

Common Fisheries Policy (CFP): Community control system for ensuring compliance with the rules of the CFP

2008/0216(CNS) - 04/03/2009 - Document attached to the procedure

OPINION OF THE EUROPEAN DATA PROTECTION SUPERVISOR on the Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

The aforementioned proposal was sent by the Commission to the EDPS for an opinion on 14 November 2008. The proposal establishes a Community system for control, monitoring, surveillance, inspection and enforcement of the rules of the Common Fisheries Policy. Recall that the objective of the Common Fisheries Policy is to ensure exploitation of living aquatic resources in such a way that ensures sustainable economic, environmental and social conditions.

The EDPS has noted the initiative of establishing a Community system for control, monitoring, surveillance, inspection, and enforcement of the rules of the Common Fisheries Policy. It welcomes that reference to privacy and data protection is made within the current proposal. However, some amendments are needed in order to provide clear requirements, both for the Member States and for the Commission to address the data protection aspects of the system.

The observations of this opinion, which should be taken into account, include:

- the review of Article 104, paragraph 2, in order to cover any personal data and not only names of natural persons;
- the review of Article 105, paragraphs 4 and 6, on confidentiality, professional and commercial secrecy, so as to clarify the specific cases in which these paragraphs shall apply;
- the introduction in Article 103 of additional rules regarding the control over the information downloaded by Commission officials;
- the establishment of a specific storage period of data on national electronic databases and on national websites;
- the respect of procedures on transfers of personal data to third countries;
- the consultation of the EDPS when the procedure of Article 111 is used.