




Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation European Fisheries Control Agency: cooperation Amending Regulation (EC) No 768/2005 2004/0108(CNS) Subject 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 3.15.15 Fisheries agreements and cooperation 8.40.08 Agencies and bodies of the EU	Procedure completed

Key players			
European Parliament	Committee responsible PECH Fisheries	Rapporteur  CADEC Alain Shadow rapporteur  AGUILERA Clara	Appointed 14/01/2016
	Committee for opinion BUDG Budgets	Rapporteur for opinion The committee decided not to give an opinion.	Appointed
	LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
Council of the European Union			
European Commission	Commission DG Maritime Affairs and Fisheries	Commissioner VELLA Karmenu	
European Economic and Social Committee			

Key events			
15/12/2015	Legislative proposal published	COM(2015)0669	Summary
21/01/2016	Committee referral announced in Parliament, 1st reading		
22/03/2016	Vote in committee, 1st reading		
29/03/2016	Committee report tabled for plenary, 1st reading	A8-0068/2016	Summary
05/07/2016	Debate in Parliament		
06/07/2016	Results of vote in Parliament		
06/07/2016	Decision by Parliament, 1st reading	T8-0307/2016	Summary
13/09/2016	Act adopted by Council after Parliament's 1st reading		

14/09/2016	Final act signed		
14/09/2016	End of procedure in Parliament		
16/09/2016	Final act published in Official Journal		

Technical information

Procedure reference	2015/0308(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 768/2005 2004/0108(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 043
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/05354

Documentation gateway

Legislative proposal	COM(2015)0669	15/12/2015	EC	Summary
Committee draft report	PE575.272	08/02/2016	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0068/2016	29/03/2016	EP	Summary
Economic and Social Committee: opinion, report	CES0688/2016	25/05/2016	ESC	
Text adopted by Parliament, 1st reading/single reading	T8-0307/2016	06/07/2016	EP	Summary
Draft final act	00032/2016/LEX	14/09/2016	CSL	
Commission response to text adopted in plenary	SP(2016)657	12/10/2016	EC	

Final act

[Regulation 2016/1626](#)
[OJ L 251 16.09.2016, p. 0080](#) Summary

European Fisheries Control Agency: cooperation

PURPOSE: to amend Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency in order to reinforce the EU's Coast Guards capacity to response to threats and risks in the maritime domain by inter alia improving co-operation between all relevant civilian and military actors.

PROPOSED ACT: Regulation of the European Parliament and of the council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: national authorities carrying out coastguard functions are responsible for a wide range of missions, including but not limited to maritime safety, security, search and rescue, border control, fisheries control, customs control, general law enforcement and environmental protection. The underlying problem is that coastguard functions are currently carried out by more than 300 authorities in Member States, which are not always well coordinated even at national level.

The European Border and Coast Guard Agency established, the European Fisheries Control Agency and the European Maritime Safety Agency established by Regulation (EC) No 1406/2002 of the European Parliament and the European Council support the national authorities in the exercise of most of these functions. They should therefore strengthen their cooperation with each other and with those national authorities carrying out coastguard functions in order to increase the maritime situational awareness and to support coherent and cost-efficient action.

CONTENT: the purpose of this legislative proposal is to improve co-operation and co-ordination between the relevant Member States' authorities, EU agencies and other bodies performing coastguard functions with a view to moving towards a European Coastguard Capacity/System. It forms part of a set of measures proposed by the Commission to reinforce the protection of Europe's external borders, including European cooperation on coastguard function, which also includes a [proposal to amend Council Regulation \(EC\) No 1406/2002](#) establishing a European Maritime Safety Agency (EMSA) and a [proposal for a Council Regulation](#) establishing a European Border and Coast Guard Agency. The substantive amendments in this proposal are identical to the proposed amendments to the Regulation establishing EMSA and the proposed provisions on European coastguard cooperation in the proposal for a Regulation establishing European Border and Coast Guard Agency.

The proposed Regulation covers:

- sharing information generated by fusing and analysing data available in ship reporting systems and other information systems hosted by or accessible to the Agencies. It will foster intelligence sharing amongst the Agencies;
- providing surveillance and communication services based on state-of-the-art technology, including space-based and ground infrastructure and sensors mounted on any kind of platform;
- capacity building at national and Union level by elaborating guidelines, recommendations and best practices as well as by supporting the training and exchange of staff, with a view to enhance the exchange of information and cooperation on coastguard functions. Thanks to its international mandate, the EFCA has, so far, developed robust expertise in implementing common inspection platforms and maintains privileged network with EU and third countries such as Albania, Turkey, Lebanon, Israel, Egypt, Tunisia, Algeria and Morocco;
- capacity sharing, including the planning and implementation of multipurpose operations and the sharing of assets and other capabilities across sectors and borders. It will permit the EFCA to increase its control and inspection activities and conduct new type of operations aiming at detecting criminal activities, disrupt trafficking routes and ensure the enforcement of EU and national legislations.

The Commission may adopt, in the form of a recommendation, a practical handbook on European cooperation on coastguard functions, containing guidelines, recommendations and best practices for the exchange of information and cooperation at national, Union and international level.

BUDGETARY IMPLICATIONS: this initiative will imply an increase in the EU contribution to the EFCA of around EUR 7.5 million per year (that is EUR 30.148 million for the 2017 to 2020 period) and the recruitment of 13 TA staff.

European Fisheries Control Agency: cooperation

The Committee on Fisheries adopted a report by Alain CADEC (EPP, FR) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency.

The committee recommended the European Parliament to adopt its position at first reading taking over the Commission proposal.

To recall, the aim of the proposal is to enable the three European agencies whose duties include dealing with disasters at sea to coordinate their operations at sea and share information pertaining to their activities. The European Fisheries Control Agency, the European Maritime Safety Agency and the European Border and Coast Guard Agency must be able to cooperate by pooling their operational capacities and sharing surveillance information in order to enhance maritime safety and security.

To recall, under this proposal, maritime surveillance, prevention and control operations will be coordinated at EU level in order to improve maritime awareness and support operations that are consistent and cost-effective.

The aim of the proposal is to enable the three European agencies whose duties include dealing with disasters at sea to coordinate their operations at sea and share information pertaining to their activities. The European Fisheries Control Agency, the European Maritime Safety Agency and the European Border and Coast Guard Agency must be able to cooperate by pooling their operational capacities and sharing surveillance information in order to enhance maritime safety and security.

The explanatory memorandum accompanying the draft resolution stated that the three agencies will support national authorities and be able to take effective joint action, in particular as regards conducting control, security and surveillance operations by providing the authorities with information, equipment and training, and by providing the required level of coordination for multi-dimensional operations. Such cooperation arrangements are essential given the current situation with regard to migration. Large flows of migrants require more solidarity from the EU, both materially and in human terms.

It is for this reason that Members welcome the proposal, which seeks to bring the powers and responsibilities of the European Fisheries Control Agency into line with those of the European Maritime Safety Agency and the European Border and Coast Guard Agency as regards cooperation on coastguard function.

It is important to note that the proposal is a response to the pilot project on the coordination of the functions of European coastguards adopted by Parliament as part of the general budget of the European Union for the financial year 2016. That pilot project makes it possible to test specific action conducted as part of joint operations by the three agencies mentioned above.

European Fisheries Control Agency: cooperation

The European Parliament adopted by 563 votes to 95, with 50 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency.

Parliaments position, adopted at first reading following the ordinary legislative procedure, amended the Commission proposal.

It stated that one of the missions of the Community Fisheries Control Agency is to cooperate with the European Border and Coast Guard Agency and the European Maritime Safety Agency, each within their mandate, to support the national authorities carrying out coastguard functions, as set out in Article 7a, by providing services, information, equipment and training as well as by coordinating multipurpose operations.

The Agency shall support national authorities by:

- enhancing the exchange of information and cooperation on coast guard functions including by analysing operational challenges and emerging risks in the maritime domain;
- capacity sharing by planning and implementation of multipurpose operations and the sharing of assets and other capabilities, to the extent those are coordinated by the agencies and with the agreement of the competent authorities of the Member States concerned.

A working arrangement shall determine the modalities of the cooperation and shall be approved by the Management Board of the European Border and Coast Guard Agency and the Administrative Boards of the European Maritime Safety Agency and the European Fisheries Control Agency.

The Commission shall, in close cooperation with the Member States, the European Border and Coast Guard Agency, the European Maritime Safety Agency and the European Fisheries Control Agency, make available a practical handbook on European cooperation on coastguard functions, containing guidelines, recommendations and best practices for the exchange of information. The Commission shall adopt the handbook in the form of a recommendation in close cooperation with the Member States, the European Border and Coast Guard Agency, the European Maritime Safety Agency and the European Fisheries Control Agency.

European Fisheries Control Agency: cooperation

PURPOSE: to strengthen cooperation between the European Fisheries Control Agency, the European Border and Coast Guard Agency, and the European Maritime Safety Agency, and with the national authorities carrying out coast guard functions.

LEGISLATIVE ACT: Regulation (EU) 2016/1626 of the European Parliament and of the Council amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency.

CONTENT: the Regulation amends [Council Regulation \(EC\) No 768/2005](#) in order to specify that one of the tasks of the European Fisheries Control Agency is to cooperate with the [European Border and Coast Guard Agency](#) and with the [European Maritime Safety Agency](#) each within its mandate, to support the national authorities carrying out coast guard functions, by providing services, information, equipment and training as well as by coordinating multipurpose operations.

In cooperation with the European Border and Coast Guard Agency and the European Maritime Safety Agency, the Agency will support national authorities carrying out coast guard functions at national and Union level and, where appropriate, at international level by:

- sharing information available in ship reporting systems and other information systems hosted by or accessible to those agencies;
- providing surveillance and communication services based on state-of-the-art technology;
- building capacity by drawing up guidelines and recommendations and by establishing best practices as well as by providing training and exchange of staff;
- enhancing the exchange of information and cooperation on coast guard functions including by analysing operational challenges and emerging risks in the maritime domain;
- sharing capacity by planning and implementing multipurpose operations and by sharing assets and other capabilities, to the extent that these activities are coordinated by those agencies and are agreed to by the competent authorities of the Member States concerned.

The precise forms of cooperation on coast guard functions between this Agency, the European Border and Coast Guard Agency and the European Maritime Safety Agency shall be determined in a working arrangement, in accordance with their respective mandates.

The Commission shall make available a practical handbook on European cooperation on coast guard functions, in close cooperation with the Member States, the Agency, the European Border and Coast Guard Agency and the European Maritime Safety Agency.

ENTRY INTO FORCE: 06.10.2016.