

COMMISSION OF THE EUROPEAN COMMUNITIES

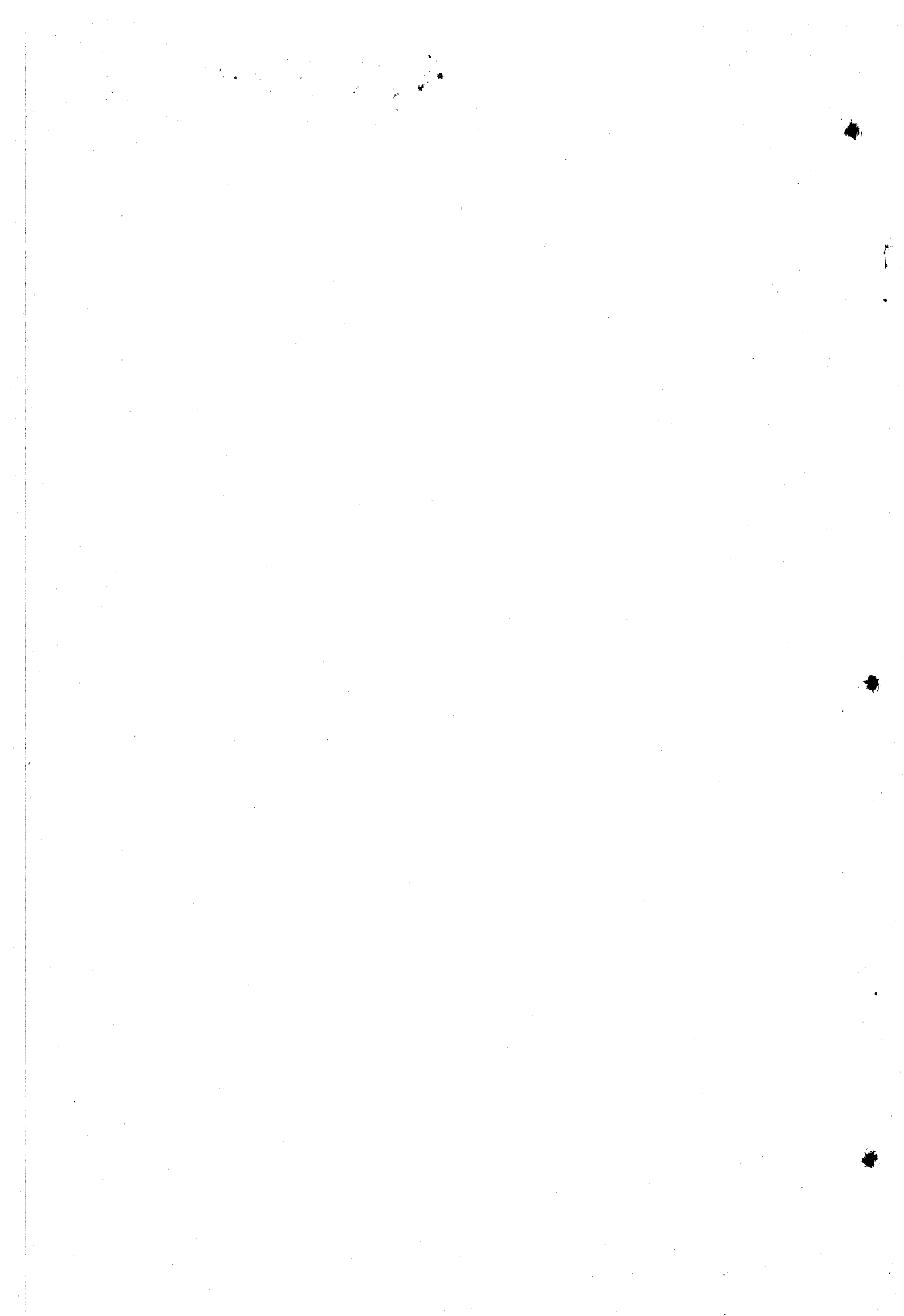
COM(80) 882 final

Brussels, 16th December 1980

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

concerning the implications of the adoption of a Council
Regulation establishing certain supervisory measures
for fishing activities by vessels of Member States

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COMMUNICATION OF THE COMMISSION
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concerning the implications of the adoption of a Council Regulation establishing certain supervisory measures for fishing activities by vessels of Member States.

1. The Council of Fisheries Ministers at its meeting on 28 October 1980 reached agreement in principle on the text of a Regulation establishing certain supervisory measures for fishing activities by vessels of Member States.

It has been emphasized in both the Council and the Parliament that a policy of fisheries conservation is not credible unless it is enforced effectively and without discrimination between fishermen of the Member States. It is essential to establish a climate of confidence and collaboration between the inspection services of Member States and between these services and fishermen, without which the Community's conservation policies cannot be successful.

The present Communication of the Commission to the Council describes the means and procedures appropriate to attain this aim. In particular, it defines the objectives of an inspection and enforcement unit to be established, gives an outline of its work schedule and describes the staff which will be necessary to fulfill these functions from the beginning of the year 1981 on.

2. Objectives of the Commission

In establishing an inspection and enforcement unit, the Commission's objectives are to ensure that Member States :

- (a) adopt a common interpretation of the control and conservation regulation;
- (b) carry out an adequate number of boardings at sea and in doing so treat in the same way vessels of different nationalities;
- (c) adopt common standards and methods when inspecting vessels at sea;
- (d) operate satisfactory arrangements for monitoring landings and transshipments, with particular reference to the need for Member States to have confidence in each other's statistics;
- (e) take suitable action against those who contravene fisheries regulations.

It is not the intention of the Commission that its service would replace the inspection and enforcement services of Member States, which would be both impractical and uneconomic. The Commission's intention is to harmonise

the actions of the inspection and these services.

3. Proposed work schedule of the Commission's inspection and enforcement unit:

The first task of the unit will be to harmonise the inspection and enforcement services of Member States. To do this, it will be necessary to determine the resources, in terms of both inspectors and of fishery protection vessels and aircraft, which are available to each member state and how these resources are used.

Once this has been established, it will be necessary to draw up a common code of practise so that both the frequency of each type of inspection and the methods used are uniform throughout the Community. Training courses, seminars and exchange of inspectors between Member States will have to be organized.

In the light of the experience gained the Commission would, as necessary and appropriate, submit proposals either to the Council or to the Management Committee in accordance with Article 13 of the Regulation for measures to harmonise the enforcement activities of Member States. In particular, it will be necessary to ensure that the penal or administrative actions which apply to infringements against Community conservation and control regulations are comparable.

Thirdly, the Commission's unit would itself carry out inspections both ashore and at sea in order to ensure that the Community's regulations were being observed and enforced correctly and uniformly. These inspections would be made in conjunction with the inspection services of Member States but they could be made at the initiative of the Commission's unit, which would have the right to decide the places of inspection and also what was inspected.

Fourthly, the Commission's unit would co-ordinate the inspection services of Member States. Inspection services are expensive, especially when they use ships and aircraft. To ensure that the enforcement and inspection services of the Community as a whole are organized in the most efficient and economic manner as possible, it is logical to co-ordinate centrally these activities.

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4. Staffing

The Commission does not have any staff with the specialised training and experience needed to run a control service. As this unit will be "inspecting inspectors" it will be necessary for it to be staffed with experienced officers with considerable practical experience of both the fishing industry and fisheries enforcement.

It is proposed that the new unit shall form part of the Directorate General for Fisheries and that its headquarters staff will consist of 10 staff :
2 A grade, 2 B grade and 6 C grade.

1 A grade will be responsible for its organisation and direction,

1 A grade will be particularly responsible for enforcement and the staff who operate within Member States,

2 B grades will provide direct support services to the A grades in their areas of responsibility,

6 C grades will provide clerical and similar services.

In addition, the unit will have a number of B grades responsible for enforcement and inspection at the ports and at sea. The number of these grades will be determined in the light of experience. It is essential that there are sufficient staff to ensure that regular inspections take place at each Member State's ports and aboard its vessels. It is proposed that 20 B grades are recruited for this work initially with the provision that their numbers be increased to 30, if experience shows this to be necessary. Initially, staff would work in teams of two, although with familiarity and experience, it is probable that they could operate individually under many circumstances.

These B grade staff would be based in Brussels but would expect to spend approximately 75% of their time on inspection duties.

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FINANCIAL STATEMENT

Date : 05.12.1980

1. BUDGET HEADING : New action

APPROPRIATIONS :

2. TITLE : Communication of the Commission to the Council concerning the implications of the adoption of a Council Regulation establishing certain supervisory measures for fishing activities by vessels of Member States.

3. LEGAL BASIS : Articles 39, 43 of the Treaty, Council Regulation (EEC) n° /80
(Minutes of the 663rd Council Meeting held in Luxemburg, 28 October 1980)

4. AIMS OF PROJECT : Establishment of an inspection and enforcement unit to ensure the effective enforcement of the Community's conservation policy by Member States.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR	
		()	(1981)	
5.0 EXPENDITURE				
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)				1,05 M. UCE
- NATIONAL ADMINISTRATION				
- OTHER				
5.1 RECEIPTS				
- OWN RESOURCES OF THE EC (LEVIÉS/CUSTOMS DUTIES)				
- NATIONAL				
1981...1982.....1983.....1984.....
5.0.1 ESTIMATED EXPENDITURE	1,05 M. UCE	1,4 M. UCE	1,4 M. UCE	1,4 M. UCE
5.1.1 ESTIMATED RECEIPTS				

5.2 METHOD OF CALCULATION

Employment of staff : 30 persons average grade B2 = 1,1 M.UCE
 Missions of 20 inspectors on the basis of 2 missions,
 9 days in ports and 9 days on vessel, per month 0,3 M.UCE
1,4 M.UCE
 For 1981 only 9 months = three quarters 1,05 M.UCE

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?

YES NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ?

YES NO

6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY ?

YES NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ?

YES NO

OBSERVATIONS :

Action linked to the adoption of the Common fisheries policy before 1st January 1981, provided for in Council Declaration of 30 May 1980.