

Review of the functioning of the RACs & ACFA evaluation

North Sea RAC – October 2008



Council Decision 585/2004:

- Review due for 2007 but delayed by one year
- Objective: Evaluate RACs functioning but not CFP governance (Council regulation 2371/2002). This will be done in the context of the next CFP reform.
- The report does not mention the financing of RACs as this point was already discussed in 2007 and led to the amendment of Decision 2004/585
- It is an overall evaluation of RACs and not an individual scrutiny. NB: Each RAC is at different stage and some comments in the report may not concern certain RACs.

1st part – Evaluation of the main elements of the general framework established by Council decision 2004/585/EC

- The current legal framework is generally satisfactory, having enabled the creation of the RACs and guided their functioning.
- Some improvements / clarifications could be contemplated in the medium term, after discussion with all interested parties.
 - Adaptation of the composition rule of the GA: suppression of the ratio but guarantees in the designation of representatives at the Excom.
 - Number of seats in the Excom: possible increase up to 30 or rotation of members.
 - Definition of the fisheries sector / other interests – criteria for membership

2nd Part – Input of RACs to the CFP decision-making process

- RACs contributed to an improved dialogue with and between stakeholders
- The amount of advice, quality and timeliness have increased over time even if the Commission sometimes does not follow RACs advice.
- Consultation process could be further improved (timing, documents, access to information and scientific data etc);.

Main conclusions

- A number of actions could be implemented by the EC in the short term without need for new legal rules e.g.:
 - Propose internal guidelines on procedural rules for the RACs- based on best practices;
 - Prepare guidelines on financial management of Community co-financing ;
 - Improve the consultation process;
 - Propose benchmarks to improve the consistency of RAC advice with CFP objectives;
 - Organise annual debriefing with individual RACs;
 - Improve RAC visibility through the Commission's website;
 - Encourage participation by a wider range of stakeholders
 - Etc...

First comments from the MS

- Would have liked an independent review by a consultant.
- COM analysis focuses too much on operational issues rather than on strategic ones.
- COM has failed to address critical financial and budgetary issues.
- Guidelines for Member States on their financial contributions to RACs should be set up to avoid very different practices.
- Agree on increasing the number of seats in the Executive Committee for specific RACs BUT maintain balance of interest at two-thirds / one-third .
- Consultation of RACs should be before discussion in Council and not after proposals have gone to Council BUT any documents going to the RACs should also go to Council.
- COM should pay more attention to RAC opinions by more active participation in RACs prior to RACs giving their opinions.
- Projects that fall outside the scope of the CFP should be avoided.
- Avoid duplication with ACFA.
- Non papers should be available in different languages.

ACFA evaluation

- Carried out by an external consultant
- Objective: To assess the efficiency and representativeness of ACFA
- Terms of reference also mentioned the relations between ACFA and RACs (cf possible overlappings)

Conclusions:

- Recommendation: « to improve the formulation of consultation questions and to delineate clearly the questions on the respective roles of ACFA and RACs when both bodies are asked to address the same topics. This would avoid overlappings. »
- 4 scenarios: 1) To replace ACFA with RAC coordination committee; 2) To have a smaller ACFA; 3) To have a larger ACFA; 4) To create a Maritime Consultative Group.

Next steps

- ✓ - ACFA plenary (3 October): debate on the RACs review and the evaluation of ACFA;
- Presentation of the review in RACs and discussion at the next RACs coordination meeting (24 November);
- Second discussion with the Member States (December – tbc);
- Debate in the Parliament (fisheries committee)

// Reform of the Common Fisheries Policy