I. Policy Options Proposed

Cyprus supports Policy options 2 & 3. Despite the fact that the Control Regulation has been a "success story" overall, we agree that there is need for revision to be in line with the new CFP, to improve weaknesses and discrepancies, to clarify vague provisions and minimize administrative burden.

Concerning options 2 and 3, we would like to stress out the need to respect sovereignty and jurisdiction of the MS.

II. Policy Option 2

A. Enforcement

Cyprus agrees to most of the measures mentioned. We would like to stress out that harmonization of sanctions (i.e. fixed sanctions) for infringements of the CFP rules cannot be applied since there are significant differences on the nature of fisheries in each MS as well as socioeconomic differences. We do agree though, that the sanctions must be effective and have an impact. Also national modalities and rules arising from legal provisions should be taken into account. The common list of infringements must be maintained but it should be a consolidated list incorporating the various sanctions referred to in different Regulations.

B. Data: availability, quality and sharing

1. Reporting and tracking for vessels < 12 m

We agree that there is a gap created by the information vessels under 12m should be reporting. The system proposed for the reporting of data of these vessels should be simple, easy to use, and applicable. We should be very careful in incorporating electronic reporting as this might have a negative effect on the validity and accuracy of data provided, since many fishermen are not very accustomed to communication technology and the small vessels cannot accommodate equipment that is sensitive or that it requires space and steady and continues power supply. The use of systems similar to ERS and or VMS will not be convenient since small vessels cannot support such equipment. The need is for simplification and not vice versa. Additionally, whatever will be proposed must take a gradual effect, be simple and efficient and have an added value to the system. Also the proportionality principle should be taken into account.

2. Control of recreational fisheries

Recreational fisheries should be managed on a national level basis, according to the specificities of each region. We would like to note that, since it was referred to in the paper that circulated and discussed on the 6th of November (Paragraph 2, Point 1), that the Regulation on Landing obligation does not include or apply to recreational fisheries.

The points referred to the registration of vessels used for recreational fishing to be registered and the control measures taken for recreational fisheries should be managed at the national level.
3. Weighing, transport and sales

Cyprus agrees that the provisions that are now in force for post landing procedures for fisheries products do not fully ensure that each quantity of each species landed is correctly registered (not including species under quota).

Actions such as, the weighing of each quantity of each species landed on approved scales and the record of them is already in force. What should be given special attention to and amend the Regulation in such a way that will enhance the registration of landed fisheries including the weighing of all quantities sold/dispensed for private consumption, to non-registered buyers. In general, the proposals should be realistic, proportional. The clarification of responsibilities and accountability of operators at all process stages is critical and should be addressed. We believe that the reporting procedure of documents from operators to competent authorities is quite simplified.

We believe that small scale fisheries should be safeguarded and that any procedure put in place should not hinder or prevent in any way fishermen from selling their catches directly to consumers. To this end any rules for safeguarding the recording of all catches should be applied at national level and certified but national control authorities.

We do not agree to the action proposed for imposition of registration of post-landing operators (same register used in the food law – increase of synergies with food law) because we believe that it will most probably increase administrative burden and not the opposite.

4. Monitoring of the fishing capacity

The current provisions on physical verification of the engine power are indeed not effective.

Cyprus would like to stress out the fact that the continuous monitoring system and transmission of the maximum power developed by the engines when the vessels are active for vessels >120 kW using active gears should not be catholic, but it should include for example vessels that are under a fishing effort scheme but only if they have engines that can be electronically manipulated to change their power. We do not believe that there is a need for live feed of this information. This could be stored locally and used by control authorities when needed. In general we are against real time sending of information as this is extremely costly and jeopardizes the economic viability of the sector.

5. Data management and sharing at EU level

The continuous changes the Commission proposes on applications ensuring the exchange of fisheries data between Member States is one of the reasons the Commission has limited access to it, since MS are constantly trying to fulfill the new requirements and thus the systems are never fully functional.

As we have already stated, we are in favor of the digitalization of the data system, but as far as vessels <12m, there is a need to find simple solutions for us to evaluate and give an opinion on whether they can be applied.

Cyprus is in favor for the establishment of an EU-Fisheries Control Data Centre (FCDC).
C. Control of the landing obligation

Although Cyprus acknowledges the problem that conventional controls such as inspections at sea are not effective to control and enforce compliance of the landing obligation, we are not in agreement of using complicated control systems.

Although the use of CCTV’s is a solution, it should be proposed to use simple non complicated circuits. Additionally, protection of personal data should be addressed beforehand for the legislation as it is now, creates problems on the usage of CCTV’s. We do not support the real time view of such systems. IN cases where there will be a need for CCTV’s, all data should be locally stored. We do not find it necessary for incorporating any sensors or protocols for these systems. National control authorities should be able to decide on the technical specifications of such devices.

D. Increased synergies with other policies

1. Environment

As far as the lack of synergies with the environmental legislation, Cyprus would like to stress out the fact that the environmental issues, unlike fisheries do not fall under the exclusive competes of the EU. Fisheries Control should remain concentrated on the compliance and enforcement of fisheries legislative provisions.

2. Market control (and traceability)

Cyprus acknowledges that there are still some gaps in the traceability of fishery products. Additionally, we are in full agreement that the current system is exclusively designed for EU fishery products, and does not allow the use of certain data on imported fishery products from Third Countries, which should be included.

We do therefore agree with the action of clarifying definitions and provisions, including the objective of traceability and its use but we do not agree with the addition of the requirement of a unique trip identifier since we face mixed lots and that would not simplify but complicate the implementation of such a provision.

Also, we are not in favor for a digital system to ensure the application of the rules of the CFP at all stages of the marketing of fisheries and aquaculture products, from the first sale to the retail sale, including transport. This will increase exponentially administrative burden for very short market chains (one or two middlemen). We should also take into account the relative short time fresh fish remains in the market and the fact that we are talking of food (fish) and not objects.

The EU system of traceability should also include information of consignments entering the EU (IUU regulation).

Traceability if fully implemented can be effective as it is today, one step back one step forward.

3. Food and feed safety

Cyprus is in favor to amend the Control Regulation to better align it to the principles of the food law especially with the terminology and principles of Control Regulation with the food law, but fisheries control should remain the enforcement and compliance of fisheries rules.

We would like further clarification on the Commission’s proposal to introduce minimum cooperation rules and procedures between Member States and define the responsibilities of the food chain operators (using the same register as under food and feed law).
POLICY OPTION 3: AMENDMENT OF THE FISHERIES CONTROL SYSTEM

**Enforcement rules**

Cyprus is in favor of establishing a common list of definitions of serious infringements of the CFP by ensuring EU international obligations.

On the other hand, we believe that the introduction of common rules on administrative sanctions for infringements of the CFP rules by setting at EU level types and ranges of sanctions could be problematic. We do support though a more explicit definition of the concept of the "economic benefit from the infringement" or "value of the prejudice to the fishing resources and the marine environment" is regards, we are in agreement.

**Increased synergies with other policies**

**Market control (and traceability)**

Cyprus is in favor of amendment of the Control Regulation so that it applies to products from Third Countries, remove the derogation for products from Third Countries and digitalize the IUU catch certificate.

**IUU**

Cyprus is in line with the Commission’s proposal to mandate the use of an EU-wide IUU IT system for the electronic submission and collection of catch certificates and processing statements and amend the IUU Regulation to digitalize the IUU catch certificate.

**EFCA Founding Regulation**

The amendment of the EFCA Founding Regulation as far as the policy for EU agencies is part of the horizontal EU policy and to that extend we make no comment on this. We do though express our concern as to possible changes made that might hinder EFCA to perform its tasks and duties.

We would like to stress out the fact that the cooperation between MS and the EFCA concerning fisheries control must continue on a regional approach as it is the case up to this day.

We do not agree with the possibility of compromising in any way jurisdictional competencies and as a result sovereignty of MS.