

Proposal for a Council Regulation amending Regulation (EC) No 973/2001 laying down certain technical measures for the conservation of certain stocks of highly migratory species

(2002/C 291 E/11)

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(Submitted by the Commission on 24 July 2002)

EXPLANATORY MEMORANDUM

The European Community participates in a number of regional fisheries organisations (RFOs) which provide a framework for regional cooperation on the conservation and management of fishery resources.

Since 14 November 1997 the Community has been a Contracting Party to the International Convention for the Conservation of Atlantic Tunas (hereinafter called the ICCAT Convention).

The technical measures adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) were been transposed by Council Regulation (EC) No 973/2001 of 14 May 2001 laying down certain technical measures for the conservation of certain stocks of highly migratory species.

At its 17th ordinary meeting, the ICCAT adopted new technical measures for certain stocks of highly migratory species in the Atlantic and the Mediterranean.

The purpose of this proposal is thus to transpose these recommendations into Community law by amending Regulation (EC) No 973/2001.

The Commission proposes that the Council adopt this proposal.

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Article 1

Regulation (EC) No 973/2001 is amended as follows:

Having regard to the proposal from the Commission,

1. In Article 3(4), the words 'Until 31 December 2002,' are deleted.

Having regard to the opinion of the European Parliament,

2. Paragraphs 5 and 6 of Article 9 are deleted.

Whereas:

3. Article 10(5) is replaced by the following:

(1) The International Commission for the Conservation of Atlantic Tunas (hereinafter called the ICCAT), has adopted a number of recommendations on technical measures which have been transposed into Community law by Regulation (EC) No 973/2001 ⁽¹⁾.

'Before 15 May each year, each Member State shall transmit to the Commission a list of the vessels flying their flag and fishing for albacore in the North Atlantic. The Commission shall forward this information to the Secretariat of the ICCAT before 30 May each year.'

(2) At its 17th ordinary meeting in 2001, the ICCAT recommended certain new technical measures for certain stocks of highly migratory species in the Atlantic and the Mediterranean. Since these recommendations are binding on the Community, they should be implemented.

4. The following Article is inserted after Article 10:

'Article 10a

(3) Regulation (EC) No 973/2001 should therefore be amended accordingly,

1. Before 15 July each year, the Member States shall transmit to the Commission, in electronic form, a list of all the vessels flying their flag and registered on their territory with a length overall of more than 24 metres which hold licences to fish tuna and tuna-like fish in the Convention area for the current year. The Commission shall forward this information to the Secretariat of the ICCAT before 31 August each year.

⁽¹⁾ OJ L 137, 19.5.2001, p. 1.

2. The list referred to in paragraph 1 shall contain the following information:

- (a) the internal number of the vessel, as defined in Annex I to Commission Regulation (EC) No 2090/98 (*);
- (b) name and registration number of the vessel;
- (c) previous flag(s), if any;
- (d) international call sign, where applicable;
- (e) vessel type, length and GRT;
- (f) name and address of the owner(s), operator(s) and/or charterer(s).

(*) OJ L 266, 1.10.1998, p. 27.'

5. The following Article is inserted after Article 12:

'Article 12a

1. The Member States shall do their utmost to encourage the release of live sharks caught accidentally, in particular juveniles.

2. The Member States shall encourage the reduction of discards of sharks.'

Article 2

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.
