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from: Secretary-General of the European Commission,  
signed by Ms Patricia BUGNOT, Director

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to: Mr Javier SOLANA, Secretary-General/High Representative

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Subject: COMMISSION STAFF WORKING PAPER  
Annex to the Proposal for a Council Regulation establishing Community  
financial measures for the implementation of the Common Fisheries Policy and  
in the area of the Law of the Sea  
- Extended Impact Assessment

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Delegations will find attached Commission document SEC(2005) 426.

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.4.2005  
SEC(2005) 426

**COMMISSION STAFF WORKING PAPER**

**Annex to the**

**Proposal for a Council Regulation  
establishing Community financial measures for the implementation of the Common  
Fisheries Policy and in the area of the Law of the Sea**

**EXTENDED IMPACT ASSESSMENT**

{COM(2005) 117 final}

## 1. INTRODUCTION

The proposal is part of the new financial perspectives package covering the period 2007-2013. The purpose of the proposal is to provide the legal basis for the continuation of Community financing to support the implementation of the objectives of the Common Fisheries Policy (hereafter the CFP) beyond 31.12.2006, in the areas of control and enforcement of CFP rules, conservation, data collection, scientific advice, fisheries governance and international fisheries relations, including law of the sea matters<sup>1</sup>. It also aims at providing a transparent, clear and simplified framework for the execution of Community financial interventions.

The proposal does not envisage changes to the objectives, principles and decision-making rules governing the different areas that will be supported by Community financial interventions. These are laid down in the EC Treaty and the rules of the CFP following its reform in December 2002<sup>2</sup>. For this reason, the assessment of the impact of the proposed Regulation does not focus on the economic, social and environmental consequences of the actions that must be financed in order to ensure the implementation of the CFP. In other words, the economic, social and environmental impacts of these actions have already been assessed and taken into account at the time of the adoption of the CFP reform in 2002 as well as at the time of adoption of implementing measures and action plans flowing from the objectives of the reformed CFP<sup>3</sup>. New elements that came to the fore after the adoption of the CFP reform, such as the impact on the CFP of the forthcoming enlargement to Bulgaria and Rumania, have been taken into account in the motivation of the requested financial envelop.

Preparatory work leading to drafting of the present proposal was focused more on the analysis of the possible options for the Community financial interventions as to the management types, the types of financial intervention, the beneficiaries or the rates of co-financing with a view to bring about greater effectiveness, efficiency, transparency and simplification to reach the specific objectives set for each area. The reflection on possible policy options as to the form of the legal instrument to be proposed was already completed when this extended impact assessment was undertaken. The Commission had in fact already decided in the course of 2004 to promote the simplification of the legal bases for Community financial interventions in the area of the CFP through, inter-alia, the reduction of the number of legal instruments available for that purpose<sup>4</sup>. The present proposal is also in line with the Commission's Communication on the perspectives for simplifying and improving the regulatory environment of the CFP<sup>5</sup>.

It is in this context that this impact assessment has to be read and considered.

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<sup>1</sup> Interventions in the area of Common Market Organisation are covered by the proposal for a Council Regulation on the financing of the common agricultural policy (COM(2004)489 of 14.07.2004)

<sup>2</sup> See in particular Council Regulation (EC) No 2371/2002.

<sup>3</sup> See in particular the Green Paper on the future of the Common Fisheries Policy (COM(2001)135), Roadmap on the reform of the Common Fisheries Policy (COM(2002)181), Integrated framework for fisheries partnership agreements with third countries (COM(2002)637, Action Plan for the eradication of illegal, unreported and unregulated fishing (COM(2002)180, Compliance with the rules of the CFP (COM(2003)344, Towards a uniform and effective implementation of the CFP (COM(2003)130, Improving scientific and technical advice for Community fisheries management (2003/C 47/06).

<sup>4</sup> Two legal instruments are foreseen for the financing of the CFP: The proposed European Fisheries Fund and the present regulation.

<sup>5</sup> COM(2004)820 final.

## **2. WHAT ISSUES AND PROBLEMS IS THE PROPOSAL EXPECTED TO TACKLE ?**

### **2.1. General considerations**

The proposal aims at making the reformed CFP a reality by ensuring the continuation of Community financial support in the areas of control and enforcement, conservation, data collection, scientific advice, fisheries governance and international fisheries relations, including law of the sea matters. The proposal will provide the necessary legal base for Community financing in the abovementioned areas of the CFP and the law of the sea, in the context of the new financial perspectives for the period 2007-2013. It will constitute the second pillar of the legal framework for the financing of the CFP alongside the proposal establishing the European Fisheries Fund.<sup>6</sup>

The 2002 reform of the CFP was a turning-point in making environmental, economic and social sustainability its central idea. The new policy consists of four core elements:

Firstly, a long-term approach for managing Community fish stocks. Short-term decision-making on an annual basis has been replaced by multi-annual recovery plans for those stocks that are in danger of collapsing. Two such recovery plans are already in place: one for several cod stocks and another for the Northern hake stock. The Commission is developing further proposals for recovery plans, such as for cod in the Baltic Sea. Multi-annual management plans are established for healthy stocks.

Secondly, the CFP reform introduced simpler and more effective rules for limiting fishing capacity. No increases in capacity are allowed and reductions in capacity are targeted towards the newly introduced recovery and management plans so as to ensure that the capacity of the fleets is matched to available resources. Public aid for construction and modernisation of fishing vessels that could increase capacity, or for the transfer of EU vessels to third countries, has also been phased out.

Thirdly, control and enforcement has been strengthened to create a level playing-field. National control systems are being monitored more strictly. A major new development is the Community Control Agency that will be established in Spain in the course of 2006. The Agency will allow for better implementation of pre-agreed monitoring programmes through the pooling of control and inspection resources, improved cost-effectiveness and a general increase in the standard and level of control.

The CFP reform also means the better involvement of stakeholders in the decision-making process through the establishment of Regional Advisory Councils. These councils bring together, on a regional basis, representatives of the fisheries sector and other stakeholders to give advice and make suggestions in relation to fisheries management.

As regards international fisheries relations, the Commission is putting a lot of effort in combating illegal fishing in international waters and in waters under the jurisdiction of regional fisheries organisations. As regards fisheries agreements with third countries, evaluation and impact assessments have been strengthened and improved. The first fisheries partnership agreements have been concluded with developing coastal States.

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<sup>6</sup> The European Fisheries Fund will promote the sustainable development of the fisheries sector, aquaculture and processing industries and will provide support to coastal areas. (See COM(2004) 497 final and SEC(2004)965 of 14.7.2004).

Two years following the adoption of the reform the overall the picture is positive and the basic direction of the policy remains the same: the implementation of a new EU management framework with special emphasis on multi-annual management plans, a reduction in the size of the fishing fleet, the end of public aid for the building of new fishing vessels, the promotion of environmentally-friendly fishing methods, the establishment of recovery plans for particularly over-exploited stocks, the promotion of a level-playing field across the Union and the greater involvement of stakeholders. At present, Community financial support to the CFP other than structural policy actions, takes place on the basis of ad hoc Council Decisions and Regulations such as the individual Council decisions concluding for the first time or renewing an existing fisheries protocol with a third country, the Council Decisions allowing the Community to become a contracting Party to regional fisheries organisations (hereafter RFOs), the Council Decision 2004/585/EC establishing Regional Advisory Councils under the CFP, the Council Regulation (EC) No 657/2000 on closer dialogue with the fishing sector and groups affected by the CFP, the Council Decision 2004/465/EC on a Community financial contribution towards Member States' fisheries control programmes<sup>7</sup>, the Council Regulation (EC) No 1543/2000 establishing a Community framework for the collection and management of the data needed to conduct the CFP and the Council Decision 2004/439/EC on a financial contribution from the Community towards the expenditure incurred by Member States in collecting data and for financing studies and pilot projects for carrying out the CFP<sup>8</sup>. No specific legal base exists for Community support related to scientific advice for the purposes of the CFP.

There is a need to adapt existing legal instruments to the objectives of the reformed CFP and to the orientations of the new financial perspectives while at the same time ensuring compliance with the financial regulation and with the requirements of simplification and better regulation. Procedures need to become more transparent and streamlined to the benefit of both the Commission and of the various beneficiaries of Community financial interventions.

Currently, a number of existing legal instruments expire on 31.12.2006. Other legal instruments will continue to be valid beyond 31.12.2006. However, no legal basis has been foreseen so far for the financing of the implementation of the CFP in the context of the future financial perspectives, with the exception of structural policy actions. In the absence of a proposal from the Commission there will be no legal basis for Community financing of some key-areas of the CFP such as, control and enforcement, conservation policy, data collection, scientific advice, fisheries governance and actions in support of the promotion of sustainable fisheries beyond Community waters. All stakeholders, in the wider sense of the word, will be negatively affected in the case of a "no policy change scenario" as explained in the following sections of this chapter.

## **2.2. Problems related to control and enforcement of the CFP rules**

Dans le cadre de la Politique Commune de la Pêche, il incombe aux autorités compétentes de chaque Etat membre de contrôler l'exercice des activités de pêche sur son territoire et dans les eaux maritimes relevant de sa souveraineté ou de sa juridiction. Elles doivent également veiller à ce que, en dehors des eaux communautaires, les activités de leurs navires soient

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<sup>7</sup> The Council Decision expires on 31.12.2005. The Commission will propose the extension of this Decision until 31.12.2006.

<sup>8</sup> See also Commission Regulations No 1639/2001 and 1581/2004.

soumises à un contrôle approprié de manière à ce que le respect de la réglementation communautaire soit assuré.

Le contrôle des pêches nécessite des structures administratives et techniques adéquates qui entraînent des dépenses importantes. Au vu de l'intérêt communautaire pour un niveau de contrôle élevé dans chaque Etat membre, un régime d'aide communautaire a été introduit depuis 1990. Il s'agit d'un schéma d'aide aux investissements destiné à créer ou améliorer les infrastructures de contrôle des Etats membres. Ce régime a indiscutablement produit des résultats positifs. Il convient de rappeler, à cet égard, que grâce aux incitations financières communautaires, il a été possible d'installer à bord des milliers de navires de l'UE, assujettis à cette obligation, une balise pour le contrôle par satellite, conformément à un calendrier pré-établi. Il a été possible, en outre, d'équiper tous les centres nationaux de contrôle de la technologie la plus moderne pour le suivi des navires et pour le traitement des données. Des centaines d'inspecteurs ont pu suivre une formation et échanger leurs expériences avec leurs homologues d'autres Etats membres. Enfin, les autorités de contrôle ont pu bénéficier d'une aide substantielle pour renforcer les moyens de surveillance en mer, à savoir des vedettes, des avions et des hélicoptères.

Ce régime d'aide expirera le 31.12.2006 mais on peut escompter qu'en 2007 et au-delà, les besoins en matière de contrôle demeureront importants, notamment suite à l'élargissement de la Communauté et à l'acquisition de nouvelles responsabilités, de la part aussi bien de la Communauté que des Etats membres, au niveau international, au titre de la participation à un nombre croissant d'organisations régionales de pêche. Les besoins sont également importants au titre de l'acquisition et de la mise en œuvre des nouvelles technologies de contrôle. Ces technologies sont en constante évolution. Il faut donc soutenir financièrement les administrations afin que les mêmes standards de contrôle s'appliquent dans l'ensemble de la Communauté en même temps à travers le territoire communautaire, en utilisant des technologies de même génération d'un Etat Membre à l'autre. Pour progresser dans ce domaine il faut aider à l'acquisition des équipements nécessaires, surtout dans la phase initiale qui doit permettre une adhésion des acteurs aux nouveaux systèmes. Il faut, dans les premiers temps de l'utilisation des nouvelles technologies, pouvoir appuyer des projets pilotes qui concernent un nombre suffisant de navires pour que les aspects logistiques puissent être analysés en grandeur nature. De tels projets peuvent nécessiter une aide aux dépenses de fonctionnement, de mise au point des dispositifs et des logiciels.

Il existe enfin de gros besoins en matière de formation des agents de contrôle et d'échanges d'expériences entre les diverses administrations en matière d'inspection, qui constituent en fait un moyen crucial de formation mutuelle. C'est un élément crucial pour garantir l'efficacité des contrôles, l'homogénéité et les collaborations entre Etats Membres.

There is evidence that the resources of the Member States are still inadequate to fulfil the objectives fixed by the reformed CFP, in particular Council Regulation (EC) No 2371/2002<sup>9</sup>. The monitoring structures of some Member States which became members of the EU on 1.5.2004 still need to be upgraded so that a reliable and effective fisheries control system will be in place across the board. C'est pourquoi, l'extension de ce soutien financier tout au long de la période de validité des nouvelles perspectives financières, s'avère opportun.

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<sup>9</sup> See in particular the Report from the Commission on the monitoring of Member States' implementation of the CFP for the period 2000-2002, COM(2004) 849).

Ce soutien aux infrastructures de contrôle des Etats-membres est complémentaire à l'action menée parallèlement pour renforcer la coopération entre les Etats-membres en matière de contrôle par le biais de la création d'une Agence Communautaire de Contrôle des Pêches<sup>10</sup>. The Council's decision of 14.3.2005 to adopt the Commission's proposal to set up the Agency foresees a Community financial contribution to the budget of the new body, to cover staff and administrative expenditure and operating expenditure relating to the work programme of the Agency, including communication costs and expenditure related to space technology. The Agency should be operational in 2006. It is of outmost importance that Community financial contributions are guaranteed for the period 2007-2013 for the effective start up and running of the Agency.

In the absence of a Commission proposal to secure Community financing for the period 2007-2013, Member States, and in particular the new Member States, will not be in a position to fulfil their obligations under the reformed CFP. Inadequate control and enforcement will inevitably lead to over-fishing and will damage both the fish stocks and the credibility of the CFP.

### **2.3. Problems related to fisheries conservation, data collection and the availability of scientific advice for the purposes of the CFP**

Fisheries management depends on the availability of data concerning the biological state of fish stocks and the activity of fishing fleets. Some of these data are collected through official returns on landings of fishing vessels but they have to be supplemented by scientific data collected by national research institutes. Common management of fisheries resources calls for common rules on the type of data to be collected and, the improvement of data quality, having regard to cost-effectiveness. Closer cooperation at Community level will contribute to increasing efficiency and reducing costs. The legal framework currently in place needs a major overhaul in order to ensure the improvement of quality control aspects of data collected by the Member States, the inclusion of the ecosystem approach to fisheries management, the implementation of international cooperation at regional level and between Member States, the improvement of access to data by the Commission and scientists and measures to deal with poor quality reports.

There are significant gaps and weaknesses in the scientific and technical advice and information needed to operate the Common Fisheries Policy. Prior to the 2002 reform of the CFP, the objectives of fish stock management were almost entirely focussed on the need to maintain the stocks at levels that would ensure the long term future of the fishing industry. Moreover, catch limits were set on a stock by stock basis, with little account taken of the mixed nature of most fisheries, nor of the impact of fisheries on the marine ecosystem.

Following the CFP reform, mechanisms to cover advice on all aspects of fisheries management, including environmental and social issues need to be strengthened. Advice is now needed in areas such as assessing fish stocks with respect to fishing opportunities and corresponding risks, ecosystem effects, avoidance of waste and discarding, multi-annual management plans, control issues, Community positions with respect to regional and bilateral agreements, human and animal health and welfare in respect of aquaculture, and the establishment of Community data collection systems. Moreover, the enlargement of the

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<sup>10</sup> See Commission proposal for a Council Regulation establishing a Community Fisheries Control Agency (COM(2004)289) and accompanying extended impact assessment (SEC(2004) 448).

Community in 2004 has already substantially increased the extent of Community waters and the enlargement foreseen for 2007 will bring in a requirement for scientific advice for the Black Sea.

Scientific advice needs to be provided in a timely manner in order to inform and support the Commission's proposals. Recent experience has shown that the existing mechanisms have not been able to deliver advice of the quality, scope and timeliness that managers require. There are not enough scientists working in Member States on fisheries assessment and advisory issues to meet the needs of managers. Fisheries scientists are employed by and work at the disposal of Member States governments. Although fisheries management is a Community responsibility, there are presently almost no scientific resources directly at the disposal of the Commission, other than what Member States can provide on an ad hoc and informal basis.

Funds available for fisheries research have been decreasing creating a situation whereby national research institutes have been able to devote limited resources to research. At the same time, as a consequence of the CFP reform, much more emphasis is now put on multi-annual and multi-species approaches to fisheries management. These represent a considerable workload that is additional to that required for the traditional single-species approach. Finally, there is an increasing demand for scientific advice concerning stocks in third-country and international waters. To meet these demands, the national institutes will need to develop and sustain the appropriate expertise. The need for financial support will therefore increase over the next few years towards a long term level at which sufficient expertise is available to meet all the Community's requirements for scientific advice.

The Commission has described these problems in its Communication to the Council on improving scientific and technical advice for Community fisheries management<sup>11</sup>. The Council welcomed the Communication and adopted conclusions in October 2003 which follow the orientations of the Commission.

The lack of a proper Community framework to support data collection and the improvement of scientific advice for the period 2007-2013 will deprive the CFP of the necessary tools for the sustainable management and conservation of fisheries resources. This could lead to weak management decisions with potentially dire consequences on the health of fish stocks and on the economic and social sustainability of the fisheries sector.

#### **2.4. Problems related to the governance of the CFP**

The improvement of governance within the Common Fisheries Policy (CFP) is one of the main pillars of the CFP reform aiming at increasing the involvement of stakeholders in the CFP process and strengthening the communication and dialogue between the Commission and the interested parties. New stakeholder-led bodies, the Regional Advisory Councils (RACs), are to be created. In July 2004, the Council established the basis for the creation of seven RACs which will give advice to the Commission and the Member States on fisheries management issues concerning specific fishing areas or fisheries (i.e. North Sea, Baltic Sea, Mediterranean Sea, North western waters, South western waters, Pelagic stocks and Distant waters). The first RAC, for the North Sea, became operational in November 2004. Three more RACs are expected to be operational in 2005, while the remainder should become effective in 2006. These bodies will be partially financed by the European Community budget for a period

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<sup>11</sup> COM(2003) 625.

of five years. At the same time, the Commission will continue providing organisational and financial support for the Advisory Committee for Fisheries and Aquaculture (ACFA) meetings throughout 2006. This body is composed of representatives of industry organisations and other interest groups at the European level and provides advice to the Commission on any issue related to fisheries. The added value of these actions should be an increased responsibility and commitment of stakeholders at all levels towards an effective application of CFP rules as they will be more closely involved in the decision making process.

The establishment in 2000 of an action plan for closer dialogue with the fishing sector and other groups affected by the CFP also provided the framework for the implementation of information activities on new EU initiatives, CFP issues and its different components. The fishing industry and other interested groups are the main target of these information and communication actions.

Good governance is one of the Commission's strategic priorities and a fundamental element of the reformed CFP. It is therefore necessary to ensure that Community financing in support of good governance continues beyond 31.12.2006. The credibility of the reformed CFP is at stake if dialogue, communication and stakeholder participation in the fisheries management process, in particular within the Regional Advisory Councils, are not confirmed and enhanced during the next new financial perspectives period.

## **2.5. Problems related to international fisheries relations and the Law of the Sea.**

La Communauté exerce une compétence directe et exclusive dans le domaine de la pêche au titre des articles 32 et suivants du TCE. En vertu de cette compétence et suite à l'extension des zones économiques exclusives à 200 milles marins, la Commission a reçu du Conseil en 1976 (Résolution de La Haye) la responsabilité de négocier et conclure des accords de pêche avec des pays tiers ainsi que de représenter la Communauté dans les organisations internationales compétentes pour la pêche.

La négociation et la conclusion d'accords de pêche avec des pays tiers répond à l'objectif général de maintenir et sauvegarder des activités traditionnelles de pêche des flottes communautaires, y compris des activités de pêche lointaine et de développer des partenariats de pêche responsable avec les pays tiers avec lesquels l'Union a conclu des accords de pêche. De ce fait, la négociation et la conclusion d'accords de pêche doit :

- développer à travers un partenariat les capacités de gestion et de contrôle des ressources halieutiques des pays tiers afin d'assurer une pêche durable et favoriser le développement économique de la filière pêche de ces pays,
- garantir l'emploi dans des régions tributaires de la pêche,
- contribuer à la pérennité et la compétitivité du secteur de la pêche communautaire,
- contribuer à l'approvisionnement du marché communautaire.

The Commission is also entrusted with the representation of the European Community in Regional Fisheries Organisations (RFOs) active in areas where the Community has fishing interests. RFOs are the bodies where management and conservation decisions are taken and the Community is obliged under the Law of the Sea to co-operate with other parties by participating in these Organisations. The EC is a contracting party to 13 RFOs paying

membership contributions to 9 RFOs<sup>12</sup>. The Community budget also finances specific projects relating to the development of scientific input into fisheries management and the implementation of new or improved control means and schemes. It also assists in the organisation of meetings relating to the establishment of new RFOs or the reinforcement of existing ones.

Le Conseil a adopté le 23 mars 1998 la décision 98/398/CE concernant la conclusion par la Communauté européenne de la convention des Nations unies sur le droit de la mer du 10 décembre 1982 et de l'accord du 28 juillet 1994 relatif à l'application de la partie XI de ladite convention. (JO L 179 du 23 juin 1998). La Convention est entrée en vigueur le 1er mai 1998 à l'égard de la Communauté. En vertu de cette décision, la Communauté est devenue partie contractante à la Convention sur le droit de la mer et à l'accord du 28 juillet 1994.

En vertu de ces décisions, une contribution financière de la Communauté européenne est prévue aux organes créés par la Convention des Nations Unies sur le droit de la mer de 1982 (UNCLOS), notamment l'Autorité Internationale des Fonds Marins (AIFM) et le Tribunal International du Droit de la mer. La contribution communautaire au budget de ces deux organes représente donc une obligation internationale liée au statut de Partie contractante acquis par la Communauté du fait de sa ratification de la convention.

At this stage, the legal base for Community contributions to the budget of international bodies to which the EC is a contracting Party and for financial contributions related to the conclusion of fisheries agreements with third countries is the relevant Council Decision or Council Regulation which concludes on behalf of the EC the relevant fisheries agreement or decides the accession of the Community to an international body. The present proposal does not envisage changing the status quo. The same procedure will be followed during the 2007-2013 period.

However, an ad hoc legal base is needed to allow for the continuation of Community contributions in favour of specific projects relating to scientific input, the implementation of new control and enforcement means and the organisation of ad hoc meetings related to RFOs, for the period 2007-2013. If these actions are discontinued the Community will lose an effective tool to mark its presence in the international scene as it is the case for other partners of the Community (USA, Canada, Japan, Norway) at a time where the many actions against illegal fishing depend on voluntary contributions from interested Parties.

### **3. WHAT MAIN OBJECTIVES IS THE PROPOSAL EXPECTED TO REACH**

#### **3.1. General objectives**

The present proposal will regroup existing legal instruments with a view to make Community financial interventions for the implementation of the CFP more effective, transparent and easier to manage, both for the Commission and for the competent authorities of the Member States and other beneficiaries, in accordance with the principle of sound financial management and the rules laid down in the financial regulation and in line with the requirements of better regulation and simplification of Community legislation. Community financial intervention for the CFP must become more effective, consistent and streamlined

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<sup>12</sup> The remaining RFOs covered either have no autonomous budget, are still being established or the EC participates as an observer.

through uniform and coordinated procedures wherever that's possible. Moreover, there is a need to simplify programming through a clearer definition of objectives, areas of action and expected results for Community funding. Objective rules have to be laid down governing the eligibility of expenditure, the level of the Community contribution and the terms on which it will be made available.

In preparing this proposal account has been taken of previously established objectives. These are the objectives established in the 2002 CFP reform complemented by sectoral legal and policy instruments that have been adopted since then<sup>13</sup>.

### **3.2. Specific objectives pursued in the area of control and enforcement**

La Commission a fait du contrôle des activités de pêche un des piliers de la réforme de la PCP et le garant du succès de cette dernière. Plus concrètement, elle a l'intention d'oeuvrer inlassablement afin d'obtenir le respect des dispositions communautaires en matière de conservation de la ressource. A cette fin, outre à l'adaptation de la réglementation en la matière, dans le but notamment de la simplifier et la rendre plus efficace, la Commission prendra toutes les mesures nécessaires à l'encontre des Etats membres pour les obliger à plus de rigueur dans l'application de la législation. Elle prêtera en outre une attention particulière à l'application de sanctions qu'elles soient non seulement proportionnelles et efficaces, mais uniformes dans toute la Communauté.

Pour atteindre ces buts, il est indispensable que tous les principaux acteurs de la filière soient pleinement conscients des enjeux. Des initiatives en ce sens sont expressément prévues dans l'actuel régime d'aide aux investissements dans le secteur du contrôle. Il devrait être possible de bénéficier de ces aides également à l'avenir.

L'agence de contrôle des activités de pêche devrait apporter un soutien essentiel au renforcement du contrôle dans les eaux communautaires et non communautaires. Grâce à la coordination dans le déploiement des moyens nationaux, elle permettra en effet une surveillance plus efficace des activités de pêche. Cette surveillance accrue opérera comme une dissuasion contre les infractions aux dispositions visant l'exploitation durable des ressources marines. La réalisation de plans d'inspections sous l'égide d'un organisme communautaire pourra faciliter la mise en commun des informations et des moyens et écarter tout risque de discrimination à l'égard de certains opérateurs.

### **3.3. Specific objectives pursued in the areas of conservation, data collection and scientific advice**

The main objective of data collection is to gather basic biological and economic data on stocks and fleets within EU waters and others areas where the EU fleets operate. Data are needed to conduct the scientific evaluations of the state of fisheries resources managed under the CFP. Council Regulation 1543/2000 has proved to be an indispensable tool to engage the Community in collecting this data. Council Decision 2000/439 on a financial contribution from the Community towards the expenditure by Member States in collecting data covers the period 2000-2005. The budget for 2006 will be considered through an amendment to the

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<sup>13</sup> See in particular, Roadmap on the reform of the CFP (COM(2002)181), Communication on improving scientific and technical advice for Community fisheries management (COM(2003)625), Communication on an integrated framework for fisheries partnership agreements with third countries (COM(2002) 637), Communication on compliance with the rules of the CFP (COM(2003) 344).

Council Decision currently under way. Given the permanent need for this task, an extension for the period 2007-2013 and an increase in the total budget should be foreseen in order to guarantee the overall coverage of the Regulation, including the new Member States, the necessity to collect data for new areas such as the Black Sea and the inclusion within the system of environmental impact parameters.

Since the reform of the CFP in December 2002 the new management instruments established in that reform (multi-annual recovery and management plans within a multi-species approach) require a new type of scientific advice, which the scientific bodies are not yet in a position to provide. It is therefore essential that the Commission takes the necessary steps to ensure that the type of scientific analysis that is necessary for the implementation of the new management instruments be carried out, in particular by:

- providing for a Community financial contribution to the costs of providing scientific experts for priority advisory work;
- improving the ability of the Commission to fund scientific work in cases where the existing international bodies are unable to respond within the required timescale.

The objectives in the area of scientific advice have already been proposed by the Commission and endorsed by the Council in 2003. The Council inter-alia, supported the setting up of improved coordination procedures, the supply of additional financial support from Community funds and efforts to improve the advice provided by ICES and other scientific bodies and called on the Commission to present, as appropriate, proposals for the longer-term organisation and financial support of scientific advice for Community fisheries management.

#### **3.4. Specific objectives pursued in the area of fisheries governance**

Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy and in particular Articles 31 and 32 thereof, provide for new forms of participation by stakeholders in the Common Fisheries Policy, through the establishment of Regional Advisory Councils. In order to ensure the effective establishment of the Regional Advisory Councils, it is essential that public funds continue to contribute to their costs in the start-up phase and to interpretation and translation costs beyond 31.12.2006.

In order to give the representatives of the fishery products and aquaculture industry together with the other groups concerned a greater role in the design, drafting and implementation of the CFP, it is necessary to establish closer dialogue with these groups and to make the entire decision-making process more transparent, especially in the preparatory stages. In view of the tasks of the Advisory Committee on Fisheries and Aquaculture (ACFA) renewed under Commission Decision 1999/478/EC, these objectives of closer dialogue and transparency could be made easier by the continuation of existing measures to improve the organisation of meetings of the ACFA, on the one hand, and the communication to the groups concerned of information concerning the issues at stake and the results achieved, on the other. To that end, the European trade organisations should continue to be given help in preparing meetings of the ACFA with a view to stimulating comprehensive study of the issues involved in the CFP and the impact of its measures, fostering initiatives from the industry and seeking, if possible, common positions on Commission proposals.

### **3.5. Specific objectives pursued in the area of international fisheries relations and the Law of the Sea**

As explained in the introduction, the purpose of this assessment is not to discuss whether the Community should conclude fisheries agreements with third countries or not and whether it should join regional fisheries organisations or not. This discussion has already taken place in the context of the 2002 CFP reform and in the following period when implementing rules were adopted. Thus, on the 19 July 2004, Council adopted conclusions, in line with the Commission's approach laid down in the Communication on an integrated framework for fisheries partnership agreements with third countries (COM(2002) 637 final of 23.12.2002). Thus Council joined the European Parliament, the fisheries sector, the interested NGOs and the third countries concerned in the acceptance of the new framework proposed by the Commission.

The Commission is now assuring that fisheries partnership principles are embedded in all new fisheries agreements while strengthening the applicability and effectiveness of evaluation procedures, including sustainability impact assessments, ex-ante and ex-post evaluations. Three new fisheries partnership agreements have already been negotiated under the new partnership framework.

The new approach should lead in the medium-to-long term to a better management of fisheries resources in third country waters and to a better use of Community funds (better value for money).

On regional fisheries organisations (RFOs), the Commission declared and the European Institutions have accepted that the Community should be part and play a pro-active role within RFOs to promote sustainable fisheries and measures to combat illegal, unreported and unregulated fisheries (IUU fisheries) on the high seas and in waters managed by these organisations.

Besides financial contributions in the context of fisheries agreements and membership contributions to RFOs, the Community must however be in position to be able to grant funding:

- In support of ad hoc initiatives and projects for the development of scientific advice needed for the establishment of conservation and management measures and the implementation of control and enforcement tools,
- in relation to its membership to the FAO,
- in support of initiatives undertaken by international organisations through voluntary funds.

The Community should also be in a position to respect its obligations arising out of its status as a contracting Party to the Law of the Sea Convention and related instruments<sup>14</sup>.

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<sup>14</sup> Ensure the granting of contributions to the International Tribunal for the Law of the Sea and to the International Seabed Authority.

#### **4. WHAT ARE THE MAIN POLICY OPTIONS AVAILABLE TO REACH THE OBJECTIVE**

##### **4.1. Policy and regulatory instruments considered**

There are two possible policy and regulatory options to reach the objectives pursued by this proposal.

The first option would be to propose to the Council the extension of the validity of those legal instruments that expire on 31.12.2006 while proposing at the same time a new legal basis for scientific advice. Thus, from a legislative point of view, the financing of the CFP for the period 2007-2013 will be supported by a series of different legal instruments covering structural policy actions, control and enforcement, conservation, data collection, scientific advice and governance. International policy actions will continue to be supported by the existing legal framework (Council Decisions concluding new fisheries agreements, Council Decisions renewing fisheries protocols based on existing fisheries agreements, Council Decisions allowing the Community to become a contracting party to regional fisheries management organisations) for the reasons explained under section 1.5.

This option would have the advantage of the roll-over of the existing rules and frameworks to which the national administrations and other beneficiaries of Community financial interventions are accustomed to. However, the existing situation characterised by a multitude of legal instruments, is not compatible with the requirements of simplification of Community legislation, better regulation and sound financial management. Current rules and frameworks for Community financing do not always comply with all those requirements and needs.

This option was rejected by the Commission at an early stage of the preparation of the financial perspectives package.

The second option is the one followed by this proposal and already endorsed by the Commission as explained in the introduction. It aims at regrouping together in one legal text, the different legal instruments currently in place on Community financing on control and enforcement, data collection and fisheries governance. Rules for Community financing related to scientific advice will be added. The proposal foresees the adoption of implementing Commission Regulations where detailed rules and provisions will be laid down, to take account of the specific characteristics of each domain eligible for Community support.

This option has the “disadvantage” that the beneficiaries and the interested parties in each domain of the CFP identified as needing Community financial support, will not find their “own” legal instrument to work with. They will not be in a position to negotiate at the level of the Council, the inclusion of provisions and procedures compatible with the “specificity” of control and enforcement as against data collection for example.

##### **4.2. Subsidiarity and proportionality**

Although the CFP is a common Community policy, subsidiarity and proportionality are taken into account when it comes to the implementation of the CFP at national level.

Bien que le contrôle des activités de pêche relève de la compétence des Etats-membres, la Communauté qui elle est responsable de la gestion des ressources halieutiques, se doit d’assurer que ce contrôle est exercé de manière équitable et non discriminatoire par tous les Etats-membres et sur l’ensemble du territoire communautaire. La Communauté est également

responsable du respect des mesures de gestion des stocks décidées au sein des organisations régionales de pêche dont elle est membre. Elle s'est à cet égard engagée dans le cadre de la Réforme précitée à assurer un « level-playing field » en la matière et à renforcer ce contrôle.

Deux instruments communautaires sont prévus à cet effet :

- la poursuite du programme de soutien aux investissements dans le secteur du contrôle des pêches,
- la création d'une agence de coordination des activités de contrôle des Etats-membres.

La valeur ajoutée de ces initiatives réside par conséquent, dans le premier cas, en un apport complémentaire et identique pour tous les Etats-membres aux ressources budgétaires nationales disponibles pour mettre en place des outils performants de contrôle, notamment ceux exigés par la réglementation communautaire (VMS, logbooks électroniques etc). Dans l'autre cas, elle réside dans le fait que l'on disposera d'un organisme permanent pour relever avec flexibilité les défis qui se présenteront dans le domaine de l'inspection et qui favorisera effectivement l'harmonisation des priorités et des pratiques opérationnelles des Etats-membres.

La Commission dépend des avis scientifiques et de la collecte de données fiables pour établir ses mesures de conservation des stocks (Tacs et quotas annuels, plans de reconstitution des stocks). Son soutien financier en la matière est la condition sine qua non d'un renforcement de la qualité et de la fiabilité de ces avis ainsi que de l'acceptation de leur pertinence par les milieux concernés.

Data are collected by both the Commission and the Member States. Member States shall draw up national programmes for the collection and management of data. Member States will also undertake scientific research at sea to evaluate the abundance and distribution of stocks independently of the data provided by the commercial fisheries. Scientific advice will be provided inter-alia by national research institutes and independent experts.

## **5. WHAT ARE THE IMPACTS EXPECTED FROM THE DIFFERENT OPTIONS IDENTIFIED**

### **5.1. Policy impacts**

As explained in the introduction to this document, the present impact assessment does not have as an objective to assess the impacts of the CFP policy domains that will be financed by the Community budget, since this analysis has already taken place in the context of the CFP reform adopted in 2002. However, it is worth recalling the impacts that will result from the implementation of the CFP if supported by Community financial interventions<sup>15</sup>.

#### *5.1.1. Control and enforcement*

L'objectif principal de la PCP, à savoir l'exploitation durable des ressources marines, ne pourra être atteint si les règles en matière de conservation ne sont pas appliquées d'une manière général et uniforme. Pour ce faire, il y a lieu de renforcer les moyens de contrôle, qu'il s'agit d'infrastructures, des technologies de contrôle à distances, de la formation. Le

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<sup>15</sup> See also section 8.3 of the present document.

soutien financier qui a été accordé par le passé a produit de bons résultats, puisque les autorités de contrôle des Etats membres ont pu améliorer leurs infrastructures ou se doter de nouvelles technologies. Grâce au support financier aux Etats membres et aux activités d'inspections qui seront organisées et mise en œuvre par l'agence de contrôle de pêche, il sera possible de parvenir à une application stricte et uniforme des règles de la PCP. This will lead to the detection of a greater number of infringements including cases of over-fishing.

The operation of the Control Agency will improve the transparency of the implementation of the rules of the CFP and, in particular, inspection and surveillance activities (availability of sufficient means, qualitative and quantitative results of inspections, etc). A direct effect will be felt in terms of the application of the recovery and management Plans. The specific monitoring programmes to be coordinated by the Agency will underpin these plans through the development of coherent strategies, which ensure that inspections are as effective and economical as possible.

In the long-term the strengthening of the overall control and enforcement framework of the CFP will lead to a more effective implementation of the rules of the CFP (higher compliance levels, improved reliability of catch data, etc). This will strengthen the trust and confidence of fishermen to the CFP. The impact of the proposed measures will be felt firstly from an environmental or ecological perspective through the improvement in the state of certain important fish stocks. This will in turn have a beneficial economic and social impact for the fishing industry.

#### *5.1.2. Data collection*

As indicated in the Commission's first report on the implementation of the Council Regulation 1543/2000<sup>16</sup>, a common data collection system is already proving to be effective in respect of biological data. The collection of economic data has become obligatory from 2004. Standardized presentation of national data will make it easier for scientists to provide advice on fisheries management. The addition of environmental impact data in the coming years will provide an essential tool for assessing the degree of integration of environmental protection requirements into the common fisheries policy stock. Closer cooperation between national fisheries research institutes (such as through joint stock surveys) will provide significant economies of financial and human resources.

The data that are going to be collected with the help of Community financial support will also improve fleet management by the Community because they contribute to the evaluation of the activities of the various fishing fleets and of the changes in their fishing power.

Last but not least, the data collected will also contribute to the evaluation of the economic state of the European fishing fleets, aquaculture and processing industries.

Good quality data will lead to better fisheries management decisions which will contribute to the conservation of fish stocks and the protection of the marine ecosystems. Healthy marine ecosystems will bring in the longer-term economic and social benefits for the fisheries sector.

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<sup>16</sup> COM(2004)225 final.

### 5.1.3. *Scientific advice*

The development of Community instruments for programming and funding scientific advice to fisheries managers is expected to promote the concentration of scientific expertise on the most pressing management problems while at the same time providing additional financial and human resources for this essential activity. The establishment of a common priority programme for scientific advice (similar to the mandatory programme for data collection) should allow the transfer of scarce human resources from less important research work. Community co-financing of priority scientific advice will allow national research institutes to recruit additional staff for these tasks.

Good quality and timely scientific advice will help minimise biological risks for the fish stocks and related ecosystems and will improve fisheries management with benefits for the ecosystem and for the fisheries sector.

### 5.1.4. *Governance*

The strengthening of good governance structures will increase stakeholder involvement in the fisheries management process. It will create the necessary conditions for greater compliance with CFP rules by fishermen since the latter will be closely associated to the various stages of elaboration of Commission conservation and management measures.

### 5.1.5. *International fisheries relations and the Law of the Sea*

Community financing in support of international fisheries policy and the law of the sea will strengthen the Union's international standing in the UN bodies and the regional fisheries organisations. It will confirm its role as a leading power promoting sustainable fisheries and fighting illegal fishing practices also outside Community waters.

## **6. HOW TO MONITOR AND EVALUATE THE RESULTS AND IMPACTS OF THE PROPOSAL AFTER IMPLEMENTATION**

The actions financed under this Regulation will be monitored regularly. The Commission shall ensure the regular, independent and external evaluation of the actions financed. The Commission will submit to the European Parliament and the Council:

- (1) An interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the actions financed under this Regulation no later than 31 March 2011;
- (2) A Communication on the continuation of the actions financed under this Regulation no later than 30 August 2012;
- (3) An ex-post evaluation report no later than 31 December 2014.

As far as the Fisheries Control Agency is concerned, the Commission proposal which was adopted by the Council foresees an evaluation clause according to which the Agency shall submit itself to an independent external evaluation within five years from the date on which it takes up its responsibilities, and every five years thereafter.

## 7. STAKEHOLDER CONSULTATION

Une première phase de consultation s'est déroulée dans le cadre de la réforme de la PCP avec une série de consultations par questionnaire adressé aux premiers acteurs concernés dès 1998, puis des réunions régionales et en mars 2001, la publication d'un livre vert en 2001 exposant les objectifs et les options d'une réforme de la PCP. Elle s'est achevée par la soumission d'une communication de la Commission détaillant le plan d'action et le calendrier de mise en œuvre de cette réforme<sup>17</sup> dont les engagements sont ici fidèlement reflétés.

Following the adoption of the CFP reform in 2002, the Commission consulted the stakeholders on a regular basis for all proposals put forward for the implementation and roll out of the CFP reform. Most of these consultations took place within the established structures for consultation on the CFP, i.e. the Advisory Committee for Fisheries and Aquaculture.

Il a été mis en place dans le cadre du programme de collecte de données un processus de consultation le plus large possible. Cette consultation se fait à plusieurs niveaux :

- avec les Etats Membres (dans le cadre du Comité de gestion/ 23 Février 2005, de réunions bilatérales une dizaine en février / mars 2005, de la participation de la Commission aux réunions de coordinations nationales : Portugal/Lisbonne février 2005);
- avec les Etats Membres et leurs scientifiques dans le cadre des réunions de coordination régionale (Baltique/janvier 2005, Mer du Nord/septembre 2004, Atlantique/septembre 2004 et Méditerranée/septembre 2004) qui ont été mises en place et organisées par la Commission depuis 2004. A ces réunions participent le correspondant national, des biologistes et des économistes de chaque Etat Membre de la région concernée;
- avec les scientifiques dans le cadre de groupes de travail spécifiques (calcul de précision Pasajes/février 2005, marquage de thonidés Bari mars/ 2005, etc.) et notamment celui créé par le CIEM pour planifier la collecte de données (Planning Group on Commercial Catches Discards and Biological Sampling /PGCCDBS; (dernière réunion Ostende 1-4 Mars 2005).

Two meetings to discuss the provision of scientific advice to the Community were held between the Directors of the national research institutes and the Commission, in Brussels on 19 May 2003 and in Rhodes on 4 June 2003. As agreed at those meetings, they were followed up by trilateral meetings on 16 September 2003 and 25 February 2004 between the national fisheries research institutions, the national fisheries administrations and the Commission. Representatives from ICES, STECF, GFCM and the JRC also participated. Considerable progress was made in developing a strategy to improve the provision of fisheries scientific advice in the Community. In particular there was wide consensus that a rolling 18-month Community work programme should be established, and that this should be reviewed every 6 months. This would allow the national research institutes to plan their contributions to the Community work programme in return for financial support.

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<sup>17</sup> Communication de la Commission au Conseil et au Parlement européen relative à la réforme de la politique commune de la pêche (calendrier de mise en œuvre). Document COM(2002) 181 final du 28.5.2002.

## **8. COMMISSION DRAFT PROPOSAL AND JUSTIFICATION**

### **8.1. Policy aspects of the final choice: Continuation of Community financial support to certain policy domains under the CFP during the period 2007-2013**

Les propositions relatives au renforcement du contrôle des activités de pêche, à la collecte des données, au renforcement des avis scientifiques, à la gouvernance et aux relations internationales font partie intégrante de la politique commune de la pêche, et à ce titre sont incluses dans la rubrique 2 des nouvelles perspectives financières. Elles sont indispensables à la mise en oeuvre d'une politique de gestion efficace et durable des ressources halieutiques qui relève de la compétence exclusive de la Communauté. Elles résultent des décisions adoptées par le Conseil lors de la Réforme de la PCP en décembre 2002.

However, in order to allow for the effective implementation of the CFP, taking into account the new needs arising out of enlargement (extension of the CFP to the Black Sea), the new governance structures that will be put in place to support the CFP (Control Agency, Regional Advisory Councils) and the challenges posed by the need to ensure the recovery of many commercially important fish stocks, it is necessary to provide for an increase of the existing financial interventions.

### **8.2. Procedural aspects of the final policy choice: Choice of the legal base for Community financial support**

As far as the procedural options are concerned, i.e. a choice between the current situation (whereby a multitude of different legal basis co-exist with overlapping rules and procedures) and a single regulatory framework in line with the principles of legislative simplification, better regulation and financial management, the final policy choice is the second option described under chapter 4.

As opposed to the abovementioned disadvantages of the first policy option, a single regulatory framework option has been chosen because it provides for greater transparency of objectives and means as well as for better and simplified procedures, including simplification of programming and improvement of the delivery systems, without overseeing the specific needs and characteristics of each policy domain covered by the proposal.

### **8.3. Operational aspects of the final policy choice**

#### *8.3.1. General provisions*

Notwithstanding, that the proposal does not envisage changes to the objectives, principles and decision-making rules governing the different areas, the existing financial measures need to be extended in several areas in order to ensure the sustainable management of the fisheries resources as aimed in the CFP reform.

95 % of the budget is implemented on a centralised basis, directly by the Commission services or indirectly with a national public body. Given the relatively small amount of the individual interventions and the limited number of transactions, DG FISH considers this method of implementation the most adequate to ensure sound financial management.

In conformity with the financial regulation, some of the non-obligatory contributions to international organisations have to be considered as joint management, when those

contributions are part of a pooling of resources from a number of donors, and where it is not reasonably possible to assign the share contributed by each donor to each type of expenditure.

The Regulation sets out the procedures for establishing the content of Community and national programmes in the area of data collection and national programmes in the area of control and enforcement. The requirements in relation to Community and national programmes include provisions on notification by Member States to the Commission regarding their annual fisheries programmes. They also relate to the application for and granting of financing by the Commission, in particular relating to rates and conditions of financing, and to the procedures for the adoption and content of detailed rules. As regards the programmes submitted by the Member States for implementing monitoring and control systems, the Commission shall give priority to the actions which it deems most appropriate for improving efficiency in this area, taking also into account the performance of Member States in implementing programmes already approved.

The Regulation also sets out the rates of financial contribution that the Community may provide in support of actions to the expenditure of the Member States.

It is also foreseen that detailed rules for the application of the Regulation may be drawn up through comitology procedures, i.e. Regulations adopted by the Commission assisted by the Committee for Fisheries and Aquaculture provided for in article 31(1) of Council Regulation No 2371/2002.

### *8.3.2. Control and enforcement*

In the area of control and enforcement actions will provide for investments in control activities, analysis and assessment of enforcement expenditure and initiatives aimed at improving communication and dialogue between those involved in the sector and with the public. Financing under the Regulation will also provide for expenditure related to inspection by Commission inspectors and for the administrative and operating expenses of the Community Fisheries Control Agency (CFCA).

An increase of existing financial interventions is asked for. The new Member States (actual and future ones) need to be brought up to speed with the standards required by the CFP and which are in place in the other Member States. This will need an investment in heavy equipment (vessels and aircrafts) and networks in those new Member States. Moreover, the actual equipment in the other Member States needs to be modernised in conformity with new technologies used in the area of control and enforcement.

The introduction of e-recording and e-reporting needs an update of existing networks and an investment in software on board of more than 12.000 vessels. Moreover, it is intended to extend those measures relating to electronic equipment to all vessels (< 15 m), which means more than 50.000 vessels.

In order to make the Agency fully operational, it will be necessary to equip it with all the installations necessary to permit the monitoring at long distance in order to be able to analyse the information relative to the fisheries activities at long distance. This will need the set up of a Fisheries Monitoring Centre, secured network lines and extended databases. Moreover, important expenses in the area of telecommunication and satellite images will be necessary. The Agency will probably need to charter inspection means to be able to fulfil its commitments in the area of control and enforcement.

An increase is also foreseen to cover additional audits and arrangements with the JRC on the development and follow-up of new technologies

### *8.3.3. Data collection and scientific advice*

In the area of data collection and improvement of scientific advice, financing may be provided for measures relating to support for programmes to collect data that is necessary for the implementation of the CFP and for partnership contracts with national research institutions or contributions to relevant international bodies. It will also support arrangements with Community consultative bodies to provide the secretariat to the Scientific, Technical and Economic Committee for Fisheries (STECF), and to conduct the pre-analysis, evaluation and preparation of data.

In the area of data-collection, the increase of the budget is driven by the need to extend the current programmes with environmental data on the impact of fisheries on the marine ecosystem and to include two new Member States in 2007, and possibly more before the end of the programming period in 2013. With the forthcoming enlargement it will be necessary to apply the CFP in a whole new area, namely the Black Sea. This will require additional effort and support from the Community.

In addition, it is important to increase the collection of economic data so that the socio-economic impact of management decisions can be taken more fully into account.

The move towards an increased integration of environmental concerns and the application of an ecosystem approach will necessitate the collection of new data, such as sampling programmes to estimate by-catches and discards. The latter will demand an increase of very costly sampling programmes with on-board observers.

The reform of the CFP has put a greater emphasis on a mixed fisheries approach instead of a stock by stock approach. This has created substantial additional demands for fisheries advice.

This measure will only be fully implemented from 2007 onwards with the reinforcement of the Scientific, Technical and Economic Committee for Fisheries, consultation of independent experts on specific issues, contracts with national research institutes.

### *8.3.4. Governance*

In the area of governance of the CFP, the Regulation provides for certain expenditure in relation to the Advisory Committee on Fisheries and Aquaculture (AFCA) and the Regional Advisory Committees (RACs), and for financing the operating costs of the RACs during their start-up phase. It also provides for financing the costs of disseminating information relating to the CFP to relevant stakeholders.

The involvement of all relevant stakeholders in the CFP at all stages is one of the key elements of the reform of the CFP. The need to inform and involve the stakeholders in the decision making process is increasing rapidly. Moreover, there is already a request of some Member States at this stage to continue Community aid to the RACs after the five years, actually foreseen in Council Decision 585/2004/EC. Without anticipating a decision, it will probably be necessary to continue financing the Regional Advisory Councils.

### 8.3.5. *International fisheries relations*

In the area of international co-operation Community financing may contribute to expenditure involved in relation to fisheries agreements with third countries or for mandatory or voluntary contributions to the funds of international organisations, including United Nations bodies. Financing may also support contributions to preparatory works for new organisations or treaties relating to fisheries or to the law of the sea which present a particular interest for the Community. In the area of international relations, already at this stage negotiations are taking place to conclude new partnership fisheries agreements. Moreover, the role of the International Organisations in the sustainable management of the fisheries resources all over the world is increasing steadily with an increase of the obligatory and non-obligatory contributions as a result.

### 8.3.6. *Other measures*

Given the complexity of various areas of the CFP, the preparation of legislation and implementation of the rules of the CFP often requires a high degree of expertise which can best be provided by specialists. To this end the Regulation contains a provision which gives details of measures relating to technical assistance for which Community financing may be provided. Such measures may include financial support for studies, meetings, experts, information, awareness-raising, training and publication activities, expenditure associated with IT and computer networks for the exchange of information. It may also cover expenditure for temporary staff and any other administrative or technical assistance expenditure that the Commission may incur.