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European Union

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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft Council Conclusions on Special Report No 8/2017 from the European Court of Auditors entitled: "EU Fisheries Controls: more efforts needed"  
- *Adoption*

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1. On 30 May 2017, the European Court of Auditors published Special Report No 8/2017 entitled "EU fisheries controls: more efforts needed"<sup>1</sup>.
2. On 14 June 2017, the Permanent Representatives Committee instructed the Working Party on Internal and External Fisheries Policy to examine the special report in accordance with the Council conclusions of 8 May 2000 on improving the examination of special reports drawn up by the Court of Auditors <sup>2</sup>.

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<sup>1</sup> This special report is available in all official languages on the Court's website:  
<http://eca.europa.eu>.

<sup>2</sup> Cf. doc. 7515/00 FIN 127 + COR 1.

The Working Party on Internal and External Fisheries Policy examined the report on 15 September 2017. In the light of the examination, the Presidency drew up draft conclusions.<sup>3</sup> At its meeting of 28 September 2017, the Working Party reached an agreement on a text of draft conclusions, as set out in the Annex to this note.

3. In view of the above, the Permanent Representatives Committee is invited to confirm the consensus reached by the Working Party and to recommend to the Council to adopt the conclusions set out in the Annex to this note.

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<sup>3</sup> Cf. doc. 11900/17 PECHE 316 FIN519 AGRIFIN 85.

**DRAFT COUNCIL CONCLUSIONS**

**on Special Report No 8/2017 from the European Court of Auditors entitled:**

**"EU Fisheries Controls: more efforts needed"**

THE COUNCIL OF THE EUROPEAN UNION

(1) WELCOMES Special Report No 8/2017 from the European Court of Auditors entitled: "EU Fisheries Controls: more efforts needed";

(2) ACKNOWLEDGES the progress made since the last audit of the system of control in 2007<sup>4</sup> through the Council Regulation (EC) 1224/2009<sup>5</sup>, which is recognised in this Special Report in particular as regards the quota uptake and fisheries inspections.

(3) NOTES that whilst the sample of four Member States represents more than half of the Union's fleet capacity, different situations in other concerned Member States may not have been taken into account;

(4) SHARES the Court's assessment that the design and the implementation of an effective system of control is essential for the success of the Common Fisheries Policy, NOTES that the implementation of the Control Regulation is an ongoing process and that improvements are continuously being made, and ENCOURAGES Member States and the Commission to follow up on the Court's recommendations where appropriate;

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<sup>4</sup> Court of Auditor's Special Report No 7/2007.

<sup>5</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006.

(5) ACKNOWLEDGES the need to achieve a lasting balance between fishing fleet capacity and fishing opportunities to maintain fishing sustainable in the long term, NOTES therefore the importance of having reliable information on the fishing capacity in the Union fleet register, and WELCOMES the Court's recommendation to establish procedures to verify the accuracy of the information recorded in national fleet registers;

(6) RECALLS that on 6 February 2017, the Commission adopted an Implementing Regulation on the Union fishing fleet register<sup>6</sup> aiming at establishing and maintaining such a register in order to further improve the data collection in this regard and NOTES the Commission's reply that the shortcomings identified by the Court regarding the fleet register should be addressed through this regulation.

(7) AGREES that good management measures rely on the proper and efficient monitoring of fishing activities, WELCOMES the Court's assessment that fisheries management measures are overall correctly implemented, and ENCOURAGES the continuous development of technology, in particular with regard to an electronic reporting system and cross checking of data across the relevant Member States, to achieve control and compliance objectives, reduce administrative burden and further increase cost efficiency.

(8) while ACKNOWLEDGING the findings of the Court on certain deficiencies in the monitoring of small-scale fishing vessels, UNDERLINES the need to find a balance between the benefits of monitoring and evaluation and the costs and administrative burden related to it, especially in respect to small-scale fishing vessels, therefore STRESSES the need of making the greatest possible use of existing monitoring systems and data sources.

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<sup>6</sup> Commission Implementing Regulation (EU) No 2017/218 on the Union fishing fleet register.

(9) NOTES that inspection activities and sanctions contribute to the compliance ensuring sustainable fisheries management, the creation of a culture of compliance and the achievement of a level playing field in the long term, but RECALLS that different sanction practices are due to divergences in national legal systems and legal traditions and that the establishment of sanctions is exclusively Member States' competence and ENCOURAGES the further development of common inspection strategies to reinforce the level playing field and improve mutual access to relevant data.

(10) WELCOMES the Court's assessment of the implementation of the Control Regulation. RECALLING in this context the report from the Commission to the European Parliament and the Council on the implementation and evaluation of Regulation (EC) 1224/2009<sup>7</sup> the Council firmly WELCOMES the Commission's initiative to review the control system, and POINTS on this occasion to the opportunity for improvement through reliable catch reporting, further simplification, the use of new technologies, taking into account costs, added value for control objectives, regional specificities and minimalizing administrative burden.

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<sup>7</sup> Cf. doc. 8375/17 PECHE 160.