

Scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic Fisheries

2015/0063(COD) - 11/03/2015 - Legislative proposal

PURPOSE: to amend the EU rules transposing the Scheme of control and enforcement adopted by the North East Atlantic Fisheries Commission (NEAFC).

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 Convention on Future Multilateral Cooperation in North East Atlantic Fisheries to which the European Union is a Contracting Party aims to ensure the long term conservation and optimum utilisation of the fishery resources of the North East Atlantic area, providing sustainable, environmental and social benefits.

For the purpose of ensuring the application of this Convention and recommendations adopted by the North East Atlantic Commission (NEAFC), measures concerning control and enforcement relating to fisheries concerned may be adopted.

[Regulation \(EU\) No 1236/2010](#) transposes into Union law the Scheme of control and enforcement adopted by the NEAFC.

At its Annual Meetings in 2012, 2013, 2014 and 2015, NEAFC adopted:

- **Recommendation 15:2013** amending the Scheme, concerning the communication of transhipments and of port of landing;
- **Recommendation 9:2014** amending the Scheme, concerning, respectively, the definitions, a number of provisions applying to Port State Control of foreign fishing vessels and the infringement procedures;
- **Recommendation 12:2015** amending Recommendation 9:2014 with respect to Articles 22 and 23 of the Scheme on Port State Control of foreign fishing vessels.

These Recommendations were adopted with the full support of the EU in NEAFC. It is in the EU's interest therefore that they be introduced in Union law by means of the proposed regulation.

CONTENT: the proposal seeks to amend Regulation (EU) No 1236/2010 in order to incorporate it into Union law amendments to the Scheme as adopted in NEAFC Recommendations 15/2013 and 9/2014 as amended by Recommendation 12/2015 which have become binding for the Contracting Parties to NEAFC and consequently for the EU.

- The main change, **operated by Recommendation 9/2014**, is the alignment of the Scheme with the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU, approved by the EU in 2011. Contracting Parties have agreed that this recommendation will enter into force on 1 July 2015.
- The other change, made through **Recommendation 15/2013**, clarifies that vessels involved in a transshipment operation in the Regulatory Area as receiving vessel shall communicate the port of landing regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Recommendation 12/2015 amended Recommendation 9/2014 with respect to notification procedures on Port State Control of foreign fishing vessels with the aim to adapt them for the switch-over from a paper based system to a modern web-based ICT application, operated by the NEAFC Secretary.