## Basic information

| | |
|---|---|
| **2006/0200(CNS)**<br><br>CNS - Consultation procedure<br>Regulation | Procedure completed |
| Fishery resources: transposal into Community law of control and technical measures adopted by the Northwest Atlantic Fisheries Organisation NAFO<br><br>Repealed by 2018/0304(COD)<br><br>**Subject**<br><br>3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| PECH Fisheries | CAPOULAS SANTOS Luis Manuel (PSE) | 21/11/2006 |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| ENVI Environment, Public Health and Food Safety | The committee decided not to give an opinion. | |

### Council of the European Union

| Council configuration | Meetings | Date |
|---|---|---|
| Agriculture and Fisheries | 2825 | 2007-10-22 |

### European Commission

| Commission DG | Commissioner |
|---|---|
| Maritime Affairs and Fisheries | BORG Joe |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 23/10/2006 | Legislative proposal published | COM(2006)0609 | Summary |
| 29/11/2006 | Committee referral announced in Parliament | | |
| 03/05/2007 | Vote in committee | | Summary |
| 07/05/2007 | Committee report tabled for plenary, 1st reading/single reading | A6-0162/2007 | |
| 07/06/2007 | Decision by Parliament | T6-0220/2007 | Summary |

| | | | |
|---|---|---|---|
| 07/06/2007 | Results of vote in Parliament |  | |
| 22/10/2007 | Act adopted by Council after consultation of Parliament | | |
| 22/10/2007 | End of procedure in Parliament | | |
| 05/12/2007 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 2006/0200(CNS) |
| **Procedure type** | CNS - Consultation procedure |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Regulation |
| **Amendments and repeals** | Repealed by 2018/0304(COD) |
| **Legal basis** | EC Treaty (after Amsterdam) EC 037 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | PECH/6/42057 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE384.568 | 06/03/2007 | |
| Committee report tabled for plenary, 1st reading/single reading | | A6-0162/2007 | 07/05/2007 | |
| Text adopted by Parliament, 1st reading/single reading | | T6-0220/2007 | 07/06/2007 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2006)0609 | 23/10/2006 | Summary |

## Additional information

| Source | Document | Date |
|---|---|---|
| National parliaments | IPEX | |
| European Commission | EUR-Lex | |

## Final act

Regulation 2007/1386
OJ L 318 05.12.2007, p. 0001 

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

2006/0200(CNS) - 23/10/2006 - Legislative proposal

PURPOSE: to update Community rules transposing conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (NAFO).

PROPOSED ACT: Council Regulation.

CONTENT: in September 2003 the Northwest Atlantic Fisheries Organisation (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 Conservation Area."* The new NAFO provisions entered into force in January 2004. The Community, as a contracting party, is obliged to apply these provisions. The purpose of this Regulation is to transpose the revised NAFO measures into Community law. In doing so the Community is bringing together a number of related, though separate legislative acts, under one Regulation.

The new measures, to be transposed:

- provide for control measures that will apply to vessels flying the flag of the Contracting Parties and who are operating in the NAFO area;
- provide for inspection arrangements both at sea and in port;
- include inspection, surveillance and infringement procedures;
- provide for mandatory inspections of non-Contracting Party vessels where they enter the ports of the Contracting Parties voluntarily; and
- prohibit the landing and transhipment of catches if they have been taken in breach of NAFO conservation measures.

Many of these measures have already been transposed into Community law. The body of legislation that covers conservation and enforcement measures are:

- Regulation 1956/88/EEC adopting provisions for the application of the scheme of joint international inspection adopted by the NAFO;
- Regulation 2868/88/EEC laying down detailed rules for the application of the Scheme of Joint International Inspections adopted by NAFO;
- Regulation 189/92/EC adopting provisions for the application of certain control measures adopted by NAFO;
- Regulation 3680/93/EC laying down certain conservation and management measures for fishery resources in the Regulatory area as defined in the Convention on Future Multilateral Co-operation in NAFOP;
- Regulation 3069/95/EC establishing a European Community observer scheme applicable to Community fishing vessels operating in the Regulatory Area of NAFO; and
- Regulation 1262/2000/EC laying down certain control measures in respect of vessels flying the flag of non-Contracting Parties to NAFO.

It is the intention of this Regulation to repeal all of the above and incorporate the new measures under this one Regulation. In addition to repealing the above, recently agreed legislation on TAC and quotas will be transferred to this new Regulation.

In other provisions, the Regulation stipulates that each Member State must ensure that the activities of its vessels outside the Community fishery zone are subject to proper monitoring and to inspections/surveillance in order to ensure compliance with Community rules. As a result, Member States whose vessels are authorised to fish in the NAFO Regulatory Areas must assign inspectors to NAFO in order to undertake such monitoring and surveillance exercises. The Member States are expected to co-operate with one another when applying these measures.

# 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.

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

2006/0200(CNS) - 07/06/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Luis Manuel **CAPOULAS SANTOS** (PES, PT) amending the proposal for a Council regulation laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO). The report was adopted by 576 votes in favour to 17 against with 7 abstentions. The amendments incorporate any developments subsequent to the drawing up of the Commission text, which for reasons of timing, do not appear in the proposal. These include the provisions contained in the most recent regulation on total allowable catches (TACs) and quotas (Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions applicable in Community waters and, for Community vessels, in waters where catch limitations are required).

The technical measures include provisions relating to minimum fish and mesh sizes, requirements relating to the collection of data and special provisions applicable to shrimp fishing.

The control measures include the establishment of a vessel-tracking satellite system and the requirement for vessels to carry impartial observers.

The supervision and inspection measures include the requirement for the contracting parties to accept a joint scheme for inspection at sea, including infringement procedures which they are required to implement.

The proposal also includes measures intended to ensure that vessels belonging to non-contracting parties which operate in NAFO waters and whose activities are regarded as illegal, unreported and unregulated (IUU) fishing activities shall abide by the NAFO rules.