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on Governance within the CFP: the European Parliament, the Regional
Advisory Councils and other actors
(2008/2223(INI))

Committee on Fisheries

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Governance within the CFP: the European Parliament, the Regional Advisory Councils and other actors (2008/2223(INI))

The European Parliament,

- having regard to Council Regulation (EC) 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy¹,
 - having regard to Council Regulation (EC) 657/2000 of 27 March 2000 on closer dialogue with the fishing sector and groups affected by the common fisheries policy²,
 - having regard to Commission Decisions 71/128/EEC, 1999/478/EC and 2004/864/EC,
 - having regard to Commission Decision 93/619/EC, renewed in 2005 by Commission Decision 2005/629/EC,
 - having regard to Commission Decisions 74/441/EEC and 98/500/EC,
 - having regard to Council Decision 2004/585/EC of 19 July 2004 establishing Regional Advisory Councils under the Common Fisheries Policy³ as amended by Council Decision 2007/409/EC of 11 June 2007⁴,
 - having regard to the Communication from the Commission of 17 June 2008 on the review of the functioning of the Regional Advisory Councils (COM (2008)0364),
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A6-0187/2009),
- A. whereas institutional governance of the Common Fisheries Policy (CFP) involves the Commission, the European Parliament, the Council, the Committee of the Regions, the European Economic and Social Committee, the Advisory Committee on Fisheries and Aquaculture (ACFA), the Scientific, Technical and Economic Committee on Fisheries (STECF), the Sectoral Social Dialogue Committee for Sea Fisheries (SSDC) and the Regional Advisory Councils (RACs),
- B. whereas the governance of the CFP also involves the national and regional administrations of the Member States,
- C. whereas the Community participates in various Regional Fisheries Organisations and

¹ OJ L 358, 31.12.2002, p. 59.

² OJ L 80, 31.3.2000, p. 7.

³ OJ L 256, 3.8.2004, p. 17.

⁴ OJ L 155, 15.6.2007, p. 68.

Fisheries Partnership Agreements are also concluded with third countries,

- D. whereas, under the Lisbon Treaty, Parliament would continue to be excluded from the setting of TACs and quotas,
- E. whereas attendance of members of Parliament at meetings of Regional Fisheries Organisations is currently on an *ad hoc* basis,
- F. whereas communication concerning the actual operation of Fisheries Partnership agreements, including the activities of the Joint Monitoring Committees, could be more satisfactory,
- G. whereas STECF was established in 1993, an Advisory Committee for Fisheries in 1971 and renamed as AFCA in 1999 and a Sectoral Social Dialogue Committee for Sea Fisheries in 1999, replacing a Joint Committee existing since 1974,
- H. whereas all seven RACs are now operational,
- I. whereas an Inter-RAC Committee has been established and has co-ordination meetings with the Commission,
- J. whereas the Commission has recently undertaken evaluations of AFCA and of the RACs but none so far of the work of STECF,
- K. whereas the evaluation of AFCA has made a number of operational recommendations and suggested various options for its long term future,
- L. whereas the evaluation of the RACs has been positive, but the Commission has identified a number of actions, not requiring new legislation, to improve their functioning;
- M. whereas all parties are agreed that a stronger dialogue between scientists and fishermen is needed and the RACs have also called for better socio-economic input into decision-taking,
- N. whereas certain RACs and members of Parliament have expressed a desire for a more formal relationship,
- O. whereas increasing activity on the part of the RACs is hampered by limited funding and the Commission's excessively bureaucratic and inflexible approach to management and financial control regarding the funds allocated to them,
- P. whereas the Commission has said that it will listen to the views Parliament, the Council and the stakeholders before introducing new legal rules,
- Q. whereas Commission representatives frequently fail to attend RAC working group meetings,
- R. whereas there is, however, already evidence that increased compliance with the rules of the CFP results from the involvement of stakeholders in their creation and implementation,

- S. whereas there is a multiplicity of different Community fisheries, each with its own characteristics,
- T. whereas consultations are already taking place on the reform of the CFP,
- U. whereas RAC recommendations are not always given proper attention, especially when they have not been approved unanimously by the executive committees,
1. Calls for members of its Fisheries Committee to be given observer status at meetings of the Council of Fisheries Ministers;
 2. Calls for the Council, the Commission, and Parliament to complete the work required to reach a genuine agreement laying down standard forms of participation for members of Parliament's Committee on Fisheries in regional fisheries management organisations (RFMOs) and other international bodies whose meetings are given over to discussion of subjects affecting the Common Fisheries Policy (CFP), on the understanding that this should in no way detract from their present observer status at meetings for which such an arrangement has been agreed;
 3. Also calls on the Council, in agreement with the Commission and Parliament, to allow members of Parliament's Committee on Fisheries to serve on the joint committees set up under Fisheries Partnership Agreements, to enable them to bring the necessary scrutiny to bear on those agreements; points out in addition that entry into force of the Treaty of Lisbon will entail much greater responsibilities for Parliament, since partnership agreements will have to be approved by the assent procedure;
 4. Points to the importance of ensuring that Commission representatives attend RAC working group and executive committee meetings more regularly;
 5. Calls on the Commission to notify the Parliament of all consultations that are taking place in relation to the CFP and maritime policy;
 6. Calls on the Commission to engage in an evaluation of STECF;
 7. Notes the outcome of the evaluation of AFCA and that the Commission is awaiting AFCA's own recommendations concerning:
 - a clearer definition of its role and objectives, with a representative composition adequately reflecting them and genuinely representative, and improved participation by the newer Member States;
 - its working methods in terms of the division of activity between plenary meetings and working groups, their number and remit, and their procedures;
 - better formulation of the questions addressed to it;
 - improvement of communication and information through use of electronic media, more direct access to data and improved facilities for translation and interpretation;
 - adequacy of funding and the best means of sustaining support functions;
 8. Stresses the importance of avoiding overlap, particularly with the work of RACS;

9. Points out that the fisheries sector is still not considered to have a sufficient say in the decisions affecting it; points to the differences, in terms of roles and operation, between the ACFA and RACs, inasmuch as the former performs an advisory role extending to the CFP as a whole and covers the entire Community area, whereas the role of RACs is to give specialised advice within their spheres of influence; accordingly considers that the coexistence of the different advisory bodies helps to make for compatibility with maritime and marine policy and integrated coastal zone management;
10. Calls on the Commission to take the following actions in respect of RACS:
 - increase their visibility and encourage participation by a wider range of stakeholders;
 - improve their access to scientific evidence and data and liaison with STECF;
 - involve them as early as possible in the consultation process;
 - provide benchmarks to allow an assessment of the consistency of their advice with CFP objectives and to debrief them on the use made of it;
11. Considers that RACS are currently under-financed for the level of work that they are undertaking; notes that the Commission has issued guidelines concerning financial management but believes that further dialogue is necessary in this regard and that alternatives to the current system should be explored;
12. Believes that wider participation in RACs requires a review of their composition but that the current balance between the fishing industry and other organisations should not be disturbed;
13. Expresses its disquiet at the fact some organisations serving in RACs as 'other interest groups' repeatedly take advantage of their presence, even though they might be in the minority, to block decisions supported by a majority of fisheries sector representatives and obstruct decision-taking by consensus;
14. Calls for closer links between the RACs and Parliament, the Committee of the Regions and the European Economic and Social Committee;
15. Calls for technical and political decisions to be separated; political decisions should be dealt with with a regional approach and technical decisions with a scientific approach;
16. Requests the its Committee on Fisheries, subject to the statutory approval procedures, to:
 - appoint member(s) of the Committee as a liaison for each RAC and to report on its activities;
 - ensure that at regular intervals and, in particular, when the agenda covers matters on which they are involved in giving advice or making recommendations, RACs are invited to participate in Parliament's Committee on Fisheries in order to present their advice or recommendations,
 - establish a procedure to ensure that the secretariats of the Committee on Fisheries, the RACs, and the Inter-RAC Committee remain in regular contact for the purpose of exchanging and gathering information related to their activities, advice, and recommendations,
 - host an annual conference involving the RACs and the Commission;

17. Calls on the budgetary authorities to allocate adequate funding for the above;
18. Asks the RACs to keep members of its Fisheries Committee informed of their activities, advice and recommendations and to invite their attendance at meetings;
19. Calls for any future legislation on RACs to afford members of the European Parliament formal status as active observers at their meetings;
20. Asks the Commission and the Inter-RAC to agree to the attendance of members of Parliament's Fisheries Committee at their coordination meetings;
21. Stresses the importance of the CFP as a means of ensuring the existence of standards, principles and rules that are applicable across all Community waters and to all Community vessels;
22. Asks the Commission to fully accept and respect the advisory role of the RACs and to propose, in view of the CFP reform, their increasing involvement in management responsibilities;
23. Believes also that the coming reform of the CFP should take full advantage of the consolidation of the RACs for an increased decentralisation of the CFP, in order that common measures adopted may be applied in the different zones in line with the specific peculiarities of different fisheries and fishing conditions;
24. Instructs its President to forward this resolution to the Council, the Commission, the Regional Advisory Councils, the Advisory Committee on Fisheries and Aquaculture, the Scientific, Technical and Economic Committee, the Committee of the Regions and the European Economic and Social Committee, the Sectoral Social Dialogue Committee for Sea Fisheries and the governments and parliaments in the Member States.

EXPLANATORY STATEMENT

Institutional governance of the Common Fisheries Policy (CFP) involves, besides the Commission, Council and the Parliament, various bodies such as the Scientific, Technical and Economic Committee for Fisheries (STECF), the Advisory Council for Fisheries and Aquaculture (ACFA), the Sectoral Social Dialogue Committee for Sea Fisheries (SSDC) and the Regional Advisory Councils (RACs). The Committee of the Regions and the Economic and Social Committee also have a role in providing opinions. The governance within the CFP also involves the national and regional administrations of the Member States.

The development of law and policy is also influenced by direct input from industrial stakeholders, either individually or through umbrella organisations such as COCEGA, Europêche and FEAP, from consumer organisations and from other NGOs, particularly those with an environmental interest, and, to a lesser extent, from the social partners.

The governance of the CFP has also to be seen in the context of wider developments, such as that of the integrated maritime policy and the marine strategy, the extension of Natura 2000 to the marine environment and moves toward integrated coastal zone management. In the latter context the CFP may have to balance the interests of capture fisheries with aquaculture, as well as take account of conflicting economic interests, such as energy production.

Historically the CFP has been micro-managed from the centre and subject to criticism for “one size fits all” and “top down” approaches that have not been conducive to compliance. Since the 2002 reform this has changed, with much fuller involvement of stakeholders, notably through the Regional Advisory Councils (RACs), which were first established in 2004. In 2007 they were designated as bodies pursuing an aim of general European interest, which allowed their funding to be placed on a securer footing

All seven of the RACs foreseen in the legislation are now operational and Inter-RAC meetings take place, including co-ordination one with the Commission. As well as giving advice on issues directly affecting them, the RACs also work with other bodies as, for example, the joint Inter-RAC and ACFA meeting on control in Brussels in April 2008. A representative of AFCA also has the right to participate in RAC meetings as an active observer.

The recent evaluation by the Commission of the RACs was a positive one but it is clear that certain issues to do with funding, composition and area of coverage remain to be resolved and that action needs to be taken to improve their visibility, the consultation procedures and their access to scientific evidence.

That said, the closer involvement of stakeholders in the decision-making process is clearly having a beneficial effect, as evidenced, for example by the voluntary agreement of Scottish fishermen to close areas where there is an abundance of juvenile cod and the decision of the North Sea RAC to ban the discarding of marketable cod.

The evaluation of the Commission of AFCA raised various questions about its objectives, composition and procedures as, also about the role it should play in the longer term. It is

suggested that the latter should be considered in the context of the development of the integrated maritime policy, avoiding overlap with the work of the RACs but allowing close liaison where activities are concerned.

The RACs have expressed a wish for improved access to social and economic advice as well scientific advice. In this context, it would be helpful if the Commission were also to engage in an evaluation of STECF and if closer contacts could be developed with the Committee of the Regions and the Economic and Social Committee.

Certain of the RACs and the Co-ordinators of the Fisheries Committee have also expressed a wish for a more formalised relationship to be established. Indications of the manner in which this might be developed are contained in the motion for resolution.

In the opinion of the Rapporteur, the improvements already brought about by stakeholder involvement point to future reform of the CFP involving a radical decentralisation so that measures are tailored to particular fisheries in specified areas, according to conditions in them. RACs should be at the core of this decentralisation.

Whilst the CFP should remain a common policy in terms of its aims and objectives and its general regulation, administration and supervision, actual management should be progressively devolved to the RACs, with a view to them playing a full role in this regard by the time the coming reform of the CFP is in place.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	23.3.2009
Result of final vote	+: 15 -: 0 0: 0
Members present for the final vote	Elspeth Attwooll, Marie-Hélène Aubert, Iles Braghetto, Luis Manuel Capoulas Santos, Paulo Casaca, Emanuel Jardim Fernandes, Carmen Fraga Estévez, Duarte Freitas, Daniel Hannan, Ian Hudghton, Heinz Kindermann, Rosa Miguélez Ramos, Philippe Morillon, Struan Stevenson, Margie Sudre