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Report

drawn up on behalf of the Committee on Agriculture

on a proposal from the Commission of the European Communities to the Council (Doc. 402/78) for a regulation concerning the ~~conclusion~~ by the European Economic Community of the Convention on future multi-lateral cooperation in the Northwest Atlantic fisheries

Rapporteur: Mr H. LEMP

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PE 56.160/fin.

By letter of 20 October 1978 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 conclusion by the European Economic Community of the Convention on future multilateral cooperation in the Northwest Atlantic fisheries.

The President of the European Parliament referred this proposal to the Committee on Agriculture.

On 20 November 1978 the Committee on Agriculture appointed Mr Lemp rapporteur.

It considered this proposal at its meeting of 30 November/1 December 1978.

The motion for a resolution was adopted unanimously.

Present: Mr Caillavet, chairman; Mr Hughes, vice-chairman; Mr Lemp, rapporteur; Mr Andersen, Mr Corrie, Mr Cunningham, Mr Früh, Mr Hoffmann, Mr Joxe, Mr Klinker and Mr Tolman.

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A

The Committee on Agriculture hereby submits the following motion for a resolution to the European Parliament, 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 the conclusion by the European Economic Community of the Convention on future multilateral cooperation in the Northwest Atlantic fisheries

The European Parliament,

- having regard to the proposal from the Commission to the Council¹,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 402/78),
- having regard to the report by the Committee on Agriculture (Doc. 491/78),

Approves the proposal concerning the conclusion of the Convention on multilateral cooperation in the Northwest Atlantic fisheries.

¹ OJ No. C 271, 15.11.1978, p. 2

EXPLANATORY STATEMENT

The Convention on future multilateral cooperation in the Northwest Atlantic fisheries will replace the international fisheries organization ICNAF (International Convention for the Northwest Atlantic Fisheries).

As a result of the extension of the exclusive zone to 200 nautical miles, the working area of ICNAF had to be revised, which involved so many changes that a new agreement was essential. The ICNAF was not designed for the present situation in which the fisheries area falling under the jurisdiction of coastal states has been extended.

Negotiations took place at a number of diplomatic conferences between the parties concerned for a new form of multilateral cooperation covering the Atlantic Ocean and, following the diplomatic conference held in Ottawa in October 1977, the parties are expected to be in a position to sign the agreement by 31 December 1978. The text of the agreement has already been signed by a number of important States, such as Canada, Portugal, Norway, Romania and the Soviet Union, and it has also been signed by the Community.

Attention is here drawn to the fact that the Community is a party to the Convention in its own right, in accordance with its powers under the common fisheries policy.

The fact that the Soviet Union has signed the text is of great political significance, as it is the first time this power has recognized the Community's competence to negotiate in international fisheries. This creates a precedent of great importance for the future, when the Community will be taking part in its own right in international fisheries negotiations in the NEAFC or in regional fisheries organizations.

The second important factor in the new agreement concerns the substantial role allocated to scientific research and information, as a result of which the control and conservation of fish stocks in

the Northwest Atlantic acquires a scientific basis. Scientific research is institutionalized in the form of the Scientific Council¹.

The functions and powers of the Council are laid down in Articles VI to X of the Convention. It is of great importance that scientific research is being conducted into the conservation and control of fish stocks outside the 200 mile zone and in areas where there are overlapping stocks. The zone to which the Convention applies is defined in Article I and the 'Regulatory Area' is the part of the Convention area which lies beyond the areas in which coastal states exercise fisheries jurisdiction.

Under Article XI the Fisheries Commission, which is established within the framework of the Convention, must take into account when allocating catches in the Regulatory Area, the interest of countries which have traditionally fished within that area. A controversy arose in respect of the allocation of catches within this zone near the Grand Banks and the Flemish Cap.

The explicit formulation of Article XI(4) meets many of the Canadians' interests in this matter. The European Commission wanted to make sure that this Article did not set a precedent for the concession of special fishing rights to Canada outside the 200 mile limit. In an exchange of letters, it was established that this Article does not prejudice the positions of Canada, the Community or the Member States in respect of the Law of the Sea and is not to be invoked as a ~~precedent~~ in other cases concerning the conservation and utilization of sea resources. This proviso was accepted by Canada.

The Committee on Agriculture regards the Convention as an important step towards multilateral cooperation in the fisheries sector and approves the proposal for a regulation concerning the conclusion of the Convention.

¹ Scientific Council - Conseil Scientifique, only the English and French texts are authentic.

