

# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2003/0238(CNS)</a>	Procedure completed
Common Fisheries Policy CFP: establishment of Regional Advisory Councils		
Repealed by <a href="#">2011/0195(COD)</a>		
Subject 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		25/11/2003
		UEN <a href="#">Ó NEACHTAIN Seán</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets		26/11/2003
		PSE <a href="#">DÜHRKOP DÜHRKOP Bárbara</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2599</a>	19/07/2004
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2584</a>	24/05/2004
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>		

Key events			
14/10/2003	Legislative proposal published	<a href="#">COM(2003)0607</a>	Summary
05/11/2003	Committee referral announced in Parliament		
16/03/2004	Vote in committee		Summary
15/03/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0167/2004</a>	
01/04/2004	Decision by Parliament	<a href="#">T5-0269/2004</a>	Summary
19/07/2004	Act adopted by Council after consultation of Parliament		
19/07/2004	End of procedure in Parliament		
03/08/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0238(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
	Repealed by <a href="#">2011/0195(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/20223

### Documentation gateway

Legislative proposal		<a href="#">COM(2003)0607</a>	15/10/2003	EC	Summary
Committee opinion	<b>BUDG</b>	PE338.028/DEF	30/01/2004	EP	
Committee draft report		PE337.256	11/02/2004	EP	
Economic and Social Committee: opinion, report		<a href="#">CES0321/2004</a> <a href="#">OJ C 110 30.04.2004, p. 0108-0110</a>	25/02/2004	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0167/2004</a>	16/03/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0269/2004</a> <a href="#">OJ C 103 29.04.2004, p. 0683-0806 E</a>	01/04/2004	EP	Summary
Document attached to the procedure		<a href="#">COM(2008)0364</a>	17/06/2008	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Decision 2004/585</a> <a href="#">OJ L 256 03.08.2004, p. 0017-0022</a> Summary
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## Common Fisheries Policy CFP: establishment of Regional Advisory Councils

**PURPOSE** : to establish Regional Advisory Councils under the Common Fisheries Policy. **PROPOSED ACT** : Council Decision. **CONTENT** : with the aim of improving governance within the Common Fisheries Policy (CFP), Regional Advisory Councils have been provided for in the framework of the CFP reform, particularly in Council Regulation 2371/2002/EC on the conservation and sustainable exploitation of fisheries resources under the CFP. This Regulations lays down certain principles which require further development if they are to provide a general framework that will serve as a basis for the establishment of Regional Advisory Councils by stakeholders. Even though stakeholders will be responsible for the operation of Regional Advisory Councils, it is necessary that they comply with this general framework in order to ensure a consistent and balanced approach amongst the Regional Advisory Councils. The Decision focuses on the main aspects that should be clarified at Community level: the definition of the areas to be covered, the main structure of Regional Advisory Councils, their composition, functioning, appointment procedure and financing. On the basis of the criteria laid down in this Decision, stakeholders will submit a request for the establishment of a Regional Advisory Council to the Member States concerned by the Regional Advisory Council and to the Commission for verification and approval. These Regional Advisory Councils are also meant to enhance the dialogue between the different interests concerned with the CFP. Building mutual trust between scientists and fishermen would certainly contribute to improving the transparency of scientific advice. In defining the structure of the Regional Advisory Councils, it is necessary to find a balance between efficiency of discussions and inclusiveness of all parties with a real interest. The Commission proposes that the Regional Advisory Councils consist of a general assembly, which will appoint an executive committee, restricted in size but with a balanced representation of all interests affected by the CFP. Member States are best placed to appoint the representatives of the various interests that will be members of the general assembly. Participants in the Regional Advisory Councils will be considered as members, observers or experts. Another important point is that some meetings will be open to the public. With regard to the financing of Regional Advisory Councils, the aim is that they become self-financing in the long-term. The Commission proposes that a Regional Advisory Council be established for each of the following: - Baltic Sea; Mediterranean Sea; North Sea; North Western waters; South Western waters; Pelagic stocks (blue whiting, mackerel, horse mackerel, atlanto-scandic herring). **FINANCIAL IMPLICATIONS** : - Budget line : B2-903 (110401) : closer dialogue with the fishing industry and those affected by the common fisheries policy. - Total allocation for action : Estimate of expenditure for the period 2004-2009 = EUR 2.278 million in commitment appropriations.?

## Common Fisheries Policy CFP: establishment of Regional Advisory Councils

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The committee adopted the report by Seán Ó NEACHTAIN (UEN, IRL) amending the proposal under the consultation procedure. MEPs argued that the Commission's proposal was far too timid, especially as regards financing, and therefore tabled amendments designed to give RACs real viability. Whereas the proposal provided for a maximum of EUR 100,000 for each of the 6 new RACs in the first year, phasing out all financing after 3 years, MEPs supported a maximum of EUR 500,000, thereby giving RACs the capacity to conduct their own research. They also argued that RACs - as non-profit organisations - would require permanent financial support. The committee also called for a clearer status for RACs, each of which should be a "legally incorporated non-commercial body" registered in a Member-State. Other amendments gave RACs powers to send observers to any meetings, at national or EU level, where stocks in their geographical area are being discussed. MEPs also underlined that the Commission should be present at all RAC meetings. Pointing out that RACs were primarily designed to represent fishing interests, the committee said that "at least" two-thirds of the seats in the general assembly and executive committee of each RAC should go to the fisheries sector. It also believed that RACs were the ideal venue for fishermen and scientists to overcome their traditional differences over the state of stocks and therefore argued that the RACs should always adopt recommendations by consensus (the Commission proposal allows minorities in RACs to issue dissenting opinions). Lastly, given that the Commission would review the functioning of RACs after three years, the committee believed that if experience proved the effectiveness of the new bodies, they should in the future be given a "significant management role" in the CFP. ?

## Common Fisheries Policy CFP: establishment of Regional Advisory Councils

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The European Parliament adopted the report by Seán ONEACHTAIN (UEN, IRL) amending the proposal. The European Parliament argues, however, that the Commission's proposal is far too timid, especially as regards financing. The Commission's proposal foresees giving a maximum of EUR 100,000 to each of the 6 new RACs in the first year, phasing out all financing after 3 years. MEPs support a maximum of EUR 500,000, thereby giving RACs the capacity to conduct their own research. They also argue that RACs - as non-profit organisations - will require permanent financial support, not just short-term help. The creation of two additional RACs concerning the stocks of tunas and distant waters was proposed by the Parliament. The Parliament also called for a clearer status for RACs, each of which should be a "legally incorporated non-commercial body" registered in a Member-State. Other amendments gave RACs powers to send observers to any meetings, at national or EU level, where stocks in their geographical area are being discussed. MEPs also underlined that the Commission should be present at all RAC meetings.?

## Common Fisheries Policy CFP: establishment of Regional Advisory Councils

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PURPOSE : to establish Regional Advisory Councils under the Common Fisheries Policy.

LEGISLATIVE ACT : Council Decision 2004/585/EC establishing Regional Advisory Councils under the Common Fisheries Policy.

CONTENT : the Council adopted this Decision establishing seven Regional Advisory Councils under the CFP. The reform of the CFP adopted in December 2002 provided for RACs in order to improve governance within the CFP and specified that the Council would decide on the establishment of a RAC. RACs offer the opportunity for stakeholders to be more closely involved in the development of the CFP.

The new RACs are as follows :

- Baltic Sea;
- Mediterranean Sea Maritime Waters of the Mediterranean of the East of line;
- North Sea;
- North Western waters;
- South Western waters;
- Pelagic stocks (blue whiting, mackerel, horse mackerel, herring);
- High seas/long distance fleet All non EC-waters.

Regarding the structure, each RAC shall consist of a general assembly and an executive committee. The general assembly shall meet at least once a year to approve the annual report and the annual strategic plan drawn up by the executive committee. The general assembly shall appoint an executive committee of up to 24 members. The executive committee shall manage the work of the Regional Advisory Council and adopt its recommendations.

On the functioning of the RACs, they shall adopt the measures necessary for their organisation including, as appropriate, a secretariat and working groups. They shall also ensure transparency in all stages of their decision-making process. Recommendations adopted by the executive committee shall be made available immediately to the general assembly, the Commission, Member States concerned and, upon request, to any member of the public. The members of the executive committee shall, where possible, adopt recommendations by consensus. If no consensus can be reached, dissenting opinions expressed by members shall be recorded in the recommendations adopted by the majority of the members present and voting. Upon receipt in writing of the recommendations, the Commission and, where relevant, the Member States concerned shall reply precisely to them within a reasonable time period and, at the latest, within three months. Each Regional Advisory Council shall designate a chairperson by consensus. The chairperson shall act impartially. The Member States concerned shall provide the appropriate support, including logistical help, to facilitate the functioning of a Regional Advisory Council.

On the reporting and auditing of the RACs, each Regional Advisory Council shall transmit an annual report of its activities to the Commission, the Member States concerned and the Advisory Committee on Fisheries and Aquaculture before 31 March of the year following the year covered by the report.

Lastly, the financial reference amount for the implementation of this action for the period 2004 to 2011 shall be EUR 7 596 000. For the period

following 31 December 2006, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial perspectives in force for the period commencing in 2007. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

ENTRY INTO FORCE : 10/08/2004.