

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr André BOURGEOIS Minister for Agriculture

Denmark:

Mr Bjørn WESTH Minister for Agriculture and Fisheries
Mr Thomas LAURITSEN State Secretary, Ministry of Fisheries

Germany:

Mr Franz-Josef FEITER State Secretary, Federal Ministry of Food, Agriculture and Forestry

Greece:

Mr Apostolos STAVROU State Secretary for Agriculture and Fisheries

Spain:

Mr Pedro SOLBES MIRA Minister for Agriculture, Fisheries and Food

France:

Mr Jean PUECH Minister for Agriculture and Fisheries

Ireland:

Mr David ANDREWS Minister for the Marine

Italy:

Mr Rocco Antonio CANGELOSI Deputy Permanent Representative

Luxembourg:

Mrs Marie-Josée JACOBS Minister for Agriculture, Viticulture and Rural Development

Netherlands:

Mr Piet BUKMAN Minister for Agriculture, Nature Conservation and Fisheries

Portugal:

Mr Eduardo DE AZEVEDO SOARES Minister for Maritime Affairs

United Kingdom:

Mr Michael JACK Minister of State, Ministry of Agriculture, Fisheries and Food
Sir Hector MUNRO Parliamentary Under-Secretary of State, Scottish Office

Commission:

Mr Ioannis PALEOKRASSAS Member

CONTROL SYSTEM APPLICABLE TO THE COMMON FISHERIES POLICY

The Council reached political agreement by qualified majority on the Regulation establishing a control system applicable to the common fisheries policy (CFP), the Netherlands and the United Kingdom being unable to support the majority at this stage.

The Regulation, which will come into force on 1 January 1994 ⁽¹⁾, establishes a Community system including, in particular, provisions for monitoring:

- conservation and resource-management measures;
- structural measures;
- measures concerning the common organization of the market;

and certain provisions relating to the effectiveness of sanctions to be applied in cases where the abovementioned measures are not observed.

The system, which is part of the CFP as revised by the basic Regulation No 3760/92, will apply to all fishing activities, including those carried out by vessels flying the flag of, or registered in, a third country, and to the activities of Community fishing vessels operating in the waters of non-member countries or on the high seas.

This new instrument, designed to replace the one currently in force (Regulation No 2241/87), recognizes the responsibility of each Member State for ensuring compliance with the relevant Community rules and provides for the possibility of the Commission carrying out verifications without prior notice on the application of the Regulation by the Member States.

In order to improve the effectiveness of surveillance of fishing activities, provision is made for the Council, acting on a proposal from the Commission, to decide before 1 January 1996 whether, to what extent, and on what date a continuous position-monitoring system, either

⁽¹⁾ Certain exemptions have been granted for the Mediterranean for a transitional period of five years.

land or satellite-based and using satellite communications for data transmission, should be installed for vessels.

In order to assess the technology to be used and the vessels to be included in the system, all the Member States, in co-operation with the Commission, will carry out pilot projects for certain categories of fishing vessels before 30 June 1995. This will be based on an initial pilot project involving vessels over seventeen metres and at least ten vessels from each Member State. These pilot projects will be financed in full from the Community budget, up to a ceiling of ECU 10 million.

In addition, fishing vessels flying the flag of a third country and authorized to fish in maritime waters under the sovereignty or jurisdiction of the Member States will be subject to a system for communicating movements and fishery products held on board.

With regard to the monitoring of catches, the skippers of fishing vessels of an overall length of more than 10 metres will have to keep a logbook showing, in particular, the quantities of each species caught and kept on board. The Council, acting on a proposal from the Commission, will adopt the lists of the species to be entered in the logbook.

For fishing vessels with an overall length of less than 10 metres, each Member State will monitor their activities by means of sampling, on the basis of sampling plans forwarded to the Commission.

The text contains provisions on landing declarations at ports of landing and the drawing up of sales notes by auction centres or other authorized bodies.

The Regulation also lays down provisions concerning the monitoring and use of fishing gear. In that connection, all catches which have been retained on board any Community fishing vessel must comply with the species composition laid down in Regulation (EEC) No 3094/86 for the net carried on board that vessel. Nets on board vessels which are not used must be stowed in such a way that they may not readily be used and in accordance with certain conditions.

There are also provisions covering:

- the regulation and suspension of fishing activities;
- inspection and control of certain measures to improve and adjust structures in the fisheries sector, including aquaculture;
- inspection and control of certain measures concerning the common organization of the market.

Where the competent authorities in a Member State find that the rules are not being complied with, they will take appropriate measures in conformity with their national law, which may entail the initiation of administrative or criminal proceedings against the natural or legal persons responsible.

Formal adoption of the Regulation will take place in July 1993, after the Permanent Representatives Committee has finalized the text.

APPLICATION OF THE ACT OF ACCESSION OF SPAIN AND PORTUGAL IN THE FISHERIES SECTOR - COUNCIL CONCLUSIONS

"In general, the Council agrees with the analysis of the Commission concerning the application of the Act of Accession of Spain and Portugal as far as access to waters and resources is concerned, as laid out in part one of the "1992 report".

The Council considers that the guidelines for the Commission's formal proposals for Regulations to be adopted by the Council before the end of 1993 will have to encourage integration of the two Member States within the general rules of the Common Fisheries Policy, with effect from 1 January 1996, while fully respecting the "acquis communautaire" in particular the principle of relative stability, the aim being not to increase the fishing effort and the exemptions from the principle of freedom of access to waters, as foreseen in the basic Regulation (EEC) No 3760/92.

The Council considers that the appropriate Commission proposals will have to enter into

the spirit of the new framework of the common fisheries policy, established by Regulation (EEC) No 3760/92, completed by the new Community control system.

With due regard to the overall balance and aiming for better equilibrium between resources and their level of exploitation, the Council takes note of the temporary character of the exemptions provided by the Act of Accession.

The Council requests the Commission to make appropriate proposals.

Adjustments must not lead to any increase in the present fishing effort."

HARMONIZATION OF VARIOUS TECHNICAL MEASURES IN MEDITERRANEAN FISHERIES

Pending receipt of the European Parliament's Opinion, the Council held a policy debate on the proposal for a Regulation harmonizing various technical measures in Mediterranean fisheries.

The proposal is a response to the conclusions of the Fisheries Council of 9 June 1992 concerning the harmonization of the laws of the Mediterranean Member States, so that stocks can be better conserved and managed in compliance with the principles and aims of the common fisheries policy.

The discussion showed that the Council was favourably inclined towards the principles of the proposal.

The Permanent Representatives Committee was asked to continue examining the matters outstanding, such as the introduction of transitional periods for certain specific fishing methods and the minimum sizes for marketing fish, while bearing in mind the socio-economic effects of the measures envisaged on coastal populations, and relations with third countries bordering the Mediterranean or operating in its waters.

The Council will continue examining this matter at a forthcoming meeting, in the light of the European Parliament's Opinion.

EUROPEAN FISHERIES RESEARCH: CURRENT POSITION AND PROSPECTS - COUNCIL CONCLUSIONS

"The Council has taken note of the report of the Commission and of the meeting of directors of Fishery Research Institutes in Member States in which the unsatisfactory situation and evolution of fishery research within the EEC is analyzed.

The Council recognizes the importance of appropriate and efficiently performed fisheries research for the further development of the common fisheries policy, in particular within the framework of the recently adopted new basic Regulation.

The Council stresses the importance of long-term, fundamental and innovative fisheries research as well as the increasing need for directly applied investigations required for the decision-making process within the common fisheries policy. It considers that a clear distinction between these two aspects of fisheries research would improve the transparency and the efficiency of Community funding.

The Council recognizes the need to maintain, extend or create appropriate data bases, covering biological, ecological, technical and socio-economic aspects as vital for the implementation of the common fisheries policy.

The Council confirms that the collection of basic data and associated analyses are first of all the responsibility of Member States. The latter should ensure that research activities are conducted under an appropriate managerial system and that adequate funds are allocated to this end. The Commission must play an important role in stimulating the planning of such work, taking into account in particular the work of ICES.

The Council invites the Commission to submit a report setting out, on a multiannual basis, perspectives for the development and maintenance of data bases within each Member State.

The Council also invites the Commission to quantify the budget corresponding to the investigations directly related to the specific needs of the common fisheries policy.

The Council takes the view that the EC resources for applied fisheries research projects should be concentrated on solving the most pressing problems of the common fisheries policy in all Community waters (in particular the conservation and replenishment of fish

stocks, new fishing opportunities, more effective, control measures, selective fishing methods).

The Council also takes the view that the instrument for special studies in the fisheries sector should be strengthened.

The Council takes note of the present preparation of the 4th Framework Programme with regard to promoting innovative research programmes within fishery research.

The Council considers that it is important that funding of directly applied investigations and impact studies should not cause a deterioration in the support for longer-term research needed to understand the underlying biological mechanisms. Without prejudice to the structure of the 4th Framework Programme, the Commission is requested to give priority to areas for which the present level of expertise is insufficient, such as fishery ecology and fishery economics. Furthermore the Commission should pay special attention to the needs of those Member States which do not benefit from a long experience in some areas of fisheries research, and/or those regions which are economically the most dependent on fisheries.

The Council welcomes the suggestion of strengthening and enlarging international co-operation. It agrees that such co-operation should rely on efficient structures where they exist and it invites the Commission to take the appropriate initiatives where necessary, in particular for the fisheries in the Mediterranean. The Commission is also invited to submit proposals for complementary mechanisms necessary for a better co-ordination of the construction and use of large-scale equipment (e.g. research vessels), development of networks of technical and scientific excellence and the improvement of communication between the scientific community and fishermen.

The Council feels that improved communication between the scientific community and fishermen should be given high priority, e.g. by joint studies of projected technical measures in the commercial fishery.

The Council considers that the Commission's initiative in preparing a review on fishery research has proved to be very positive and therefore invites the Commission to prepare a similar report on research in the field of aquaculture.

The Council invites the Commission to carry out an analysis to find out how fisheries research can contribute more actively to the assessment of the market problems."

SITUATION ON THE MARKET IN FISHERIES PRODUCTS

The Council discussed the situation on the market in fisheries products on the basis, in particular, of a Commission working paper.

At the end of its discussion, the Council adopted the following conclusions.

"The Council expressed its concern at the seriousness of the crisis which the market in fishery products has been undergoing for several months and its impact on the income of fishermen in the Community.

It asked the Commission to extend until 31 October 1993 the measures adopted on 25 February and 12 March on minimum import prices and on controls of direct landings in the Community from third-country fishing vessels.

It stressed the need for Member States to ensure full implementation of these measures and reinforce their co-operation to this end.

Finally, it considered that the current situation required the effectiveness of existing market management and safeguard mechanisms to be analysed. The analysis should cover both fishery problems and the problems of the processing industry. To this end, it asked the Commission to submit by 15 October a comprehensive report accompanied by appropriate proposals to ensure in trade with third countries, while honouring international commitments, strict compliance with the fundamental objectives of the common fisheries policy, in accordance with Article 39 of the Treaty, including the principle of Community preference and the competitiveness of the processing industry."

EEC-RUSSIA FISHERIES AGREEMENT

The Council discussed the draft Decision on the opening of negotiations for a fisheries agreement between the Community and the Russian Federation.

Following its discussion, it instructed the Permanent Representatives Committee to continue work in order to prepare for the Council's discussions at a future meeting.

EEC-CANADA FISHERIES AGREEMENT

Pending receipt of the European Parliament's Opinion, the Council discussed the proposal for a Regulation on the conclusion of the fisheries agreement between the Community and Canada.

The proposal follows the negotiations on fisheries relations held in Brussels on 16 and 17 December 1992 between the Canadian and Community delegations, resulting in the initialling of a Memorandum of Understanding on 17 December 1992.

The Permanent Representatives Committee was instructed to continue work, notably in the light of the European Parliament's Opinion.

EEC-ARGENTINA FISHERIES AGREEMENT

The Council discussed the proposal for a Regulation on the conclusion of the fisheries agreement between the Community and Argentina.

The proposal follows the negotiations held between the two parties from 12 to 14 November 1992, which led to the initialling of an agreement on 30 November 1992.

At the end of its discussion, the Council instructed the Permanent Representatives Committee to resolve the questions outstanding, which relate to the budgetary and financial aspects and to the type of body which will assist the Commission in applying the agreement, the aim being to adopt the Regulation formally in September.

°

° °

IRISH MEMORANDUM

The Council took note of the Commission report on the Irish memorandum on the review of the CFP requested by the Irish authorities in April 1992; it instructed the Permanent Representatives Committee to examine the report in preparation for a discussion by the Council at its next meeting.

MULTIANNUAL GUIDANCE PROGRAMMES

The Council took note of a communication on progress with the multiannual guidance programmes for the fishing fleet: results of the transitional programmes for 1992. It instructed the Permanent Representatives Committee to continue its discussions on the matter.

FAO

The Council took note of a declaration on the exercise of competences in respect of fisheries in FAO, of which the Community became a full member in 1991.

OTHER DECISIONS IN THE FISHERIES FIELD

EEC/Iceland fisheries agreement

The Council adopted a regulation concluding the Agreement between the Community and Iceland on Fisheries and the Marine Environment.

Under the Agreement, which was concluded for an initial period of ten years, the parties will co-operate, as appropriate, to ensure the conservation and rational management of the fish stocks occurring within the areas of fisheries jurisdiction of both parties and in adjacent areas.

For that purpose, the parties will consult annually on the allocations of fishing possibilities for each party with a view to obtaining a mutually satisfactory balance in their relations in the fisheries field.

Aid for cephalopod producers in the Canary Islands

The Council adopted a Regulation setting up specific measures in favour of cephalopod producers permanently based in the Canary Islands, namely the grant of aid of ECU 108/t for a maximum quantity of 30 000 t per year which may not exceed an amount equivalent to 2,5% of the annual production value.

The measure, which is funded from the EAGGF Guarantee Section, is part of the programme of options specific to the remote and insular nature of the Canary Islands (Poseican).

MISCELLANEOUS DECISIONS

Relations with Haiti

The Council adopted a Regulation introducing an embargo concerning certain trade between the European Economic Community and Haiti.

The Regulation follows the adoption of Resolution 841 of the United Nations Security Council, which obliges all States to restrict trade with Haiti in order to obtain the solution of the crisis in Haiti desired by the international community.

The Regulation provides for the prohibition of the following operations as from 23 June 1993:

- (a) the sale or supply of petroleum and petroleum products (listed in the Annex) to any person or body in Haiti or to any person or body for the purpose of any business carried on in, or, operated from Haiti (exceptions are possible under a special authorization procedure);
- (b) any activity the object or effect of which is directly or indirectly to promote the transactions mentioned under (a);
- (c) the entering of the territory or the territorial sea of Haiti by any means of transport carrying petroleum or the petroleum products concerned.

The sale or supply to Haiti of petroleum and petroleum products which are not prohibited under the Regulation are subject to prior authorization to be issued by the competent authorities of the Member States.

The ban is to apply notwithstanding any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted before 23 June 1993. Each Member State will determine the sanctions to be imposed where the provisions of the Regulation are infringed.

Taxation

The Council adopted its common position with a view to adopting a Decision on the programme of Community action on the subject of the vocational training of indirect taxation officials (Matthæus Tax).

The particular purpose of the programme is to prepare indirect taxation officials of Member States, through additional vocational training, for the implications arising out of the creation of the internal market, and to encourage staff mobility and greater co-operation between the relevant administrations of the Member States.

The following training measures are provided for: exchanges of officials between national administrations, training seminars, co-ordinated vocational-training programmes in the Member States' specialized training schools, and organization of language training courses for officials taking part in exchanges.

The cost of these measures will be shared between the Community and the Member States. The annual Community budget appropriations will be adopted in the context of the budgetary procedure and in compliance with the relevant financial perspective.

Customs Union

The Council adopted the Regulation suspending in full, until 31 December 2000, the autonomous Common Customs Tariff Duties on certain industrial products intended to equip the free zones of the Azores and Madeira.

Anti-dumping

The Council adopted a Regulation extending for two months the provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China.

Agriculture

The Council adopted Directives

- amending Directive 89/556/EEC on animal-health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species. The purpose of the amendment is to bring into the scope of the Directive embryos resulting from in vitro fertilization and to alter the provisions on foot-and-mouth disease;
- introducing minimum Community measures for the control of certain fish diseases, in order to eradicate or prevent the spread of certain fish diseases;
- amending Directive 91/67/EEC concerning the animal-health conditions governing the placing on the market of aquaculture animals and products. The purpose is to redefine the scope of the Directive and to clarify certain of its requirements.

Environment

Following the agreement reached at the Environment Council on 22 and 23 March 1993 (see Press Release 5564/93 Presse 41), the Council formally adopted the Decision for a monitoring mechanism for Community CO² and other greenhouse gas emissions and, gradually, for the other greenhouse gases not covered by the Montreal Protocol.

This measure forms part of the Community strategy to ensure compliance with the Community's commitments regarding the prevention of climate change.

Intellectual property

The Council adopted a Decision concerning the participation of the Community in the Committee of governmental experts entrusted with the elaboration of a possible new instrument for the protection of performing artists and phonogram producers under the auspices of WIPO (World Intellectual Property Organization).



COMMISSION DES COMMUNAUTES EUROPEENNES
COMMISSION OF THE EUROPEAN COMMUNITIES

FROM : C.E.C - M210 SCHEYAERTS.J
TO : C.E. WASHINGTON - WASHINGTON
REF : 3176051779 - 25-06-1993 19:14

TO: 7 MY48B
SUBJECT "peche "

DISTRIBUTION

H.D.	
U.F.D.	
ADM/EGE	
A.E.R.	
COM. TR.	<i>Hds</i>
DEVE.	<i>OF</i>
ECU/FIN	<i>Sections</i>
D.P.A.	
S.M.T.	
SUP. AG.	
T.E.E.	
C.F.	

Bruxelles, le 25 juin 1993

433

BIO (93) 171 AUX BUREAUX NATIONAUX
cc. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL PECHE DU 24/25 JUIN 1993 (O. NETTE)

Le Conseil est parvenu ce matin, le 25 juin, à un accord politique sur le nouveau régime de contrôle pour la politique commune de la pêche

L'accord politique auquel deux délégations n'ont pas pu se rallier à ce stade, sera adopté, après examen juridique, par le Conseil en juillet sous forme de "point A".

Le nouveau régime de contrôle, qualifié par le commissaire responsable, M. Paleokrassas, d' "élément essentiel de la crédibilité et de l'efficacité de la PCP", entrera en vigueur le 1er janvier 1994. Il prévoit notamment :

- des projets pilotes touchant au moins 120 bateaux dans l'ensemble de la Communauté pour tester la surveillance par satellite ou d'autres systèmes de localisation du mouvement des vaisseaux communautaires.

Le Conseil décidera ensuite et à la lumière de l'expérience acquise sur un système de contrôle définitif (avant le 1er janvier 1996).

- un contrôle par la Commission de l'application effective du règlement. Les contrôleurs de la Commission pourront sans notification préalable vérifier sur place le travail des autorités nationales (il ne s'agit pas d'un contrôle direct des pêcheurs, mais d'un "contrôle du contrôle")

- un renforcement des dispositions nationales en matière de sanction en cas d'abus et de fraude.

M. Paleokrassas, interrogé par la presse, a qualifié l'accord de "jalon très important" ("milestone"): "Pour la première fois nous disposons des moyens et des instruments efficaces pour contrôler, de manière objective, l'application de la PCP. Ceci contribuera à taire les rumeurs et les contestations qui apparaissent périodiquement".

Le Conseil s'est également penché longtemps sur le rapport des services de la Commission concernant la situation du marché. Dans ses conclusions, le Conseil demande à la Commission de

- proroger les mesures prises en février et mars (prix minima) jusqu'au 31 octobre

- faire rapport, jusqu'au 15 octobre, sur les moyens qui pourront être mis en oeuvre pour améliorer la situation.

Les accords avec la Russie, l'Argentine et le Canada ont été renvoyés au COREPER pour examen supplémentaire. L'accord avec le Canada et celui avec l'Argentine devront être adoptés rapidement (en septembre)

REF : 31/0051/r/s - 23-00-1993 13-17
Distelfax autocall

Pour ce qui est de l'application de l'acte d'adhésion de l'Espagne et du Portugal en matière de pêche, le Conseil a soutenu les orientations générales suggérées par la Commission dans son rapport en soulignant que tout ajustement (dans le sens d'une plus grande flexibilité) doit respecter l'impératif de ne pas augmenter l'actuel effort de pêche

Amitiés

B. DETHOMAS

