



FIVE YEAR INDEPENDENT EXTERNAL EVALUATION 2017-2021 OF THE EUROPEAN FISHERIES CONTROL AGENCY (EFCA)

EVALUATION MANDATE

This Evaluation Mandate defines the purpose, scope, objectives and criteria of the evaluation, as well as high-level provisions for the implementation and the dissemination of its results. The Mandate forms the basis for specific Terms of Reference (ToR) to be issued by the Administrative Board in line with Article 48 of EFCA's Founding Regulation.

1. CONTEXT

The European Fisheries Control Agency¹ (EFCA) is a decentralised European Union Agency established in 2005² for coordinating fisheries control and inspection activities by the Member States and for fostering cooperation between them. The mandate of the Agency was reviewed in 2016 to broaden it to European cooperation on coast guard functions³. The codified text, Regulation (EU) 2019/473, will hereinafter be referred to as "EFCA's Founding Regulation".

The EFCA mission is to promote the highest common standards for control, inspection and surveillance under the Common Fisheries Policy (CFP), and through this framework EFCA also cooperates with the European Border and Coast Guard Agency (FRONTEX) and the European Maritime Safety Agency (EMSA) to support national authorities carrying out coast guard functions.

2. PURPOSE

This evaluation responds to the legal obligation set out in Article 48 of the Founding Regulation, which calls on the Administrative Board of the Agency to commission, every five years, an independent external evaluation of the implementation of the Regulation.

The past five-year independent external evaluations covered the period 2007-2011 and 2012-2016. This evaluation covers the period 2017-2021.

Based on the evaluation findings, and in line with Art 48 of EFCA's Founding Regulation, the Administrative Board will issue recommendations to the Commission regarding possible changes to the Founding Regulation and Agency's working practices.

3. OBJECTIVES AND SCOPE

In line with the obligations set in EFCA's Founding Regulation this evaluation shall provide an external and independent review of Agency's progress and achievements for the period 2017-2021. The specific objectives are:

1. Assess the overall impact of EFCA's Founding regulation on the achievement of a high level of compliance with the rules of the Common Fisheries Policy, including the 2016 Agency's extended mandate on European Coast Guard Cooperation.
2. Assess EFCA's working practices, performance and flexibility in the light of the agency's available resources and increasing activities (e.g. related to EFCA's international dimension actions, from delegation agreements or ad hoc grants), including synergy effects with other EU bodies, and the financial implications.

¹ <https://www.efca.europa.eu>

² Regulation (EC) No 768/2005

³ Regulation (EU) No 2016/1626

3. Assess the possible need to make changes to the Agency's tasks, scope, areas of activity, structure, functions and working practices in view of continuing or forthcoming operational and administrative challenges.

The scope of this evaluation therefore encompasses an analysis -for the period 2017-2021- of:

- the implementation of EFCA's Founding Regulation;
- EFCA's working methods and practices;
- the results obtained and the fulfilment of the Agency's mission and strategy;
- EFCA's mandate, tasks, areas of activity, structure and functions defined in the Founding regulation.

4. METHODOLOGY

The evaluation will be performed taking into account the following five criteria:

- i. **Effectiveness:** The extent to which the intervention's objectives are, or are likely to be, achieved.
- ii. **Efficiency:** The extent to which intended results are achieved at a reasonable cost (funds, expertise, time, etc.);
- iii. **Relevance:** The extent to which an intervention's objectives are pertinent to the needs, problems and issues to be addressed;
- iv. **Coherence:** The extent to which the intervention does not contradict other interventions, internal or external to the Agency, with similar objectives;
- v. **EU Added value:** The extent to which the intervention adds benefits to what would not have resulted from Member States' interventions only.

For the evaluation the views of important stakeholders, *inter alia*, the European Commission and other European Union Institutions (e.g. European Parliament), the competent Member States authorities, the Advisory Councils, EU associations, Industry/business/workers' organisations and NGOs, will be taken into account.

The evaluation will be carried out by contracting an independent external evaluator (hereinafter "the Contractor") which will provide a **comprehensive independent external evaluation study** and a **comprehensive stakeholder feedback / gathering quantitative feedback**.

The Contractor will provide answers to the evaluation questions agreed in the Terms of Reference issued by the Administrative Board, in order to assess the impact of EFCA and its Founding Regulation against the evaluation criteria. The Contractor will be called upon to use his knowledge and experience to interpret and break down these questions into sub-questions (if need be). For each question/sub-question, the contractor will elaborate the judgement criteria and indicators that will be used to substantiate the evaluation questions and which will ultimately form the basis for evaluation judgements.

For ensuring broad and exhaustive coverage of stakeholders involved in the fisheries control policy, different tools will be used in the consultation process.

5. DISSEMINATION OF THE EVALUATION RESULTS

The contract with the independent external evaluator will be signed by the end of Q3 2021 and the work is expected to be carried out within one year.

The evaluation findings and conclusions will be presented and discussed with key stakeholders in Q4 2022 during a specific evaluation seminar aimed at finding a consensus on the key messages of the evaluation, and to allow the Administrative Board to issue its final recommendations to the Commission.

The Administrative Board recommendations, together with the external study, will be then made public on the Agency's website and via other suitable communication channels and will be forwarded by the Commission to the European Parliament and the Council.