

Northwest Atlantic fisheries management measures

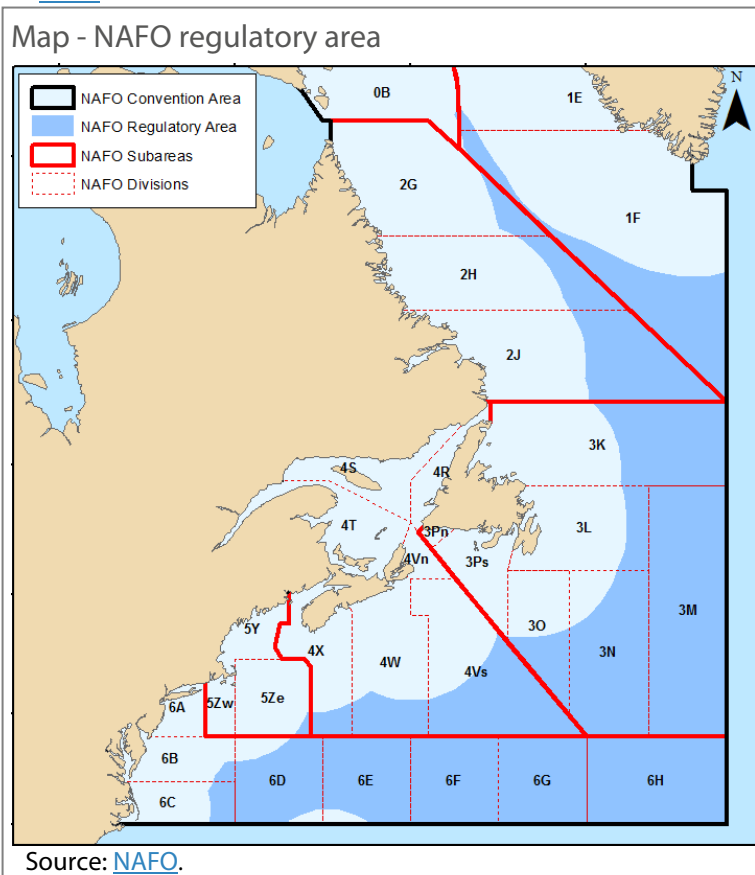
The Northwest Atlantic Fisheries Organisation (NAFO) is a regional fisheries management organisation responsible for managing fisheries resources in the north-western zone of the Atlantic Ocean. As a contracting party to the NAFO, the European Union is bound to adopt its recommendations. The European Commission therefore proposes to transpose a number of new NAFO measures that go beyond the existing EU legislation into EU law. The proposal also provides for delegated powers to be granted to the Commission in order to facilitate swift transposition of new measures in the future.

Background

Fishing in areas beyond national jurisdiction (the 'high seas') is subject to cooperation in the framework of regional fisheries management organisations (RFMOs). These organisations are based on multilateral agreements made by countries with fishing interests in those areas. Some RFMOs have broad mandates to manage various fisheries resources in a specific area, while others focus on the management of highly migratory species (in particular tunas) throughout vast geographical areas. The Northwest Atlantic Fisheries Organisation (NAFO) belongs to the first category and includes the European Union among its members.

The Northwest Atlantic Fisheries Organisation

[NAFO](#) was founded in 1978 as a successor to the International Commission of the Northwest Atlantic Fisheries (ICNAF, 1949-1978), with a view to ensuring the long-term conservation and sustainable use of the fisheries resources in its geographical area. Its convention came into force in 1979 and was last amended in [2017](#).



The NAFO convention area includes both national and international waters. The part of the convention area under national jurisdiction belongs to the 200-mile exclusive economic zones of the United States, Canada, St Pierre et Miquelon (a French overseas territory south of Newfoundland) and Greenland. The part beyond national waters, the NAFO regulatory area (highlighted in dark blue on the map), is that for which NAFO can adopt [conservation and enforcement measures](#) for the fisheries under its responsibility.

NAFO counts both coastal and distant fishing states among its members. The organisation currently consists of 12 contracting parties: the European Union (a member since 1979) and 11 states (Canada, Cuba, Denmark in respect of the Faroe Islands and Greenland, France in respect of St Pierre et Miquelon, Iceland, Japan, Norway, South Korea, Russia, Ukraine and the United States of America).

NAFO does not manage sedentary species (e.g. shellfish) or species managed by other international fisheries bodies, i.e. salmon, tunas/marlins, and whales.

In 2018, the European Union has 35 fishing vessels authorised to operate in the NAFO regulatory area. According to 2017 [catch statistics](#), about 51 000 tonnes were landed by EU vessels, in particular by vessels belonging to Spain (42 %) and Portugal (38 %), but also Estonia (9 %), Denmark (5 %), Germany (4 %) and the United Kingdom (2 %). In terms of weight, the most landed species were redfish, cod, Greenland halibut, blue shark and skates.

European Commission proposal

As the EU is a contracting party to the NAFO, it must transpose its measures into EU law, to the extent to which they are not already covered, so that they become applicable to all EU vessels. On 7 August 2018, the Commission put forward a [proposal](#) in order to transpose the NAFO measures adopted between 2008 and 2017. For simplification of the legal framework, it would repeal the last main transposition (Council Regulation [No 1386/2007](#)) to include the changes adopted since 2008, and Council Regulation [No 2115/2005](#) establishing a recovery plan for Greenland halibut, to transpose the NAFO provisions for this species along with the other conservation measures. The proposal does not cover fishing opportunities for the EU decided by NAFO, which are allocated by the Council in the framework of the annual regulation on fishing opportunities.

Among the wide range of measures, the proposal includes:

- **conservation measures**, among which spatial and/or temporary closures, rules for stocks for which no quota has been allocated, bycatch requirements, shark conservation measures, specific provisions for research vessels and many more;
- **technical measures**, for example on **minimum mesh sizes** for certain species (e.g. squid, skate, redfish...) and on retrieving **lost gear**;
- a regulation on **bottom fishing activities**, to limit their impact on **vulnerable marine ecosystems**: these measures include area restrictions (more in particular seamount closures and coral, sponge and seapen protection areas) and rules for reporting on encounters with such species;
- a series of **control measures**, including notification of fishing vessels, monitoring of fishing activities and observer schemes, procedures for inspection at sea and infringements, additional port state controls and measures to prevent illegal, unreported and unregulated (IUU) fishing by vessels from countries which are not NAFO contracting parties.

Since certain NAFO provisions are amended more frequently, the Commission has also requested the power to adopt delegated acts on most articles of the proposal (conferred for a five-year period) in order to transpose future NAFO measures more swiftly. The delegation would be extended tacitly, unless opposed by the Parliament or the Council not later than three months before the end of each period.

European Parliament position

In the Parliament, the rapporteur published his [draft report](#) on 25 September 2018 for consideration at the PECH meeting of 8 October 2018. The rapporteur welcomes the proposal, in order to ensure a uniform implementation to all Union fleets, and proposes some minor modifications. Given the need for rapid up-to-date transposition in the future, the rapporteur proposes no amendments to the list of delegated acts. However, he proposes to underline to the Commission that the PECH committee will verify that any delegated act submitted is strictly limited to the enactment of NAFO amendments. Just over 100 amendments have been submitted, on top of the 22 included in the draft report. These will be considered at the PECH committee meeting of 27 November and are due to be the subject of a committee vote in January.

Parliament's Committee on Fisheries (PECH) is responsible for considering this proposal, with Ricardo Serrão Santos (S&D, Portugal) as rapporteur (procedure [2018/0304\(COD\)](#)).

