

# EUROPEAN PARLIAMENT

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*Plenary Session*

17 March 2004

FINAL  
**A5-0165/2004**

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## **REPORT**

on the proposal for a Council regulation amending Regulation (EC) No 3069/95 establishing a European Community observer scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)  
(COM(2003) 611 – C5-0515/2003 – 2003/0237(CNS))

Committee on Fisheries

Rapporteur: Niels Busk

PE 337.257

**EN**

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### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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## PROCEDURAL PAGE

By letter of 31 October 2003 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council regulation amending Regulation (EC) No 3069/95 establishing a European Community observer scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO) (COM(2003) 611 – 2003/0237(CNS)).

At the sitting of 5 November 2003 the President of Parliament announced that he had referred the proposal to the Committee on Fisheries as the committee responsible (C5-0515/2003).

The committee appointed Niels Busk rapporteur at its meeting of 25 November 2003.

It considered the Commission proposal and draft report at its meetings of 19 January, 16 February and 16 March 2004.

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

The following were present for the vote: Struan Stevenson (chairman), Rosa Miguélez Ramos (vice-chairwoman), Niels Busk (rapporteur), Elspeth Attwooll, Giovanni Claudio Fava (for Carlos Lage), Ian Stewart Hudghton, Giorgos Katiforis (for Vincenzo Lavarra), Heinz Kindermann, Albert Jan Maat (for Giorgio Lisi), Patricia McKenna, Nello Musumeci, Seán Ó Neachtain, Joaquim Píscarreta, Ioannis Soulidakis (for Bernard Poignant pursuant to Rule 153(2)), Catherine Stihler and Daniel Varela Suanzes-Carpegna.

The report was tabled on 17 March 2004.

## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council regulation on amending Regulation (EC) No 3069/95 establishing a European Community observer scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)  
(COM(2003) 611 – C5-0515/2003 – 2003/0237(CNS))**

**(Consultation procedure)**

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 611)<sup>1</sup>,
  - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0515/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A5-0165/2004),
1. Approves the Commission proposal;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  4. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> Not yet published in OJ.

## EXPLANATORY STATEMENT

In connection with the inspection of vessels fishing in the Northwest Atlantic Fisheries Organisation (NAFO) Regulatory Area, Regulation (EC) No 3069/95 requires the presence of an observer on board all vessels when they are operating in that area. To date, the Commission has been responsible for placing observers on board vessels and has borne all the costs involved. A permanent EU inspection vessel has been present 10 months of the year.

The Commission has proposed that, as from 1 January 2004, individual Member States should themselves be responsible for deploying observers and bear all the costs relating to observer coverage. The proposal is a natural consequence of the provisions of Article 23 of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, which lays down Member States' inspection responsibilities.

Member States would be able to charge some or all of the costs of the observer scheme to operators of vessels.

The NAFO observer scheme has the reputation of being one of the best in the world. Even if that is so, there is no reason to rest on one's laurels. The rapporteur welcomes NAFO's recent initiative to link catch logs and observers' reports and agrees that efforts ought to focus on inspections of landed fish rather than inspections at sea.

The proposal makes Member States responsible for carrying out inspections. The rapporteur would stress that the Commission remains responsible for inspecting the inspectors and inspections and for helping with coordination at Community level.