



COMMUNITY FISHERIES CONTROL AGENCY

Questions and answers: The first Joint Deployment Plan

What is a Joint Deployment Plan (JDP)?

A joint deployment plan (JDP) is a plan for coordinated joint deployment of national means (inspection vessels, surveillance aircraft, mobile mixed inspection teams, etc.) to monitor and inspect fishing activities that fall under the rules of the Common Fisheries Policy (CFP). The JDP gives effect to a specific control and inspection programme which sets out the objectives, priorities and benchmarks for control and inspection by Member States, and which has been adopted by the Commission or a Regional Fisheries Management Organisation (for EU waters and international waters respectively).

What is the added value of a JDP?

Through the JDP, Member States can make the best use of their resources with a view to achieve the objective of effective and uniform application of the rules of the CFP.

All means committed under the campaign will focus on the same priorities. The JDP applies throughout fishing areas, across the jurisdictions of several Member States.

Thanks to the mixed teams with inspectors, JDPs will contribute towards a level playing field for fishers. Inspections will be carried out in a uniform manner, and detected infringements will be reported in an objective and transparent way, which will make it easy to compare the sanctions applied by the respective Member States.

Why does the first JDP focus on the cod recovery plan?

The North Sea cod stock is under serious threat of depletion. The ICES has recommended a moratorium on cod fishing in the North Sea and adjacent areas. Since cod is caught in association with many other species such as haddock and whiting, a moratorium would imply that fishing vessels targeting these species should stay in port and refrain from fishing. In order to avoid such drastic consequence a cod recovery plan has been adopted and it is of utmost importance that, in this fishing area, fishing activities implying catches of cod are compliant with these recovery measures.

Why is there no JDP for cod in the Baltic Sea?

Two criteria have to be met before a JDP can be devised. The fish stock(s) concerned must be subject to a long-term recovery plan, or a multi-annual

management plan. In addition, a specific control and enforcement plan, adopted by the Commission, must be in place. By the start of 2007, these two requirements were met only for cod in the North Sea.

While the Baltic Sea cod stocks did not qualify for a full JDP this year, a similar but voluntary scheme has been set up upon request from the Council, to increase the protection of the threatened stocks, and to identify the most efficient way of pooling resources and avoiding unnecessary disruption of fishing activities. More information about the Joint Inspection and Surveillance Scheme (JISS) in the Baltic Sea can be found on the website of the CFCA (www.cfca.europa.eu).

Who elaborates and adopts JDPs?

The CFCA prepares the JDP in close cooperation with Member States, based on the priorities in its work programme, the requirements in the specific control and inspection programme (see previous question), and the resources pooled by the Member States. The CFCA notifies the draft JDP to the Member States concerned and the Commission. If the plan is not rejected by one of the Member States or the Commission within 15 working days, it will be adopted by the Executive Director. If one of the Member States or the Commission would oppose to the draft, the CFCA shall submit the draft to the Commission which may adopt the JDP by comitology (majority voting).

What are the powers of the CFCA?

The establishment of the CFCA has not changed the traditional distribution of powers between Community institutions and Member States under the Common Fisheries Policy (where all major decisions concerning fisheries are taken by the Council of Ministers, and Member States are responsible for implementation and enforcement of the rules).

The CFCA does not employ its own inspectors or operate its own inspection vessels or surveillance aircraft. Its core task is coordination of control, inspection and surveillance activities by Member States. It acts as a facilitator and a service provider for Member States when organising operational cooperation between Member States.

What are the tasks of the CFCA under a JDP?

The CFCA oversees the implementation of the JDP in close collaboration with the contact persons of the Member States concerned. Where appropriate, the JDP may be amended on request of a Member State, the Commission or on the initiative of the CFCA. Coordinators of the Agency will assist on the spot the coordination centre in charge in order to steer the assets participating to the campaign.

Why is the JDP implemented in the form of campaigns?

The national services involved in inspection and surveillance of fishing activities have a working programme containing national tasks and priorities. The pooling of means under the JDP in pursuance of common objectives and priorities must therefore be reconciled with national tasks and priorities. Moreover, the logistic operations are

carried out in accordance with national working conditions of the concerned employees. Against this background it is not possible to pool the national means on a continuous basis. In order to launch the first JDP, it is agreed to carry out 7 campaigns with limited duration of which the first lasts two weeks in order to test the arrangements for operational cooperation agreed between all competent authorities.

Each campaign is based on risk analysis and prior identified priorities.

Who is coordinating the campaigns?

Each campaign will be coordinated by one coordination centre in charge, according to the principle that there should be “only one captain on the ship”. All national assets will liaise with the coordination centre in charge and ensure that inspection and surveillance activities are carried out as agreed.

Who pays the costs?

Each Member State participating to a campaign bears its own costs in the joint operations. Member States may request reimbursement in part to the Commission of certain expenditures incurred by Member States for control and enforcement of the CFP (such as training, investments in patrol vessels and surveillance aircraft).

May inspection vessels and surveillance aircraft operate in zones of other Member States?

Community legislation provides for the rules under which inspection vessels and surveillance aircraft may operate in the waters under the jurisdiction of other Member States. The CFCA has requested also the consent of the coastal Member States for access to territorial waters.

May inspectors carry out inspections in the waters of another Member State?

Community legislation provides the rules under which a Community inspector may carry out inspections in the waters under the jurisdiction of another Member State. A Community inspector is a national fisheries inspector nominated by its Member State and pointed out on a list published by the Commission. Community inspectors are only allowed to inspect whether fishing activities are compliant with the rules of the CFP.

To facilitate the implementation of the first JDP and to familiarise Community inspectors in carrying out inspections in waters of another Member State, it is foreseen under the first JDP that always an inspector of the coastal Member State will lead inspections.

Will there be other JDPs?

According to plans, two new Joint Deployment Plans will be put in place in 2008, focusing on cod in the Baltic Sea and Bluefin Tuna in the Mediterranean, respectively.

Will North Sea Member States continue to cooperate like this?

The JDPs have very specific characteristics: partners working across borders for a limited time under unusual circumstances, with issues of particularly high concern. They are not designed to be perpetuated, but to be used as strategic tools, following changing circumstances and shifts in priorities. Each JDP should therefore be seen a single event. Indeed, a JDP is not "a one size fits all" to be applied from the Baltic, through the North Sea and the Atlantic up to the Black Sea, it is a specific approach tailor made to the characteristics of the fishery and the region.

At the same time, the Community fishing industry needs a level playing field which requires a continuous large degree of cooperation between Member States.

Do fishermen properly understand fisheries legislation?

A frequent complaint of fishermen concerns the complexity of fisheries legislation. The Community institutions are aware of this criticism and agreed measures to simplify existing and future rules of the CFP. In cases where fishermen feel that rules are not clear or not practical, the CFCA has offered its expertise to Regional Advisory Councils in order to recommend simplified rules to the Commission.

However, most infringements detected by inspectors are breaching obvious rules - such as obstruction of mesh size by blinders or misreporting catches. Like any other criminal activity, these deliberate infringements can not be justified by the complexity of legislation. They are clearly motivated by short term economic benefits for the individual operator, and run against the interests of the whole sector.