



# Procedure file

Basic information		
CNS - Consultation procedure Decision	2004/0268(CNS)	Procedure completed
Protection of fauna: Agreement on the International Dolphin Conservation Programme AIDCP, conclusion by the European Community		
Subject 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		25/01/2005
		PPE-DE <a href="#">FREITAS Duarte</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Employment, Social Policy, Health and Consumer Affairs</a>	2699	08/12/2005
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>		

Key events			
29/11/2004	Legislative proposal published	<a href="#">COM(2004)0764</a>	Summary
10/01/2005	Committee referral announced in Parliament		
24/05/2005	Vote in committee		Summary
26/05/2005	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0157/2005</a>	
09/06/2005	Results of vote in Parliament		
09/06/2005	Debate in Parliament		
09/06/2005	Decision by Parliament	<a href="#">T6-0229/2005</a>	Summary
08/12/2005	Act adopted by Council after consultation of Parliament		
08/12/2005	End of procedure in Parliament		

## Technical information

Procedure reference	2004/0268(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/25239

## Documentation gateway

Legislative proposal		<a href="#">COM(2004)0764</a>	29/11/2004	EC	Summary
Amendments tabled in committee		<a href="#">PE357.789</a>	02/05/2005	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0157/2005</a>	26/05/2005	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0229/2005</a> <a href="#">OJ C 124 25.05.2006, p. 0419-0507 E</a>	09/06/2005	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2005)2882</a>	13/07/2005	EC	

## Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Final act

<a href="#">Decision 2005/938</a> <a href="#">OJ L 348 30.12.2005, p. 0026-0053</a> Summary
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## Protection of fauna: Agreement on the International Dolphin Conservation Programme AIDCP, conclusion by the European Community

PURPOSE : the Conclusion of an EU Agreement on the International Dolphin Conservation Programme.

PROPOSED ACT: Council Decision

CONTENT: In 1999 the Council authorised the signature of an Agreement on the International Dolphin Conservation Programme (AIDCP), the objective of which is the progressive reduction of incidental dolphin mortalities in the tuna purse-seine fishery in the Eastern Pacific Ocean. The aim being to reach zero levels through the setting of annual limits and the long-term sustainability of tuna stock in the Agreement Area. The AIDCP, however, has been applied on a provisional basis only until such time that the EU can become a member of its sister organisation, the Inter-American Tropical Tuna Commission (IATTC). The IATTC plays a vital role in co-ordinating the AIDCP. Since 1999, though, the EU has been unable to become a member of the IATTC, mostly thanks to technical reasons. In June 2003, the Kingdom of Spain became a member of the IATTC. An agreement has been struck with Spain that its participation would be in line with that of the Community position. Given that Spain is now a full member of the IATTC, the Commission is proposing this Council Decision to allow the Community to take the necessary procedures for it to conclude the AIDCP in full and assume its responsibilities/duties under that Agreement. Following the adoption of the Decision, the Community will deposit the instrument of approval with the Government of the United States of America, which is the Depository of the AIDCP.

FINANCIAL STATEMENT:

- Budget lines and headings: 11 03 02 / B78001: Contributions to international organisations;

11 03 03 / B78002: Preparatory work for new international fisheries organisations and other non-compulsory contributions to international organisations.

- Overall figures: Total allocation for action (Part B): open-ended action.
- Period of application: From 2005 onwards.
- Overall multiannual estimate of expenditure: This action does not entail obligatory spending other than the costs inherent to human resources.
- Overall financial impact of human resources and other administrative expenditure: A total of three permanent staff (1A, 1B and 1C) at a total cost of EUR 324 000.

## Protection of fauna: Agreement on the International Dolphin Conservation Programme AIDCP, conclusion by the European Community

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The committee adopted the report by Duarte FREITAS (?PP-ED, PT) broadly approving the proposal under the consultation procedure, subject to a number of amendments mainly designed to clarify and improve the text. The report also introduced three new articles:

- the Council Presidency should take steps to ensure "the permanent updating of procedures for the tracking and verification of catches of tuna in the area covered by the Agreement, by virtue of the entry into force of Regulation (EC) No. 882/2003";
- only tuna that conforms to the definition of 'dolphin-safe tuna' set out by the International Dolphin Conservation Programme (IDCP) should be allowed to be labelled as such;
- the Community shall implement measures in order to ensure that an adequate level of information about AIDCP eco-labelling is achieved and maintained for the benefit of consumers in Europe.

## Protection of fauna: Agreement on the International Dolphin Conservation Programme AIDCP, conclusion by the European Community

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The European Parliament adopted a resolution drafted by Duarte FREITAS (?PP-ED, PT), was adopted by 473 votes in favour to 6 against and 11 abstentions. (Please see the document of 24/05/2005.)

## Protection of fauna: Agreement on the International Dolphin Conservation Programme AIDCP, conclusion by the European Community

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PURPOSE: to approve, on behalf of the Community, the Agreement on the International Dolphin Conservation Programme.

PROPOSED ACT: Council Decision 2005/938/EC on the approval on behalf of the European Community of the Agreement on the International Dolphin Conservation Programme.

CONTENT: the purpose of the 1998 Agreement on the International Dolphin Conservation Programme is to reduce, progressively, the mortality rate of dolphins to close to zero through the setting of annual limits. The current cause of the high mortality rate on dolphins can be directly linked to the fishing of tuna in the Eastern Pacific Ocean. A further feature of the Agreement is the long term conservation of tuna stock within the same waters. Given that EU fishermen actively fish tuna in the Eastern Pacific Ocean, the Community has a direct interest in preserving, both for ecological as well as economic reasons, a sustainable tuna fish stock in the geographically defined area.

Through the Kingdom of Spain's membership of the ?Inter-American Tropical Tuna Commission? (IATTC), the Community is now in a position to approve the Agreement and fully assume its duties and responsibilities, under both the Agreement and the Convention establishing the IATTC. Accordingly, the Agreement on the International Dolphin Conservation Programme has now been approved on behalf of the Community. The President of the Council has been authorised to designate the person(s) empowered to deposit the instrument of approval with the Government of the United States of America.