

Procedure file

Basic information	
CNS - Consultation procedure Regulation	2002/0137(CNS) Procedure completed
Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures	
Repealing Regulation (EC) No 1721/1999 1998/0204(CNS) Amended by 2007/0001(CNS) Amended by 2007/0223(CNS)	
Subject 3.15.01 Fish stocks, conservation of fishery resources 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity	
Geographical area Antarctica	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		12/09/2002
		PPE-DE STEVENSON Struan	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2573	22/03/2004
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries		

Key events			
03/07/2002	Initial legislative proposal published	COM(2002)0356	Summary
02/09/2002	Committee referral announced in Parliament		
01/07/2003	Legislative proposal published	COM(2003)0384	Summary
25/11/2003	Vote in committee		Summary
25/11/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0440/2003	
16/12/2003	Decision by Parliament	T5-0568/2003	Summary
22/03/2004	Act adopted by Council after consultation of Parliament		
22/03/2004	End of procedure in Parliament		
01/04/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2002/0137(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EC) No 1721/1999 1998/0204(CNS) Amended by 2007/0001(CNS) Amended by 2007/0223(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/16458

Documentation gateway					
Initial legislative proposal		COM(2002)0356 , OJ C 262 29.10.2002, p. 0310 E	03/07/2002	EC	Summary
Legislative proposal		COM(2003)0384 ,	01/07/2003	EC	Summary
Economic and Social Committee: opinion, report		CES1592/2003 OJ C 080 30.03.2004, p. 0012-0016	10/11/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading		A5-0440/2003	25/11/2003	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0568/2003 OJ C 091 15.04.2004, p. 0028-0087 E	16/12/2003	EP	Summary

Additional information	
European Commission	EUR-Lex

Final act
Regulation 2004/601 OJ L 097 01.04.2004, p. 0016-0029 Summary

Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures

PURPOSE : to establish certain control measures for fishing activities in the area covered by the Convention on the Conservation of Antarctic Marine Living Resources ("the Convention"). **CONTENT** : The Convention entered into force in the Community on 21 May 1982. It provides a framework for regional cooperation in conservation through the establishment of a Commission ("CCAMLR"), and the adoption by the latter of conservation measures which become binding on the Contracting Parties. The Community must apply CCAMLR measures to its fishing vessels. The measures concerned include numerous rules and provisions for the control of fishing activities in the Convention area, which must be incorporated into Community law as special provisions within them meaning of Council Regulation 2847/93/EC. Some of those special provisions have been transposed into Community law by Council Regulation 3943/90/EEC, Council Regulation 66/98/EC, and Council Regulation 1721/99/EC. With a view to implementing the new conservation measures adopted by the CCAMLR, those Regulations are repealed and replaced by a single Regulation, which lays down rules for : - control measures applicable to fishing vessels flying the flag of a Contracting Party to the Convention, operating in the Convention area in waters located beyond the limits of national jurisdiction; - a system to promote compliance by vessels flying the flag of a non-Contracting Party with conservation measures laid down by the CCAMLR. Changes have been made concerning access to fishing activities and the various catch and effort reporting systems as regards both the procedures to be followed and the species subject to the individual system for the different fishing areas. In particular, specific rules have been adopted for

the crab and squid fisheries. On the issue of the control system, the CCAMLR has introduced changes designed mainly to distinguish between inspection and scientific observation activities focusing on data collection. Basic responsibility for implementing the inspection arrangements now rests with the Member States. The Commission's responsibility is at the level of monitoring the inspectors. On the matter of the checks on vessels, CCAMLR measures are updated. The draft Regulation is made up of seven chapters: - general provisions, - arrangements concerning access to fishing in the Convention area, - catch and effort reporting system, - control and inspection at sea, - control and inspection in port, - control measures for vessels flying the flag of a Non-Contracting Party to the convention, - final provisions.?

Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures

The present amended proposal, before the European Parliament's opinion, aims to take into consideration new technical measures applicable to fishing activities in the CCAMLR area introduced in 2002 and which were not taken into consideration in the previous version of the proposal. These measures concern in particular: - fishing gear (technical standards on the gears authorised in certain fisheries); - crab fishing in clearly defined fishing zone of the Antarctic; - specific provisions aiming at avoid the accidental death of sea birds, during longline fishing; - stricter provisions as regards Community vessels moving in relation to the level of their by-catches (it is particularly in the case of exploratory fisheries for *Dissostichus* spp); scientific observation on board vessels operating in the CCAMLR zone (in particular, arrangements on the placing of observers on board vessels); - the Reporting of information to the CCAMLR. Lastly, the new version of the text makes reference to certain decisions entered into force since the first proposal, concerning comitology (in particular Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission). It should be noted that the annexes also include amendments which are similar to the amendments accepted in the body of the text.?

Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures

The committee adopted the report by Struan STEVENSON (EPP-ED, UK) broadly approving the proposal under the consultation procedure, subject to a number of drafting and other amendments. In particular, the committee said that a condition for the issue of a special fishing permit linked to the technical characteristics of the vessel should be inserted in the Regulation, while the basic requirements that constitute the conditions for the issue of the permit should be kept in the regulation laying down certain technical measures applicable to fishing activities in the area covered by the Convention. This amendment is in line with the amendment proposed to Article 8(3) of the latter regulation. MEPs also introduced a new article specifying that Member States should cooperate and take all necessary measures under national and Community law, including severe penalties, to ensure that nationals subject to their jurisdiction do not support or engage in illegal, unreported and unregulated fishing. Any sanctions applied should be such as to effectively prevent, deter and eliminate IUU fishing and deprive offenders of the benefits accruing from this illegal activity.?

Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures

The European Parliament adopted a resolution drafted by Struan STEVENSON (EPP-ED, United Kingdom) and made several amendments to the proposal. (Please refer to the document dated 25/11/03.) In addition, the word "inspector" has been substituted for the word "observer" which appeared in the Commission's draft.?

Fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources: control measures

PURPOSE : to establish certain control measures for fishing activities in the area covered by the Convention on the Conservation of Antarctic Marine Living Resources. LEGISLATIVE ACT : Council Regulation 601/2004/EC laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources and repealing Regulations 3943/90/EEC, 66/98/EC and 1721/1999/EC. CONTENT : the Council unanimously adopted the Regulation laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources (CCAMLR). As the adoption of conservation measures by CCAMLR is binding on the contracting parties, this Regulation includes, in Community law, the provisions for the control of fishing activities and technical rules, which apply to certain fishing activities. These provisions include among other, the banning of certain types of equipment regarded as harmful to environment, the use of specific fishing gear. As regard the control of fishing activities, they entail special fishing permits, data reporting system, inspection at sea and in port and infringement procedures. ENTRY INTO FORCE : 08/04/2004.?