

# Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries 1978: amendments

2010/0042(NLE) - 08/03/2010 - Preparatory document

**PURPOSE:** the approval, on behalf of the European Union, of amendments to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (NAFO).

**PROPOSED ACT:** Council Decision.

**LEGAL BASE:** Article 43 (2), in conjunction with Article 218 (6), point a) of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries was signed in Ottawa on 24 October 1978 and entered into force on 1 January 1979. The European Economic Community acceded to the Convention on 28 December 1978 by means of Council Regulation 3179/78 /EEC.

The Convention established the North Atlantic Fisheries Organisation (NAFO) which is a regional fisheries management organisation the objective of which is:

- to promote the conservation and optimum utilisation of the fishery resources of the North-East Atlantic area within a framework appropriate to the regime of extended coastal State jurisdiction over fisheries, and,
- accordingly, to encourage international co-operation and consultation with respect to these resources.

**Amendment:** the parties to the Convention adopted the ‘amendment’ to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries at NAFO annual meetings in 2007 and 2008. The amendment involves a detailed revision of the convention the primary purpose of which is to align it more closely to other regional conventions and international instruments and to incorporate in it **modern concepts on fisheries management**. In this way, the objective and the general principles of the convention have been revised and extended so as to guarantee the long-term sustainability of fishery resources rather than their optimal utilisation in the Convention Area. In so doing, the Amendment would ensure that marine ecosystems in which these resources are found would be safeguarded and the contracting parties would bear in mind the precautionary principle and take account of the relationship between all components of the ecosystem thus conserving marine biodiversity.

The Amendment would:

- rationalise the structure of the organisation (in particular, the two decision-making bodies of the current structure, the General Council and the Fisheries Commission have been merged into one body,
- introduce clear definitions of responsibilities of contracting parties, flag states and port states,
- provide for a more coherent decision-making process in order bring more clarity as regards the obligations of Contracting Parties wishing to make an objection to Conservation and management measures adopted by NAFO,

- modernise the budget contribution formula to reflect the user pay principle in relation to the services provided to the Contracting Parties of NAFO,
- establish a new dispute settlement procedure to allow the expeditious settlement of disputes between parties.

In the light of the fishing possibilities accruing to the European Union under the Convention, it is in the EU's interest **to approve the proposed Amendment to the Convention**, while Council Regulation (EEC) No 3179/78 should remain in force for the provisions of the Convention that are maintained unchanged.

The purpose of this proposal is the approval of the Amendment to the Convention on behalf of the European Union, **following the consent of the European Parliament**.

BUDGETARY IMPACT: the proposal does not have an impact on the EU's budget.