

WRITTEN QUESTION E-0639/02
by Chantal Cauquil (GUE/NGL)
to the Commission

Subject: Death of dolphins in Community waters

The Commission's reply of 15 January 2002 to question P-3509/01¹ has given rise to the following observations and questions regarding the application of Community rules:

In accordance with Articles 11 and 12(4) of Council Directive 92/43/EEC², it is the legal responsibility of Member States to implement Community rules on the surveillance and monitoring of fishing activities relating to the incidental capture of cetaceans. In this context, Member States were required to report to the Commission, by 30 September 2001, on the implementation of the provisions of the aforementioned directive. The Commission has noted that some Member States, including France, have not respected this obligation. The same state of affairs is reported each year by the Commission.

Does the Commission, whose role in this matter is to ensure the effective implementation of the provisions in force, have sufficient coercive power, freedom and will to force Member States to implement and respect its own directives?

Is the Commission in a position to say which Member States did not fulfil their obligations in 1999, 2000 and 2001, in particular the obligation to provide the Commission with a report on the monitoring of the incidental capture of dolphins?

Last December the Commission organised a four-day meeting with the Fisheries Directorate-General, the Environment Directorate-General and its Scientific, Technical and Economic Committee for Fisheries in order to give an updated overview of relevant scientific material and in order to find a solution to the problem.

What was the outcome of this meeting?

The reply of 24 July 2000 to question E-2105/00³ states that 'the Member of the Commission in charge of Fisheries indicated his intention to give priority to further research and to consider what might be done in the immediate future'.

Could the Commission communicate the results of research carried out since 24 July 2000?

¹ OJ C

² OJ L 206, 22.7.1992, p. 7

³ OJ C 89 E, 20.3.2001, p. 150