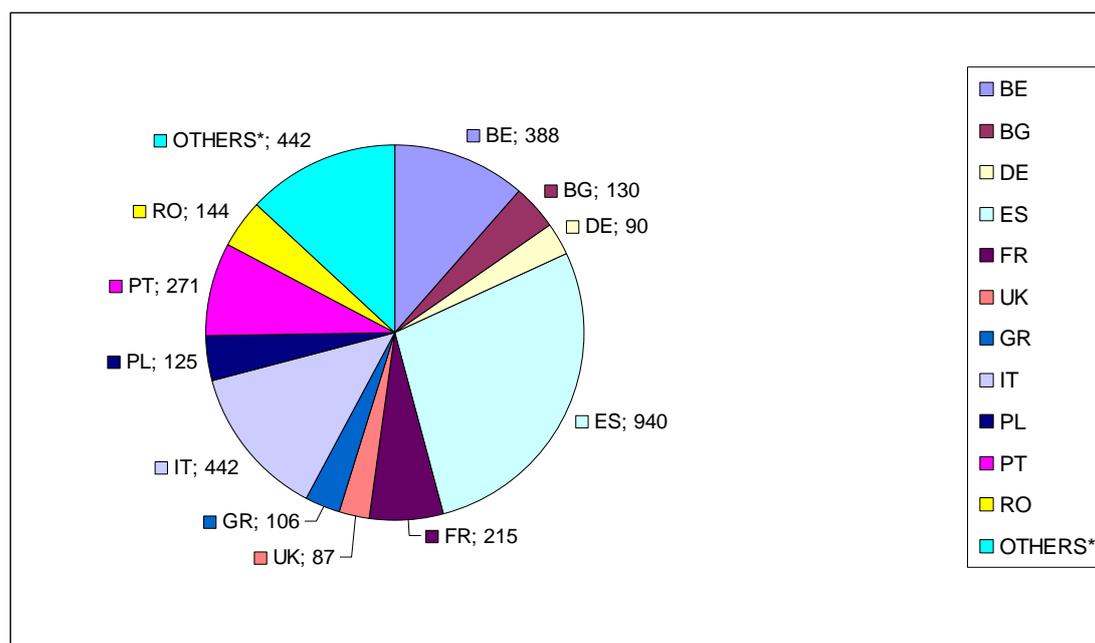
In 2008 the CFCA has been very successful in both, retaining and recruiting staff, despite the relocation to Vigo and almost doubled the number of staff by the end of the year. In fact, on 31 December 2007, the Agency employed 25 staff members but increased this number to 47 by the end of 2008.

The recruitment was based on the priorities set out in the Annual Work Programme and the requirements for setting up the administrative structures in accordance with Community Rules and practices. The Agency published 23 vacancy notices for 32 positions in 2008 (23 publications for temporary agents, four for contract agents and two calls of expression of interest for SNEs for five positions). On 31 December 2008, the Executive Director led a team of 47 staff members -40 temporary agents (85%) and 7 contract agents (15%) - all with short term contracts.

17 nationalities were represented in CFCA staff in 2008 (10 ES, 7 FR, 7 BE, 5 PT, 3 IT, 2 NL, 2 IE, 2 DE, 1 UK, 1 SE, 1 DK, 1 EE, 1 EE, 1 LT, 1 PL and 1 FI). Applying equality treatment principles in its recruitment, the gender breakdown is of 32 men (68%) and 15 women (32%) working within the CFCA.



The table below shows the total number of applications received during 2008 and a breakdown of the applicants by nationality.



* Others: AT, CY, CZ, DK, ET, FI, HU, IE, LT, LU, LV, MT, NL, SE, SK, SL, (non EU: NO, ICE)

Training

In 2008, 27 employees underwent 58 training courses on different topics; most of them related to finance (21 persons) and language trainings (9 persons).

A training company was contracted to deliver Spanish courses for staff and their spouses (38 persons in total) at the premises of the CFCA in order to help the integration of staff in Vigo. The courses will be held on a twice-weekly basis, 2 hours per day, starting from January 2009.

Schooling

Moreover, a Working Group has been created to find solutions and make recommendations for schooling of the children of CFCA staff, in order to facilitate the integration of the children in the school community during the school year 2008/2009 and seek the best possible system for the future.

3.3 Financial report

During 2008, the main objective was the improvement of the financial and procurement processes to better comply with the applicable Financial Regulation and implementing rules. In this context, a specific objective was to cope with the high volume of procurement procedures to be executed as a result of the relocation of the Agency to Vigo.

The main output as regards the working practices of the finance and procurement affairs has been the following:

- In procurement and finance issues, training has been designed and delivered to staff members to increase their understanding of these areas
- Internal guidelines and procedures, especially for cut-off and year end procedures have been adapted and enhanced in accordance to the Financial Rules applicable
- Templates and procedures have been defined for the implementation of procurement processes
- The Financial Regulation and implementing rules of the CFCA have been revised as a result of the revision of the Framework Financial Regulation for community bodies.

Budget Execution CFCA 2008

During the Administrative Board meeting of 17 October 2007, the budget of the CFCA for 2008 was adopted, which became final December 2007 when the Budgetary Authority adopted the General Budget 2008. There were **7.3 million** Euro set as contribution to the CFCA from the total subsidy of the European Community.

By the end of the financial year 2008 the Agency had committed 88% of the subsidy granted, which implies a significant improvement compared with 2007 budget execution levels (65%). The Agency also paid out around 74% of the available appropriations (excluding expenditure from other sources of revenue).

TITLE	Initial Budget 2008	COMMITMENTS			PAYMENTS		
		Commitment Appropriations	Commitments	%	Payment Appropriations	Payments	%
Staff Expenditure	4.473.000,00	4.574.000,00	4.424.796,80	98,9%	4.574.000,00	4.112.520,35	91,9%
Administrative Expenditure	1.627.000,00	1.794.000,00	1.556.848,10	95,7%	1.794.000,00	826.200,21	50,8%
Operational Expenditure	1.200.000,00	932.000,00	426.284,26	35,5%	932.000,00	435.885,60	36,3%
TOTAL SUBSIDY	7.300.000,00	7.300.000,00	6.407.929,16	87,8%	7.300.000,00	5.374.606,16	73,6%
ASSIGNED REVENUE	1.200.000,00	2.285.952,46	2.272.373,40	189%	2.285.952,46	2.272.373,40	189%
TOTAL BUDGET	8.500.000,00	9.585.952,46	8.680.302,56	102%	9.585.952,46	7.646.979,56	90%

Note: The percentages higher than 100% are due to the transfers of appropriations in 2008.

Assigned Revenue (189%). Additional contractual services were delivered to Member States at their request (Charter "Jean Charcot").

3.4 Improving working practices

A structured approach has been developed for the implementation of the Internal Control Standards that ensure sound management within the CFCA. An internal audit capability was established in September. The Internal Audit Service of the European Commission, in agreement with the Agency, carried out a Limited Review of the internal control implementation at the end of 2008. In addition, the accounting systems have been thoroughly tested by the accounting officer in the Agency environment before being used for carrying out actual financial transactions. This validation was formalised on the 6th November 2008.

For the relocation to Vigo, a preliminary self risk assessment was conducted on the new ICT infrastructure and adequate measures were put in place to ensure continuity of service in case of "business-as-usual" interruption.

After the successful relocation to Vigo, a web-based system to assist the public to receive the documentation that may be of interest for the provision of access to documents will be implemented soon. In 2008, the CFCA granted the requested access to documents in all cases.

The Executive Director warranted minimum compliance of the Agency in its starting-up phase with Regulation (EC) No 45/2001 by holding several training courses which maintained the good level of staff awareness of the personal data protection rules and helped to implement the basic rules in cooperation with the Data Protection Officer. Notifications of personal data processing operations have started.

3.5 Communication and relations with stakeholders

The core work of the CFCA was supported by the communication activities carried out in 2008. During this year, the external communication channels were reinforced with regards to their target audiences. More specifically, the CFCA aims to contribute to build a culture of compliance with the Common Fisheries Policy by generating trust, confidence and accountability with the CFP measures by its stakeholders. In addition, it intends to support 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. Finally, as a decentralised body of the EU, the CFCA aims to foster the European Union's values locally, as the CFCA activities have a clear impact in the host country.

The CFCA has extensively contributed to the communication efforts of the Commission in two media campaigns. The first one was the control campaign of bluefin tuna, in which the CFCA presented the JDP at a press conference in the Berlaymont in Brussels. The second one was the Commission's control reform proposal, for which the CFCA together with the Representation Office of the Commission in Spain organised a seminar for journalists at the CFCA's premises and helped the Commission in reaching out to the media. In addition, the CFCA has supported the Commissioner's visit to Vigo in its media dimension.

Other issues which have attracted public attention during the year have been the adoption of the Agency's work programme and budget for 2009, the election of a new chairman and the adoption of the JDPs and the relocation to Vigo that, with its opening event, received wide media coverage.

The CFCA participated in several meetings in the framework of the Regional Advisory Councils (RAC), EU institutions, and conferences on Fisheries and Maritime Affairs relevant to the work of the CFCA as well as a number of international meetings. On most of these occasions, the work of the CFCA was presented and copies of the CFCA's information leaflet were distributed.

The first communication tools of the Agency were also developed. A set of corporate material, such as banners, identifiers and roll ups, was designed for the opening event as well as information material such as folders with fact sheets and brochures in English and Spanish. In addition, the CFCA kept its website up to date where the most relevant information on the operational coordination, comprising the reports of the JDPs, vacancies, calls for tenders, press releases, and contact details could be accessed by everyone.

Annex

Annex I *Administrative Board decisions*

7th Administrative Board meeting, 13 March 2008, held in Vigo, Spain

The Administrative Board:

- Welcomed the presentation of the Executive Director on the current developments of the CFCA.
- Underlined that a solution for the 7th floor of the Odriozola building in Vigo should be found before the works in the provisional building are finalized.
- Welcomed the options for the CFCA Work Programme for year 2009.
- Adopted the proposal of the preliminary draft budget of the CFCA for year 2009 and the draft Establishment plan for year 2009.
- Adopted the CFCA General Report for year 2007.
- Welcomed the presentation of the Executive Director on the Financial Management in year 2007.
- Adopted the amendment to the Work Programme 2008 and took note of the related impact for the Budget 2008 concerning the Joint Deployment Plan on Bluefin Tuna for year 2008.
- Approved an amendment to the Financial Rules applicable to the CFCA subject to the confirmation of a favourable opinion of the Commission.
- Adopted the Internal Control Standards for Effective Management in the CFCA.
- Adopted the second package related to the Implementing Rules of the Staff Regulations.
- Adopted the Implementing Rules on confidentiality at the CFCA and an Amendment to the Arrangements for Public Access to Documents.
- Adopted the Rules of Reimbursement of Experts and the related Amendment to the rules of procedure of the Advisory Board.

8th Administrative Board meeting, 16 October 2008, held in Vigo, Spain

The Administrative Board

- Welcomed the presentation of the Executive Director on the current developments of the CFCA.
- Welcomed and discussed the paper on the multiannual strategic development of the CFCA and agreed to the conclusions drawn by the Chairman concerning the multiannual strategy and the Work Programme 2009.
- Adopted the Work Programme of the CFCA for year 2009 together with the Budget of the CFCA for year 2009, the latter provided that the budgetary authority adopts the PDB 2009 and confirms the figures of budget items 11.080501 – Subsidy under Title I and II and 11.080502 – Subsidy under Title III.
- Welcomed the presentation on the draft CFCA Financial Regulation and its Implementing Rules.
- Adopted the revised rules for Seconded National Experts.
- Welcomed the presentation on the system for credit for working hours to be established at the CFCA.
- Adopted a Decision concerning the definitive grading of the Executive Director on a proposal of the Commission.
- Welcomed the presentation on the issues related to the location of the CFCA in Vigo as well as the integration of its staff members and the special presentation on schooling.

Written procedures

The Administrative Board

- Adopted the Multiannual Staff Policy Plan 2009-2011 of the CFCA.
- Adopted a Decision amending the Work Programme and the Budget of the CFCA for year 2009.
- Adopted a Decision relating to the Final Annual Accounts for financial year 2007.

Annex II**Assessment report 1: JDP North Sea, Eastern Channel, Skagerrak-Kattegat****Budget allocated**

Budget Item	Commitment appropriations	Committed	% Committed
Data Base and Networks	30.000,00	0,00	0,00 %
Equipment	5.000,00	0,00	0,00 %
Studies	20.000,00	0,00	0,00 %
Missions North Sea	60.000,00	55.000,00	91,67 %
Meetings North Sea	40.000,00	3.798,83	9,50 %
Training & Assessment North Sea	20.000,00	3.163,20	15,82 %
Sum:	175.000,00	61.962,03	35,41 %

Human resources allocated

Staff	January	December
Desk officer	-	1
Coordinators	2	2

1. Legal Basis

Commission Decision (2005/429/EC) of 2 June 2005 establishing a specific monitoring programme related to the recovery of cod stocks¹ based on Council Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks² lays down the rules for joint control, inspection and surveillance activities by the Member States concerned to be organised by the CFCA.

The above Commission Decision valid until 2 June 2008, provided the necessary legal conditions for the adoption of the JDP North Sea, Eastern Channel, Skagerrak and Kattegat on 8 January 2008 (Decision No 2008/01 of the Executive Director of the Community Fisheries Control Agency)

On 26 July 2008, Commission Decision (2008/620/EC) 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 Sea³, was published, providing the legal base for the adoption of a North Sea JDP for the second half of 2008, adopted by the

¹OJ L 148, 11.6.2005, p. 36. Decision as last amended by Decision (2007/429/EC)

²OJ L 70, 9.3.2004, p. 8.

³OJ L 198, 26.7.2008, p. 66.

Executive Director of the CFCA on 1 August 2008 (Decision No 2008/033) and giving effect to the said Commission Decision.

2. Strategy and planning of campaign

2.1. Description of the fishery

A number of different fleets operate demersal multi-species fisheries of great importance to several Member States in which cod is taken mostly as a by-catch. Fishing activity in the region is undertaken by fishing vessels originating from the Member States bordering the North Sea, the Eastern Channel and the Skagerrak and Kattegat: The Netherlands, France, United Kingdom, Germany, Belgium, Denmark and Sweden. Moreover, in accordance with the applicable rules, Community vessels may fish in Norwegian waters and Norwegian vessels in Community waters.

The targeted winter fisheries for cod with gillnets or trawls along the coast of the Southern North Sea and the Eastern Channel has shown reduced catches of smaller fish in the past years.

All demersal fisheries fall within the scope of the JDP. Inspection and surveillance activities should concentrate on fishing vessels using gear types that are likely to catch cod either as a targeted fishery or as a by-catch.

2.2. Situation of the stock

The general perception of the level of cod stock remains unchanged, with a historical low in 2006. Spawning stock biomass (SBB) has shown an increase since then but remains low. Fishing mortality has shown a decline since 2000. The 1997–2006 year classes are all estimated to have been well below average. Based on the most recent estimate of SBB in 2008 and fishing mortality in 2007, ICES classifies the stock as suffering reduced reproductive capacity. The 2005 year class is estimated to be one of the most abundant amongst the recent below-average year classes.

Because the fishery is at present so dependent on incoming year class, fishing mortalities on these year classes is high, and 95% of a year class is taken before it has spawned for the first time. Although, as a consequence of decommissioning and fishing effort limitation, the fishing effort has reduced notably from fleets targeting cod, fishing mortality remains at a high level.

2.3. Data analysis

The methodology for the planning of campaigns is based on the analyses by the CFCA of data supplied by the Member States, in particular: recorded cod catches per ICES rectangle on a monthly basis in 2007 and the amount of cod landings in Member State ports bordering the JDP area for 2007. By doing so, the areas and periods of important fishing activity can be identified and presented graphically. This formed the basis of the draft planning of the campaigns.

Pre-campaign risk analysis was rather limited. Notwithstanding the fact that some individual Member States have risk analysis systems in place and provided output information for use during the campaigns, it was not possible at this stage to develop a risk analysis model for the

whole JDP area concerned. This is mainly due to the fact that fishing, landing, intelligence and inspection data cannot be easily merged and analysed in a coherent manner.

Also the use of landing and marketing data (including grading) for the planning of landing inspection was limited.

Moreover, the baseline on current compliance levels of the individual fleets active in the area is unclear.

2.4. Strategy

It was agreed to implement the JDP in the form of joint campaigns.

- Each joint campaign covered an area selected on the basis of the results of the initial data analysis. It provided for the participation of the relevant Member States responsible for control, inspection and surveillance in that area and of the Member States whose fishing vessels were active in that same area. It detailed the objectives of the activities and the national means committed by the Member States concerned.
- The means were to be deployed throughout the whole area, including the Exclusive Economic Zones (EEZ) of other Member States, as well as in Territorial Waters, the latter on a voluntary basis, taking into account pre-defined access procedures.
- Mixed teams of inspectors were placed on board of inspection platforms. Each team should consist of at least one inspector of the Member State where the surveillance activities are deployed.
- Moreover, landing inspections by mixed teams were scheduled where landings of fishing vessels from other Member States can be expected.
- Each campaign was coordinated from a single coordination centre in charge. The Member State volunteering to this task provided an operational coordination and communication platform in order to pool and to make available data (i.e. VMS, inspection activity, fishing activity) for targeting and coordinating inspection and surveillance activities during the campaign. Member States make available and provide all relevant data to the coordination centre in charge.
- A two day training seminar for Community Inspectors or those tasked with the training of inspectors at national level was organised in Denmark. In addition the joint campaigns normally started with a briefing, debriefing meetings were organised at the end of each joint campaign.

3. Adoption of JDP

3.1. Adoption procedure

Initiative	Date	Remarks
Notification of draft Joint Deployment Plan to Member States	05 December 2007	JDP for first half 2008
Adoption of Joint Deployment Plan Decision No 2008/001 of the Executive Director of the CFCA	08 January 2008	
Notification of draft Joint Deployment Plan to Member States	10 July 2008	JDP for second half 2008
Adoption of Joint Deployment Plan Decision No 2008/033 of the Executive Director of the CFCA	01 August 2008	

In addition to the JDP text describing the scope, objectives, strategy and definitions and laying down provisions for coordination and communication and the pooling and joint deployment of means, the JDP contained two annexes;

Annex 1 Description of the Joint Campaigns

Containing the date and area of the campaign, the Member State in Charge, contact details of the Coordination Centres, Member States' inspection and surveillance means committed the composition of the Technical Joint Deployment Group and an outline of the campaign (focus and strategy).

Annex 2 Technical recommendations

Containing recommendations and guidelines for the coordination and operational deployment of pooled means during campaigns and referring to the target and inspection benchmarks as laid down in the Specific Monitoring Programme for Cod.

Access rules information note

Furthermore, an information note was attached describing the individual rules and procedures for requesting access to Member States' waters, the possibilities for access to territorial waters and the general principles to be followed when operating in other Member States' waters.

3.2. List of scheduled campaigns

For 2008 the following joint campaigns were agreed with the Member States:

No	Date	Area	Participating MS
1	04Feb-14Feb	Southern North Sea-Eastern Channel	FR,BE,NL,UK
2	03Mar-16Mar	Eastern North Sea-Skagerrak	DK,DE,SE
3	31Mar-13Apr	Skagerrak-Kattegat	SE,DK
4	19May-01Jun	Northern North Sea	UK,DE
5	16Jun-29Jun	Eastern North Sea and Skagerrak	DK,DE,UK
6	21Jul-03Aug	Northern North Sea	UK
7	01Sep-12Sep	Southern North Sea-Eastern Channel	NL,BE,FR,UK
8	01Sep-14Sep	Northern North Sea	DK,DE,SE,UK
9	29Sep-10Oct	Eastern North Sea-Skagerrak-Kattegat	DK,DE,SE
10	20Oct-31Oct	Southern North Sea-Eastern Channel	UK,BE,FR,NL
11	20Nov-05Dec	Eastern North Sea-Skagerrak	SE,DK

It should be noted that joint campaigns 5 and 6 were not included in the annex 1 (description of joint campaigns) of the JDP as those campaigns were not covered by a Decision providing a legal framework for inspection activities under a Joint Deployment Plan at that time, due to the absence of a Commission Decision in force.

However, these campaigns have been executed on a voluntary basis by the Member States concerned.

4. Implementation of the JDP

4.1. Member State participation

All Member States participated in each of the joint campaigns as agreed in the initial JDP planning.

MEMBER STATE	JDP PARTICIPATION	
	NO. OF CAMPAIGNS	NO. OF CAMPAIGNS AS LEAD MS
DENMARK	6	4
BELGIUM	3	0
FRANCE	3	1
NETHERLANDS	3	1
GERMANY	4	0
UK	6	3
SWEDEN	5	2

The participation of the individual Member States in the JDP was relatively well-balanced. The effort of Denmark as a lead Member State is significant whilst Belgium and Germany, which are only involved to a limited extent in fisheries implying catches of cod, did not lead a joint campaign.

All Member states have deployed the means of inspection and surveillance committed to the agreed joint campaigns listed in the initial JDP planning. However, in some incidental cases, difficulties have been experienced related to limited availability of the committed means during certain campaigns due to changed operational priorities of the Inspection vessel.

4.2. Deployment and pooling of means

SUMMARY	North Sea
Member States involved	7
Campaign days	119
Patrol vessels deployed (sea days)	216
Aircraft deployed (Flights)	50
Inspectors (mixed teams)	56

The quality of the means for sea inspection and surveillance was adequate. Most vessels can stay out at sea for long periods, are well equipped and have accommodation available for mixed inspection teams.

As regards aerial surveillance, 50 flights were carried out during 9 joint campaigns. In total, 1362 sightings were made of which approximately 60 % in the Southern North Sea - Eastern Channel area. Aircraft has been made available by Belgium, UK, France, The Netherlands and Sweden.

Aerial surveillance has proven useful with regards to detecting the activities of the small-fleet segment in the Eastern Channel area and in some case as a support tool for confirming activity of suspect vessels.

In addition, the surveillance data was used to perform cross-checks of VMS data made available at the coordination centre.

As indicated, 56 Inspectors have been exchanged and formed part of mixed teams on board of inspection vessels.

The deployment of mixed boarding teams was considered of paramount importance for the success of joint sea inspection operations. Having on board a national inspector of the coastal Member State in whose waters the inspection is active seems to avoid a number of practical problems in particular for the initiation of infringement procedures and exercising policing and enforcement powers. A mixed inspection team also increases the overall efficiency of inspection activities as:

- it reduces language problems,
- it facilitates the exchange of back-ground information and intelligence

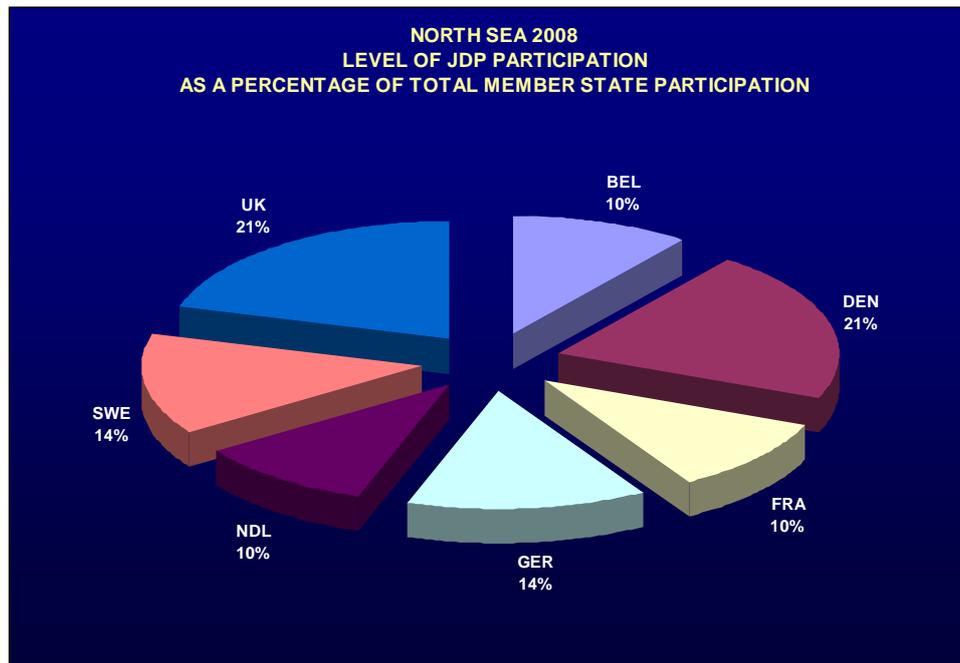
-it supports the harmonisation of inspection procedures

However, it should be stressed that, in order to ensure the added value of such exchanges, the inspectors deployed require an adequate level of experience.

On land, mixed teams have been deployed in a limited number of cases.

The advantages of having mixed teams available during landing inspections are somewhat similar to those at sea. However, Member States have expressed their concern that, in order to be of real use, inspectors deployed should be experienced. Sharing experience is considered a good practice in the light of harmonisation.

In the framework of the deployment of mixed boarding teams, guidelines have been developed which can be useful for future campaigns.



4.3. Operational coordination

Coordination Centre in charge

The Member State in charge provided the platform for communication and coordination. Not all Member States were in the advantageous situation of having a fully-equipped operation room available. Although the availability of a well-equipped coordination platform is important, the fact of having sufficient human resources available at the coordination centre is even of greater importance.

During most joint campaigns, the inspection platforms from other Member States were steered directly from the coordination centre in charge without interference from the flag Member State of the inspection vessel. Notwithstanding the fact that the Member State offering the inspection platform always keeps full control of its own means, there is a significant advantage in keeping the communication lines as short as possible, in particular when several platforms are operating in the same area.

For each joint campaign, the CFCA made a coordinator available to assist the Member State at the coordination centre. It has been appreciated by all Member States since being in charge of a joint deployment campaign requires considerable efforts at the level of human resources.

Pooling of data

All Member States have made a significant effort to establish the exchange of VMS data during the joint campaigns for the areas concerned. The usefulness of shared VMS data needs no explanation; it is a key element for the guidance of inspection platforms.

The recording and exchange of inspection activity details during joint campaigns was satisfactory. However, the methodology for sharing this data needs to be further improved and developed; in a number of cases fishing vessels were inspected twice because information did not circulate fast enough.

Access to EEZ and territorial waters

It was of paramount importance, for the efficiency of the JDP, to be able to deploy the committed inspection means in areas where they are most needed.

Although, in the framework of Commission Regulation (EC) No 1042/2006, rules for access to EEZs have been established, access to some EEZs was not always granted. Cumbersome national access procedures and sovereignty rules required a flexible approach when preparing operational coordination.

In order to facilitate, where possible, cross-border inspection and surveillance activities in waters under the jurisdiction (EEZ) of Member States and even under the sovereignty (territorial waters) of Member States, the access procedures and possibilities for each Member State were listed and explained.

In addition, it was agreed that, in order to avoid any legal problems when infringements are detected, cross-border activities should preferably be carried out only when a National Fisheries Inspector of the coastal Member State concerned would lead the inspections in the waters of the coastal Member State.

Ultimately, cross-border inspection activity with mixed inspection teams became a standard practice in most joint campaigns. In particular, in the Eastern Channel/Southern North Sea region it has proven to be very effective.

It should also be noted that there were cross-border activities in the Northern North Sea conducted by UK and German inspection vessels, in the Norwegian zone.

4.4. Joint inspection and surveillance activities

Inspection activity

The inspection and surveillance activities concentrated on fishing vessels using gear types that are likely to catch cod either as a targeted fishery or as by-catch. Inspections of transport and marketing of cod were also carried out.

With an average of approximately 40 sea inspections and 57 landing inspections per joint campaign, the overall result of the inspection activity during the 2008 North Sea JDP is as follows:

• Inspections: Sea	449
• Inspections: Shore	711

The inspection activity during the 2008 JDP resulted in approximately a 9.6 % detection rate of suspected infringements at sea, and in nearly a 6 % detection rate during landing inspections.

• Infringements detected: Sea	43
• Infringements detected: Shore	41

Of the 43 suspected infringements detected at sea, 36 have been established during inspection activities in the Southern North Sea and Eastern Channel. Of those, 11 infringements were related to the carrying of illegal gear or the use of blinders, 12 Infringements have been detected related to logbook offences and catch composition issues. A number of vessels have been escorted to port in order to appear before court or for the seizure of illegal fishing gear.

In the Skagerrak, Kattegat and Eastern North Sea area, the number of detected infringements was, with 6 cases, considerably lower, in the Northern North Sea only 1 infringement was detected.

Of the 41 infringements detected ashore, 22 were related to logbook issues, i.e. under recording or margin of tolerance. Except for the fact that there were considerably less detected landing infringements in the Northern North Sea area, the detection rate for the rest of the North Sea ports and adjacent areas is comparable.

It should be stressed however, that the results in a given joint campaign are very dependent of a number of different factors;

- The number of Member States participating is a key element, although more important are the number, quality and availability of inspection platforms as these can vary between joint campaigns and have a major influence on the inspection activity.
- Bad weather conditions during at least 7 joint campaigns and a search and rescue operation in another have negatively influenced the number of inspections in those individual campaigns. In some cases, it was possible, however, to reschedule the human resources for the monitoring of cod landings in the main landing ports.
- The density of the fishing activity, and thus the potential for inspection, is very dependent on the nature of the fisheries and the inspection area.

The level of risk analysis at the coordination centre and the target instructions transmitted to the inspection platforms initiate a proactive search for target vessels, making the inspections more efficient but on the other hand decreases, in general, the overall number of vessels inspected during a joint campaign.

a) Detailed Inspection activity table

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA			MEANS - AIR		MEANS - SHORE		INFR. DETECT. RATE	
	SEA DAYS	NO. OF INSP.	NO. OF INFRING.	NO. OF FLIGHTS	NO. OF SIGHT.	NO. OF INSP.	NO. OF INFRING.	SEA	SHORE
BEL	16	80	6	4	79	16	2	7,5%	12,5%
DEN	55	137	4	0	0	348	29	2,9%	8,3%
FRA	15	38	5	3	99	39	5	13,2%	12,8%
GER	27	41	0	0	0	0	0	0,0%	0,0%
NDL	14	48	13	2	15	13	0	27,1%	0,0%
SWE	29	25	0	3	15	27	3	0,0%	11,1%
UK	59	80	6	38	1154	268	2	7,5%	0,7%

b) Overview of infringements detected

NATURE OF SUSPECTED INFRINGEMENT	NO. OF CASES. AT SEA	NO. OF CASES. DURING LANDING
Blinders	3	-
Illegal gear attachments	12	1
Logbook issues, under recording	12	16
Catch composition	5	-
Undersized fish, Hidden fish	4	1
Pilot ladder	1	-
Margin of tolerance	3	6
No pre-notification landing time or change of area	1	8
Fishing in prohibited area	2	-
No special permit on board	2	-
VMS	-	1
Unreported fishing effort	-	1
Cod on board during prohibition- fish on board over quota limit	1	3
Common market standards	-	3

Training of inspectors

The CFCA has an obligation, under Article 7 of Council Regulation (EC) No 768/2005, to undertake training of fishery inspectors, with a view to improving and harmonising fishery control in the Member States.

In addition, the CFCA has a legal obligation under Article 3 of Council Regulation (EC) No 768/2005 to assist Member States and the Commission in the application of the Common Fisheries Policy.

A training seminar was held on 24 and 25 April 2008, at the Danish Directorate of Fisheries Headquarters in Copenhagen.

Experts from all Member States involved in fishery inspection and surveillance in the North Sea, plus representatives from the Irish Sea Fisheries Protection Agency, attended the seminar.

This seminar was the first of its kind to be held for North Sea inspection and surveillance, with a view to presenting the CFCA's approach and methodology regarding minimum standards of inspection and to exchange views regarding this issue with Member States concerned by the Joint Deployment Plan for Cod in the North Sea and adjacent waters. Given the level of expertise among the majority of those who attended, the concept was to hold more of a forum than a classroom-type training event.

5. Evaluation

5.1. Methodology

In accordance with Article 14 of Regulation (EC) No 768/2005, the CFCA shall undertake an annual assessment of the effectiveness of each joint deployment plan, as well as an analysis, on the basis of available evidence, of the existence of a risk that fishing activities are not compliant with applicable control measures. An assessment methodology will be developed in line with the conclusions on the mid-term strategy adopted by the Administrative Board in October 2008.

At this stage, the results of the implementation of the JDP can only be evaluated in terms of operational cooperation between the national services concerned and the CFCA, as well as in terms of the infringement detection rate against the level of inspection activity during the campaigns and the impact of the control, inspection and surveillance activities on compliance levels.

5.2. 2008 Work Programme

The following objectives were specified in the Work Programme of the Community Fisheries Control Agency for the year 2008, as adopted by the Administrative Board on 17 October 2007 in the framework of the JDP North Sea, Skagerrak, Kattegat and the Eastern channel

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

- Contributing, in 2008, together with the stakeholders, to a culture of compliance with the conservation measures applicable to fishing cod in the North Sea and adjacent waters.

Referring to the 2008 objectives above, the following can be concluded:

- Two Joint Deployment Plans have been elaborated and adopted giving effect to the specific monitoring programme of cod stocks.
- After each joint campaign, an overview of the inspection activity, the inspection results and a short evaluation was published and available for the public on a dedicated web page of the CFCA web site.
- In 2008 a two-day training seminar was organised for inspectors. Although a first step towards a uniform application of inspection procedures, the training seminar and the experience gained during the joint campaigns revealed that, in order to generate an adequate and effective standard of control and inspection, additional initiatives are needed. A specific training programme and the definition of common standards and interpretations of inspection methodologies are essential in order to substantiate the objective of ensuring uniform control and inspection.
- The presence of inspection vessels of other Member States and the deployment of mixed inspection teams has taken away the prejudice of the industry regarding discriminatory inspections. The perception of fishermen that they are treated equally and fairly wherever they may be fishing is a very important cornerstone when working towards a culture of compliance.

5.3. Cooperation

Joint Campaigns have contributed to the uniform and harmonised application of the rules and inspection procedures performed by various national services through training of inspectors, exchange of best practices, harmonised inspection procedures and the deployment of mixed inspection teams.

Joint Campaigns have contributed to the effectiveness of the control, inspection and surveillance activities carried out by the Member States concerned. The increased number of means available during the campaign and the cross-border operations have increased the probability of inspection and included an additional surprise effect when inspecting in areas with dense fishing activity.

Indeed, guided and coordinated by the Coordination Centre in Charge, the inspection and surveillance operations were more efficiently targeted in accordance with the fishing activity at a given time in the area.

Because of continuous data exchange between Member States during the joint campaigns it was possible to anticipate changes in the fishing pattern and weather conditions.

The pooling of data in the Coordination Centre in Charge made it possible to target the fishing activities throughout the whole fishing area.

Campaigns require substantial resources from the Member States concerned; most Member States do not have sufficient resources to sustain permanent campaigns or campaigns of long

duration. In particular, services of a limited size have difficulties in coping with the requirements imposed by cooperation.

5.4. Compliance

The impact of the control, inspection and surveillance activities carried out during the campaigns on compliance levels is difficult to establish at this point in time. No common risk analysis has been carried out and no common base-line for current compliance levels has been established. Moreover, no performance indicators have been defined.

The emphasis of the deployment of mixed inspection teams and the coordination of joint surveillance and inspection activities was concentrated on sea inspections, and to a lesser extent on landing inspections. Although a number of landings were monitored, as a follow up of sea inspections, most landing inspections carried out during the joint campaigns were carried out as independent national landing inspections. Therefore the impact of the JDP on compliance with landing requirements seems to be limited.

The evidence collected during the joint campaigns in the Southern North Sea and the Eastern Channel confirms that there is a risk that compliance with the minimum mesh size is not respected in particular for vessels targeting sole. During periods in which the probability of inspections at sea is low or non-existent (bad weather, at night, during week-ends) or when inspection activity is based on a constant pattern (same inspection vessels, same surveillance methodology, same days of the week) the use of illegal attachments (i.e. blinders) still seems to be a problem.

Although intended to increase the economic gain of the target species (sole), the use of these illegal gear attachments has an important negative impact on the selectivity of other species, in particular immature cod.

Assessment report 2: JISS/JDP Baltic Sea

Human resources allocated

Staff	January	December
Desk officer	-	-
Coordinators	3	3

Budget allocated

Budget Item	Budget appropriation	Budget used	% used
Equipment	3.000,00	0,00	0,00 %
Missions to the Baltic Sea	75.000,00	72.073,05	96,10 %
Meetings Baltic Sea	34.000,00	14.359,61	42,23 %
Training & Assessment Baltic Sea	20.000,00	7.048,68	35,24 %
Sum:	132.000,00	93.481,34	70,82 %

1. Legal Basis

Commission Decision (2008/589/EC) of 12 June 2008 establishing a specific monitoring programme related to the recovery of cod stocks⁴ based on Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing measures for the recovery of cod stocks⁵ lays down the rules for joint control, inspection and surveillance activities by the Member States concerned to be organised by the CFCA, and provided the necessary legal conditions for the adoption of a JDP for the second half of the year 2008. Decision No 2008/031 of the Executive Director of the Community Fisheries Control Agency gave effect to the Commission Decision and the organisation of the use of pooled national means of control and inspection in the Community waters in the Baltic Sea.

Before the above mentioned Commission Decision came into force the joint campaigns were carried out under a Joint Inspection Surveillance Scheme (JISS). The JISS campaigns were executed on a voluntary basis by the Member States concerned. Member States requested the CFCA to coordinate the joint deployment of means for the JISS campaigns in accordance with Article 15 of Regulation (EC) No 768/2005.

⁴OJ L 148, 11.6.2005, p. 36. Decision as last amended by Decision (2007/429/EC)

⁵OJ L 70, 9.3.2004, p. 8.

2. Strategy and planning of campaigns

2.1. Description of the fishery

The Baltic Sea, being neither truly salt nor freshwater, contains a limited number of species; the most predominant of those, from a socio-economic point of view, is cod. Other main, targeted species are salmon, herring, sprat and flounder. Whilst all the countries surrounding the Baltic Sea engage in fishing activities neither Finland nor Estonia feature highly in the cod fishery, this primarily due to the fact that cod stocks inhabit the waters of the southern part of the Baltic Sea.

The gears used to catch cod in the Baltic Sea are either trawls or gillnets with some hook and line fishery also taking place.

2.2. Situation of stock

The Baltic Sea cod is managed as two separate stocks. Though biologically distinct from each other, a certain migration of fish takes place between the two stocks; known as the Eastern and Western stock. A multi-annual management plan, aiming at restoring both stocks to sustainable levels, was adopted in 2007.

The Western stock has been over fished for many years, according to ICES, which classes the stock as "being at risk of reduced reproductive capacity as well as suffering from a too high fishing pressure". For the Eastern cod stock, as in the case of the Western stock, ICES points out that the stock could be much larger and the potential exists for greater catches in the future.

According to ICES, unallocated landings seem not be a problem in the ICES area 22-24 (eastern stock), but concerning the eastern stock ICES is estimating that unallocated catches are at least within the range of 30% to 40% of recorded annual landings since 2000. ICES has included unallocated catches in the assessment, and the advice also refers to the total landings. The advised landings from the forecasts can only be directly translated into TACs if a stop of unreported, illegal landings is implemented.

2.3. Data analysis

The methodology for the planning of campaigns is based on the analyses by the CFCA of data supplied by the Member States, in particular: recorded cod catches per ICES rectangle on a monthly basis in 2007 and the amount of cod landings in Member State ports bordering the JDP area for 2007. By doing so, the areas and periods of important fishing activity could be identified and presented graphically. This formed a basis for a draft planning of the campaigns.

2.4. Strategy

It was agreed to implement the JISS/JDP in the form of joint campaigns.

- Each joint campaign covered an area selected on the basis of the results of the initial data analysis. It provides for the participation of the relevant Member States responsible for control, inspection and surveillance in that area and of the Member States whose fishing vessels were active in that same area. It detailed the objectives of the activities and the national means committed by the Member States concerned.
- The means were to be deployed throughout the whole area including the Exclusive Economic Zones (EEZ) of other Member States as well as in Territorial Waters on a voluntary basis, taking into account pre-defined access procedures.
- Mixed teams of inspectors were placed on board of inspection platforms. Each team should consist of at least one inspector of the Member State where the surveillance activities are deployed.
- Moreover, landing inspections by mixed teams were scheduled where landings of fishing vessels from other Member States can be expected.
- Each joint campaign was coordinated from a single coordination centre in charge. The Member State volunteering to this task provided an operational coordination and communication platform in order to pool and make available data (i.e. VMS, inspection activity, fishing activity) for targeting and coordinating inspection and surveillance activities during the joint campaign. Member States made available and provided all relevant data to the coordination centre in charge.
- A two day training seminar for Community Inspectors or those tasked with the training of inspectors at national level was organised in Sweden. In addition the joint campaigns normally started with a briefing, debriefing meetings were organised at the end of each joint campaign.

3. Adoption of JDP

3.1. Adoption procedure

Initiative	Date	Remarks
Notification of draft Joint Inspection and Surveillance Scheme to Member States	05 December 2007	JISS for first half 2008
Agreement of JISS on voluntary basis during meeting and notified to the Commission	18 December 2007	

Notification of draft Joint Deployment Plan to Member States	19 June 2008	JDP for second half 2008
Adoption of Joint Deployment Plan Decision No 2008/031 of the Executive Director of the CFCA	22 July 2008	

In addition to the JISS/JDP text describing the scope, objectives, strategy and definitions and laying down provisions for coordination and communication and the pooling and joint deployment of means, the JDP contained two annexes;

Annex 1 Description of the Joint Campaigns

Containing the date and area of the joint campaign, the Member State in Charge, contact details of the Coordination Centres, Member States' inspection and surveillance means committed, the composition of the Technical Joint Deployment Group and an outline of the joint campaign (focus and strategy).

Annex 2 Technical recommendations

Containing recommendations and guidelines for the coordination and operational deployment of pooled means during joint campaigns and referring to the target and inspection benchmarks, as laid down in the Specific Monitoring Programme for Cod.

Access rules information note

Furthermore an information note was attached describing the individual rules and procedures for requesting access to Member States' waters, the possibilities for access to territorial waters and the general principles to be followed when operating in other Member States' waters.

3.2. List of scheduled campaigns

For 2008 the following joint campaigns were agreed with the Member States:

No	Date	Area	Participating MS
1	07Jan-20Jan	Central Southern Baltic Sea	LT, LV, PL, SE
2	21Jan-03Feb	Western Baltic Sea and the Belts	DE,DK,NL
3	25Feb-09Mar	Central Southern Baltic Sea	DK, LT, PL, SE
4	24Mar-06Apr	Central Southern Baltic Sea	DK, LT, LV, PL, SE
5	21Apr-04May	Central Southern Baltic Sea	FI, LT, LV, PL, SE, EE
6	05May-18May	Central Southern Baltic Sea	DE, DK, LT, LV, PL, SE, EE
7	19May-01Jun	Central Southern Baltic Sea	DE, DK, LT, PL, SE
8	02Jun-15Jun	Western Baltic Sea	DE, DK
9	6Aug- 10Aug 18Aug-22Aug	Southern & South Eastern Baltic	DK, LT LV, PL,SE
10	15Sep -26Sep	South Eastern Baltic Sea	FI, LT, LV, PL, SE
11	13 Oct -24 Oct	Southern & South Eastern Baltic	DE, DK, EE, LT, LV, PL
12	10Nov – 21Nov	Western Baltic Sea	DE, DK, SE
13	01DEC-12DEC	Western and southern Baltic Sea	DE, DK, LT, LV, PL, SE

Thirteen joint inspection and surveillance campaigns were organised in the scope of the 2008 JDP / JISS for the cod fisheries in the Baltic Sea. It should be noted that 8 of the joint campaigns which were carried out during 2008 were part of the JISS and 5 joint campaigns were covered by the JDP at that time. The JISS campaigns were executed on voluntary bases by the Member States concerned.

4. Implementation of the JDP's

4.1. Member State participation

All Member States participated in each of the joint campaigns as agreed in the initial JDP planning.

MEMBER STATE	JDP PARTICIPATION	
	NO. OF CAMPAIGNS	NO. OF CAMPAIGNS AS LEAD MS
DENMARK	9	3
ESTONIA	1	0
FINLAND	1	0
GERMANY	7	2
LATVIA	6	1
LITHUANIA	8	1
POLAND	9	3
SWEDEN	10	2

The participation of the individual Member States in the JDP was relatively well balanced considering the level of fishing activities and landings in each Member State.

Given their low level of cod fishery and the lack of cod landings in these Member States, Estonia and Finland, have not taken the lead in a joint campaign. However, both Member States have, made contributions to the joint campaigns, Finland by providing a vessel on one occasion and Estonia by sending inspectors to other Member States.

4.2. Deployment and pooling of means

SUMMARY	Baltic Sea
• Member States involved:	8
• Campaign days:	128
• Patrol vessels deployed (sea days)	236
• Aircraft deployed (Flights)	26
• Inspectors (mixed teams)	37

The quality of the means for sea inspection and surveillance was adequate. Most vessels can stay out at sea for long periods, are well equipped and have accommodation available for mixed inspection teams.

With aircraft provided by Sweden and Poland, 26 flights were carried out during 13 campaigns. In total, 1235 sightings were made. The Swedish aircraft was able to operate throughout the joint campaign areas, but that of Poland was restricted to Polish waters.

Aerial surveillance has proven useful with regards to detecting the activities of the fishing fleet and in some cases as a support tool for confirming activity of

suspect vessels. In addition, the surveillance data was used to perform cross-checks of VMS data made available at the coordination centre.

As indicated, 37 Inspectors were exchanged and formed part of mixed teams.

The deployment of mixed boarding teams was considered of paramount importance for the success of joint sea inspection operations. Having on board a national inspector of the Member State in whose waters the inspection vessel is active, seems to avoid a number of practical problems, in particular the initiation of infringement procedures and exercising policing and enforcement powers. A mixed inspection team also increases the overall efficiency of inspection activities as:

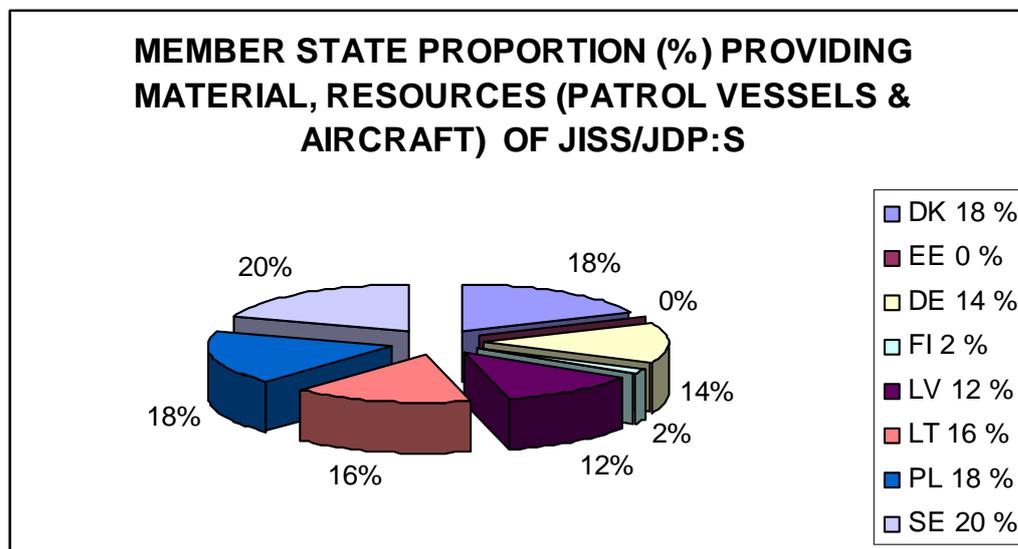
it reduces language problems

it facilitates the exchange of back-ground information and intelligence

it supports the harmonisation of inspection procedures.

However, it should be stressed that, in order to ensure the added value of such exchanges, the inspectors deployed require an adequate level of experience.

In landing inspections the advantage of having mixed teams available are somewhat similar to those at sea. However, inspectors deployed should be experienced. In the framework of the deployment of mixed boarding teams, guidelines have been developed which can be useful for future campaigns.



4.3. Operational coordination

Coordination Centre in Charge

The Member State in charge provided the platform for communication and coordination. Not all Member States were in the advantageous situation of having a fully-equipped operation room available. Although the availability of a well-equipped coordination platform is important, the fact of having sufficient human resources available at the coordination centre is even of greater importance.

During most joint campaigns, the inspection platforms from other Member States were steered directly from the coordination centre in charge without interference from the flag Member State of the inspection vessel. Notwithstanding the fact that the Member State offering the inspection platform always keeps full control of its own means, there is a significant advantage in keeping the communication lines as short as possible, in particular when several platforms are operating in the same area.

For each joint campaign the CFCA made a coordinator available to assist the Member State at the coordination centre. It has been appreciated by all Member States since being in charge of a joint deployment campaign requires considerable efforts at the level of human resources.

Pooling of data

All Member States have made a significant effort to establish the exchange of VMS data during the joint campaigns for the areas concerned. The usefulness of shared VMS data needs no explanation; it is a key element for the guidance of inspection platforms.

The recording and exchange of inspection activity details during each joint campaign was satisfactory. However, the methodology for sharing this data needs to be further improved and developed, in a number of cases fishing vessels were inspected twice because information did not circulate fast enough.

Access to EEZ and territorial waters

It was of paramount importance, for the efficiency of the JDP, to be able to deploy the committed inspection means in areas where they are most needed.

Although, in the framework of Commission Regulation (EC) No 1042/2006 rules for access to EEZs have been established, access to some EEZs was not always granted. Cumbersome national access procedures and sovereignty rules required a flexible approach when preparing operational coordination.

In order to facilitate, where possible, cross-border inspection and surveillance activities in waters under the jurisdiction (EEZ) of Member States and even under the sovereignty (territorial waters) of Member States, the access procedures and possibilities for each Member State were listed and explained. In addition it was agreed that, in order to avoid any legal problems when infringements are detected, cross-border activities could only be carried out on the understanding that a National Fisheries Inspector of the coastal Member State concerned would lead the inspections in the waters of the coastal Member State.

4.4. Joint inspection and surveillance activities

Inspection activity

The inspection and surveillance activities concentrated on fishing vessels using gear types that are likely to catch cod. Inspections of transport and marketing of cod were also carried out.

With an average of approximately 31 sea inspections and 128 landing inspections per joint campaign the overall result of the inspection activity during the 2008 Baltic Sea JDP is as follows:

• Inspections: Sea	404
• Inspections: Shore	1659

The inspection activity during 2008 resulted in a detection rate of slightly less than 10 % of suspected infringements at sea and on average 6% of infringements during landing inspections.

• Infringements detected: Sea	37
• Infringements detected: Shore	103

Of the 37 suspected infringements detected at sea, the majority have concerned the lack of capacity plans (11), incorrect gear (13) or the incorrect marking of gear (4). Undersized fish was found in 2 cases and only 1 of these involved cod.

Of the 103 infringements detected ashore, 52 were related to logbook issues i.e. under recording, margin of tolerance or catch composition. Incorrect or no notification of landing or change of area were responsible for 12 infringements and incorrect gear for 8. Undersized fish generated 9 infringement reports and transshipments of cod 2.

However, the results in a given joint campaign are very dependent of a number of different factors;

- The number of Member States participating is a key element, although more important are the number, quality and availability of inspection platforms, as these can vary between joint campaigns and have a major influence on the inspection activity.
- Bad weather conditions during many joint campaigns and a search and rescue operation in another, negatively influenced the number of inspections in those individual campaigns. In some cases it was possible however to reschedule the human resources for the monitoring of cod landings in the main landing ports.
- The density of the fishing activity, and thus the potential for inspection, is very dependent on the nature of the fisheries and the inspection area.
- The level of risk analysis at the coordination centre and the target instructions transmitted to the inspection platforms initiate a proactive search for target vessels, making the inspections more efficient but on the other hand decreases, in general, the overall number of vessels inspected during a joint campaign.

a) Detailed Inspection activity table

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA			MEANS - AIR		MEANS - SHORE		INFR. DETECT. RATE	
	SEA DAY S	NO. OF INSP .	NO. OF INFR ING.	NO. OF FLIG HTS	NO. OF SIGH T.	NO. OF INSP .	NO. OF INFR ING.	SEA	SHO RE
DEN	73	124	3	0	0	200	10	2,42%	0,50 %
EST	0	0	0	0	0	0	0	0%	0%
FIN	5	13	1	0	0	0	0	7,69%	0%
GER	74	121	27	0	0	130	2	22,31 %	1,54 %
LAT	3	5	0	0	0	101	6	0,00%	5,94 %
LIT	12	17	0	0	0	95	1	0,00%	1,05 %
POL	37	105	3	10	66	850	29	2,86%	3,41 %
SWE	32	19	0	16	159	308	47	0,00%	15,3 %

b) Overview of infringements detected

NATURE OF SUSPECTED INFIRNGEMENT	NO. OF CASES. AT SEA	NO. OF CASES. DURING LANDING
Bacoma requirements	6	1
Illegal gear attachments	4	5
Logbook issues, under recording		29
Catch composition	2	
Undersized fish, Hidden fish	2	8
Pilot ladder	2	
Margin of tolerance		28
No pre-notification landing time or change of area		14
Fishing in prohibited area		3
No special permit on board	1	
VMS		1
Fish hold plan not on board	12	
Cod on board during prohibition- illegal transhipments of cod-exceeding weekly quota		21
Marking of fishing gear	8	

Training of inspectors

It is within the remit of the CFCA, under Article 7 of Council Regulation (EC) No 768/2005 to undertake training of fishery inspectors, with a view to improving and harmonising fishery control in the Member States. In addition, the CFCA has a legal obligation under Article 3 of Council Regulation (EC) No 768/2005 to assist Member States and the Commission in harmonising the application of the Common Fisheries Policy.

A training seminar was held on 8 and 9 April 2008, at the Swedish Coast Guard Headquarters in Karlskrona. Experts from all Member States involved in fishery inspection and surveillance in the Baltic Sea attended the seminar.

This seminar was the first of its kind to be held for the Baltic Sea Member States inspection and surveillance services, with a view to presenting the CFCA's approach and methodology regarding minimum standards of inspection and to exchange views regarding this issue with Member States concerned by the Joint Deployment Plan for Cod in the Baltic Sea. Given the level of expertise among the majority of those who attended, the concept was to hold more of a forum than a classroom-type training event.

5. Evaluation

5.1. Methodology

In accordance with Article 14 of Regulation (EC) No 768/2005, the CFCA shall undertake an annual assessment of the effectiveness of each joint deployment plan, as well as an analysis, on the basis of available evidence, of the existence of a risk that fishing activities are not compliant with applicable control measures. An assessment methodology will be developed in line with the conclusions on the mid-term strategy adopted by the Administrative Board in October 2008.

At this stage, the results of the implementation of the JISS/JDP can only be evaluated in terms of operational cooperation between the national services concerned and the CFCA, as well as in terms of the infringement detection rate against the level of inspection activity during the campaigns and the impact of the control, inspection and surveillance activities on compliance levels.

5.2. 2008 Work Programme

The following objectives were specified in the Work Programme of the Community Fisheries Control Agency for the year 2008, as adopted by the Administrative Board on 17 October 2007 in the framework of the JDP Baltic Sea.

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

Referring to the objectives above the following can be concluded:

- A Joint Inspection and Surveillance Scheme for the first half of year 2008 and a Joint Deployment Plan for the second half of 2008 have been elaborated and adopted giving effect to the specific monitoring programme of cod stocks.

- After each joint campaign, an overview of the inspection activity, the inspection results and a short evaluation was published and available for the public on a dedicated web page of the CFCA web site.
- In 2008 a two-day training seminar was organised for inspectors. Although a first step in the right direction, the training seminar and the experience gained during the joint campaigns revealed that, in order to generate an adequate, uniform and effective standard of control and inspection, a more intensified and systematic approach is needed at the level of training and the definition of common standards and interpretations of inspection methodologies.

In this respect it can be concluded that the objective to ensure uniform control and inspection has not been fully reached.

- The presence of inspection vessels of other Member States and the deployment of mixed inspection teams has taken away the prejudice of the industry regarding discriminatory inspections. The perception of fishermen that they are treated equally and fair wherever they may be fishing, is of key importance when working towards a culture of compliance.

5.3. Cooperation

Joint Campaigns have contributed to the uniform and harmonised application of the rules and inspection procedures performed by various national services through training of inspectors, exchange of best practices, harmonised inspection procedures and the deployment of mixed inspection teams.

Joint Campaigns have contributed to the effectiveness of the control, inspection and surveillance activities carried out by the Member States concerned. The increased number of means available during the campaign and the cross-border operations have increased the probability of inspection and included an additional surprise effect.

Indeed, guided and coordinated by the Coordination Centre in Charge, the inspection and surveillance operations were more efficiently targeted in accordance with the fishing activity at a given time in the area.

The pooling of data in the Coordination Centre in Charge made it possible to analyse the fishing activities throughout the whole fishing area.

Campaigns require substantial resources from the Member States concerned; most Member States do not have sufficient resources to sustain permanent campaigns or campaigns of long duration. In particular, services of a limited size have difficulties in coping with the requirements imposed by cooperation.

In the Baltic Sea a number of inspection vessels of good quality are available. However, the distribution of the available mains in terms of quality and size seems to be unbalanced. Some Baltic Member States are still missing off-

shore patrol vessels suitable for using fisheries inspections or those patrol vessels are not used for fisheries inspections.

5.4. Compliance

The impact of the control, inspection and surveillance activities carried out during the joint campaigns on compliance levels is difficult to establish at this point in time. No common risk analysis has been carried out and no common base-line for current compliance levels has been established. Moreover, no performance indicators have been defined.

According to ICES unallocated landings of cod catches are within the range of 30% - 40% of official annual landings of the Eastern cod stock (ICES areas 25-27). The Commission evaluation report (2005-2006) of the Baltic Member States concluded that reported catches were systematically higher during inspected fishing trips than when no inspection took place in that trip. The mixed fisheries of cod and flatfish species and so called semi-professional or sport fisheries are still giving opportunities for under- recording of catches and unallocated cod catches are added into the landing estimates done by the ICES.

It is too early to assess if the joint campaigns have had an impact and reduced the under-declaration of catches. During periods in which the probability of inspections at sea is low or non-existent (bad weather, at night, during week-ends) or when inspection activity is based on a constant pattern (same inspection vessels, same surveillance methodology, same days of the week) the use of illegal gear and under recording of cod catches may still be a problem. The evidence collected during the campaigns in the Baltic Sea can not clearly confirm that this is still a case.

Assessment Report 3: JDP NAFO RA

Human resources allocated

Staff	January	December
Desk officer	-	1
Coordinators	3	3

Budget allocated

Budget Item	Budget appropriation	Budget used	% used
Data base and networks	10.000,00	0,00	0,00 %
Equipment	3.000,00	1.000,00	33,33 %
Missions NAFO	145.000,00	132.548,27	91,41%
Meetings NAFO	80.000,00	21.727,46	27,16 %
Equipment	3.000,00	411,56	13,72 %
Training & Assessment NAFO	40.000,00	34.848,56	87,12 %
Sum:	278.000,00	190.124,29	68,40 %

1. Legal Basis

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

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

The following Community Regulations are applicable;

- 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 Organisation⁶.

⁶ OJ L 318, 5.12.2007, p. 1.

- Council Regulation (EC) No 2115/2005 of 20 December 2005 establishing a recovery plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation⁷.
- Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required⁸.

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

Decision No 2007/035 of the Executive Director of the Community Fisheries Control Agency of 16 December 2007 establishing a Joint Deployment Plan for 2008 concerning the organisation of the use of pooled national means of control and inspection in the international waters covered by the Regulatory Area of the Northwest Atlantic Fisheries Organisation to give effect to the obligations of the European Community under the Joint Inspection and Surveillance Scheme set out in Article XI (5) of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries.

2. Strategy and planning of campaign

2.1 Description of fishery

The European Union fleet has been the biggest player for many years. In 2008, from all the EU Member States, Spain had the biggest fleet present in the area (14 vessels on 1493 days), followed by Portugal (10 vessels on 1259 days), Estonia (6 vessels on 1257 days), Lithuania (3 vessels on 149 days) and Latvia (2 vessels on 173 days).

The main species targeted in the area are Greenland halibut in Divisions 3LMN, redfish in Divisions 3MO, skates in Division 3N and shrimp in Divisions 3LM.

Spanish and Portuguese vessels have targeted mainly Greenland halibut, redfish and skates in Divisions 3LMNO, Estonian, Latvian and Lithuanian vessels are mainly fishing for shrimp in Divisions 3LM.

Although vessels are present in the area throughout the year, the fishing activity changes according to weather conditions, season and quota availability for individual Member States. Based on the information of the fishing activity in 2007 and 2008, two main fishing periods can be defined in

⁷ OJ L 340, 23.12.2005, p. 3

⁸ OJ L 19, 23.01.2008, p. 1

the NAFO RA, the first one from the middle of February until the end of April and a second one from the middle of July to mid September.

During the two previous years the number of EU fishing vessels present in the area had exceeded 15 during the two indicated periods, being below 15 during the rest of the year. The presence of EU fishing vessels in NAFO RA decreased significantly in 2008: during 141 days in 2007 the number of EU fishing vessels operating in the NAFO RA was over 15; in 2008 this was the case for only 39 days.

2.2 Situation of stock

Greenland halibut in Subarea 2 and Divisions 3KLMNO - A fifteen year rebuilding plan has been implemented by the Fisheries Commission for this stock. The scientific estimation of catches in 2004-2007 have exceeded the rebuilding plan TACs, despite reductions in fishing effort.

Thorny skate in Divisions 3LNOPs - The current state of the stock is unclear. The biomass has been relatively stable from 1996 to 2004 but at much lower levels than in the mid-1980s. During 1995-2004, the average catch was about 11 900 t. Recent catches from 2005-2007 averaged to 5 580 t during a period when the biomass indices increased slightly.

Redfish in Division 3M – The Scientific Council concluded that the stock biomass and spawning biomass are increasing. Nonetheless the spawning stock is currently still at a low level compared to the earlier period in the time series. At the low fishing mortalities of the most recent years and with growth of the relatively strong recent year-classes, spawning biomass should continue to increase.

Redfish in Division 3O - Surveys indicate the stock has remained stable since 2001 but at a lower level than the mid-1990s. Over the long term, catches appear to have been sustainable. The Scientific Council noted that over the period from 1960 to 2006, a period of 47 years, catches have surpassed 20 000 tons in only three years.

Shrimp in Division 3M - While the female biomass index has remained high since 1997, the current exploitation rate is unknown; therefore it is not possible to evaluate whether the perceived stability is due to decreased commercial catches or continued high production. The provisional exploitation rate estimated in 2007 was the lowest in the series showing probable a decreasing trend initiated after 2003. This trend appears to be mostly due to decreasing catches. The indices of biomass are at a relatively high level but there are indications of a decline in recruitment, which may affect the 2008 fishery.

Shrimp in Division 3L - The autumn 2006 NAFO Div. 3LNO biomass index was 248 790 tons, the third highest in the survey time series. The spring 2007 Div. 3LNO biomass index was 280 372 tons, the highest in the survey time series; however the spring biomass indices are thought to be less precise. Total biomass indices have been stable at a high level since 2001. The stock appears to be well represented by a broad range of size groups; the stock

biomass index has not declined at the observed levels of exploitation. The above average recruitment in 2004 is expected to be present in the fishery during 2007 and that from 2005 is expected to enter the fishery in 2008.

2.5. Data analysis

The methodology for the planning of campaigns is based on pre-campaign and on scene analyses by the CFCA of data from different sources: VMS data, hail messages from fishing vessels, logbooks and reports of previous inspections.

Vessels presence in the area, fishing activity, and quota status were studied and analysed before each campaign. Results of the previous inspections, as well as the frequency of boarding's of each fishing vessel and group or nationality are monitored during the campaign in order to ensure the efficiency of the campaign and guarantee a non discriminatory approach.

By doing so, the areas and periods of important fishing activity could be identified. This formed a base for a draft planning of the campaigns.

3. Adoption of JDP

3.1. Adoption procedure

In order to discuss NAFO control and enforcement activities in 2008, in particular covering expenditures related to the chartering of an inspection vessel, an initial meeting was organised in Brussels on 5 February 2007, followed by subsequent meetings on 25 May, 19 June and 13 September 2007 to further discuss and specify the scenarios on the Member States contribution to the Community NAFO Inspection Scheme for 2008, proposed by the CFCA.

During the September meeting a first draft of the NAFO JDP 2008 was presented to the Member States for discussion; at the same meeting Member States agreed with the final scheme for the contribution to the charter scheme.

The final details of the JDP were discussed during a meeting on 2 October 2007 in Brussels and shortly after the meeting all Member States sent their final approval to the document.

Following the adoption of the NAFO JDP for 2008 by the Executive Director on 6 December 2007, Member States involved met once more to finalise the schedules for the chartered and Member States' patrol vessels and inspectors for 2008.

Initiative	Date	Remarks
Notification of draft Joint Deployment Plan to Member States	13 November 2007	
Adoption of Joint Deployment Plan Decision No 2007/035 of the Executive Director of the CFCA	06 December 2007	

3.2. List of scheduled legs

For 2008 the following legs were agreed with the Member States:

No	Period	Vessels	Inspectors
1	31/01-20/02	chartered, Jean Charcot	1 LT + 1 EE
2	20/02-11/03	chartered, Jean Charcot	1 EE + 1 PT
3	11/03-31/03	chartered, Jean Charcot	1 LV + 1PL
4	31/03-19/04	chartered, Jean Charcot	1 ES + 1 DE
5	23/05-13/06	chartered, Jean Charcot	1 PT + 1 ES
6	13/06-04/07	chartered, Jean Charcot	1 PT + 1 LT
7	04/07-26/07	chartered, Jean Charcot	1 PT + 1 ES
8	28/07-08/08	German, Meerkatze	1DE + 1 ES
9	08/08-30/08	Spanish, Chilreu	1 ES + 1 EE
10	30/08-20/09	Spanish, Chilreu	1 ES + 1 ES
11	20/09-13/10	Spanish, Tarifa	1 ES + 1 EE
12	13/10-04/11	Spanish, Arnomendi	1 ES + 1 PT
13	04/11-26/11	Spanish, Arnomendi	1 ES + 1 PT

4. Implementation of JDP

4.1. Member State participation

All Member States participated in each of the legs as agreed in the initial JDP planning, except legs 7 and 12 where Spain and Portugal agreed the switch the inspectors' deployment, resulting in the deployment of 2 Portuguese inspectors during leg 7 and two Spanish inspectors on leg 12.

Germany (in one mission) and Spain (in 4 missions) deployed also a number of inspector trainees.

MEMBER STATE	JDP PARTICIPATION	
	NO. of missions	NO. of inspectors
ESTONIA	4	4
GERMANY	2	3
LATVIA	1	1
LITHUANIA	2	2
POLAND	1	1
PORTUGAL	5	6
SPAIN	8	12

The participation of the individual Member States in the 2008 NAFO Campaign was based on the agreed criteria fixed in the JDP and agreed by all Member States and took into account MS quotas, catches and days present of Member States' vessels in the NAFO RA in 2006.

All Member States have deployed means in accordance with their agreed commitment in the initial JDP planning. Portugal initially planned to participate in the 2008 NAFO Campaign with its own patrol vessels but finally joined with the charter of Jean Charcot.

4.2. Deployment and pooling of means

SUMMARY	NAFO
Member States involved	7
Campaign days	269
Patrol vessels deployed (sea days)	170
Inspectors (joint teams)	29

The quality of the available sea inspection means seems to be adequate. Most of the vessels are suitable for inspection and surveillance activities in the North Atlantic, can stay out for longer periods and are adequately equipped.

In some cases difficulties have been experienced regarding the suitability of the available accommodation and the existing working conditions for inspectors and the coordinator. In some cases the nature of the available communication means and the organisation on board military ships was a burden for the speed and quality of the exchange of information.

INSPECTION VESSEL	NAT	DEPLOYMENT
JEAN CHARCOT	EU	31-01 to 19-04 23-05 to 26-07
MEERKATZE	DE	28-07 to 08-08
CHILREU	ES	08-08 to 20-09
TARIFA	ES	20-09 to 13-10
ARNOMENDI	ES	13-10 to 26-11

4.3. Operational coordination

On scene coordination

The Campaign was coordinated on scene by the CFCA coordinator on board the fisheries patrol vessel in the NAFO RA in close cooperation with the joint inspection team present.

Each boarding was preceded by a briefing and a screening of the fishing vessel's inspection and fishing history.

Upon return of the boarding party the inspectors systematically briefed the coordinator on their findings. In addition the paperwork (i.e. inspection report and copies of the log sheets) were scrutinised.

Pooling of data

Taking into account that the NAFO RA covers approximately 50,000 square nautical miles of fishable grounds outside the 200-mile limit, VMS data received on board the patrol vessels is of crucial importance for targeting inspections in the area.

The VMS data was received on a daily base through FISH TELECOM (DG MARE) during most of the legs, with the exception of limited periods of communication break down making the location of fishing vessels in the NAFO RA difficult or even impossible.

The recording and exchange of inspection activity details during a leg was satisfactory. CFCA coordinators compiled reports covering activities of the vessels fishing in the area, results of boardings, cooperation with other parties and coordination of the mission. Copies of these reports were also forwarded to DG MARE and the Technical Joint Deployment Group.

Exchange of information with other inspection vessels present in the NAFO RA was good and was performed on a daily basis.

4.4. Joint inspection and surveillance activities

Inspection activity

• Inspections in NAFO RA	71
• Infringements in NAFO RA	1

The inspection and surveillance activities concentrated on vessels fishing for regulatory species and in the areas where these species are most likely caught. The two main fishing areas for the EU fleet in the NAFO RA are the 'Flemish Cap' and the 'Tale of the Bank'. As the distance between these areas is over 200 nautical miles, a good quality operational planning is needed in order to ensure a cost-effective and efficient use of resources.

With an average of approximately 6 sea inspections per leg the overall result of the inspection activity during the 2008 NAFO JDP ads up to 71 sea inspections.

Only one suspected infringement was detected by the inspection team for exceeding a by-catch limit for a moratorium species. According to logbook figures the vessel concerned had 7.15% of American plaice on board, while the maximum allowed by catch for this species is 5%.

The individual result of NAFO campaigns is dependent of a number of different factors;

- The number of patrol vessels in the NAFO RA at a given time. Taking into account the relatively small and static NAFO fishing fleet which is easily detectable through the availability of VMS data on board patrol vessels can result in a very high frequency of inspections on board fishing vessels (i.e. once per week) when a high number of inspection platforms is active in the area. This makes the group of vessels to target for inspection very small, taking into account a reasonable inspection frequency.
- Bad weather conditions during at least 7 legs have negatively influenced the number of inspections in those individual legs. In some cases boarding operation had to be aborted for safety reasons.
- The density of the fishing activity and thus the potential for inspection is very dependent on the nature of the fisheries and the inspection area.
- Availability of the VMS data on the patrol vessel is of crucial importance for locating fishing vessels and planning the patrol vessel's movements.

The technical joint deployment group has not been active as such during 2008 and has not discussed the coordination of landing inspections of NAFO vessels with mixed inspection teams. As a consequence no landing inspections were carried out by mixed teams during 2008 under the NAFO JDP.

The CFCA is of the opinion that landing inspections of NAFO vessels by mixed teams are important, for the promotion of best practices and the development of standardised methodologies for landing inspections.

As it has been pointed out repeatedly during the year, there is a need for a more coherent approach for landing inspections in order to assure a level playing field also in port.

a) Detailed Inspection activity table

DETAILED SUMMARY PER MEMBER STATE	MEANS PROVIDED - SEA		
	SEA DAYS	NO. OF INSPECTORS	NO. OF INSPECTORS' DAYS AT SEA
EST	50	4	89
GER	7	2	32
LAT	18	1	21
LIT	23	2	44
POL	7	1	21
POR	70	6	135
ESP	115	10	214

b) Overview of infringements detected

NATURE OF SUSPECTED INFIRNGEMENT	NO. OF CASES. AT SEA
American Plaice 5 % by catch limit	1

Training of inspectors

In January 2008 a training seminar was organised by the CFCA in cooperation with the Spanish inspection authorities, for national inspectors to be deployed in the NAFO RA.

The main objective of the training seminars was to ensure a harmonised interpretation and implementation of the NAFO rules including any new decisions which had been taken during the NAFO annual meeting.

On 24 and 25 January 2008, 34 participants from 7 Member States followed a specific training programme in the Escuela Marítima Bamio (Vilagarcia de Arousa).

The modular course covered the following issues:

- Role of CFCA Coordinators
- Guidelines for NAFO Inspectors
- History - UNCLOS III – RFMO's
- NAFO Organisation - Conventional area – Regulatory area
- Contracting Parties -EU-CFCA-Commission - Council
- JDP's and their implementation
- Port State Control - landing control
- NAFO CEM and amendments agreed during NAFO annual meeting
- NAFO CEM - (Documentation - labelling – by-catches Communication of hail and VMS Messages)
- NAFO CEM – (Inspection procedures and reports - Infringement reports and transmission of reports – IUU)
- NAFO CEM - (Holds on board - Volume, production inspection procedures)
- Analysis and VMS

5. Evaluation

5.4. Methodology

In accordance with Article 14 of Regulation (EC) No 768/2005, the CFCA shall undertake an annual assessment of the effectiveness of each joint deployment plan, as well as an analysis, on the basis of available evidence, of the existence of a risk that fishing activities are not compliant with applicable control measures. An assessment methodology will be developed in line with the conclusions on the midterm strategy adopted by the Administrative Board in October 2008.

At this stage the results of the implementation of the JDP can only be evaluated in terms of operational cooperation between the national services concerned and the CFCA as well as in terms of the infringement detection rate against the level of inspection activity during the legs and the impact of the control, inspection and surveillance activities on compliance levels.

5.5. 2008 Work Programme

The following objectives were specified in the Work Programme of the Community Fisheries Control Agency for the year 2008 as adopted by the Administrative Board on 17 October 2007 in the framework of the NAFO JDP;

- Maintaining, in 2008, the level of presence in the NAFO CA and control and inspection in the NAFO RA to fulfil the obligations of the EU as a Contracting Party to NAFO.

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

Referring to the 2008 objectives above, the following can be concluded:

- A Joint deployment Plan has been elaborated and adopted in such a way that presence of inspection means could be maintained in accordance with the obligations of the EU as a Contracting Party to NAFO.
- In 2008 the CFCA was the facilitator for the chartering of the Joint Inspection platform 'Jean Charcot' and, through the implementation of the charter contract, provided individual Member States with a solution for fulfilling their responsibilities in the framework of NAFO inspection
- After each leg an overview of the inspection activity, the inspection results and a short evaluation was published and available for the public on a dedicated web page of the CFCA web site. These reports were preceded by an explanatory text on the concept of the NAFO Joint Deployment Plan.
- In January 2008 the CFCA organised a training seminar for national inspectors to be deployed in NAFO.
- The continuous presence of EU and other NAFO contracting parties' patrol vessels in the NAFO Regulatory Area seems to have significantly reduced the level of non-compliance in the region. The reduction of the number of infringements and, most

important, serious infringements committed by vessels fishing in the NAFO area can be considered an indication.

5.6. Cooperation

The 2008 NAFO Campaign has contributed to the uniform and harmonised application of the conservation and enforcement measures in the NAFO RA and inspection procedures performed by the different national 'NAFO' inspectors through training of inspectors, exchange of best practices, harmonised inspection procedures and the deployment of mixed inspection teams and on scene coordinators.

Indeed, steered and coordinated by the on scene coordinator on board the inspection platform the NAFO Campaign was more efficiently targeted in accordance with the fishing activity at a given time in the area.

In addition, in that way, the quality of the control activities could be guaranteed.

The presence of the CFCA coordinator also enhanced the cooperation with other contracting parties having inspection means in the area (i.e. Canada) which resulted in a good and close cooperation and better mutual understanding.

As indicated, 29 inspectors were exchanged and formed part of joint teams.

The deployment of joint boarding teams was considered of paramount importance for the success of joint sea inspection operations, in particular in the framework of harmonisation of inspection procedures and uniform interpretation of NAFO control and enforcement rules. In addition, having available native speaking inspectors of the Member States which fishing vessels are active in the NAFO area, improves the communication and effectiveness of inspections on board those vessels.

It should however be stressed that, in order to ensure efficiency of mixed teams, the inspectors deployed require an adequate level of experience. In this sense the training programme for NAFO inspectors should be further maintained and developed. Member States should refrain from deploying inspectors which have limited experience and/or have not followed a specific NAFO course.

On land, no mixed teams were deployed in 2008. However, the need to use mixed teams in port controls was acknowledged by all Member States involved in NAFO control. The issue was also included in the NAFO inspectors training programme in 2008.

5.7. Compliance

The results of the 2008 inspection activities (71 inspections against 1 infringement) seem to indicate a high level of compliance.

The same conclusion can be drawn taking into account inspection information received from other contracting parties on sea inspections. With a total of 176 inspections carried out by inspection vessels of other contracting parties only 1 infringement was detected on board of an EU vessel.

Although described as an objective in the NAFO JDP, no landing inspections were performed by mixed teams in 2008. It is therefore very difficult to assess the level of compliance at landing level.

Assessment report 4: JDP Bluefin tuna Mediterranean, Eastern

Budget Item	Budget appropriation	Budget used	% used
Data Base and Networks	2.000,00	1.025,00	51,25 %
Uniforms and equipment	2.000,00	0,00	0,00 %
Missions Bluefin tuna	85.000,00	44.664,62	52.55%
Meetings	75.000,00	23.457,55	31.28%
Communication	5.000,00	0,00	0,00 %
Training & Assessment	10.000,00	0,00	0,00%
Sum:	179.000,00	69.147,17	38,63%

Atlantic

Human resources allocated

Staff	January	December
Desk officer	-	1
Coordinators	3	3
National Expert	Over the campaign period in total; 3 Italian, 2 French and 2 Spanish National Experts were deployed at the Brussels Coordination Centre	

Budget allocated

I. Introduction

At its Annual Meeting in 2006, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted a 15-year recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean. This recovery plan includes measures such as a reduction of the TAC level until 2010, restriction

on fishing within certain areas and time periods, a new minimum size, measures concerning sport and recreational fishing activities, control measures and the implementation of the ICCAT Scheme of Joint International Inspection to ensure the effectiveness of the plan.

The ICCAT recovery plan for bluefin tuna was implemented into Community law by Council Regulation (EC) No 1559/2007, establishing a multi-annual recovery Plan for Bluefin tuna in the Eastern Atlantic and Mediterranean⁹.

During 2007, the Community quota was overfished and the Commission had to close the fishery before some Member States reported the exhaustion of their quota. The control, inspection and surveillance activities carried out by each of the Member States concerned in 2007 were not well coordinated and not evenly spread over the different fleets targeting bluefin tuna. The industry and NGO's pointed out several cases where Member States did not effectively intervene against illegal activities.

To avoid this situation during 2008, a common project between Member States concerned, the Commission and the CFCA was programmed in advance and executed, covering inspection, surveillance and control of all fishing activities of the bluefin tuna fishery in the Mediterranean and the Eastern Atlantic.

Commission Decision 2008/323/EC of 1 April 2008¹⁰, and the Decision establishing a Joint Deployment Plan (JDP) for 2008 concerning bluefin tuna fishing activities in the Eastern Atlantic and the Mediterranean Sea by the Executive Director of the Community Fisheries Control Agency (CFCA) on 3 April 2008¹¹, are constituting the legal basis needed to organise the use of pooled national means of control and inspection in Community waters, and in international waters covered by ICCAT.

This report presents the results of the Joint Deployment Plan executed in 2008 by the CFCA and the Member States concerned. This report does not contain the data on the activities carried out by the Member States concerned outside the JDP and by the Commission.

II – The bluefin tuna fishery in 2008

The JDP focused on control, inspection and surveillance at sea and ashore in the Mediterranean and the Eastern Atlantic, covering all fleets during the whole season. Each of the fleets involved in the fishing of bluefin tuna in all areas concerned and during the whole season has been subject to the control, inspection and surveillance activities coordinated by the CFCA on a non discriminatory basis. In addition, the Commission has implemented a programme of inspections by Commission inspectors focusing on the monitoring of catches and the farms.

⁹ OJ L 340 of 22.12.2007, p.8

¹⁰ OJ L 110 of 22.04.2008, p.

¹¹ Last amendment adopted on 13th May 2008

The EC fishing fleet

More than 1000 fishing vessels, of which 131 are purse seiners, have been authorized to fish bluefin tuna by EU Member States during the 2008 season. Member States involved in this fishery are: Cyprus, Italy, Malta, and Greece in the Mediterranean Sea, and France and Spain both in the Mediterranean and Northern Atlantic. Portugal did not issue special fishing permits to fish bluefin tuna to its fleet.

Member States concerned have distributed the main part of their bluefin tuna quota, allocated by the Community, over the vessels bigger than 24 meters authorized to fish bluefin tuna in the form of individual catch quota. Taking into account the large number of vessels authorized for this fishery, the individual quota are really small and in many cases can be fished in one or a few fishing trips.

The two main fishing techniques used to fish the northern bluefin tuna in the Mediterranean Sea are purse-seine (surrounding nets) and longline. Purse seine fishing is directed to bluefin tuna whilst longline is a mixed fishery. In the Eastern Atlantic, Spanish vessels, together with a restricted number of French vessels, are fishing with pole and line. Another fishing technique used by French vessels in the Eastern Atlantic is pelagic trawling. Finally, traps are used in several Member States as a traditional fishing method for catching bluefin tuna during the migration seasons.

The high price level of bluefin tuna on the Japanese market for both fresh and frozen products has encouraged the development of bluefin tuna farming and fattening, with the consequent development of the purse seine fleets and a progressive increase in the proportion of the catches of bluefin tuna over the past years. Catches of bluefin tuna by the EU purse seine fleet represented in 2007 around 80% of the total EU catch of bluefin tuna.

Purse seiners are targeting bluefin tuna when the fish gathers in schools near the surface during the spawning season. The fish are caught with purse seines but normally the fish are not taken on board as the bluefin tuna must be kept alive.

In parallel, farms have pre-positioned in the catching area tugs towing empty mobile cages; the bluefin tuna are transferred alive from the purse seines to cages. When a cage is full, it is towed at around 2 knots to the farm site; the trip can last as long as one month for remote farms. On arrival at the farm site, mobile cages are anchored or the bluefin tuna is transferred to fixed cages of the farm, for fattening over a period of several months. The harvesting period, from October to February, depends on how the farm is sheltered from the bad weather; the well-protected farms harvest later, taking advantage of a better increase in weight and better quality.

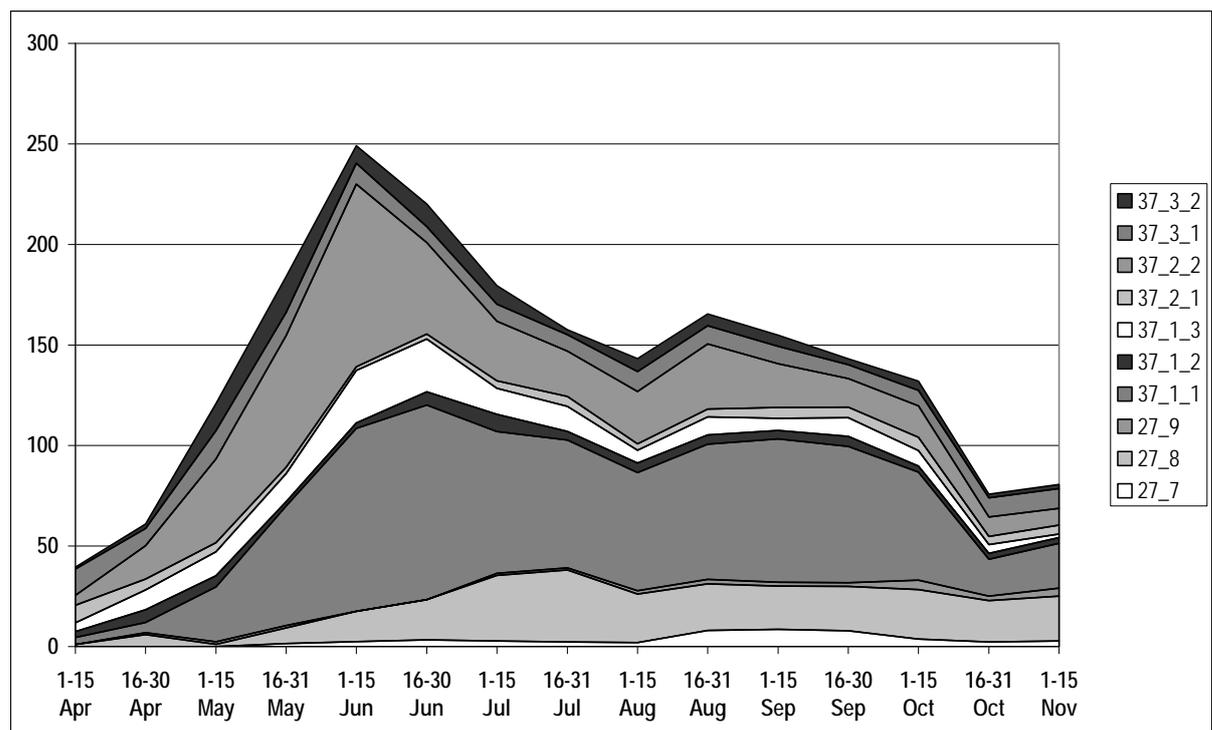
Longlining takes place in the Mediterranean during the whole season and targets not only bluefin tuna but also swordfish and other species. In the Eastern Atlantic, pole and line fishing and pelagic pair trawling is directed

mostly at albacore tuna but also at bluefin tuna. The traps are traditionally fishing for blue fin tuna when it migrates through the areas concerned.

The 2008 fishing pattern

Figure 1 represents the daily number of fishing vessels equipped with VMS and authorized to fish bluefin tuna present at each fishing area, averaged by fortnight between the 1 of April 2008 and 15 of November 2008. This analysis is based on the VMS messages received by the CFCA during the campaign. The different areas are represented in Figure 3.

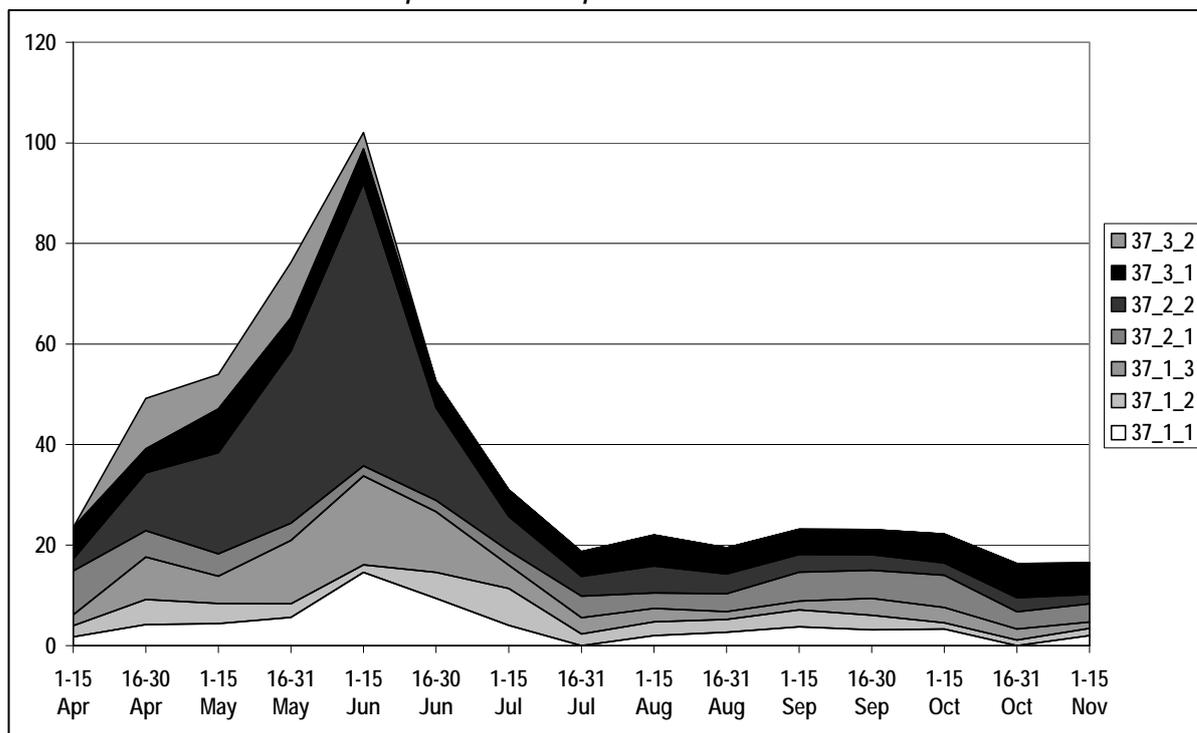
Figure 1: Presence of EU fishing vessels authorized to fish bluefin tuna per area:



The Council Regulation (EC) No 1559/2007 established the application of individual quotas for fishing vessels of more than 24 meters, to be assigned by the flag Member State. One of the main objectives of the campaign was the control of the purse seine fleet, whose quota represents around the 60% of the total EC quota.

Figure 2 represents the purse seiner fleet activity during 2008. This activity was concentrated mainly between 25 May and 15 June.

Figure 2: Presence of EU fishing vessels authorized to fish bluefin tuna with purse-seine per area:



III - The Joint Deployment Plan for bluefin tuna in the Mediterranean Sea and Eastern Atlantic during 2008

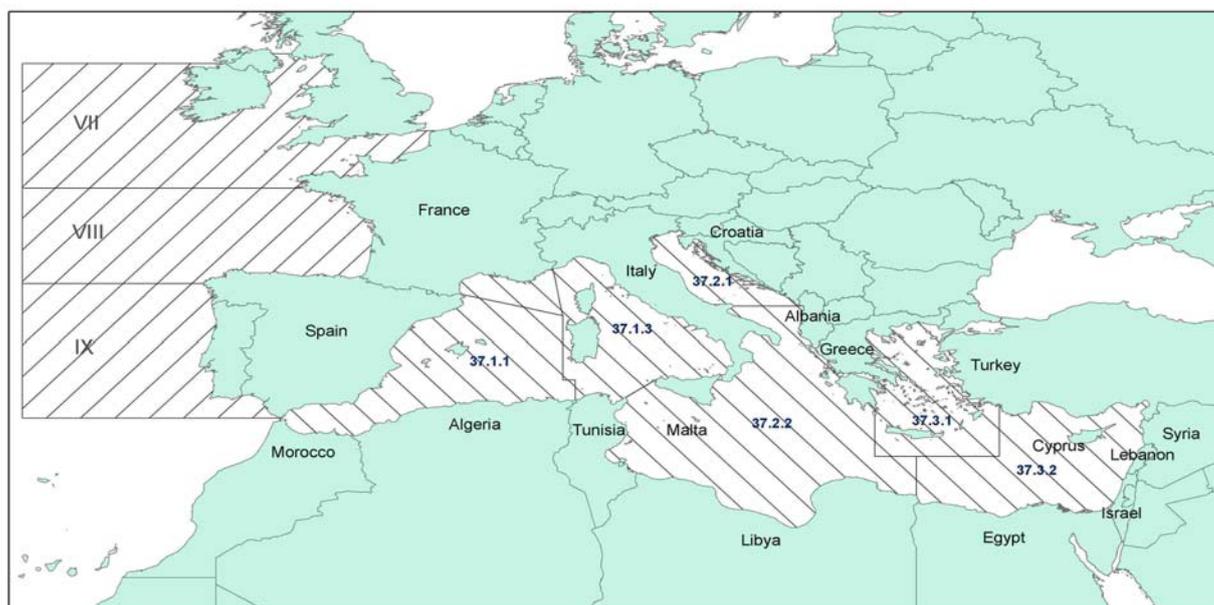
Control, inspection and surveillance activities carried out jointly by the Member States in the bluefin tuna fishery in the Eastern Atlantic and the Mediterranean Sea until December of 2008 have been organised through the JDP. These activities can be classified as follows:

- Control, inspection and surveillance at sea through the deployment of fisheries patrol vessels with or without joint teams of inspectors
- Surveillance through the deployment of aerial means
- Control and inspection on land and farms with or without mixed teams of inspectors

The areas in which the control operations have been deployed are:

Areas	Definition
Eastern Atlantic:	ICES areas VII, VIII and IX
Western Mediterranean	FAO sub areas 37.1.1 (Balearic), 37.1.2 (Gulf of Lions), 37.1.3 (Sardinia)
Centre Mediterranean	FAO sub areas 37.2.1 (Adriatic), 37.2.2 (Ionian)
Eastern Mediterranean	FAO sub areas 37.3.1 (Aegean), 37.3.2 (Levant)

Figure 3: Map of the areas of application of the Bluefin tuna JDP



BFT JDP 2008 - Areas of Control, Inspection and Surveillance Activities

Pooling of means

The total list of means deployed by the Member States and the activity details are contained in the annex. Member States have made available a substantial effort in terms of pooling of means to control and inspect bluefin tuna fishing activities, dedicating a significant amount of resources: 11 high-seas patrol vessels, 45 coastal patrol vessels and 12 aircraft.

Deployment of pooled means

The JDP was coordinated through:

A *Steering Group*: composed of national contact persons appointed by the participating Member States and a representative of the Commission, and chaired by the Agency. The Steering Group is responsible for ensuring the overall coordination and evaluation of the implementation of the JDP.

A *Technical Joint Deployment Group (TJDG)*: based in the Agency premises and composed of National Coordinators designated by the participating Member States and CFCA Coordinators. The TJDG is chaired by a National Coordinator. The TJDG determines the operational strategy for the implementation of the JDP.

The means committed by Member States have been active during 463 days at sea and have also carried out more than 100 surveillance flights. Additionally, 177 days of farm and shore inspections have been coordinated

by the CFCA. Joint teams of inspectors have been operating for 279 days during the campaign.

A series of training seasons were organised by the CFCA in cooperation with the Member States concerned, to spread over the adequate formation for the national inspectors working on the bluefin tuna campaign.

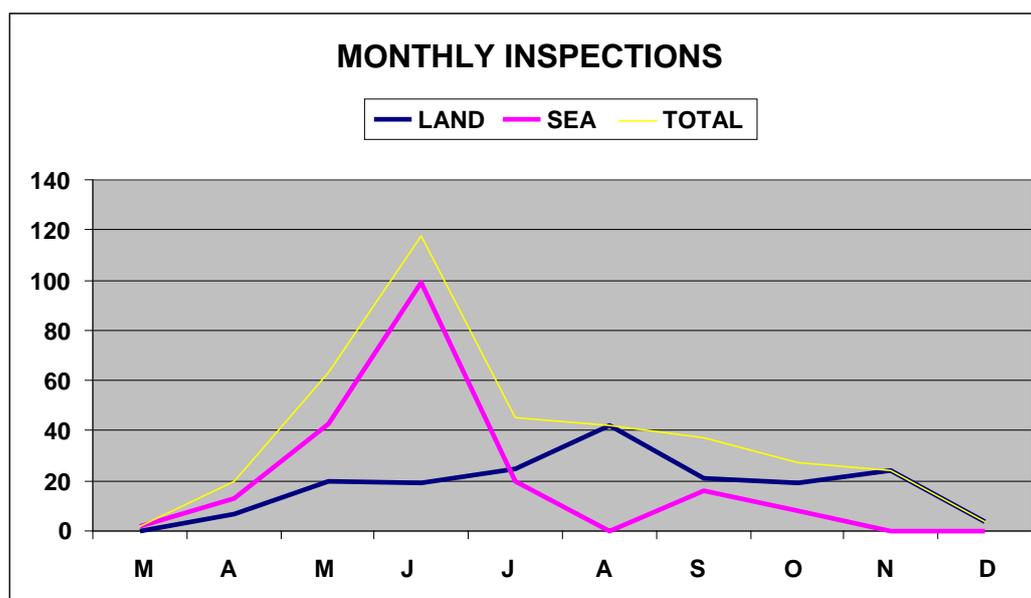
The pooling of inspection means in the East Mediterranean has been less than expected because the patrol vessels committed for the campaign have not been made available during certain periods for unclear reasons. The CFCA has contacted Member States concerned in order to get full details.

Throughout the implementation of the JDP, VMS data from the EU bluefin tuna fishing fleet was regularly received. The VMS data was analysed by the TJDG in order to define the strategy of control. Inspection means deployed by the JDP have benefited significantly from this VMS information. In addition, from mid June 2008, VMS data from other ICCAT Contracting Parties was received from the ICCAT Secretariat through the EC.

Results of control activity

The detailed data regarding inspections and infringements detected are included in the annex. A total of 382 inspections have been recorded in the area, 201 at sea and 181 ashore, primarily during the main part of the fishing campaign in the Mediterranean (181 inspections during May and June, nearly 47% of the total).

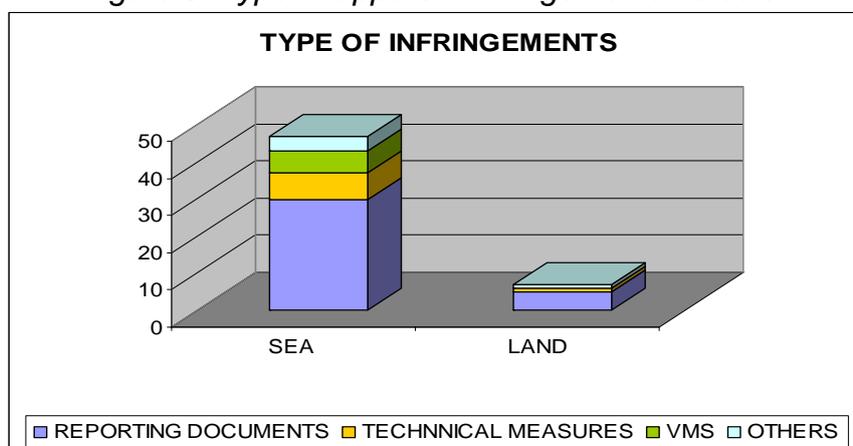
Figure 4: Inspections by month



Fishing vessels (54%) and tugs (18%) have been the main objective of the inspections, as the campaign has been focused on control at sea.

55 apparent infringements have been detected and the corresponding procedures have been launched. Nearly all the apparent infringements have been discovered in fishing vessels and tugs. In the specific case of the tugs, more than 40% of the inspections have found an apparent infringement. The main apparent infringements discovered are related with catch documentation and VMS (75%).

Figure 5: Type of apparent infringements detected



Last, but not the least, an important air surveillance activity has been developed during the campaign, focused to discover planes spotting the bluefin tuna in support of the fishing activities, mainly in the month of June. The findings of these surveillance flights permitted to the Member States to open national infringement procedures against the presumed illegal activities of some of these spotting airplanes.

IV. Conclusions

Quantitative restrictions of catches:

The JDP has been focused notably at control, surveillance and inspection at sea. On the basis of VMS and other data all fishing activities at sea (purse seiners searching and setting nets, tugs receiving live fish and transport to fattening farms, longliners, reefers, spotter planes) have been closely monitored.

During inspections, checks of catch documents on board of the fishing vessels and the tugs have been carried out. The purse-seiners fleet in cooperation with the tugs are responsible for the bulk of the catches. The level of apparent infringements detected in the tugs and the purse seiner fleet has been considerable. Most infringements concern catch documents and VMS.

Moreover, the inspection activities carried out by inspection vessels equipped with helicopters showed that the use of spotter planes for searching bluefin tuna concentrations is still wide spread.

It can be concluded that despite all meetings with the stakeholders convened by the Commission and Member States before the start of the season, compliance with ICCAT recommendations by the operators still needs to be improved. As regards the recording and reporting of blue fin tuna catches and the use of tugs and spotter planes the ICCAT rules have not been sufficiently respected by all contracting parties.

Technical measures

Regarding the respect of the minimum landing sizes, some problems have been discovered at the beginning of the season in the Adriatic and Balears Islands, with some apparent infringements detected. Even if it cannot be not excluded that substantial landings of small size have been occurred, it is not expected to represent a high proportion of the quantities caught.

V. FUTURE STEPS

The application of a JDP in this fishery for the first time 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.

The cooperation between the Member States concerned has been significant, with a high level of exchange of inspectors and mixed inspection teams acting in the field. This will permit an improvement in the transparency of the exercise and help in ensuring a level playing-field.

The CFCA is currently preparing the Joint Deployment Plan for 2009. Further improvements in the planning of inspection and control activities are still needed and should be taken into account next year:

The experience obtained and data compiled on the activity during 2008 will be used to programme the control activities during 2009, notably in respect to areas, time and places to develop the inspection.

The use of a chartered vessel in the peak period of the fishery with a large range of action may be an option to permit the Member States not disposing of enough control means to discharge their responsibilities and to improve the level of inspection in the Eastern Mediterranean area.

More training will be provided to inspectors from all Member States concerned, both in Community and ICCAT legislation and control and

inspection methodologies applied to the fishery, with the objective to achieve a uniform and effective application of the Community rules.

The coordination of the pooled national means of inspection and surveillance should be, as in 2008, directed from the CFCA headquarters, with the participation of National experts from all the Member States concerned.

From 2009, the CFCA will be equipped with its own Fisheries Data Centre, which will allow receiving VMS data directly from Member States (MS) in real time. Timely reception of VMS data from EC Member States' Fisheries Monitoring Centres (FMCs) and from the ICCAT Secretariat will be crucial for the success in the implementation of the 2009 bluefin tuna JDP.

Available technology should be tested to check more precisely the quantities of bluefin tuna in the nets and in the cage.

Annex to the report

DATA REGARDING THE JOINT DEPLOYMENT PLAN OF BLUEFIN TUNA
2008*Table 1 - 2008 bluefin tuna fishing vessels by gear and by Member State*

Gear type	CY	ES	FR	EL	IT	MT	Total
Pole and Line		63	8				71
Long line	28	92		91	34	79	324
Long line/other lines		47	114	192		9	362
Pelagic trawl			78				78
Purse seine	1	6	36	16	68	2	131
Total	29	208	236	299	102	92	966

Table 2 - 2008 bluefin tuna fishing traps by Member State

MS	CY	ES	FR	EL	IT	MT	PT	TOTAL
Number of traps		8			6		1	15

Table 3 - EU bluefin tuna farms

MS	CYP	ESP	FRA	GRC	ITA	MLT	PRT	TOTAL
N° of farms	3	14		2	15	8	1	43
Capacity Tonnes	3000	11852		2100	13000	11150	500	41602

Table 4: Patrol vessels and aerial means deployed by Member State from 15 March to 31 December

Member State	CY	ES	EL	FR	IT	MT	TOTAL
High seas Patrol vessels		3		4	4		11
Coastal Patrol vessels	1	1	4	1	36	2	45
Airplanes		3		3	4	2	12

*Table 5: Activity of control and inspection means from 15 March to 31
December*

Areas	East. Atl.		West. Med.		Cent. Med.		East. Med.		Total		
	Pla n.	Don e	% Don e								
FPV's sea activity (days)	20	22	203	273	106	120	73	48	402	463	115
Surveillance Planes (flights)			39	40	62	65			101	105	104
On land Missions (days)	27	34	88	87	34	31	18	25	167	177	106

*Table 6: Exchanges of inspectors (by day) in the from 15 March to 31
December*

Activity	Inspectors days exchange scheduled	Inspectors days exchange carried out	Difference	Percentage Carried out %
SEA	196	162	- 34	83
AIR	13	6	- 7	46
LAND	151	115	- 36	76
TOTAL	360	283	- 77	79

Table 7: JDP inspections and apparent infringements from 15 March to 31 December

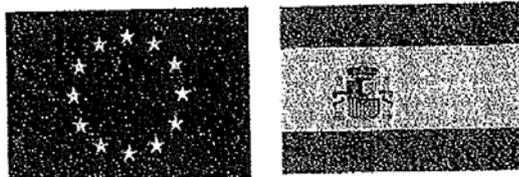
Areas		East. Atl.	West. Med.	Cent. Med.	East. Med.	Total
Inspections	Sea	26	106	57	12	201
	Land	73	69	28	11	181
	Total	99	175	85	23	382
Apparent Infringements	Sea		22	22	3	47
	Air					
	Land		6	1	1	8
	Total		28	23	4	55

Table 8: Inspections by month

Inspections	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
LAND		7	20	19	25	42	21	19	24	4	181
SEA	2	13	43	99	20		16	8			201
TOTAL	2	20	63	118	45	42	37	27	24	4	382

Table 9: Type of infringements

	REPORTING DOCUMENTS	TECHNNICAL MEASURES	VMS	OTHERS	TOTAL
	ITD, BCD, prenotification, catch reporting, LD, LB	minimum size, illegal fishing gear, closure	vessel monitoring system	national regulations	
SEA	30	7	6	4	47
LAND	6	1		1	8
TOTAL	36	8	6	5	55

Annex III Seat Agreement**Memorandum of Understanding between Spain and the Community Fisheries Control Agency on the Establishment of its Headquarters in Vigo**

Having regard to Council Regulation (EC) no 768/2005, of 26 April 2005 establishing the seat of the Community Fisheries Control Agency (hereinafter referred to as CFCA), at Vigo, Spain,

Having regard to the request of the European Parliament defending the principle that whenever a Member State hosts a Community agency in a city located in its territory it should pursue its best efforts to find premises suitable for their use,

Having regard to the willingness of Spain to provide CFCA with all the necessary support for facilitating its quick installation at its seat in Vigo, including provisional headquarters,

Spain and CFCA have agreed as follows:

A large, stylized handwritten signature in black ink, consisting of several loops and a vertical line.

1

A smaller, more compact handwritten signature in black ink, appearing as a series of vertical and diagonal strokes.

1. - The final headquarters of CFCA shall have a gross area of about 3700 m² and shall be located in a building offered by Spain and situated at the Praza da Estrela, in Vigo.

This building constructed in 1954 consists of a three pavilion complex with three storeys on the lateral modules and two in the centre part which encloses a large two storey high building.

A detailed plan of the area can be found in Annex I.

2. - The building identified in paragraph 1 shall be delivered entirely free to CFCA key in hand, after its renovation made in accordance with the requirements laid down in paragraph 3. The scheduled deadline for delivery of the building is 31 December 2009.

3. - Spain shall undertake a complete renovation of the building referred to in paragraph 1 in accordance with the applicable Community, national and local legislation. Moreover, the observations and suggestions laid down in Annex II shall be taken into account, and the requirements and necessities of space described in the memorandum foreseen in sub-paragraph 4 of the present paragraph shall be respected.

The renovation shall respect the necessary requirements for security, evacuation and fire extinction. Moreover, the accessibility for the disabled and an efficient energy management and energy saving shall be guaranteed. Furthermore, the renovation shall maintain the architectural value of the building guaranteeing its use for office space in a secure environment that allows the functioning of the Agency under all circumstances.

The renovated building shall notably comply with the following requirements:

- a) The scope of works comprises complete renovation works of the interior space of the building and totally new technical installations.
- b) The total interior layout shall be reorganised and the internal partitioning of the building shall offer the most flexible use of space possible; the disposition of the rooms have to be subjected to a total revision allowing the accommodation of 80 people.
- c) The accessibility for the disabled from the entrance to the upper floors and from one side to the other of the building has to be organised.
- d) A service staircase and two elevators must be provided allowing an alternative to use vertical circulation ensuring the liaison between the floors and to satisfy different needs: visitors, staff, guardians, cleaning services, suppliers, etc.
- e) The building shall have individual and collective offices and meeting rooms.
- f) The building shall be equipped with ventilation, air-conditioning, fire detection, cabling required for the proper electronic and computer-based functioning of the equipment to be installed, an IT room and a centralized system of technical management.



In order to realize the abovementioned renovation, CFCA shall present to Spain a memorandum with a detailed description of all its requirements and necessities of space, installations, security, distribution of staff members and other points that turn out to be necessary for an adequate elaboration of the project and for a posterior installation of CFCA.

Moreover, CFCA shall appoint a maximum of two representatives who shall act as contact persons with the Spanish department responsible of the renovation works with a view to ensure an adequate coordination and follow-up.

4. - Spain shall undertake and finance the renovation works of the building identified in paragraph 1 in accordance with the requirements laid down in paragraph 3. The Kingdom of Spain shall elaborate a description of the renovation project that shall determine the costs of those works.

To this end, Spain shall dedicate the corresponding appropriations of its national budget that shall not be inferior to the sum of 5 million euros, with a view to pay the costs related to the abovementioned works.

Once the renovation project has been drafted and supervised, any modification that implies an increase of the budget and that is a consequence of a request of CFCA, would be endorsed in a form to be determined by the signatories.

The CFCA, however, shall bear the costs of office furniture, necessary equipment, migration and supplies.

Furthermore CFCA shall bear all the costs and expenses caused by the use and maintenance of the building. Spain as the owner shall only assume those costs or actions that relate to the structure of the building.

5. - The CFCA shall pay to Spain, based on an authorisation of use of the building, the annual amount of 7.20 euros per m² that shall be annually updated in accordance with the Consumer Price Index from the year following the delivery, without prejudice to the costs and expenses that CFCA bears in accordance with paragraph 4.

6. - Spain shall provide CFCA with temporary office space in which CFCA can install its provisional headquarters in Vigo until the installation of CFCA in the building referred to in paragraph 1 of this Memorandum.

These provisional headquarters shall have a gross area of about 3000 m², providing the necessary services required for a functioning in accordance with modern office standards.

The offices identified in sub-paragraph 2 of the present paragraph shall be delivered entirely free to CFCA key in hand during the first semester of 2008.

7. - Spain shall pay the costs of adaptations necessary in order to put the offices referred to in paragraph 6 at the disposal of CFCA.

Moreover, Spain shall bear the costs of use of those offices until the occupation of them by CFCA. Under no circumstances the takeover of the costs for the use of those offices by CFCA shall be delayed beyond 30 June 2008.

~~In the event that CFCA will have to continue to occupy the provisional offices once the deadline of 31 December 2009 referred to in paragraph 2 has been passed, Spain shall pay the costs of use of those offices, except for the current costs or the costs of functioning that shall be paid by CFCA.~~

8. - Spain shall make its utmost efforts to support staff of CFCA during its setting up phase, by providing services through the provision of a written manual outlining useful information that will act as a guide for newcomers, and dealing with all kinds of administrative procedures for the settlement of staff and their families.

For this purpose, the relevant Spanish authorities shall create a welcome and reception service depending of the Spanish administration in the province of Pontevedra. This service shall be placed at the disposal of the staff of CFCA from the date of provisional installation at its seat in Vigo.

To this end, Spain shall forthwith constitute a working group on the integration of CFCA and its staff in Vigo. The CFCA shall appoint two members to this working group.

9. - Spain undertakes to exert its utmost efforts jointly with CFCA in order to find the best solution possible for schooling for the children of CFCA staff. This joint work has as a goal the adoption of all those means that will facilitate the integration of the future pupils in the school community and the signature of agreements with the appropriate schools of the Vigo area, all this in order to offer both an education in the mother tongue of the pupil, that is also multilingual and multicultural and an European Curriculum recognized by the System of European Schools (SEE).

To this end, Spain shall forthwith constitute a working group to find solutions and make recommendations for schooling for the children of CFCA staff. The CFCA shall appoint two members to this working group.

10. - Spain undertakes its utmost efforts to ensure that facilities shall be made available to CFCA in the immediate vicinity of the final headquarters for the purpose of housing conference/meeting rooms with seating capacity for at least 80 persons, with simultaneous interpretation booths for at least five languages.

Sufficient dedicated parking shall be available in the neighbourhood of the headquarters for CFCA staff and its visitors. For this purpose, the Spanish administration shall act as intermediary with the companies of the sector to facilitate the conclusion of a contract for parking spaces for 35 cars submitted to conditions equivalent to the ones offered to other public authorities.



4

11. - Spain undertakes to pursue its best efforts in conjunction with CFCA, in order to defend the terms of the present Memorandum before the Community budgetary authority seeking their approval.

12. - This present Memorandum is signed in four copies, two drawn up in Spanish and two drawn up in English, wherein one copy in each language is intended for each signatory.

13. - The signatories shall undertake all possible efforts to solve any discrepancy that might arise concerning the interpretation or application of the present Memorandum.

19 JUL. 2008

Done in Madrid on [..... 2008].

FOR THE COMMUNITY FISHERIES
CONTROL AGENCY



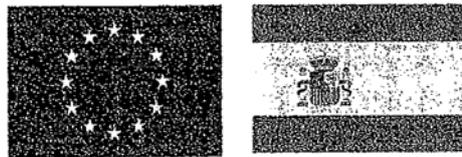
HARM KOSTER
Director

FOR THE KINGDOM OF SPAIN



ELENA ESPINOSA MANGANA
Minister of the Environment and Rural and
Marine Affairs


5



**SEAT AGREEMENT BETWEEN
THE KINGDOM OF SPAIN
AND THE COMMUNITY FISHERIES CONTROL AGENCY**

The Kingdom of Spain, hereinafter referred to as Spain, and the Community Fisheries Control Agency, hereinafter referred to as the Agency;

Having regard to Council Regulation (EC) No 768/2005, of 26 April 2005, establishing the Agency;

Whereas article 18 of this Regulation provides the official seat of the Agency shall be in Vigo, Spain;

Whereas article 19 establishes that the Staff Regulations of officials and the conditions of employment of other servants of the European Communities as laid down in Regulation (EEC, Euratom, ECSC) No 259/68 and the rules adopted jointly by the institutions of the European Communities for the purpose of the application of those staff regulations and conditions of employment shall apply to the staff of the Agency;

A handwritten signature or mark, possibly a stylized 'A' or 'S', located to the left of the text.

1 A handwritten signature or mark, possibly a stylized 'A' or 'S', located to the right of the text.

Whereas article 20 specifies that the Protocol on the Privileges and Immunities of the European Communities, hereinafter referred to as the Protocol, shall apply to the Agency;

Whereas further administrative provisions must be made for the implementation of relevant articles of the aforesaid Protocol;

have agreed as follows:

Article 1

Scope

This Agreement lays down the provisions applicable to relations between the Community Fisheries Control Agency and Spain, notably in terms of privileges and immunities, exemptions and financial facilities granted to the Agency and to its staff, security and access to its headquarters, as well as other appropriate measures to be taken by the Spanish administration in order to facilitate the installation of the Agency in Vigo.

Article 2

Privileges and immunities

1 - The privileges granted by the present Agreement to the Agency and to its staff in accordance with articles 3 to 7 solely aim to guarantee the hindrance-free functioning of the Agency and the independence of the people who benefit from it.

2 - In the framework of its official activities, the Agency benefits of immunity of jurisdiction and execution. The Agency, its property and possessions, wherever these are, cannot be the subject of any coercive, administrative and legal measure in accordance with article 1 of the Agreement.

Official activities are understood as those strictly indispensable to the administrative and technical functioning of the Agency.

Article 3

Officials and other agents of the Agency

1 — The staff of the Agency shall be made up of the following categories:

i) Statutory staff subject to the Staff Regulations of Officials of the European Communities or to the conditions of employment of other servants of the European Communities:

Officials;
Temporary staff;
Contract agents;

ii) External staff:

Seconded national experts (SNEs);
Experts on contract entrusted with studies,
etc.

2

External staff members with ad hoc commissions of a specialist nature of the Agency are regarded as experts commissioned by the Agency.

2 — Without prejudice to the provisions of articles 8 to 13 of the Agreement, it has been agreed in particular that the staff members of the Agency:

i) Enjoy immunity from jurisdiction as regards acts carried out by them in their official capacity, including their spoken and written statements.
This immunity shall continue after cessation of their functions;

ii) Are exempt from national taxes on earnings, salaries and respective supplements paid by the Agency;

iii) Are not subject, and nor are their spouses and dependent family members, to regulations restricting immigration and formalities for the registration of foreigners;

iv) Enjoy the facilities usually granted to officials of international organizations as regards monetary or exchange regulations;

v) Have the right, as do their spouses and dependent family members, to the same repatriation facilities as are granted to diplomatic representatives in case of international crisis; this provision does not apply to Spanish nationals;

vi) Have the right to import from their last country of residence or from the country of which they are nationals, free of duty and without prohibitions or restrictions, in respect of initial establishment, within two years of taking up their appointments with the Agency and in a maximum of two shipments, furniture and personal effects, including vehicles purchased under market conditions in the country in question, which shall be registered under a special series;

vii) Have the right to export, during a period of three years as from the date of cessation of functions at the Agency, without prohibitions or restrictions, furniture and personal effects, including vehicles they use and which are in their possession. The three years referred to in this paragraph shall be a maximum limit and are only to be used exceptionally.

3 — In addition to the privileges and immunities defined above, the staff members of the Agency will enjoy the privileges and immunities, exemptions and facilities granted by Spain to members of a comparable category of the diplomatic missions in the Kingdom of Spain.

4 — As regards to experts on mission to the Agency, as well as all persons invited by the Agency to participate in its activities, the relevant Spanish authorities shall take all necessary measures to facilitate their entry into Spanish territory, their stay and their departure. Visas and any other authorisations shall be issued to them free of charge and as speedily as possible, as well as assistance in transit, if necessary.

5 — All staff members of the Agency shall receive a special ID card issued by the Spanish Ministry of Foreign Affairs that exempt them to ask for a permit of stay.

3

Article 4*Financial facilities*

1 — Direct taxes. — With regard to the fixed assets it owns or rents, the Agency is exempt from payment of all national, regional or municipal rates and taxes, except those taxes pertaining to private services.

2 — VAT— The Agency shall be directly exempt from VAT on the delivery or lease of buildings or parts thereof and annexed land, used as seat of the Agency or the residence of its Director as well as construction, renovation and repair works on the mentioned buildings whenever the amount for each individual operation exceeds 751 Euros.

In the same way, according to Spanish regulations, the Agency shall be directly exempt from VAT on the delivery of goods and provision of services for official use when the total amount on each invoice exceeds 300 Euros. The goods delivered shall include office utilities and the services provided shall comprise the provision of water, gas, electricity and fuel supplies, as well as the provision of telephone, radio and telegraphic services.

Article 5*Imports and exports*

1 — The Agency is exempt from customs duties and from any other taxes, except those pertaining to storage, transport or other services, as well as from prohibitions or restrictions on goods of any kind which it imports or exports in the exercise of its official business.

2 — Goods imported, exported or transferred may, if they are transported in the form of luggage, be declared on import or export, for which provision is made for the use of the usual labels or forms for diplomatic bags. The diplomatic bag may only contain mail, documents and objects for official use.

3 — Goods imported with exemption from taxes and duties under the provisions of this agreement cannot be transferred to third parties, either for consideration or free, but in accordance with the Spanish legislation.

Article 6*Agency vehicles and circulation taxes*

1 — The Agency is exempt from any duties and any import restrictions on vehicles intended for «the official business» of the Agency and on spare parts for the same.

2 — The Agency also benefits from exemption from road tax for these vehicles which are registered under a special series. Fuel and lubricants required for the said vehicles may benefit from a special tax reduction. The Agency may dispose of these vehicles one year after they are imported, according to the Spanish legislation.

Article 7*Seat of the Agency*

The seat of the Agency is understood as the buildings and installations the Agency decides to use for its official business which are described as such in the present Agreement between Spain and the Agency concerning the setting up of its headquarters in Vigo.

Article 8*Security of the Agency*

1 — The Agency is responsible for security and the maintenance of order inside the buildings and installations used by it. It is likewise responsible for observing Spanish law and regulations applicable in these premises, subject to the provisions of the present Agreement.

2 — In order to fulfil the responsibilities covered by paragraph 1 of the present article, the Agency shall take any measures it considers appropriate and, in particular, adopt the necessary internal rules. The Agency may, in particular, refuse access to its buildings and installations or decide to expel from them any persons considered undesirable.

3 - The Agency may arrange with private companies the appointment of security guards and bodyguards authorised to carry firearms in the installations, buildings and land it uses.

4 - The bearing of firearms by Agency security guards falls within the application of Spanish law.

5 — Persons authorised under Spanish law and regulations to assure the maintenance of order and security only may enter the buildings and installations of the Agency at the request of the authorities responsible for it or with authorisation from the same, and shall be afforded the necessary assistance.

However, in case of fire or any other danger requiring immediate protection measures, the consent of the authorities responsible for the Agency is not necessary.

6 — In turn, the relevant Spanish government authorities shall provide assistance to the Agency whenever it undertakes the responsibilities referred to in article 8 above. They may, in particular, be urged by the Agency to take the necessary measures to assure or re-establish order and security in the installations, buildings and land used by it. The relevant Spanish authorities shall, in addition, assure the security and maintenance of order of the access points to the buildings and in the immediate surroundings of the said premises, using for this purpose such means as they consider appropriate.

Article 9*Coordination of security aspects*

1 — The Agency and the Spanish authorities shall keep each other informed on all security matters affecting Agency personnel, buildings and installations.



5

They shall, in particular, communicate the names and functions of the respective authorities responsible for security matters, as well as the names and functions of the relevant authorities referred to in article 8, paragraphs 5 and 6.

2 — A co-ordination group will be created, composed of the representatives of the Agency and of the Spanish authorities, with a view to establishing an appropriate body for the exchange of information in respect of which appeals can be made to its competence to resolve issues of internal security.

The co-ordination group will meet at the request of one of the Parties.

Article 10

Access to the installations and celebration of meetings

1 - The responsible Spanish authorities shall assure to the persons covered by this Agreement free access to the buildings, installations and immediate surroundings used by the Agency.

2 - Spain recognises that the Agency has the right to call meetings at its headquarters and, with the cooperation of the relevant Spanish authorities, at any other venue on Spanish territory.

Article 11

Logistics support

1 — The relevant Spanish authorities and the bodies which are under their control shall facilitate in the area of their respective competences to the Agency, at its request, the provision of all necessary services, including electricity, water, sewerage, gas, post, telephone, data transmission lines, telegraph, local transport, drainage, refuse collection and fire protection. This list shall not be regarded as exhaustive.

The said services shall be provided under fair conditions in such a way that the Agency benefits from similar conditions to those which are granted in analogous circumstances to the Spanish public administration.

2 — The Agency may install and use telecommunications in their installations. The Spanish authorities shall take the appropriate administrative measures in order to facilitate the installation and use by the Agency of the said telecommunications systems, in accordance with Spanish law and regulations, and ensure that the necessary authorisations for the installation and use of fixed or mobile aerials for satellite telecommunications and other equipment are issued in due time.

3 — No official communication addressed to the Agency or any member of its personnel, or any communication emanating from the Agency, in whatever form and by whatever means of transmission, may be the subject of any restriction of any kind, nor may its confidential nature be prejudiced. This protection extends in particular to publications, magnetic tapes, optical disks, diskettes, still pictures and films and visual or sound recordings.



6 

Article 12***Resolution of controversies***

1 - Any controversy with effect on the interpretation or application of this Agreement, which cannot be resolved in an amicable way shall be subject to a solution by arbitration. A Court shall be established for each case. It shall be composed of three members commonly appointed by the Parties. The members of the Arbitration Court shall appoint their president among them.

2 - If the Parties do not achieve to appoint one or more members of the Court within a delay of two months after the initiation of the arbitration procedure, or if within one month since the appointment of the members of the Court those have not appointed their president, this member or those members or the president shall be appointed by the President of the Court of Justice of the European Communities at the request of one of the Parties.

3 - The Arbitration Court shall decide by majority of votes and its decision shall be binding and final.

Article 13***Denunciation***

The present Agreement may be denounced by each of the two Parties at any moment. This denunciation shall have effect one year after the notice of the intention to end the Agreement to the other Party.

Article 14***Copies of the Agreement***

This Agreement is signed in four copies, two in Spanish language and two in English language, one copy of each language version for each Party.

Article 15***Provisional application and entry into force***

1 - This Agreement shall be applied on a provisional basis from the date of signature by the Parties until its entry into force.

2 - The present Agreement shall enter into force on the date of the last notification interchanged between the Parties which informs of the termination of the respective internal procedures necessary for its entry into force.

7

19 JUN 2008

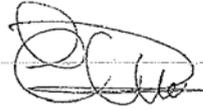
Done in Madrid on 2008.

FOR THE COMMUNITY FISHERIES
CONTROL AGENCY



HARM KOSTER
Director

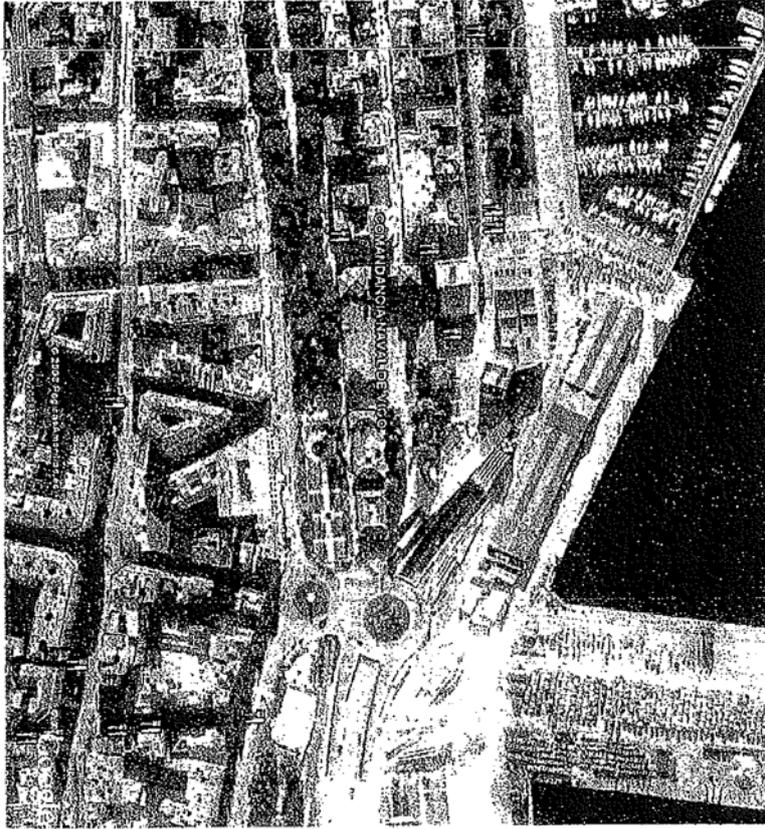
FOR THE KINGDOM OF SPAIN



ELENA ESPINOSA MANGANA
Minister of the Environment and Rural and
Marine Affairs

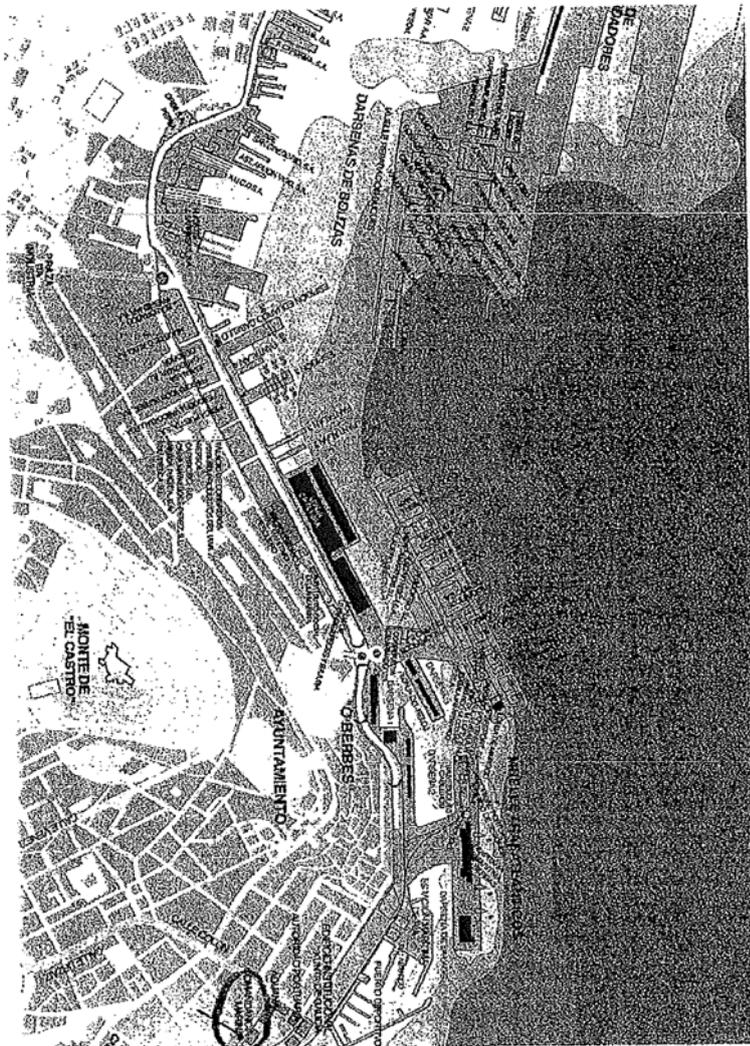

8

Annex I



A handwritten signature or scribble, consisting of several overlapping loops and lines, located in the lower-left quadrant of the page.

A small handwritten mark or signature, possibly a stylized letter or symbol, located in the lower-right quadrant of the page.



A handwritten signature or scribble consisting of several overlapping loops and lines.

A handwritten mark or signature consisting of a few vertical and diagonal strokes.

2

Annex II**Community Fisheries Control Agency*****Observations and suggestions concerning paragraph 3 sub-paragraph 1 provided by the Community Fisheries Control Agency***

This document is comprised of an analysis which stipulates the principle criteria for the elaboration of the study and different aspects to which the building must adhere. The following explicit points should be included in the consultation program of the architects-bidders.

The concept

The study deals with a change of policy at the energy and durability levels.

In concrete terms:

- ✓ The promotion, as much as possible of recyclable or re-usable materials.
- ✓ Efficient and rational exploitation of natural resources (rain water, sun)
- ✓ The efficient and positive management of energy resources allowing passive solutions such as usage of architectural elements which have an impact on energy saving, solar protection, orientation of premises according to lighting needs, availability and convivial aspects of stair wells in order to avoid use of elevators,...

The project

From a methodological point of view, the project will be written in a book of requirements which will impose rules to be respected, notably:

- ✓ Observance of the new directive concerning the energy performance 2002/91CE as well as a global loss level corresponding to K45.

The respect of the building's users guide Type (MIT) and MIT Securitisation while at the same time accepting adapting to local specifications. This conformity will be endorsed by a recapitulative table, namely MIT technical Analysis 2006.

The building will include all functional equipment such as: DATA cabling, fixed or movable partitions, computer rooms and equipment according to MIT regulations.

**The program**

3

- ✓ The program will be created on a capacity basis of 90 to 100 people including all other additional functions and logistics based on an interior net ratio of 35^m/per person.
- ✓ The project foresees the addition of a floor with roofing as well as the construction of a basement under the garden.
- ✓ The ground floor will be comprised of public quarters such as the reception hall, library, meeting room cafeteria (this one would be opposite to the entry hall in order to increase space visually and to create a polyvalent surface allowing other occasional activities (receptions, events...))
- ✓ The floors would mostly include offices built according to the most favourable natural sources of light, the other premises, meeting room and technical facilities are to be situated in darker zones.

A balanced repartition will be studied between individual working spaces (partitions) reserved for work demanding concentration or increased confidentiality and open-space offices prioritising team work.

- ✓ The last level, completing office spaces, will include a big terrace which will, as much as possible, be accessible depending on the level of occupation of technical facilities. The two towers will be connected allowing communication between the two plateaus.
- ✓ The last levels will be accessible by elevators, notably in order to answer to accessibility needs of less mobile persons.
- ✓ The creation of a basement could be foreseen, as much as the nature of the ground permits. This level will include functions requiring a particular isolatory and security level, as well as technical facilities, rarely used archive spaces, local server...Special attention will be given to the structure which should imperatively be of re-enforced concrete as well as waterproof protection against underground streams and possible flooding.

If this is not technically possible, these spaces should be built on a floor to floors basis.

- ✓ A service elevator will be envisaged in order to permit access of merchandise at the basement level.
- ✓ The exterior space: special attention will be given to the creation of an exterior shaded space allowing outdoor activities, including the extension of the cafeteria.

Configuration of premises

It is based on a sketched out plan presented by the Spanish authorities showing the available surfaces after renovation and extension. Even though the plan does not correspond to the updated one, it still shows the constructible surfaces. This sum of these surfaces could be used as a quantitative basis for budget estimation and insertion scenarios of different services.

The following surface measurements occupy the same space as external walls and affect existing openings on floor surfaces.

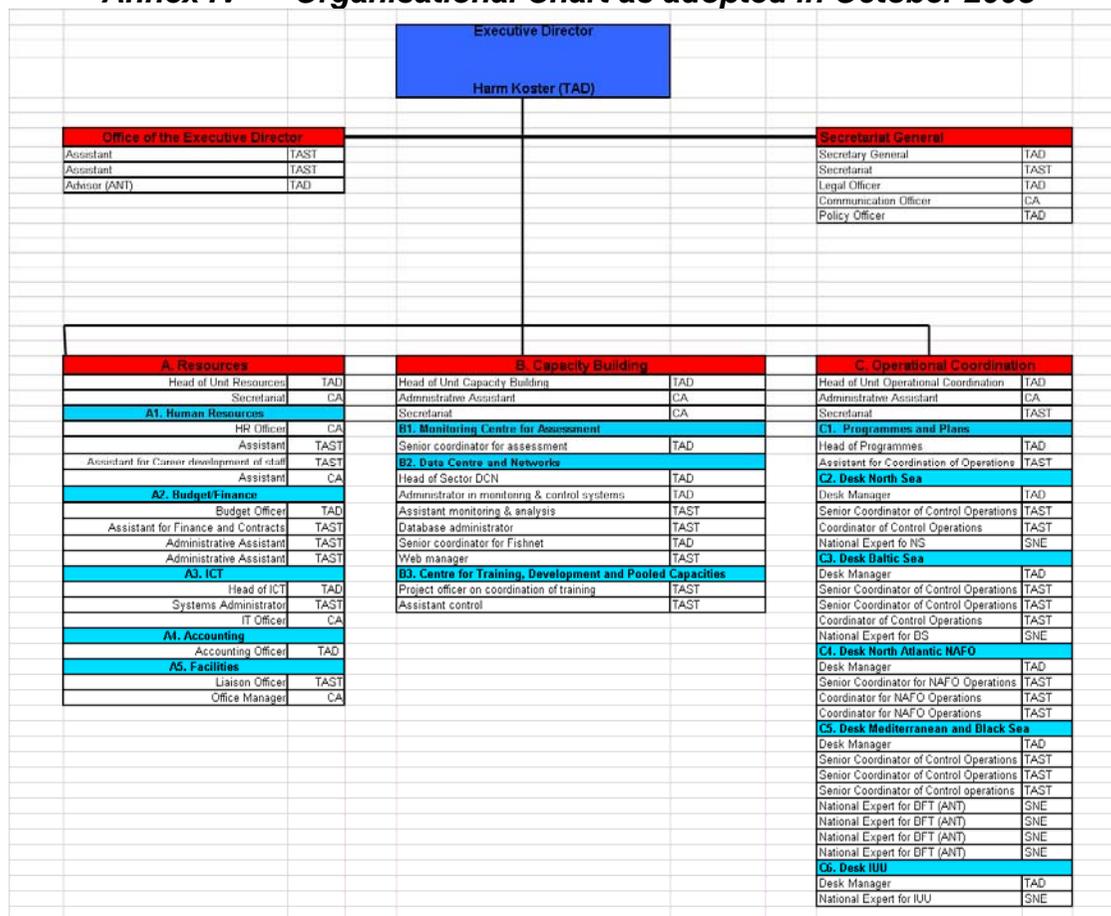


4

Gross surface measurements of external walls		
Basement	211	m ²
Ground floor	1000	m ²
1st floor	1000	m ²
2nd floor	1000	m ²
Tower A	248	m ²
Tower B	248	m ²
	3707	m ²


5

Annex IV Organisational Chart as adopted in October 2008



**Annex V Financial statement:
BUDGET EXECUTION 2008
Staff and Administrative Expenditure 2008 and Operational Expenditure (In euro)**

TITLE/ CHAPTER	HEADING	Budget 2008 (A)	COMMITMENTS			PAYMENTS		
			Approp. Transaction Amount (Euro)	COMMITTED	% Execution from (A)	Approp. Transaction Amount (Euro)	PAID	% Execution from (A)
1	STAFF	4.473.000,00	4.574.000,00	4.424.796,80	98,92%	4.574.000,00	4.112.520,35	91,94%
1 1	Staff in active employment	3.585.500,00	3.494.500,00	3.465.141,25	96,64%	3.494.500,00	3.420.790,33	95,41%
1 2	Expenditure related to recruitment	720.000,00	788.000,00	716.328,64	99,49%	788.000,00	556.335,08	77,27%
1 3	Administrative missions and duty travel	115.000,00			86,96%			60,68%
			107.000,00	100.000,00		107.000,00	69.778,15	
1 4	Socio-medical infrastructure, training	45.000,00	90.000,00	64.455,56	143,23%	90.000,00	9.699,37	21,55%
1 7	Reception and representation expenses	7.500,00	94.500,00	78.871,35	1051,62%	94.500,00	55.917,42	745,57%
2	ADMINISTRATIVE EXPENDITURE	1.627.000,00	1.794.000,00	1.556.848,10	95,69%	1.794.000,00	826.200,21	50,78%
2 0	Rental of building and associated costs	937.000,00	815.000,00	749.991,68	80,04%	815.000,00	294.990,29	31,48%
2 1	Data processing expenditure and associated costs	155.000,00	342.000,00	296.213,23	191,11%	342.000,00	229.419,75	148,01%
2 2	Movable property and associated costs	245.000,00	167.000,00	146.582,06	59,83%	167.000,00	105.053,06	42,88%
2 3	Current administrative expenditure	40.000,00	66.000,00	39.921,31	99,80%	66.000,00	25.231,13	63,08%
2 4	Postal charges and telecommunications	70.000,00	78.000,00	45.022,25	64,32%	78.000,00	11.301,43	16,14%
2 5	Meeting expenses	110.000,00	87.000,00	45.962,13	41,78%	87.000,00	28.988,83	26,35%
2 6	Supplementary Services	70.000,00	156.000,00	150.850,00	215,50%	156.000,00	80.041,15	114,34%
2 7	General Info/Communications	0,00	83.000,00	82.305,44		83.000,00	51.174,57	
	11.080501 TOTAL TITLES I & II	6.100.000,00	6.368.000,00	5.981.644,90	98,06%	6.368.000,00	4.938.720,56	80,96%

TITLE/ CHAPTER	HEADING	Budget 2008 (A)	COMMITMENTS			PAYMENTS		
			Approp. Transaction Amount (Euro)	COMMITTED	% Execution from (A)	Approp. Transaction Amount (Euro)	PAID	% Execution from (A)
3	OPERATING EXPENDITURE							
3 0	Capacity Building	90.000,00	0,00	0,00	0,00%	0,00	0,00	0,00%
3,1	North Sea and Adjacent Areas	295.000,00	175.000,00	61.962,03	21,00%	175.000,00	53.307,44	18,07%
3,2	Baltic Sea	202.000,00	132.000,00	93.481,34	46,28%	132.000,00	76.981,34	38,11%
3,3	NAFO and NEAFC	338.000,00	278.000,00	190.124,29	56,25%	278.000,00	240.530,22	71,16%
3,4	Western Waters	40.000,00	50.000,00	2.894,56	7,24%	50.000,00	2.744,56	6,86%
3,5	Mediterranean Sea	112.000,00	179.000,00	69.147,17	61,74%	179.000,00	59.647,17	53,26%
3,6	Black Sea	33.000,00	23.000,00	0,00	0,00%	23.000,00	0,00	0,00%
3,7	IUU	70.000,00	85.000,00	8.674,87	12,39%	85.000,00	2.674,87	3,82%
3,9	Operations Non EU parties	20.000,00	10.000,00	0,00	0,00%	10.000,00	0,00	0,00%
	11.080502	1.200.000,00	932.000,00	426.284,26	35,52%	932.000,00	435.885,60	36,32%
	TOTAL TITLE III							
	TOTAL SUBSIDY	7.300.000,00	7.300.000,00	6.407.929,16	87,78%	7.300.000,00	5.374.606,16	73,62%
	ASSIGNED REVENUE	1.200.000,00	2.285.952,46	2.272.373,40	189,36%	2.285.952,46	2.272.373,40	189,36%
	TOTAL BUDGET	8.500.000,00	9.585.952,46	8.680.302,56	102,12%	9.585.952,46	7.646.979,56	89,96%

1. Economic Outturn Account

1	2	3	4	5
Consolidation account		Annexe n°	2008	2007
706130	GNI based resources		0.00	0.00
706140	VAT resources		0.00	0.00
706120	Traditional Own Resources		0.00	0.00
706199	Funds transferred from the Commission to other Institutions		0.00	0.00
740100	Contributions of EFTA countries belonging to the EEA		0.00	0.00
712000	Fines		0.00	0.00
743000	Recovery of expenses		0.00	0.00
744000	Revenues from administrative operations		20,749.45	39,240.00
745000	Other operating revenue		8,624,143.93	1,147,414.60
777777	TOTAL OPERATING REVENUE	E1	8,644,893.38	1,186,654.60
610000	Administrative expenses	E2, E3	-	-870,592.45
620100	Staff expenses		4,327,877.14	-306,068.23
630100	Fixed asset related expenses		-40,904.61	-1,912.74
620200				0.00
611000	Other administrative expenses		1,809,930.09	-562,611.48
600000	Operational expenses	E2	2,647,976.09	-33,864.08
601000	Centralized Direct Management		0.00	0.00
605000	Centralized Indirect Management		0.00	0.00
603000	Decentralized Management		0.00	0.00
602000	Shared Management		0.00	0.00
604000	Joint Management		0.00	0.00
606000	Other operational expenses		2,647,976.09	-33,864.08
666666	TOTAL OPERATING EXPENSES		8,826,687.93	-904,456.53
	SURPLUS/(DEFICIT) FROM OPERATING ACTIVITIES		-181,794.55	282,198.07
750000	Financial revenues	E4	125.84	0.00
650000	Financial expenses	E5	-2,391.97	-184.72
680000	Movement in pensions (- expense, + revenue)			
750530	Share of net surpluses or deficits of associates and joint ventures accounted for using the equity method			
	SURPLUS/ (DEFICIT) FROM NON OPERATING ACTIVITIES		-2,266.13	-184.72
	SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES		-184,060.68	282,013.35
800008	Minority interest			
790000	Extraordinary gains (+)			
690000	Extraordinary losses (-)			
	SURPLUS/(DEFICIT) FROM EXTRAORDINARY ITEMS		0.00	0.00
	ECONOMIC RESULT OF THE YEAR		-184,060.68	282,013.35

2.1 Balance Sheet: ASSETS

1	2	3	4	5	6	
Consolidation account		Note	Annexe n°	31.12.2008	31.12.2007	Variation
	ASSETS					
	A. NON CURRENT ASSETS	2.1.1				
210000	Intangible fixed assets	2.1.1.1	A1	29,107.00	0.00	29,107.00
200000	Tangible fixed assets	2.1.1.2	A2	257,074.23	37,327.26	219,746.97
221000	Land and buildings			0.00	0.00	0.00
230000	Plant and equipment			3,918.00	0.00	3,918.00
241000	Computer hardware			87,873.00	34,343.36	53,529.64
240000	Furniture and vehicles			140,888.23	0.00	140,888.23
242000	Other fixtures and fittings			24,395.00	2,983.90	21,411.10
250000	Leasing	2.1.1.2.2	A3	0.00	0.00	0.00
244000	Tangible fixed assets under construction			0.00	0.00	0.00
280000	Investments			0.00	0.00	0.00
284000	Guarantee Fund					0.00
282000	Investments in associates					0.00
283000	Interest in joint ventures					0.00
281000	Other investments		Ceca 1, 2	0.00	0.00	0.00
290000	Loans			0.00	0.00	0.00
291000	Loans granted from the budget		Ceca 3	0.00	0.00	0.00
294000	Loans granted from borrowed funds		Ceca 4	0.00	0.00	0.00
299000	Long-term pre-financing	2.1.1.3	A4	0.00	0.00	0.00
range	Long-term pre-financing			0.00	0.00	0.00
range	LT pre-financing with consolidated		R	0.00	0.00	0.00
292000	Long-term receivables	2.1.1.4	A5	0.00	0.00	0.00
range	Long-term receivables			0.00	0.00	0.00
292009	LT receivables with consolidated E		R	0.00	0.00	0.00
	TOTAL NON CURRENT ASSETS			286,181.23	37,327.26	248,853.97
	B. CURRENT ASSETS	2.1.2				
310000	Stocks	2.1.2.1	A6	0.00	0.00	0.00
405000	Short-term pre-financing	2.1.2.2	A7	0.00	0.00	0.00
range	Short-term pre-financing			0.00	0.00	0.00
range	ST pre-financing with consolidated		R	0.00	0.00	0.00
400000	Short-term receivables	2.1.2.3		60,220.79	4,193.86	56,026.93
401000	Current receivables	2.1.2.3.1	A8, A9	21,147.42	0.00	21,147.42
	Consolidated - Current receivables					0.00
420900	Long term receivables falling due within a year		Ceca 3, 4	0.00	0.00	0.00
410900	Sundry receivables		A8	36,992.57	104.17	36,888.40
490000	Other			1,170.57	3,804.38	-2,633.81
490010	Accrued income			0.00	3,804.38	-3,804.38
490011	Deferred charges			1,170.57	0.00	1,170.57
490012	Other					0.00
490090	Deferrals and Accruals with consolidated EC entities		N1	0.00		0.00
400009	Short-term receivables with consoli		R	910.23	285.31	624.92
501000	Short-term Investments	2.1.2.4	Ceca 2, 5	0.00	0.00	0.00
500000	Cash and cash equivalents	2.1.2.4	A10	1,822,479.53	2,001,699.16	-179,219.63
	TOTAL CURRENT ASSETS			1,882,700.32	2,005,893.02	-123,192.70
	TOTAL			2,168,881.55	2,043,220.28	125,661.27

2.2 Balance Sheet: LIABILITIES						
1	2		3	4	5	6
Consolidation account		Note	Annexe n°	31.12.2008	31.12.2007	Variation
	LIABILITIES					
	A. CAPITAL		4	97,952.67	282,013.35	-184,060.68
100000	Reserves			0.00	0.00	0.00
140000	surplus/deficit			282,013.35	0.00	282,013.35
141000	the year - profit+/loss-			-184,060.68	282,013.35	-466,074.03
						0.00
	B. Minority interest					0.00
						0.00
	C. NON CURRENT LIABILITIES	2.1.3		0.00	0.00	0.00
161000	Employee benefits		L1	0.00	0.00	0.00
162000	and charges	2.1.3.1	L2	0.00	0.00	0.00
170000	Financial liabilities			0.00	0.00	0.00
170100	Financial guarantees					0.00
170200	Borrowings		Ceca 6	0.00	0.00	0.00
170300	Held-for-trading liabilities		Ceca 2	0.00	0.00	0.00
172000	Other long-term liabilities	2.1.3.2	L3	0.00	0.00	0.00
172100	Other long-term liabilities			0.00	0.00	0.00
172009	Other LT liabilities with		R	0.00	0.00	0.00
172019	Pre-financing received from consolidated EC entities			0.00	0.00	0.00
172029	Other LT liabilities from consolidated EC entities			0.00	0.00	0.00
	TOTAL NON CURRENT LIABILITIES			97,952.67	282,013.35	-184,060.68
						0.00
	D. CURRENT LIABILITIES	2.1.4		2,070,928.88	1,761,206.93	309,721.95
481000	Employee benefits					0.00
482000	and charges	2.1.4.1	L4	0.00	79,329.88	-79,329.88
430000	Financial liabilities			0.00	0.00	0.00
431000	Borrowings falling due within the year		Ceca 6	0.00	0.00	0.00
432000	Held-for-trading liabilities due within the year		Ceca 2	0.00	0.00	0.00
433000	Other current financial liabilities					0.00
440000	Accounts payable	2.1.4.2		2,070,928.88	1,681,877.05	389,051.83
441000	Current payables	2.1.4.2.1	L5	-941.19	31,650.19	-32,591.38
441109	Consolidated - Current payables					0.00
442000	Long-term liabilities falling due within the year	2.1.4.2.2	L6	0.00	0.00	0.00
443000	Sundry payables		L5	53,072.92	29,365.95	23,706.97
491000	Other			1,174,484.54	414,340.72	760,143.82
491010	Accrued charges		L7	1,078,647.09	92,779.10	985,867.99
491011	Deferred income		L7	0.00	0.00	0.00
491012	Other					0.00
491090	Deferrals and accruals with consolidated EC entities		N1	95,837.45	321,561.62	-225,724.17
440009	Accounts payable with consolidated EC entities		R	844,312.61	1,206,520.19	-362,207.58
440019	Pre-financing received from consolidated EC entities			714,776.77	1,145,861.14	-431,084.37
440029	Other accounts payable against consolidated EC entities			129,535.84	60,659.05	68,876.79
	TOTAL CURRENT LIABILITIES			2,070,928.88	1,761,206.93	309,721.95
						0.00
	TOTAL			2,168,881.55	2,043,220.28	125,661.27

BUDGET OUTTURN ACCOUNT FOR THE FINANCIAL YEAR 2008

		2008	2007
REVENUE			
Commission subsidy (for the operating budget -Titles 1,2 and 3 - of the agency)	+	6,983,551.20	2,293,171.00
Phare funds from Commission	+		
Other contributions and funding received via the Commission	+		
Other donors	+		
Fee income	+		
Other revenue	+	2,272,898.46	0.00
TOTAL REVENUE (a)		9,256,449.66	2,293,171.00
EXPENDITURE			
<i>Title I: Staff</i>			
Payments	-	4,112,520.35	222,842.92
Appropriations carried over	-	277,673.23	101,132.01
<i>Title II: Administrative Expenses</i>			
Payments	-	826,200.21	54,536.49
Appropriations carried over	-	730,647.89	749,822.51
<i>Title III: Operating Expenditure</i>			
Payments	-	2,708,259.00	18,812.68
Appropriations carried over	-	13,579.06	0.00
TOTAL EXPENDITURE (b)		8,668,879.74	1,147,146.61
OUTTURN FOR THE FINANCIAL YEAR (a-b)		587,569.92	1,146,024.39
Cancellation of unused payment appropriations carried over from previous year	+	127,713.61	
Adjustment for carry-over from the previous year of appropriations available at 31.12 arising from a	+	0.00	
Exchange differences for the year (gain +/-loss -)	+/-	-506.76	-163.25
BALANCE OF THE OUTTURN ACCOUNT FOR THE FINANCIAL YEAR		714,776.77	1,145,861.14
Balance year N-1	+/-	1,145,861.14	
Positive balance from year N-1 reimbursed in year N to the Commission	-	-1,145,861.14	
Result used for determining amounts in general accounting		714,776.77	1,145,861.14
Commission subsidy - agency registers accrued revenue and Commission accrued expense		6,268,774.43	
Pre-financing remaining open to be reimbursed by agency to Commission in year N+1		714,776.77	

Not included in the budget outturn

Interest generated by 31/12/2008 on the Commission subsidy funds and to be reimbursed to the C	+	95,169.71	3,804.38
Interest generated by 31/12/2008 on Assigned Revenue and to be reimbursed to the Member States		13,579.00	

Annex VI Declaration of the Executive Director**Declaration of the Executive Director**

COMMUNITY FISHERIES CONTROL AGENCY

Executive Director

Vigo,

DECLARATION OF THE EXECUTIVE DIRECTOR

I, the undersigned, Harm Koster, Executive Director of the Community Fisheries Control Agency,

In my capacity as Authorising Officer,

- Declare that the information contained in this report gives a true and fair view.
- State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of the ex-ante controls, the ex-post controls, the recommendations from the European Parliament's Committee for Budgets and the lessons learned from the reports of the Court of Auditors for the year prior to the year of this declaration.

- Confirm that I am not aware of anything not reported here which could harm the interests of the Agency and the institutions in general.

Harm KOSTER