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RECOMMENDATION

on the proposal for a Council decision concerning the approval, on behalf of the European Union, of the Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (11076/2010 – C7-0181/2010 – 2010/0042(NLE))

Committee on Fisheries

Rapporteur: Jarosław Leszek Wałęsa

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision concerning the approval, on behalf of the European Union, of the Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (11076/2010 – C7-0181/2010 – 2010/0042(NLE))

(Consent)

The European Parliament,

- having regard to the proposal for a Council decision (11076/2010),
 - having regard to the request for consent submitted by the Council pursuant to Article 43(2), in conjunction with Article 218(6)a of the Treaty on the Functioning of the European Union (C7-0181/2010),
 - having regard to Rules 81 and 90(8) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Fisheries (A7-0262/2010),
1. Consents to the approval of the Amendment to the Convention;
 2. Requests the Council and the Commission to set up, before negotiations are opened relating to the revision of provisions in the framework of the Regional Fisheries Organisations to be carried out by the EU, the schemes necessary to ensure the appropriate participation by Parliament's observers therein;
 3. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and the Northwest Atlantic Fisheries Organization.

EXPLANATORY STATEMENT

The Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries was signed on 24 October 1978 in Ottawa, came into force on 1 January 1979 following the deposit with the Government of Canada the instruments of ratification, acceptance and approval by seven signatories.

The priority objective of NAFO is to contribute through consultation and cooperation to the optimum utilisation and rational management and conservation of the fishery resources of the Convention Area NAFO and the promotion of ideas for international collaboration to improve the sustainable management of marine resources in the high seas based on the scientific research fundamentals.

The Contracting Parties to the Convention adopted the "Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries" (the Amendment) at the Annual Meetings of NAFO in 2007 (English version) and in 2008 (French version).

The Amendment revises the Convention comprehensively with the primary purpose of making it more in line with other regional Conventions and international instruments and of incorporating modern concepts on fisheries management.

The Amendment thus streamlines the structure of the organisation, introduces:

Clear definitions of the responsibilities of Contracting Parties, Flag States and Port States, provides for a more coherent decision making process.

- (1) The structure of NAFO has been streamlined to better suit the needs of the organisation. In particular, the two decision bodies in the current structure, General Council and the Fisheries Commission, have been merged into one body.
- (2) The budget contribution formula has been modernised to reflect the user pay principle in relation to the services provided to the Contracting Parties of NAFO.
- (3) New definitions on the obligations of Contracting Parties, Flag States and Port States have been introduced in line with international developments to provide clear guidance on the rights and obligations of the Contracting Parties of NAFO.
- (4) The decision making process has been reviewed, in particular to bring more clarity as regards the obligations of Contracting Parties wishing to make an objection to Conservation and management measures adopted by NAFO.
- (5) A new dispute settlement procedure established under the Convention will allow the expeditious settlement of disputes, which would be in the interest of the European Union.

Taking into account the fishing possibilities accruing to the European Union under the Convention, your rapporteur considers it is in the EU's interest to approve the proposed Amendment to the Convention.

Nevertheless, the rapporteur should mention the key problem raised by the approval of the Convention.

The Contracting Parties to the Convention adopted the "Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries" (the Amendment) at the Annual Meetings of NAFO in 2007 (English version) and in 2008 (French version).

The COM document, which is the proposal of the Commission for the transposition to communitarian law, is dated 8th of March of 2010. Therefore, more than two years passed for the document to be drafted. How can this delay be justified?

It is obvious that this situation, which has become very common when it comes to the transposition of conventions that affect the European Union, can not continue. Rapidity in decision-making is an imperative requirement for efficiency in the functioning of the Union.

The three institutions (Commission, Council and Parliament) must find a serious solution to avoid the slowness of the procedure, to fulfil one of the main objectives of the Lisbon Treaty, which is the simplification and quickness in the decision-making process. The present case which will be submitted for approval is proof that something is not working and that urgent measures must be adopted to correct the situation.

The rapporteur would also like to recall and emphasize the fact of the entry into force of the Lisbon Treaty in December 2009. In the context of the powers newly acquired by the Committee on Fisheries, the European Parliament should be well represented during subsequent negotiations on future international Conventions. In 2007 and 2008, the European Parliament was not represented. The institution is willing to grant assent within its competences but at the same time would like to remind the Council and the Commission of the new procedural requirements and the need to respect the new powers of the European Parliament.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	29.9.2010
Result of final vote	+: 18 -: 0 0: 0
Members present for the final vote	Antonello Antinoro, Alain Cadec, Marek Józef Gróbarczyk, Iliana Malinova Iotova, Isabella Lövin, Guido Milana, Maria do Céu Patrão Neves, Britta Reimers, Crescenzo Rivellini, Ulrike Rodust, Struan Stevenson, Catherine Trautmann, Jarosław Leszek Wałęsa
Substitute(s) present for the final vote	Jean-Paul Basset, Ole Christensen, Chris Davies
Substitute(s) under Rule 187(2) present for the final vote	Elisabetta Gardini, Potito Salatto