



**COUNCIL OF
THE EUROPEAN UNION**

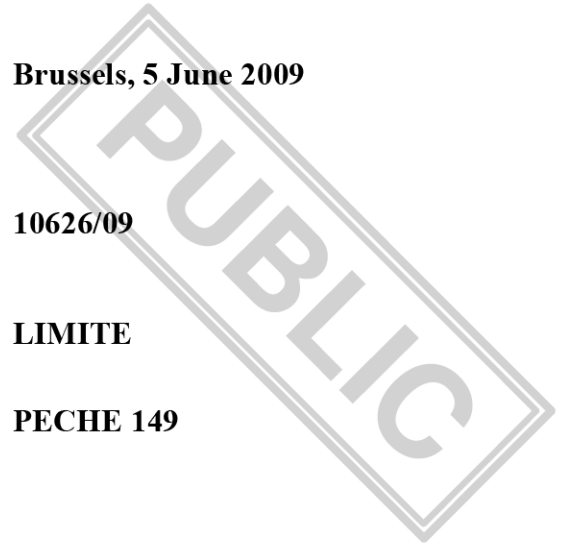
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PECHE 149



PRESIDENCY NOTE

from: Presidency

to: Coreper (Part 1) / Council

No. Cion prop.: 15694/08 PECHE 312 - COM(2008) 721 final

Subject: Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

I. INTRODUCTION

1. The Commission's proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy was submitted to Council on 14 November 2008. Ministers had a first exchange of views at the 2008 November Council.
2. The European Parliament gave its opinion on the proposal on 22 April 2009. The Economic and Social Committee delivered its opinion on 13 May; the Committee of the Regions is expected to adopt its opinion during its plenary session on 17-18 June 2009 and the European Data Protection Supervisor gave his opinion on 4 March 2009.

3. The Working Party on Internal and External Fisheries Policy has already completed the first reading of the proposal¹ to prepare the basis for a policy debate in Council. The discussion of a working document² is underway with a view to "clean" technically the proposal and to solve some of the numerous contentious issues.

II. MAIN POINTS OF THE PROPOSAL

4. The Commission proposes a substantial reform of the control system underpinning the CFP.

According to the Commission, the main objectives of the proposal are:

- simplification of the current CFP control rules, which are currently scattered across many different regulations, some of them overlapping each other;
- a reduction of the costs and of the administrative burden;
- an effective application of CFP rules, in order to remedy the shortcomings identified by both the European Commission and the European Court of Auditors;
- a control system which is global and integrated, from net to plate, including a comprehensive traceability system;
- the introduction of a "culture of compliance" involving all stakeholders. Harmonized deterrent sanctions and a "penalty point system" for infringements committed by holders of fishing authorizations and by masters and officers of vessels are proposed;
- full use of modern technologies and efficient data validation systems in order to carry out systematic and comprehensive cross-checks of all relevant data;
- the extension of the mandate of the Community Fisheries Control Agency and of the powers of Community inspectors;
- conditionality of Community financial assistance upon compliance with CFP control rules;
- the monitoring of recreational fisheries.

¹ The outcome of proceedings can be found in doc. 10152/09 PECHE 137.

² Cf. doc. DS 329/09 (EN only).

III. TOPICS FOR DISCUSSION

5. The Presidency considers it important, at this juncture, to have a policy debate at Council level to steer the technical work in the Working Party by providing clear political guidelines.
6. The Presidency suggests to Council to address the following questions:
 - i. *Which control instruments and means should be introduced or further developed to allow the development of an integrated and global approach to control? Should there be any derogation for small scale fisheries?*
 - ii. *Should sanctions for infringements of CFP rules be further harmonized? If so, to what extent? Should a penalty point system be set up? If so, how?*
 - iii. *As regards powers, to what extent, if any, should*
 - *the Commission be provided with more possibilities to intervene proportionately to the level of non-compliance with CFP rules;*
 - *the powers of Community inspectors be redefined;*
 - *the mandate of the Community Fisheries Control Agency be extended?*
