

European Communities

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EUROPEAN PARLIAMENT

# Working Documents

1980 - 1981

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8 May 1980

DOCUMENT 1-147/80

## Report

drawn up on behalf of the Committee on Agriculture

**on the proposal from the Commission of the European Communities to the Council (Doc. 1-727/79) for a Regulation concerning allocation and control of certain catch quotas for vessels flying the flag of a Member State and fishing in the Regulatory Area defined in the NAFO Convention**

**Rapporteur: Mr F. GAUTHIER**



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By letter of 4 February 1980, the President of the Council of the European Communities requested the European Parliament, pursuant to Article 43 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a regulation concerning the allocation and control of certain catch quotas for vessels flying the flag of a Member State and fishing in the Regulatory Area defined in the NAFO Convention.

The President of the Parliament referred this proposal to the Committee on Agriculture as the committee responsible.

The Committee on Agriculture appointed Mr Gautier rapporteur on 28 February 1980.

It considered its proposal at its meeting of 22-24 April 1980 and adopted it by 27 votes to one.

Present: Mr Früh, acting-chairman and vice-chairman; Mr Caillavet, vice-chairman; Mr Gautier, rapporteur; Mr Battersby, Mr Blaney (deputizing for Mr Skovmand), Mrs Castle, Mr Clinton, Mrs Cresson, Mr Cronin (deputizing for Mr Buchou), Mr Curry, Mr Davern, Mr Gatto, Mr Giummarra (deputizing for Mr Colleselli), Mr Helms, Mrs Herklotz, Mr Howell, Mr Jürgens, Mr Lyngge, Mr Maffre-Baugé, Mr Maher, Mr d'Ormesson, Mr Pranchère, Mr Provan, Mr Sutra, Mr Tolman, Mr Vernimmen, Mr Wettig, Mr Woltjer.

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The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning allocation and control of certain catch quotas for vessels flying the flag of a Member State and fishing in the Regulatory Area defined in the NAFO Convention

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(79) 787 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 1-727/79),
- having regard to the report of the Committee on Agriculture (Doc. 1-147/80),

Whereas, joint stock management and conservation measures with third countries are essential to safeguard the future of the Community's fishing industry,

1. Points out that the obligatory quotas laid down in the proposal became binding upon the Community by the fact that the Commission raised no objection during their consideration by the Fisheries Commission of the North West Fisheries Organization; and that the Parliament was at no time informed or consulted as to the nature of those quotas or the intention of the Commission to accept them;
2. Considers that the manner in which the Commission implements Article XII of the NAFO Convention renders it impossible to develop a proper dialogue between the Commission and the European Parliament;
3. Stresses the importance of fishing in the waters regulated by the NAFO Convention to certain Community fishermen;
4. Requests the Commission to provide the fullest information possible concerning past catches by Community fishermen and fishermen of third countries presently allocated quotas in the waters concerned;
5. Demands that research be carried out urgently on stock levels and suitable quota levels for the major fish species in the North West Atlantic;

6. Considers that much greater clarity is required concerning the allocation of quotas and the enforcement of agreements and regulations if an EEC deep sea fisheries fleet is to continue viable operation;
7. Points out that inspection vessels are present only very periodically in the NAFO regulated waters, and that, therefore, adequate control measures of fishing actively in these waters are essential;
8. Requests the Commission to examine whether other means of controlling catches could be implemented, and in particular the grant of licences to individual vessels, permitting catches of fixed amounts by species.

EXPLANATORY STATEMENTIntroduction

1. The purpose of the Commission's proposal is to allocate catch quotas between Member States in the waters regulated by the North West Atlantic Fisheries Organization (NAFO).
2. With the extension of the limit of national jurisdiction on fisheries management to 200 miles, the ICNAF Convention, which had sought to regulate fisheries in the North West Atlantic, was superseded by the NAFO Convention.

The NAFO Convention applies only to the international waters beyond the 200-mile limits, the North West Atlantic, and in particular the Grand Banks and the Flemish Cap.

Procedural problems

3. The European Parliament is consulted upon a proposal to implement catch quotas.

The first question to ask is whether there is any purpose served by this consultation.

4. According to Articles XI and XII of the convention, proposals shall be adopted by the Fisheries Commission of NAFO unless any Commission member presents to the Executive Secretary an objection to a proposal within 60 days.

The Community is represented in the Fisheries Commission by representatives of the Commission of the European Communities. Clearly, unless the European Parliament is informed before proposals are adopted and deadlines passed, there is little point in consulting them.

In the explanatory statement to the Commission's proposal, it states that at its annual meeting in June 1979 the Fisheries Commission of NAFO adopted proposals for catch quotas for the year 1980. These became binding upon all contracting parties, including the Community, on 19 September 1979. There is ~~one~~ exception to this:

the Community objected to a proposal concerning red fish allocations in NAFO division 3M.

The reason given by the Commission for its rejection is the fact that no quota had been allocated to the Community despite its historical fishing performance for the stock concerned, whereas other member countries of NAFO which had little or no record of fishing, had been accorded quotas.

No indication is given at all as to whether the Community's fishing record for other species has been respected in the allocation of quotas.

5. Two conclusions can be drawn:

- (a) the European Parliament should be informed of proposals for quota allocations before they are adopted by the Fisheries Commission of NAFO; without this prior information, the consultation procedure for the European Parliament becomes meaningless.
- (b) The European Commission should present to the Parliament a detailed report on the past fishing performance of the Community and other NAFO parties in the waters concerned, so that the European Parliament may judge whether the Community's historical fishing record has been sufficiently taken into account in drawing up the NAFO quotas.

#### Quota levels

6. The quota levels proposed in the North West Atlantic were seriously contested by many fishing organizations. These organizations state that there is no adequate scientific basis put forward for the quota levels proposed and that for certain species, and in particular cod, the quota levels could be increased without damage being inflicted on the stock levels. Given the importance of the quotas of the North West Atlantic to the Community's remaining deep sea fleet, the European Parliament requests the Commission to draw up a full report on the scientific evidence relating to the stocks in the North West Atlantic.

#### Enforcement of NAFO's provisions

7. The NAFO Convention to which the Community, and not the Member States individually, is a contracting party, concerns international waters only, in the North West Atlantic, and in particular the Grand Banks and the Flemish Cap.

8. The joint enforcement scheme proposed at present is a modified version of that in force for three years under the ICNAF Convention.

9. As far as physical enforcement, inspection of fishing boats by inspection vessels, 95 per cent of the effort will be carried out by Canadian inspectors.

Only very periodically will Community inspection vessels be present, as, for example, an occasional visit by a French inspection vessel while on a routine twice-yearly tour in the waters of St. Pierre and Miquelon. Occasional visits by other inspection vessels of the Member States are not to be excluded.



10. Therefore this proposal raises, indirectly, the question of the most appropriate means to enforce fisheries' management policies.

The scheme proposed is based on a rather cumbersome reporting procedure.

Such a system is unlikely to prove very efficient, while, at the same time, creating a potential for conflict.

11. To this one must add a more general problem. The Parliament has examined numerous proposals for fisheries' agreements with third countries and management measures within Community waters.

All contain or are based upon surveillance and control measures. These vary from proposal to proposal.

Some require a licence, others a register or a log or a certificate. The form varies constantly.

Moreover, the question of who is to control whom is constantly glossed over.

This is natural, given the unwillingness of some Member States to envisage control of their vessels by inspection vessels of other Member States.

12. The Commission has tried to avoid confrontation on this issue. But there is a danger that differences in opinion may become entrenched. This issue should be brought out into public discussion, so that all fishermen can give their views, agreement on basic principles sought, and a degree of cohesion introduced into the present confusion.

The Commission and the Parliament should examine the most appropriate instruments for enforcing control of conservation measures so that a clearly understood and coherent set of principles be introduced.

13. Without greater clarity concerning the allocation of quotas and the enforcement of regulations, the continued existence of an EEC deep sea fisheries fleet as a viable economic operation will be put at risk.

