# Fishery resources: transposal into Community law of control and technical measures adopted by the Northwest Atlantic Fisheries Organisation NAFO

2006/0200(CNS) - 22/10/2007 - Final act

PURPOSE: to update the EU Regulation laying down the technical conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (NAFO).

LEGISLATIVE ACT: Council Regulation (EC) N° 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation.

CONTENT: the Council adopted a Regulation establishing the conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO).

The NAFO Convention was approved by the Council by Regulation (EEC) N° 3179/78 and entered into force on 1 January 1979. The Convention provides an appropriate framework for multilateral cooperation on the rational conservation and management of fishery resources in the Area defined by the Convention.

At its 25th Annual Meeting, held from 15 to 19 September 2003, NAFO substantially revised the Conservation and Enforcement Measures applicable to fishing vessels operating in Areas beyond the limits of the national jurisdiction of the Contracting Parties in the Convention Area.

These measures include control measures applicable to vessels flying the flag of the Contracting Parties and operating in the NAFO Area, and arrangements for inspections at sea and in port, which include inspection and surveillance procedures and infringement procedures which must be implemented by the Contracting Parties. The measures also provide for the mandatory inspection of Non-Contracting Party vessels where they enter the ports of the Contracting Parties voluntarily and a prohibition on the landing and transhipment of catches if, during such inspection, it is established that they have been taken in breach of the conservation measures adopted by NAFO. These measures entered into force on 1 January 2004. They are binding for the Community and should be applied.

This Regulation applies to all commercial fishing activities conducted by Community fishing vessels and includes in EU legislation the measures reviewed by NAFO.

The Regulation provides for the implementation of control measures applicable in the NAFO Area, particularly inspection and infringement procedures, technical measures focusing on the minimum size of fish, as well as requirements in terms of by-catches, the mesh size of nets and the gathering of data.

Certain measures implemented by NAFO have already been incorporated in EU law through annual Regulations on the Total Allowable Catch (TAC) and fishing quotas.

The new Regulation also aims to simplify the legislative framework by combining the whole set of measures in a single legal act and by repealing Regulations (EC) N° 1262/2000, (EC) N° 3069/95, (EC) N° 3680/93, (EEC) N° 189/92, (EEC) N° 1956/88 and (EEC) N° 2868/88.

ENTRY INTO FORCE: 11/11/2007.