Imports of Atlantic bigeye tuna (Thunnus obesus) originating in Bolivia, Cambodia, Equatorial Guinea, Georgia and Sierra Leone

2013/0097(COD) - 08/04/2013 - Legislative proposal

PURPOSE: the repeal of Council Regulation (EC) No 827/2004 prohibiting imports of Atlantic bigeye tuna (*Thunnus obesus*) originating in Bolivia, Cambodia, Equatorial Guinea, Georgia and Sierra Leone and repealing Regulation (EC) No 1036/2001.

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: the European Union has been a Contracting Party to the International Convention for the Conservation of Atlantic Tunas (the ICCAT Convention) since 14 November 1997, following the adoption of Council Decision 86/238/EEC. The ICCAT Convention provides a **framework for regional cooperation in the conservation and management of tuna and tuna-like species** in the Atlantic Ocean and its adjacent seas through the establishment of an International Commission for the Conservation of Atlantic Tunas (ICCAT) and the adoption by the latter of conservation and management measures which become binding on the contracting parties. In 1998, ICCAT adopted resolution 98-18 concerning the **unreported and unregulated catches of tuna** by large-scale longline vessels in the Convention area. That resolution established procedures for the identification of countries whose vessels had fished for tuna and tuna-like species in a manner which diminished the effectiveness of ICCAT conservation and management measures. It also specified measures to be taken, including if necessary **non-discriminatory trade restrictive measures**, in order to prevent those countries' vessels from continuing such fishing practices.

Following the adoption of resolution 98-18, ICCAT identified Bolivia, Cambodia, Equatorial Guinea, Georgia and Sierra Leone as countries whose vessels fish Atlantic bigeye tuna (*Thunnus obesus*) in a manner which diminishes the effectiveness of its conservation and management measures, substantiating its findings with data concerning catches, trade and the activities of vessels. As a consequence, ICCAT recommended that Contracting Parties take appropriate measures, consistent with provisions of the 1998 Resolution, to the effect that **the import of Atlantic bigeye tuna and its products in any form from the above mentioned countries be prohibited**. As a consequence, imports to the Union of Atlantic bigeye tuna originating from these countries were prohibited by Regulation (EC) No 827/2004. In 2004, ICCAT acknowledged the efforts made by Cambodia, Equatorial Guinea and Sierra Leone to address its concerns and adopted recommendations for the lifting of trade-restrictive measures against those three countries. As a consequence, Regulation (EC) No 827/2004 was amended by Regulation (EC) No 919/2005, so that it continued prohibiting such imports only from Bolivia and Georgia.

At its 22nd regular annual meeting, ICCAT acknowledged the efforts made and actions taken by Bolivia and Georgia and adopted recommendation 11-19 lifting the import prohibitions on Atlantic bigeye tuna and its products which had been imposed on those two countries. Regulation (EC) No 827/2004, as amended by Regulation (EC) No 919/2005 should therefore be repealed.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 207(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the lifting of the import prohibitions on Atlantic bigeye tuna and its products that were imposed on Bolivia and Georgia has been adopted by ICCAT, international body to which the European Union is a Contracting Party. In order to uphold its international commitments, the European Union should enact such decision into Union law and therefore repeal Regulation (EC) No 827/2004.

BUDGETARY IMPLICATION: there are no implications for the European Union’s budget.