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Committee on International Trade

2007/0223(CNS)

9.4.2008

OPINION

of the Committee on International Trade

for the Committee on Fisheries

on the proposal for a Council regulation establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing
(COM(2007)0602 – C6-0454/2007 – 2007/0223(CNS))

Draftsman: Daniel Varela Suanzes-Carpegna

PA_Legam

SHORT JUSTIFICATION

Illegal, unreported and unregulated (IUU) fishing is one of the most serious threats to the sustainability of fish stocks and to marine biodiversity. This proposal by the Commission is thus very welcomed.

As the European Community is the biggest market and the first importer for fisheries products, it is very much up to the Community to put in place a system which prevents IUU fishing and as importantly its trading. It is though of utmost importance, that this system is in accordance with multilateral and bilateral international obligations.

The main objective of the certification scheme must be to ensure traceability. It needs to be possible to trace a certain product all the way from the catch to the final destination throughout the whole supply chain.

A big part of IUU fishing activities occurs either in international waters or in waters of the developing countries, where these disembarkments can take place. In order to ensure efficiency of the scheme, aid could be provided to developing countries. Member states and Commission could recognise that assistance will be required to help enable developing countries to comply with the EU and international requirements. Financial aid could be provided as well as training programmes. This would also avoid non-tariff barriers being created.

AMENDMENTS

The Committee on International Trade calls on the Committee on Fisheries, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1
Recital 2 a (new)

(2a) In order to be compatible with WTO rules on non-discrimination and national treatment, nothing in this regulation should result in discriminatory treatment with respect to measures taken to combat IUU fishing.

¹ Not yet published in OJ.

Justification

In order not to be in violation of WTO obligations, these obligations should be mentioned in Article 1 as well.

Amendment 2
Recital 13

(13) The importation into the Community of fisheries products stemming from IUU fishing shall be prohibited; in order to make this prohibition effective and ensure that all imported products have been harvested in compliance with international conservation and management measures and, where appropriate, other relevant rules applying to the fishing vessel concerned, a certification scheme applying to all imports of fisheries products into the Community shall be put in place.

(13) The importation into the Community of fisheries products stemming from IUU fishing shall be prohibited; in order to make this prohibition effective, ***ensure traceability*** and ensure that all imported products have been harvested in compliance with international conservation and management measures and, where appropriate, other relevant rules applying to the fishing vessel concerned, a certification scheme applying to all imports of fisheries products into the Community shall be put in place.

Justification

This specific goal should be mentioned.

Amendment 3
Recital 14

(14) The Community shall take into account the capacity constraints of developing countries in the implementation of the certification scheme.

(14) The Community shall take into account ***all*** the capacity constraints of developing countries in the implementation of the certification scheme ***and shall help them avoid potential non-tariff barriers to trade.***

Justification

It is not enough to just take the capacity constraints into consideration if the certification scheme is to be fully functional.

Amendment 4
Recital 14 a (new)

(14a) Aid could be made available, inter alia, in the form of financial aid and

technical assistance as well as training programmes.

Amendment 5
Recital 34

(34) Cooperation between Member States, the Commission, and with third states is essential to ensure that IUU fishing is properly investigated and that the measures laid down in the present Regulation can be applied; a system for mutual assistance shall be established to enhance such cooperation.

(34) Cooperation, ***coordination and the exchange of good practices*** between Member States, the Commission, and with third states is essential to ensure that IUU fishing is properly investigated and that the measures laid down in the present Regulation can be applied; a system for mutual assistance shall be established to enhance such cooperation.

Justification

Coordination and the exchange of good practices are also necessary.

Amendment 6
Recital 37

(37) This regulation identifies IUU fishing as violations of applicable laws, rules or regulations of particular gravity, as they seriously undermine the attainment of the objectives of the violated rules and put the sustainability of the stocks concerned ***or*** the conservation of the marine environment in jeopardy. Given its restricted scope, the implementation of this Regulation must rely on, and be complementary to, that of Council Regulation (EEC) No 2847/93, which establishes the basic framework for the control and monitoring of fishing activities under the Common Fisheries Policy. Accordingly, this Regulation reinforces the rules of Regulation (EEC) No 2847/93 in the area of port inspections of third country vessels (Article 28e, 28f and 28g), which are now abrogated and replaced by the port inspection regime established in Chapter II of this Regulation. In addition,

(37) This regulation identifies IUU fishing as violations of applicable laws, rules or regulations of particular gravity, as they seriously undermine the attainment of the objectives of the violated rules and put ***the survival of fisheries operating legally, the sustainability of the sector and*** of the stocks concerned ***and*** the conservation of the marine environment in jeopardy. Given its restricted scope, the implementation of this Regulation must rely on, and be complementary to, that of Council Regulation (EEC) No 2847/93, which establishes the basic framework for the control and monitoring of fishing activities under the Common Fisheries Policy. Accordingly, this Regulation reinforces the rules of Regulation (EEC) No 2847/93 in the area of port inspections of third country vessels (Article 28e, 28f and 28g), which are now abrogated and replaced by the port inspection regime established in Chapter II

this Regulation provides for a regime of sanctions in Chapter X that applies specifically to IUU fishing activities. The provisions of Regulation (EEC) No 2847/93 relating to sanctions (Article 31) remain thus applicable to violations of the rules of the Common Fisheries Policy other than those addressed by this Regulation.

of this Regulation. In addition, this Regulation provides for a regime of sanctions in Chapter X that applies specifically to IUU fishing activities. The provisions of Regulation (EEC) No 2847/93 relating to sanctions (Article 31) remain thus applicable to violations of the rules of the Common Fisheries Policy other than those addressed by this Regulation.

Justification

It is necessary to specify the nature of the existing threat.

Amendment 7
Article 1, paragraph 2

To this end, each Member State shall take appropriate measures, in accordance with Community law, to ensure the effectiveness of the system. It shall place sufficient means at the disposal of its competent authorities to enable them to perform their tasks as laid down in this Regulation.

To this end, each Member State shall take appropriate measures, in accordance with Community law ***and both multilateral and bilateral international obligations***, to ensure the effectiveness of the system. It shall place sufficient means at the disposal of its competent authorities to enable them to perform their tasks as laid down in this Regulation.

Justification

In order not to be in violation of multilateral or bilateral obligations these obligations should be mentioned in Article 1 as well

PROCEDURE

Title	Community system against illegal, unreported and unregulated fishing
References	COM(2007)0602 – C6-0454/2007 – 2007/0223(CNS)
Committee responsible	PECH
Opinion by Date announced in plenary	INTA 11.12.2007
Drafts(wo)man Date appointed	Daniel Varela Suanzes-Carpegna 20.11.2007
Date adopted	8.4.2008
Result of final vote	+: 24 –: 0 0: 1
Members present for the final vote	Graham Booth, Daniel Caspary, Christofer Fjellner, Glyn Ford, Béla Glattfelder, Ignasi Guardans Cambó, Jacky Hélin, Syed Kamall, Alain Lipietz, Marusya Ivanova Lyubcheva, Erika Mann, Helmuth Markov, David Martin, Georgios Papastamkos, Tokia Saïfi, Peter Šťastný, Gianluca Susta, Daniel Varela Suanzes-Carpegna, Iuliu Winkler, Corien Wortmann-Kool
Substitute(s) present for the final vote	Jean-Pierre Audy, Sebastian Valentin Bodu, Ole Christensen, Rovana Plumb
Substitute(s) under Rule 178(2) present for the final vote	Catherine Neris