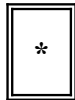


3 December 1997

A4-0389/97



REPORT

on the proposal for a Council Regulation amending Regulation (EEC) n° 2847/93 establishing a control system applicable to the common fisheries policy (COM(97)0341 - C4-0416/97 - 97/0189(CNS))

Committee on Fisheries

Rapporteur: Mr Doeke Eisma

PE 223.785/fin.

CONTENTS

	<u>Page</u>
Procedural page	3
A. LEGISLATIVE PROPOSAL	4
DRAFT LEGISLATIVE RESOLUTION	4
B. EXPLANATORY STATEMENT	5

By letter of 30 July 1997 the Council consulted Parliament, pursuant to Article 43 of the EC Treaty, on the proposal for a Council Regulation amending Regulation (EEC) n° 2847/93 establishing a control system applicable to the common fisheries policy.

At the sitting of 15 September 1997 the President of Parliament announced that he had referred this proposal to the Committee on Fisheries as the committee responsible.

At its meeting of 4 September the Committee on Fisheries appointed Mr Eisma rapporteur.

It considered the Commission proposal and the draft report at its meetings of 8 October, 4 November and 2 December 1997.

At the last meeting it adopted the draft legislative resolution unanimously.

The following took part in the vote: Fraga Estévez, chairman; Kindermann and Macartney, vice-chairmen; Eisma, draftsman; Crampton, Gallagher, Hardstaff (for Adam), McCartin (for Langenhagen), McKenna, McMahon (for Baldarelli) and Teverson.

The report was tabled on 3 December 1997.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

A
LEGISLATIVE PROPOSAL

Proposal for a Council Regulation amending Regulation (EEC) n° 2847/93 establishing a control system applicable to the common fisheries policy (COM(97)0341 - C4-0416/97 - 97/0189(CNS))

The proposal is approved.

DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying Parliament's opinion on the proposal for a Council Regulation amending Regulation (EEC) n° 2847/93 establishing a control system applicable to the common fisheries policy (COM(97)0341 - C4-0416/97 - 97/0189(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council, COM(97)0341- 97/0189(CNS)⁽¹⁾,
- having been consulted by the Council pursuant to Article 43 of the EC Treaty (C4-0416/97),
- having regard to Rule 58 of its Rules of Procedure,
- having regard to the report of the Committee on Fisheries (A4-0389/97),

1. Approves the Commission proposal;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
4. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ C 267, 3.9.1997, p. 62

B

EXPLANATORY STATEMENT

Introduction

The Common Fisheries Policy (CFP) as established in 1983 was and is based on a system of total allowable catches (TACs) and quotas. However, at the time of the mid-term review in 1992, this was supplemented by the concept of setting objectives and strategies for the restructuring of fishing effort.⁽¹⁾

Since then the Commission has sought, through a series of measures, to establish fishing effort as an important additional instrument for managing the intensity of fishing. The current proposal represents a further step in that direction.

Substance of the Proposal

Council Regulation 2847/93⁽²⁾, establishing a control system for the CFP, recognised that any policy for the management of fishery resources which included control of fishing effort, would involve the monitoring of fishing activities and capacities and require detailed knowledge of the composition of catches. To this end, the regulation introduced the obligation on skippers of fishing vessels over ten metres in length to keep a log book.

The task of ensuring the accuracy of log books was entrusted to the competent authorities in the Member States, who were also to be responsible for collecting data on fishing effort and forwarding it to the Commission. These rules did not apply to the Baltic.

Parallel to this, in 1994, Regulation 1627/94⁽³⁾ laid down general provisions for a Community system of special fishing permits, to be related to conditions for access to waters and resources. Under the terms of the accession of Finland and Sweden to the Union in January 1995, various transitional arrangements were applied to their access to waters, until this Community system could be put in place, which in any event, had to be before 31 December 2002.

However, in adopting Regulation 779/97⁽⁴⁾, which terminated the transitional provisions governing access to Baltic waters, the opportunity was also taken to introduce to the Baltic certain arrangements for the management of fishing effort. Notably this included the *ex post* monitoring by the Member States of the fishing effort of Community vessels in that sea.

⁽¹⁾ OJ L 389, 31.12.1992, p. 1

⁽²⁾ OJ L 261, 20.10.1993, p. 1

⁽³⁾ OJ L 171, 6.7.1994, p. 7

⁽⁴⁾ OJ L 113, 30.4.1997, p. 1

Nevertheless, the regulation did not go so far as to extend to the Baltic the scope of application of the control regulation (2847/93), but provided instead, under article 6(2) for the Council to take a

decision by 31 December 1997, on amendments to it, on the basis of a proposal to be submitted by the Commission before 30 June 1997.

This is now the object of the current proposal, which aims to make applicable in the Baltic, those aspects of Regulation 2847/93, which relate to in particular:

- the keeping of records of fishing effort in a log book;
- the procedures for forwarding the lists of named vessels to the Commission;
- the collection of data on fishing effort by the Member States and its storage on computerised data bases;
- the transmission of the assembled data to the Commission.

Assessment of the Proposal

In its first report on the monitoring of the CFP, for the period up to the end of 1994⁽¹⁾, the Commission noted the shortcomings of the logbook system and the difficulties involved in making direct comparisons between the various approaches applied to data collection and verification by the different Member States. It was clear, however, that the system operated more effectively in some Member States than in others and that there was considerable divergence in the quantity and quality of information collected and forwarded to the Commission.

In its report on monitoring the activities of the CFP in 1995⁽²⁾, currently also before Parliament, the Commission states that the conclusions of the first report remain valid.

This judgement begs the question, therefore, as to why the Commission wishes to extend to the Baltic sea a system which it admits itself is working less than satisfactorily. Certainly, at first sight, it would appear that the most immediate result will be an increase in bureaucracy for no appreciable benefit in terms of the efficiency of controls.

Conclusions

Firstly, it must be accepted that the recording of data on fishing effort in a log book is only one element in the Community's armoury of control measures. It has been seen that some countries which operate this part of the system relatively poorly, may well have strengths in other areas of control such, as at-sea inspections.

⁽¹⁾ COM(96)0100 of 18.03.1996

⁽²⁾ COM(97)0226 of 13.06.1997

Secondly, monitoring remains primarily the responsibility of the Member States. While Parliament might wish for an enhanced role and increased resources for the EU inspectorate, the Commission's main task under the present arrangements is to ensure that Member States comply with their legal obligations and enforce the CFP regulations in an equitable fashion. If the Commission is not

beyond criticism in the whole sphere of CFP control, there is no reason to be sceptical about its willingness to seek improvements in the efficacy of the current provisions or its efforts to ensure better validation and reporting of data. Whether it could do more is a matter which will no doubt be tackled in the EP opinion on the 1995 report on monitoring.

For these reasons, the Commission proposal should be approved. It is logical that fishermen in the Baltic and the Member States concerned should be subject to similar monitoring requirements as those in the North Sea and elsewhere.

However, so long as an imbalance continues between fishing capacity and the availability of stocks, inspection will always be problematic and controversial. The current system can certainly be improved. The question of how this should be achieved is part of a wider debate which will continue to be conducted at all levels within the Community decision-making process.