

DEVE-010

Brussels, 3 March 2003

**OPINION**

of the

Committee of the Regions

of

12 February 2003

on the

**Communication from the Commission on the reform of the Common Fisheries Policy**

**("Roadmap")**

COM(2002) 181 final

**Communication from the Commission**

**Community action plan for the eradication of illegal, unreported and unregulated fishing**

COM(2002) 180 final

**Proposal for a Council Regulation on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy**

COM(2002) 185 final – 2002/0114 (CNS)

**Communication from the Commission setting out a Community Action Plan to integrate environmental protection requirements into the Common Fisheries Policy**

COM(2002) 186 final

**Proposal for a Council Regulation amending Regulation (EC) No. 2792/1999**

**laying down the detailed rules and arrangements regarding Community structural assistance**

**in the fisheries sector**

COM(2002) 187 final – 2002/0116 (CNS)

**Proposal for a Council Regulation establishing an emergency Community measure**

**for scrapping fishing vessels**

COM(2002) 190 final – 2002/0115(CNS)

**The Committee of the Regions,**

**HAVING REGARD TO** the communication from the Commission on the reform of the Common Fisheries Policy (“Roadmap”) (COM(2002) 181 final);

**HAVING REGARD TO** the communication from the Commission setting out a Community Action Plan for the eradication of illegal unreported and unregulated fishing (COM(2002) 180 final);

**HAVING REGARD TO** the proposal for a Council Regulation on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (COM(2002) 185 final - CNS/2002/0114);

**HAVING REGARD TO** the communication from the Commission setting out a Community Action Plan to integrate environmental protection requirements into the Common Fisheries Policy (COM(2002) 186 final);

**HAVING REGARD TO** the proposal for a Council Regulation amending Regulation (EC) No. 2792/1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector (COM(2002) 187 final - CNS/2002/0116);

**HAVING REGARD TO** the proposal for a Council Regulation establishing an emergency Community measure for scrapping fishing vessels (COM(2002) 190 final - CNS/2002/0115);

**HAVING REGARD TO** the Commission decision of 28 May 2002 under Article 265(1) of the Treaty establishing the European Community, to consult it on this matter;

**HAVING REGARD TO** the decision taken by its Bureau on 6 February 2002 to entrust the Commission for Sustainable Development with the preparation of the opinion;

**HAVING REGARD TO** the Opinion of 14 November 2001 on the Commission Green Paper on the future of the Common Fisheries Policy (COM(2001) 135 final), CdR 153/2001 fin;<sup>1</sup>

**HAVING REGARD TO** the draft opinion adopted by the Commission for Sustainable Development on 12 December 2002 (CdR 189/2002 rev. 2 - rapporteur: **Sir Simon Day**, UK/EPP);

**WHEREAS** the Committee of the Regions regards the reform of the Common Fisheries Policy as of fundamental concern to the future of the industry and those whose economic livelihood depend on it;

**WHEREAS** fishing as an industry must be sustainable and undertaken in a way that is not detrimental to the environment, which may require a degree of short-term pain for long-term gain;

**WHEREAS** where there is a reduction in capacity, fishing effort and/or catches, the livelihoods of those who are in the fishing industry and those whose communities depend on fishing activity must be adequately compensated through social and economic measures;

**WHEREAS** the priority aim of achieving a sustainable Community fisheries sector entails introducing management measures which guarantee both sustainable conservation of Community fish stocks and the Community's own fisheries activity, meaning fishermen. Proposals for management under the new CFP must reconcile these aspects in a balanced way,

**adopted the following opinion at its 48<sup>th</sup> plenary session of 12/13 February 2003... (meeting of 12 February):**

### **Views and recommendations**

#### **1. Conservation of Resources and Management of Fisheries**

##### *Scientific Information and the Precautionary Principle*

1. The Committee of the Regions (CoR) has previously made clear the importance of a thorough scientific justification for the measures the European Commission wishes to adopt.
2. The European Commission's proposals include a new multi-annual framework for conservation of fish stocks and management of fisheries, based on the precautionary principle. As there are different definitions of the precautionary principle, the CoR calls on the European Commission to state clearly what exactly is meant by this. The absence of scientific information should not be used as a reason for postponing or failing to take action to conserve fish stocks or the environment. The European Commission is adopting a position of being over-cautious in its approach which could aggravate the loss of fishing enterprises.
3. The CoR seeks an assurance that sufficient funding is to be made available to enable the scientific input to be effective.
4. The CoR strongly supports the Commission's proposal to present an action plan to enhance scientific information, strengthen Community advice structures, and set up a European Centre for Fisheries Research and Management, and urges the Commission to ensure that adoption of these measures coincides with the period of execution of the corresponding budget items, at the same time as the adoption of the other CFP reforms and within the review period.
5. The CoR notes with satisfaction the initiative of the Fisheries Partnership Group of the North Sea Commission launching a fruitful dialogue between European fisheries organisations and the scientific community. This dialogue has already given rise to a cooperation project in which a large number of fishermen are participating. This enhances the reliability of the study and its acceptability to the fishing community.

##### *Multi-Annual Management Plans*

6. The CoR welcomes the Commission's proposal for multi-annual management plans (MAMPs) for the management of commercial fish stocks or groups of stocks on the basis of scientific advice, provided the scientific justification is robust.
7. The CoR notes, however, that there is limited experience of multi-annual management

plans. The effects of these may vary, according to the different fish stocks involved and differing circumstances. The CoR therefore urges the European Commission to exercise an extremely cautious approach in order to save Community fish stocks for future generations.

8. Multi-annual management plans are also intended to be conducive to stable company results. In drawing up multi-annual management plans, it is therefore important that the TACs and annual quotas should not fluctuate by more than +/- 15%. This is above all in the interests of pricing.
9. The CoR has previously expressed its concern that, in considering conservation measures, particular attention should be paid to the outermost regions. The CoR therefore welcomes the specific statement in the "roadmap" that account will be taken of the particular needs of the outermost regions of the EU in accordance with Article 299 of the Treaty.

#### *Technical Measures*

10. The CoR welcomes the principle of increasing technical measures as a means of preserving juvenile stocks and bringing fish stocks to sustainable levels. However, the proposal for more selective fishing gear, whilst reducing the numbers of juvenile fish caught, will not eliminate all juvenile fish, particularly where mixed fisheries are concerned. In these circumstances, the European Commission proposes providing for certain minimum landing sizes, which effectively provides for legal landings of some immature fish. This does not discourage a market in immature fish and is therefore inconsistent with the European Commission's principal objective of ensuring a sustainable fishing resource.
11. The fishing industry is to be invited to develop a voluntary Code of Conduct to reduce discarding and an Action Plan will be prepared. The Action Plan to integrate environmental integration includes a provision for a new set of technical measures specifically addressing discard reduction before 31 December 2003. The CoR recalls that the present CFP's solution to fisheries management problems necessarily involves establishing economic incentives for individual fishermen and associations (joint management), to encourage fishermen to operate in a responsible way.

#### *Industrial Fisheries*

12. The CoR welcomes the European Commission's proposals for industrial fishing to be subject to the conservation and management measures, including MAMPs, and its intention to request the International Council for the Exploration of the Seas to evaluate the impact of industrial fisheries on marine eco-systems. This is consistent with the CoR's previous call for the impact of industrial fisheries – the practice of producing fish meal and fish oil - on fish species for human consumption to be kept to an absolute minimum.

#### *Fisheries Management in the Mediterranean*

13. The roadmap indicates that the policies of conservation and management of the fisheries resource will apply equally to the Mediterranean, with some adjustments. These will be set out in a separate Action Plan.

### *Incorporating Environmental Concerns into Fisheries Management*

14. In line with the CoR's previous call for greater integration of the environmental dimension into the CFP, the proposed Action Plan will seek to integrate environmental concerns into the CFP and acknowledges that this is an obligation under Article 6 of the Treaty. The CoR welcomes environmental integration into the CFP, provided that the measures taken continue to be without prejudice to the economic and social objectives of the CFP.
15. The CoR has in the past called for the introduction of eco-labelling and certification of certain fisheries activities.
16. The Action Plan specifically states that Member States and the European Commission will consider the potential for eco-labels to stimulate environmentally sound fishing practices. It should be noted that the processing industry should also have a responsibility for ensuring high environmental standards and should be represented in subsequent debates on eco-labelling, notably in connection with the planned Commission communication.
17. There is no reference to certification of responsible fishery activities either in the "roadmap" or the Action Plan to integrate environmental protection. However, it is possible that this will be incorporated in the Code of Conduct for responsible fisheries in Europe, due to be published by the end of 2002.
18. The Committee also believes that introducing eco-labelling schemes to the fisheries sector is likely to boost public acceptance of fishing. Eco-labelling could also help foster ecological and quality awareness on the part of fishermen.
19. Certification of responsible fisheries activities is therefore one of the most promising fisheries management instruments, and should be looked at urgently. The CoR urges the Commission to set up a public certification body, supervised by the Community institutions.
20. The CoR has in the past highlighted the need to ensure that fish and fish products meet requirements to avoid contaminants, but that such rules would also need to apply to imports of non-EU produce. There is no specific provision for this in either the "roadmap" or in the Action Plan for environmental integration, and this omission should be made good.

## **2. Repercussion of the conservation policy on the fishing fleet**

1. Limiting fishing effort is perceived as an essential part of the MAMPs and will become the prime management instrument for mixed fisheries. Reductions in fishing effort of up to 60% may be necessary in several fisheries areas. These reductions can be achieved either by reducing the numbers of days at sea or by reducing the size of fleets. The "roadmap" proposes that the responsibility for the reduction of fishing effort should lie with the Member States.

2. In terms of ensuring a profitable and sustainable fishing industry, it is clear that this is more likely to be achieved through reductions in fishing effort by means of management instruments better suited to each fleet segment, so that as far as possible such reductions are voluntary and reflect the specific parameters of each fisheries enterprise. The sector should be involved in such decision-making.
3. The CoR has in the past, and continues to support a more effective fleet policy, provided this is based on need and supported by robust scientific assessments. A blanket policy opposing grant aid could have serious economic consequences on certain regions and market segments.

#### *Grant aid for new build or fleet renewal*

4. The European Commission proposes that no grant aid should be made available for new vessels or to make existing vessels more efficient other than regards safety, more selective fishing techniques or in terms of production quality. The CoR urges the Commission to allow the continuation of aid only to safeguard on-board safety and accommodation conditions – for small-scale fleets and on condition that the fleet capacity does not increase.
5. Vessels that are required through MAMPs to reduce effort by more than 25% will be given increased compensation and the amount of funds available under FIFG is being increased in the period to 2003-2006 to cover this. The Committee of the Regions notes that the conditions laid down by the European Commission for eligibility for the scheme may make it difficult for many fishermen to take advantage of it. By laying down such conditions, the Commission is itself creating a major obstacle to achieving the fishing capacity reduction it considers desirable.
6. The CoR believes that aid should only be provided in certain sectors of the small-scale fleet, on condition that this is for on-board safety and accommodation conditions as well as for promoting ecologically-friendly fishing and provided it does not lead to any increase in fishing effort.

#### *Decommissioning Schemes*

7. The European Commission recognises that there is a need to provide additional incentives to the owners of fishing vessels to decommission vessels where there is over capacity in the fleet and so recognised in MAMPs. In these circumstances vessels required to reduce effort by more than 25% under MAMPs will be eligible for an increase of 20% in the level of scrapping premiums under FIFG, provided that the Member State concerned has already fully complied with the provisions of MAGP IV.
8. The CoR welcomes this particular concession and that FIFG funds will be increased in 2003 to accommodate this. However, whilst it agrees that the scheme should continue at least until 2006, it questions the reprogramming of existing Structural Funds to provide for the additional cost in 2004-2006 consequent upon the mid-term review.
9. The CoR calls on the European Commission to investigate whether additional funds, beyond those currently budgeted, could be made available from 2004-2006, without

detriment to the existing approved Structural Funds.

### 3. Access to waters and resources

1. The principle of equal access to Community waters is well established within the CFP, and is confirmed in Article 17 of the proposed Council Regulation on the conservation and sustainable exploitation of fisheries resources under the CFP. This is subject to certain temporary exceptions, set out in Articles 18-20, which are considered below.
2. The first exception relates to the ability of Member States to restrict fishing within 12 miles of their shoreline to those vessels that traditionally fish in those waters from ports on the adjacent coast and to those from other Member States that hold historical rights. Annex 1 to the proposed Council Regulation sets out the details of the latter. This accords with the CoR's previously held views and should be seen as an exception in the absence of specific management instruments for small-scale fleets, enabling them to engage in sustainable fishing which can compete with industrial fisheries production on the Community fish market.
3. The "roadmap" refers to general access limitations that apply in such areas as the Shetland Box. It proposed that derogations to the principle of free access to Community waters such as the Shetland Box would have to be reviewed to ensure that only those justified by conservation purposes were maintained.
4. This wording suggests that exceptions to the principle of equal access are continuing. The CoR welcomes the principle of review as set out in Article 19, accepting all management measures where there is justification in terms of conservation and sustainable exploitation objectives, which do not run counter to the basic principles of the Treaties.
5. The CoR is totally opposed to any measures that will bring about an increase in fishing effort in any scientifically sensitive areas recognised by the EU, such as the North Sea, Shetland and Irish Box. The CoR asks for the respect of the principles of equal and equitable access, in line with the conservation requirements of these areas.
6. The final exception relates to the principle of relative stability, under which national quotas are laid down on the basis of historic catches at a given point in time. The CoR has previously indicated that, in all probability, the principle of relative stability would need to be retained but that the European Commission should reconsider whether there were any genuine alternatives.
7. The European Commission confirms that the principle of relative stability will be retained in the short-term, but the method of allocation is to be determined by the Council of Ministers. It would then be for Member States to allocate quotas and fishing effort between vessels under its control.

### 4. Control and enforcement

1. The "roadmap" sets out proposals for a new regulatory framework for control and enforcement. An Action Plan setting out the details will be published during the course of the second half of 2002 and also a communication on a Joint Inspection Structure. Whilst detailed comment should be reserved until these draft documents are published, it is clear that the proposal is for a stronger and more effective system for control and enforcement.

2. The CoR supports the harmonisation of sanctions and an independent European fisheries inspectorate. If fishing is to become a truly sustainable industry, it is inevitable that there has to be some control and enforcement and sanctions imposed which are not just commensurate with the offence but also act as a deterrent to others. The CoR would, in any case, point out to the Commission that no sustainable control system can be based exclusively on sanctions. Fishermen must be brought in and given responsibility for monitoring fishing, through association-oriented and economic incentives. The solution recommended by fisheries science consists in giving responsibility for fishing rights to fishermen.

## 5. International Fisheries

1. The European Commission wishes to see international cooperation achieved in order to ensure the same respect for sustainable and responsible fisheries outside Community waters as within them and is a signatory to an international plan of action to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.
2. The CoR welcomes any measures to make illegal, unreported and unregulated fishing activity harder to undertake.
3. Furthermore, the CoR has previously expressed its concern that some drift nets, such as those used in tuna fishing harm the eco-system and has therefore proposed their total abolition. Although the phased elimination has already begun, the problem of dolphin by-catches in other important fisheries still has to be resolved and the European Commission needs to address this issue.
4. The CoR firmly supports the Council Declaration of October 1997 in which "The Council, recognizing their socio-economic benefit to the Community, in particular in relation to the objective of ensuring employment in the regions dependent on fisheries, reaffirms its commitment to fisheries agreements which are and will continue to be an essential and integral component of the common fisheries policy."
5. Fisheries agreements with third countries should meet developing states' requirements and aspirations to develop their own fisheries. In addition, they should be financed by Community fishermen and not by the EU budget. Only fishing related activities should be funded.
6. The CoR calls for joint enterprises to be recognised and promoted as instruments of the CFP. Such instruments have helped develop the fisheries sector in several third countries characterised by their sustainable development of fisheries resources. They also help create wealth and employment in both the EU and third countries, provide a guarantee of supply for the Community market, and are the ideal instrument for undertaking development cooperation projects in the fisheries sector of third countries.
7. The CoR encourages the Commission to become a world leader in developing and expanding Regional Fisheries Organisations (RFOs), as they are an ideal instrument for managing international fisheries. The CoR urges the Commission to reinforce Community representation on RFOs, by assigning more human resources to this task and taking the necessary measures to ensure Community officials are given appropriate scientific advice.

## 6. Aquaculture

1. The "roadmap" emphasises the importance of an environmentally sound aquaculture



industry, that the products should be healthy and the industry sustainable. A strategy for the development of European aquaculture is due to be published in the second half of 2002. The CoR feels that the European Commission should clearly take account of the following preconditions when formulating a strategy for the aquaculture sector:

- 1) point of departure for the policy should be a cautious approach to the ecosystem when using its many natural resources and when assessing the market possibilities for the various parts of the aquaculture sector;
- 2) greater financial support for innovations, in particular for (starting up) firms and for research centres, should be a priority;
- 3) special emphasis should be given to implementing a more integral and area-based approach to the worlds that, up to now, have operated separately in the sector as a whole;
- 4) special attention should be paid to creating greater food safety and animal welfare and to limiting the use of medical products as much as possible, trying to prevent negative environmental effects and to the way in which greater social support can be obtained for everything.
- 5) special attention should be paid to the imbalanced development of aquaculture in the European regions for reasons which are not the fault of fishing enterprises, and priority should be given to projects in regions where this sector is relatively under-developed.

2. The CoR urges the Commission to ensure that this strategy draws a clear distinction between proposals aimed at intensive aquaculture and those aimed at extensive aquaculture, such as shell fishing, as extensive aquaculture does not have the potential negative impact of intensive aquaculture on the environment.
3. When establishing development aid for aquaculture, the Commission must take account of the important difference between extensive and intensive aquaculture, and of different subsidy needs according to the type of intensive or extensive rearing, and rearing the species concerned. Priority must therefore be given to researching, breeding and rearing new species, as opposed to traditional species and in particular those species that have reached a certain level of market supply or saturation.

6.4 The CoR calls on the Commission to respond to demands by the Community's aquaculture industry to set up an Advisory Committee on Aquaculture that is separate from the current Advisory Committee of Fisheries and Aquaculture.

## **7. The social dimension of the CFP**

1. This is one of the most important facets of the CFP and an Action Plan to counter the social, economic and regional consequences of restructuring of the fishing industry is due to be published in the second half of 2002. Although any detailed consideration should await its publication, the "roadmap" provides a reasonable amount of detail which enables some preliminary comments to be given.
2. The CoR wishes to re-emphasise the importance attached to the provision of sufficient financial aid to enable individual fishermen, businesses and fish-processing industries dependent on fishing and those whose communities are fishery dependent to adjust to

the changes brought about by further reductions in quotas and fleet capacity.

3. However, it questions the reprogramming of the Structural Funds to deal with this issue. The proposals for the reform of the CFP will bring about increased hardship to fishing communities in the short- to medium-term. The CoR is hesitant to suggest reprogramming of Structural Funds from those areas where there has been justified cause for assistance (the Objective 1 and 2 areas) to support the newly identified social and economic problems associated with the fishing industry.
4. The CoR welcomes the statement in the "roadmap" that appropriate account will be taken of the needs of the outermost regions, but will wish to see tangible evidence in the forthcoming Action Plan that this has been recognised.

## 8. Economic management

1. In principle, the European Commission wishes to see the fishing industry open to competition much like any other industrial sector. It recognises, however, that this is a long-term objective.
2. The European Commission believes that, in the longer term, an alternative system of tradable fishing rights, whether individual or collective, or an access levy, should be introduced as part of progress towards normal economic conditions. This will be the subject of a workshop later this year with representatives of the fishing industry.
3. Consideration of alternative systems is consistent with the previous views of the CoR. The CoR is positive to introducing market forces into the Common Fisheries Policy. It points out however that some safeguard measures need to be taken in order to avoid concentration of operations on large-scale fishing enterprises to the detriment of small- and medium-sized fisheries operations.
4. The outcome of the workshop will be incorporated in a report on the economic management of fisheries in the EU during the course of 2003. It is possible that this will result in the preparation of formal proposals or recommendations.
5. The CoR will wish to scrutinise and comment on the report once published and on any proposals or recommendations that may be forthcoming as a result.

## 9. Effective and participatory decision-making

1. The CoR welcomes the European Commission's desire to improve the governance of the CFP, to make it more transparent and open and to promote greater responsibility and accountability. However the CoR feels that the proposals contained in the "roadmap" fall short of the more active participation of fisheries organisations that was proposed in the Green Paper. It hopes that this will be addressed in future documents promised by the European Commission on this subject.

### *Regional Advisory Councils*

2. The CoR was particularly keen for regions to participate in decision-making and thereby secure their cooperation and promote a greater sense of policy ownership. This concept of stakeholder involvement is extremely important and would help to ensure that there is a greater degree of cooperation and consensus in the fishing industry.

3. The CoR calls for the introduction of a co-management system, in which the European fisheries authorities, the fishermen themselves and fisheries experts cooperate in a constructive way. The CoR strongly supports the bottom-up approach that includes the fishermen at all stages and levels in the decision-making process. Furthermore, the CoR is in favour of continuing the regional workshops organised on a regular basis by the Commission. However, it also believes it is necessary to defend the option of including fishing representatives in the Community decision-making process through which a consensus is reached among the majority of EU fishermen. In other words, a system of Community co-management that brings together Community fisheries authorities, professionals and scientists. The first step towards such a system could be to re-structure the current Advisory Committee on Fisheries and Aquaculture as a framework for Community co-management.

The CoR proposes that any agreed system of co-management includes consultation on conservation and management issues relevant to the regions concerned. Their recommendations, reports and opinions will provide important input for the fisheries policies of the Member States concerned as well as the European Commission. In any case the European Commission will report regularly on how it has taken the recommendations and opinions into account.

4. The CoR welcomes the proposal to improve the commitment of fishermen to responsible fishing, beyond that contained in the regulatory framework, by inviting stakeholders - under the aegis of the Advisory Committee of Fisheries and Aquaculture - to contribute to the preparation of such a Code, due to be published by the end of this year, and by organising regional workshops that contribute ideas to complete this Code by developing a set of best regional practices.

#### *Delegation of powers and simplification of rules*

5. The CoR believes that the European Commission proposal to extend the scope for legislation by regulation would set a dangerous precedent. Under such a regime, whilst there would be a broad set of objectives, principles and rules of a given aspect of the CFP (such as conservation, management and control), more detailed technical and procedural rules would be laid down by the European Commission. Although the Commission would be assisted by a committee comprised of representatives of Member States, there is no indication as to whether this would include all stakeholders.
6. The CoR welcomes the statement in the "roadmap" that the national co-financing of projects financed under FIFG will no longer be subject to control under state aid rules and the possible easing of advance notification of state aid for certain categories of assistance, as this should enable funds to be distributed more quickly and efficiently.

#### 10. **Summary of Recommendations**

The Committee of the Regions remains concerned about the proposals to reform the CFP as set out in the "roadmap" and associated documents, but believes they are an attempt to address the needs of a sustainable EU fisheries industry. The CoR concurs with the European Commission that the challenges faced by the CFP are urgent and serious. Sustainability is key to the future of the fishing industry. If more fish are caught than are replaced by natural means, the industry will

continue to decline. However, if irreversible scrapping measures alone are used, there is a risk that fishermen will disappear too; it is therefore important to find a balance between biological and socio-economic factors. The measures proposed in the CFP provide a mechanism which will manage the adjustment to change, but the CoR wonders whether they are sufficient to meet the challenge facing the CFP. Clearly, however, this adjustment needs to take place over a period of time.

However the CoR calls for the following amendments:

(a) Recognising the importance of robust scientific advice in determining the measures within the CFP, it is essential that sufficient funding is made available for scientific research on the level of fish stocks and other factors having a bearing on fish stocks.

(b) That the processing industry is included in any future debate on eco-labelling.

(c) There is a need to include specific rules to ensure that fish and fish products meet requirements to avoid contaminants and this should apply equally to imports of non-EU produce.

(d) Provision for grant aid should only be made for safety and for the improvement of working conditions on vessels in small-scale fleets and only on condition that the capacity of the fleet does not increase.

(e) Whilst the introduction of greater incentives to decommission is welcomed, the provision to reprogramme existing Structural Funds, consequent to the mid-term review, in order to meet these costs, is questioned.

(f) The existing derogations limiting access to areas such as the Shetland Box should be retained, pending review as provided in Article 19 of the proposed Council Regulation on the conservation and sustainable exploitation of fisheries resources under the CFP, and Article 18 of the same be amended accordingly.

(g) Provision for the updating and subsequent regular review of the allocation keys (reference points), to reflect changes in fishing activity over time, be included in Article 20 of the proposed Council Regulation on the conservation and sustainable exploitation of fisheries resources under the CFP.

(h) Recognising that international action has been taken to phase out the use of drift nets, the European Commission should take appropriate action to overcome the problem of dolphin by-catches.

(i) In terms of assistance to provide economic and social measures for fishery dependent areas, the CoR questions the proposals to require Member States to reprogramme Structural Funds (with the exception in part of FIFG) to meet the financial needs of these areas; Member States should recognise the increasing needs for assistance to fisheries dependent areas and budget for them accordingly.

(j) In order to counter the social, economic and regional consequences of restructuring of the fishing industry, the forthcoming Action Plan should include specific measures to solve the needs of the outermost regions in accordance with Article 299 of the Treaty.

(k) Whilst future consideration of alternative systems to the principle of relative stability is welcomed in principle, the CoR notes that there are risks attached to market-based systems for quota allocation and this could have an adverse effect on some coastal regions if no safeguards are

put in place; any alternative proposals would need to be scrutinised very carefully.

(l) Whilst the proposed establishment of Regional Advisory Councils is welcomed in principle, powers should be extended to permit them to prepare and submit fisheries management plans.

(m) The provision giving Member States or the European Commission discretion as to whether or not they explain the extent to which they have recognised and dealt with any recommendations or report from Regional Advisory Councils be replaced with a mandatory requirement.

(n) Fisheries agreements with third countries should meet developing states' requirements and aspirations to develop their own fisheries. In addition, they should be financed by Community fishermen and not by the EU budget.

(o) In view of the fact that controls are a key instrument for achieving the objectives of the CFP, the achievement of sustainable fishing activities based on the conservation and careful use of fishing resources depends on the adoption of Community control measures for the fishing sector.

(p) A European Community network for fishing controls should be created with the aim of coordinating the work of the different bodies which are responsible for the management and control of the fishing sector.

(q) Measures should be adopted within the framework of the CFP which seek to pass on information on different control procedures to the relevant bodies involved in the surveillance programmes, as well as measures ensuring that suitable instruments exist for monitoring and control during the different stages of fishing activity, from the catching stage to the marketing stage.

Brussels, 12 February 2003.

The President

The Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

**Albert Bore**

**Vincenzo Falcone**

<sup>1</sup> OJ C 107, 3.5.2002, p.44

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