Conservation of Antarctic marine living resources: technical measures to fishing

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PURPOSE : to establish technical measures concerning the activities of Community fishing vessels which take and keep on board marine organisms from the area covered by the Convention on the Conservation of Antarctic Marine Living Resources ("the Convention"). CONTENT : The EC, as a Contracting Party to the Convention, is required to transpose measures adopted by the Convention's Commission ("the CCAMLR") into Community law. To date most of the relevant measures have been transposed by Council Regulations 66/98/EC and 3943/90/EC. These two instruments need to be updated to bring them into line with the amendments to the corresponding CCAMLR measures. Major changes have been made to measures on fishing gear, mesh sizes, scientific observation and the use of plastic packaging bands. The CCAMLR has also adopted, since 1998, new technical measures concerning fishing activities in the exploratory crab and squid fisheries, and the reduction of the incidental mortality of seabirds and marine mammals. Turning to the control system, the CCAMLR has introduced changes designed mainly to distinguish between inspection activities and scientific observation focusing on data collection with a view mainly to evaluating stocks. The scientific observation scheme falls within the technical rather than the control sphere. For that reason, the separation adopted by the CCMALR is justified. The proposal is made up of five chapters : - general provisions, - fishing gear, - conduct of fishing activities, - scientific observation on board vessels operating in the Convention area, - final provisions. This proposal is presented at the same time as the draft regulation on control measures applicable to fishing activities in the Convention area (see CNS020137.) It should be noted that it contains rules for determining minimum mesh sizes which are normally included in the rules on the control of fishing activities. Their inclusion in this instrument reflects the fact that the concept of technical rules used in Community law comprises not only the technical specifications that must be met by products (in this case, gear) but also the procedures for checking the compliance of those products with the mandatory technical specifications. Moreover, implementation of this type of control is much broader in scope than that of inspections at sea and in port covered by the "control" proposal. Both proposals make use of the Committee procedures.