



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.12.1995
COM(95) 620 final

95/0318 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

ON THE ESTABLISHMENT OF A PILOT PROJECT ON
SATELLITE TRACKING IN THE NAFO REGULATORY AREA

(presented by the Commission)

EXPLANATORY MEMORANDUM

In the framework of the 17th Annual Meeting of the Fisheries Commission of NAFO held on 11-15 September 1995 and the Agreement on Fisheries with Canada of 20 April 1995, the European Union agreed to the introduction of a pilot scheme in the installation and operation of satellite-tracking on 35 percent of vessels fishing in the NAFO Regulatory Area.

The purpose of the scheme is to generally strengthen control in the NAFO Regulatory Area through the operation and testing of various types of satellite tracking systems with a view to deciding whether such systems improve compliance with conservation and enforcement measures.

More specifically, the pilot scheme should demonstrate whether the use of such system can reduce incidents of misreporting of catches and unannounced entry into the NAFO Regulatory Area.

Each Member State shall pay all its costs associated with the satellite tracking system.

The Commission will prepare a report on the efficiency and effectiveness of the pilot project.

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PROPOSAL FOR A COUNCIL REGULATION (EC) n°
OF
DECEMBER 1995
ON THE ESTABLISHMENT OF A PILOT PROJECT ON
SATELLITE TRACKING IN THE NAFO REGULATORY AREA.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries was approved by the Council by Regulation (EEC) n° 3179/78 ⁽³⁾ and entered into force on 1 January 1979;

Whereas, with the objective of improving control and enforcement in the NAFO Regulatory Area, the European Community has agreed in the framework of NAFO and the Agreement on Fisheries with Canada to install satellite tracking devices on at least 35 % of the Community fishing vessels while engaged in fishing activities in the said NAFO Regulatory Area ;

Whereas on 15 September 1995, the NAFO Fisheries Commission adopted a proposal to introduce a system of satellite tracking ;

⁽¹⁾ ...

⁽²⁾ ...

⁽³⁾ OJ L 378, 30.12.1978, p.1.

Whereas pursuant to Article VI of the NAFO Convention, the proposal will, in the absence of objections, become a measure binding upon the Contracting Parties as from 15 November 1995 ;

Whereas the scheme is acceptable to the Community ;

Whereas provision should be made for adopting detailed rules for the implementation of this scheme ;

HAS ADOPTED THIS REGULATION :

Article 1

Member States shall install satellite-tracking devices on at least 35 % of the vessels flying their flag and fishing in the Regulatory Area, in accordance with the rules and procedures set out in Annex I.

Article 2

This regulation shall enter into force on 1 January 1996.

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

Done at Brussels


For the Council,

The President




ANNEX I

1. The competent authority responsible for carrying out the Pilot Project for satellite-tracking shall be designated by each Member State, which shall communicate to the Commission, no later than seven days after this Regulation has entered into force, the name, address, telephone number and fax number of that authority.
2. Each Member State shall take the necessary steps to ensure that the competent authority referred to in paragraph 1 is equipped with computerized installations facilitating the processing of the data transmitted by or received from the fishing vessels referred to in which satellite-tracking devices are installed.
3. The satellite tracking devices referred to in Article 1 shall ensure the automatic transmission, on an hourly basis, of data relating to the position of the vessel on which they are installed, with a position error which must be less than 500 metres and a confidence interval of 99 %, and the date and time of the recording of the said position, to the competent authority of the flag Member State and to the Commission.
4. The installation referred to in paragraph 2 shall allow the continuous position monitoring, of the vessels flying the flag of the Member State concerned, regardless the maritime waters in which they are operating or the port they are in. They must enable the flag Member State, whatever the system used, to :
 - a) collect, process, record and centralize in computer-readable form, the data referred to in paragraph 3 ;
 - b) communicate in an automatic way the data transmitted by or recovered from its vessel to the Commission.
5. Each Member State shall forward to the Commission, no later than seven days after this Regulation has entered into force, the following information :
 - a) the number of vessels concerned and their technical description (internal fleet register number, name, external identification number, length, tonnage, engine

- register number, name, external identification number, length, tonnage engine power, radio call sign, type of vessel);
- b) the technical characteristics of the equipment and the installations referred to in paragraphs 2 and 3.
6. Member States shall inform the Commission regularly of the implementation of their Pilot Project.
7. In the event of a vessel having to be added, withdrawn or replaced, or the date relating to a vessel having to be altered, the Member State whose flag the vessel concerned is flying, shall inform the Commission thereof.
8. The Commission shall cooperate with other NAFO Contracting Parties which have a NAFO inspection vessel or aircraft in the NAFO Convention Area in order to exchange information on a real-time basis on the geographical distribution of fishing vessels equipped with satellite-tracking devices and, on specific request, information related to the identification of a vessel.
9. The data communicated or acquired in whatever form by virtue of paragraph 3 is covered by professional secrecy and shall benefit from the same protection granted to similar data by the national legislation of member States receiving them and by the corresponding provisions applicable to Community institutions.
10. Each Member State shall pay all its costs associated with the satellite tracking system.
11. The Commission shall prepare a report on the results of the Pilot Project from the perspective of efficiency and effectiveness, including :
- a) overall effectiveness of the Project in improving compliance with NAFO Conservation and Enforcement Measures ;
- b) the effectiveness of the different components of the Project;
- c) costs associated with satellite tracking;
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- d) estimations of fishing efforts from observers as compared to initial estimation by satellite monitoring ;
- e) analysis of the efficiency in terms of cost/benefit, the latter being expressed in terms of compliance with rules and volume of data received for fisheries management.

To that end, the Commission may request all relevant information from the Member States.

12. The report shall be submitted to the NAFO Executive Secretary in time for its consideration at the NAFO Annual Meeting of September 1997.

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