


Procedure file

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Repealed by 2018/0304(COD)	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

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		21/11/2006
		PSE CAPOULAS SANTOS Luis Manuel	
	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	Meeting	Date
	Agriculture and Fisheries	2825	22/10/2007
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
22/10/2006	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	Results of vote in Parliament		
07/06/2007	Decision by Parliament	T6-0220/2007	Summary
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	
Procedure reference	2006/0200(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Regulation
	Repealed by 2018/0304(COD)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

Legislative proposal	COM(2006)0609	23/10/2006	EC	Summary
Committee draft report	PE384.568	06/03/2007	EP	
Committee report tabled for plenary, 1st reading/single reading	A6-0162/2007	07/05/2007	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0220/2007	07/06/2007	EP	Summary
Commission response to text adopted in plenary	SP(2007)3798/2	18/07/2007	EC	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2007/1386](#)
[OJ L 318 05.12.2007, p. 0001](#) Summary

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

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 transshipment 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 NAFO;
- 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

The committee adopted the report by Luis Manuel CAPOULAS SANTOS (PES, PT) amending - under the consultation procedure - 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 amendments were designed to incorporate into the text any developments which had taken place after the proposal was drawn up, in particular 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 provisions covered inter alia by-catch retained on board, by-catch in any one haul, directed fisheries and by-catch, mesh sizes, fisheries restricted areas, chartering arrangements, trans-shipments, data collection, special arrangements for shrimp fishing, infringement proceedings, enhanced follow-up in the case of serious infringements, reports on such investigations, enforcement measures and measures in respect of vessels engaging in illegal and unauthorised fishing.

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

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.

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

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 transshipment 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.