



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.06.1995  
COM(95) 266 final

95/0150 (CNS)

95/0151 (CNS)

95/0152 (CNS)

Proposal for a  
COUNCIL REGULATION (EC)  
amending Regulation (EEC) No 1956/88 of 9 June 1988  
adopting provisions for the application of the Scheme of Joint International Inspection  
adopted by the Northwest Atlantic Fisheries Organization

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Proposal for a  
COUNCIL REGULATION (EC)  
modifying Regulation (EEC) No 189/92 adopting provisions for the  
application of certain control measures adopted by  
the Northwest Atlantic Fisheries Organization

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Proposal for a  
COUNCIL REGULATION (EC)  
establishing a European Community Observer Scheme applicable to  
Community fishing vessels operating in the Regulatory Area of  
the Northwest Atlantic Fisheries Organization  
(NAFO)

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Proposal for a  
COUNCIL REGULATION (EC)  
amending, for the second time, Council Regulation (EC) No 3366/94 of 20 December 1994  
laying down for 1995 certain conservation and management measures for fishery resources  
in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation  
in the Northwest Atlantic Fisheries

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(presented by the Commission)



## EXPLANATORY MEMORANDUM

In the framework of the Agreement on Fisheries with Canada of 20 April 1995 the European Community agreed to the introduction of a series of new control measures applicable to fishing vessels operating in the NAFO Regulatory Area. The new measures agreed will expand the rôle and duties of Commission Inspectors assigned to the Scheme of Joint International Inspection and Surveillance and consequently, it is necessary to amend Council Regulation (EEC) N° 1956/88 of 9 June 1988.

Adoption of this proposal will not result in any new financial costs on the Community.

**Proposal for a Council Regulation (EC) N° /95 95/0150 (CNS)  
of 1995**

**amending Regulation (EEC) N° 1956/88 of 9 June 1988  
adopting provisions for the application of the Scheme of Joint International  
Inspection adopted by the Northwest Atlantic Fisheries Organisation.**

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<sup>(1)</sup>,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Whereas Regulation (EEC) N° 1956/88<sup>(3)</sup> implements the Scheme of Joint International Inspection adopted by the Northwest Atlantic Fisheries Organisation (NAFO) Fisheries Commission on 10 February 1988;

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<sup>(1)</sup> O.J. L

<sup>(2)</sup> O.J. L

<sup>(3)</sup> O.J. L175 of 06.07.1988, p. 1.

Whereas in the interest of improving control and enforcement in the NAFO Regulatory Area, the European Community has agreed, in the framework of the Agreement on Fisheries with Canada of 20 April 1995 to modify the said Scheme of Joint International Inspection;

Whereas provision should be made to implement the control aspects of the said agreement,

HAS ADOPTED THIS REGULATION :

#### ARTICLE 1

Regulation (EEC) N° 1956/88 is hereby amended as follows:

1. The following shall be added to paragraph 2 (ii) of the Annex.

"Inspections of vessels shall be carried out in a non-discriminatory manner. The number of inspections shall be based upon fleet size, taking into account their compliance records. Contracting Parties shall ensure that their inspectors take special care to avoid damage to the cargo or to the gear inspected. Interference with both fishing and non fishing activities shall be minimised. Crews and vessels operating in conformity with NAFO Conservation and Enforcement Measures shall not be subject to harassment. Inspections shall be carried out only for the purpose of ascertaining that the said NAFO rules are respected".

2. The second sub-paragraph of paragraph 3 of the Annex to regulation N° 1956/88 is replaced with the following :

**[REDACTED]**

"Each Contracting Party having 10 or more fishing vessels operating in the NAFO Regulatory Area (NRA) shall deploy at least one inspection vessel. Every Contracting Party shall have at least one inspector present in the NAFO Convention Area (NCA) whenever vessels of that Contracting Party are operating in the NRA".

3. The following shall be added to paragraph 6 (iv) of the Annex:

" Any information on suspected illegal practices and any evidence of apparent infringements shall be transmitted as quickly as possible to the inspection authorities of the Contracting Party of the vessel concerned and to the NAFO Executive Secretary .

), If a NAFO inspector cites a vessel for having committed to a serious extent a major apparent infringement of the NAFO Conservation and Enforcement Measures, the said inspector shall take all necessary measures to ensure the security and continuity of the evidence, including, as appropriate, sealing the vessel's hold, and may remain on board the vessel until the inspector, from the Contracting Party of vessel arrives on board."

Where a NAFO Inspector cites a vessel for having committed a major apparent infringement, the inspector shall immediately report this to the NAFO Executive Secretary.

If a major apparent infringement of the NAFO Conservation and Enforcement Measures has been detected by a inspector, the said inspector shall take all necessary measures to ensure the security and continuity of the evidence including, as appropriate sealing the vessels hold for eventual dockside inspection".

ARTICLE 2

This Regulation shall enter into force on the seventh day following that of 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.

Done at Brussels,

1995.

For the Council

The President

## EXPLANATORY MEMORANDUM

In the framework of the Agreement on Fisheries with Canada of 20 April 1995 the European Community agreed to the introduction of a series of new control measures applicable to Community fishing vessels operating in the NAFO Regulatory Area.

Among the measures agreed is a proposal requesting fishing vessels entering and exiting from the NAFO Regulatory Area to report, via the current hail system, catches retained on board. The adoption of this proposal and the subsequent implementation of an amended hail system will assist the verification of catch quantities and their composition through inspection at sea and generally strengthen the rules governing catch reporting in the NAFO Area.

This amendment to the current hail system will not create any financial obligations for the Community nor significantly increase the financial and reporting obligations on Community fishing vessels operating in the NAFO Regulatory Area.



PROPOSAL FOR A COUNCIL REGULATION (EEC) N° 195 /1995  
of /1995

Modifying Regulation (EEC) n° 189/92 adopting  
provision for the application of certain control measures  
adopted by the Northwest Atlantic Fisheries Organization

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, <sup>(1)</sup>

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas Council Regulation (EEC) n° 189/92 of 27 January 1992 adopted provisions for the  
application of certain control measures adopted by the Northwest Atlantic Fisheries  
Organization <sup>(3)</sup>,

Whereas the European Community and Canada have agreed in the Agreement on Fisheries  
of 20 April 1995 to introduce additional control measures which shall apply to fishing vessels  
operating in the NAFO Regulatory Area,

Whereas it is necessary to amend Regulation EEC N° 189/92, in order to oblige Community  
fishing vessels to comply with those new measures.

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<sup>(1)</sup> O.J. ...

<sup>(2)</sup> O.J. ...

<sup>(3)</sup> O.J. L 21 of 30.1.1992, p. 4.

## HAS ADOPTED THIS REGULATION

### Article 1

Regulation (EEC) n° 189/92 is hereby amended as follows in the Annex

1. The following text is added to points 1.1 and 1.4:
  - Species (3 Alpha code) in kilograms (rounded to the nearest 100 kilograms)"
2. The following text is added to point 1.4:
  - " These reports shall be made at least six hours in advance of the vessel's exit from the Regulatory area and shall contain the following particulars in the following order:"
3. The following text is added as point 1.5 :
  - " -Transshipment in the Regulatory area. This report shall be made at least six hours in advance and shall contain the following particulars in the following order:
    - A. Name of vessel,
    - B. Call sign,
    - C. External identification letters and numbers,
    - D. The date, time and geographical position,
    - E. Indication of the message code: "TRANS"
    - F. The total round weight by species (3 alpha code) to be transshipped in kilograms (rounded to the nearest 100 kilograms),
    - G. The name of the master."

### Article 2

This regulation shall enter into force on the seventh day following that of 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.

Done at Brussels

1995

For the Council  
The President

## EXPLANATORY MEMORANDUM

In the framework of the Agreement on Fisheries with Canada of 20 April 1995, the European Community agreed to the introduction of a series of new control measures applicable to fishing vessels operating in the NAFO Regulatory Area.

Among the new measures agreed to is a proposal to modify the current NAFO Pilot Observer Scheme with respect to the range of duties and powers of observers

Consequently it is necessary to adopt a new Council Regulation to implement the provisions of the Bilateral Agreement.

This proposal sets out the competences of both Member States and the Commission with respect to the implementation of the Scheme and stipulates the powers and duties of assigned observers.

The Commission will finance the proposed Observer Scheme through the payment of a per diem allowance and travel expenses to Community observers.



Whereas NAFO adopted a pilot observer scheme for the period 1993 to 1995 which has been implemented in the Community by means of Council Regulation 3928/92<sup>(5)</sup>,

Whereas, with the objective of improving control and enforcement in the NAFO Regulatory Area and complementing the existing Scheme of Joint International Inspection and Surveillance, the European Community has agreed, in the framework of the Agreement on Fisheries with Canada, to deploy Community observers on board Community fishing vessels while engaged in fishing activities in the said NAFO regulatory Area,

Whereas it is appropriate to regulate the Observer Scheme by means of one regulation and therefore repeal Council Regulation (EEC) n° 3928/92.

Whereas provision should be made for adopting detailed rules for the implementation of this Scheme,

HAS ADOPTED THIS REGULATION :


#### Article 1

Without prejudice to Article 2(2) of Regulation (EEC) n° 1956/88, the European Commission shall assign Community observers to all Community fishing vessels engaged in or about to engage in fishing activities in the NAFO Regulatory Area. Duly appointed observers shall remain on board the fishing vessels to which they are assigned until they are replaced by other observers.

Except for reasons of force majeure, fishing vessels without an observer on board will not be allowed to commence or continue fishing in the NAFO Regulatory Area.

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<sup>(5)</sup> OJ L 397, 31.12.1992, p.



## Article 2

At the request of the Commission Member States shall provide observers.

## Article 3

Masters of Community fishing vessels operating in the NAFO Regulatory Area shall receive the Community observers and cooperate with them in order to allow them to discharge their duties while on board the vessels.

## Article 4

The detailed rules governing the assignment of the observers, their duties and the obligations of the Master of the vessels are laid down in annex 1.

## Article 5

The Commission shall pay the observers by means of a per diem allowance in accordance with the rules in Annex 2.

## Article 6

The competent authorities of the Member States receiving the final report of the observer at the termination of the observation period shall evaluate the contents and conclusions of the said report. In the event that the report indicates that the vessel observed has engaged in fishing practices at variance with conservation measures the said authorities shall take all appropriate action to investigate the matter in order to prevent such practices.

Article 7

Regulation (EEC) n° 3928/92 is hereby repealed.

Article 8

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.

Done at Brussels

1995

For the Council,

## ANNEX 1


Detailed rules referred to in Article 4.

### 1. Assignment of Observers

- (i) With a view to fulfilling the obligation stipulated above, the Commission shall assign appropriately qualified and experienced personnel. Selected personnel should possess the following skills in order to discharge their duties :
- Sufficient experience to identify species and gear,
  - Navigational skills,
  - A satisfactory knowledge of the NAFO conservation and enforcement measures,
  - The ability to carry out elementary scientific tasks e.g. collecting samples, as requested and observe and record accurately.
- (ii) Member States shall take all appropriate steps to ensure that observers are received on board fishing vessels at the duly designated time and location and facilitate their departure at the termination of the observation period.

### 2. Duties of Observers

The main task of the Observers is to monitor the fishing vessel's compliance with the relevant NAFO Conservation and Enforcement Measures. More specifically, the designated observers shall :

- a) Record the fishing activities of the vessel observed, fishing activities shall be recorded using the model format set out below in appendix 1 to Annex I.
  - b) Verify the position of the vessel when engaged in fishing activity.
- 



- c) Observe and estimate catches taken on a set-by set basis (location, depth, time the net is in the water).
- d) Identify catch composition.
- e) Monitor discards, by-catch and catches of undersized fish.
- f) Record the gear, mesh size and attachments utilised by the master.
- g) Verify entries made to the logbook and production logbook. Verification of production logbook shall be made using the conversion factor employed by the master.
- h) Verify hail reports.
- i) Report, within 24 hours, evidence of an apparent infringement. Such reports shall be made to a NAFO Inspection vessel in the N.R.A. and to the Executive Secretary of NAFO. Observers shall use an established code when communicating to an inspection vessel or to the Executive Secretary.
- j) Complete a daily log of the vessels' fishing activities in accordance with the format presented in appendix I.
- k) Monitor the functioning of automatic remote position recording facilities if on board and used by the vessel observed.
- l) Carry out scientific work and sampling if so requested by the Fisheries Commission of NAFO.
- m) Present a report, to the Commission and the competent authorities of

the Member State concerned, within 20 days following the termination of the observation period. The report shall summarize the main findings of the observer and shall be transmitted to the Contracting Party of the vessel observed and to the NAFO Executive Secretary.

- n) The assigned observers shall take all appropriate steps to ensure that their presence on board of fishing vessels does not hinder or interfere with the proper functioning of the vessels including fishing activities.
- o) The observer shall respect the property and equipment on board of the fishing vessels including the confidentiality of all documents pertaining to the said vessels.
- p) All observation duties shall be confined to the Regulatory Area of NAFO.

3. **Master of the Vessel**

- (i) The master of the vessel designated to receive an observer on board shall take all reasonable steps to facilitate the arrival and departure of the said observer. While on board the designated observer shall be offered appropriate and adequate accommodation and working facilities. The Master of the vessel shall permit the observer to have access to the vessel's documents (logbook, capacity plan, production logbook or stowage plan) and to different parts of the vessel in order to facilitate the discharge of the observer's duties.
- (ii) The master shall be informed in good time of the date and location for receiving observers and the likely duration of the observation period.
- (iii) The master of the vessel observed may, on his own request, be provided with a copy of the Observer's report.

Appendix I to Annex I

FISHING OPERATION REPORT

LOCAL TIME ZT + \_\_\_\_\_

1. Serial No \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Observer's name \_\_\_\_\_

Vessel \_\_\_\_\_ Registration No \_\_\_\_\_ Nationality \_\_\_\_\_

2. Type of gear \_\_\_\_\_ No of haul \_\_\_\_\_ Mesh size \_\_\_\_\_ mm

No of hooks \_\_\_\_\_

No of gill nets \_\_\_\_\_ of \_\_\_\_\_ m

Attachments to nets \_\_\_\_\_ Mesh size of attachments \_\_\_\_\_ mm

3. Position \_\_\_\_\_ N \_\_\_\_\_ W Depth \_\_\_\_\_ M Fishing time \_\_\_\_\_

NAFO Division \_\_\_\_\_  
Change of NAFO division \_\_\_\_\_

yes no

Position \_\_\_\_\_ N \_\_\_\_\_ W Time \_\_\_\_\_ UTC

Hail report transmitted

yes no

Code \_\_\_\_\_ Area \_\_\_\_\_

Via \_\_\_\_\_ Radio DTG \_\_\_\_\_ UTC

Does the actual position correspond with the latest transmitted hail report

yes no

4. Catches kept on board. All species in kilograms.

Species	Observer's estimates in live weight (LW)		EEC logbook LW		Production logbook	How processed	Conversion factors used		Observer's estimates in processed weight	
	Present haul	Accumulated totals	Sheet No _____	Sheet No _____			Observer	Skipper	Present haul	Accumulated totals

5. Undersized fish observed

Species  
yes no

Amounts in kg

in %

Discards of undersized fish

yes no

Amounts in kg


6. Other discards

yes

no

Species

Amounts in kg


7. Other observations

8. Date

Signature

## ANNEX 2

Detailed rules referred to in Article 5.

1. **A per diem allowance fixed at 120 ECU is payable to the Observers.**
2. **In the case of observers provided by the Member States, the following rules apply :**
  - (i) On receipt of the employment contract between the national authorities providing the observer and the observer deployed, the Commission shall prepare an advance payment of the per diem allowance of up to 30 % of the total allowance due to the observer. The remaining portion of the allowance shall be paid within 60 days of receipt of the final observation report and any relevant documentation.
  - (ii) The per diem allowance shall be paid directly to the Community observer.
  - (iii) The Commission shall reimburse the cost of air travel (round trip) from Europe to Canada and shall make the necessary arrangements to deploy the observers on board Community vessels operating in the NAFO Regulatory Area.
3. **In the case of observers provided by private agencies the following rules apply**
  - (i) The private agencies shall enter into a contract with the Commission to provide a fixed number of suitably qualified individuals to act as Observers.
  - (ii) The said contract shall specify the cost per day of the Observers, the procedures for the payment of travel costs and any bilateral arrangements concerning advance payment.

4. **In the case of Observers recruited on an individual basis the following rules shall apply :**

- (i) **Private individual contracted to act as an Observer shall sign a contract with the Commission and the said contract shall contain provisions governing the rate of payment, and fix the procedures for the payment of travel costs and any advance payment.**

## FINANCIAL STATEMENT

### 1. TITLE

Proposal for a Council Regulation establishing a European Union Observer Scheme applicable to Community fishing vessels in the Northwest Atlantic Fisheries.

### 2. BUDGETARY LINE CONCERNED

Line B-2-902

### 3. LEGAL BASIS

Article 43 of the Treaty.

### 4. GENERAL OBJECTIVE

#### 4.1. General objective

To establish and implement a comprehensive observer scheme.

#### 4.2. Period covered

1995 May to 1997 September. The effectiveness of the Observer Scheme will be evaluated at the NAFO Annual Meeting of September 1997.

### 5. CLASSIFICATION OF EXPENSES.

D.O.

### 6. TYPE OF EXPENSES

The expense incurred covers the payment of a per diem allowance of 12000 ECU to Community observers and their travel expenses. Overall expenses will depend on the number of Community vessels actually fishing in the NAFO Regulatory Area.



7. AMOUNT OF EXPENSE

Anticipated expenditure for 1995 that is, from 1 May to 31 December, amounts to 1.468.848 ECU distributed as follows :

245x12000 ECU x 30 (based on 30 observers present)	883.800 ECU
Travel expenses	562.000 ECU
Introductory Training Course	48 000 ECU
<b>TOTAL</b>	<b>1 493 000</b>

8. ANTI-FRAUD PROVISIONS

Payment of per diem allowance is made directly to the assigned Observer on receipt of a contract of employment between the observer and the competent authority of the Member States and upon presentation of the observation report.

9. ELEMENTS OF COST/BENEFIT ANALYSIS

Observers must be placed on board Community fishing vessels operating in the NAFO Regulatory Area otherwise, the vessels are not deemed authorised to commence or continue fishing activities.

Provision has been made to evaluate the effectiveness including cost-effectiveness of the Observer Scheme during the period 1995-1997 in order to determine whether it usefully complements the existing Joint Scheme of International Inspection and Surveillance.

10. ADMINISTRATIVE EXPENSE

None.

## EXPLANATORY MEMORANDUM

On 6 April 1995 the Council fixed an autonomous quota for Greenland halibut in NAFO areas 2+3 for 1995 at 18,630 tonnes, following the objection procedure to the NAFO allocation of the Greenland halibut TAC for 1995, adopted by the Council on 28 February 1995.

Following the conflict over Greenland halibut in the Northwest Atlantic, the Community and Canada have negotiated an agreement to settle the dispute. This agreement was initialled on 16 April 1995. On 17 April the Council authorized the Commission to sign the provisional application of the Agreed Minute, and subsequently, on 20 April, the Commission signed the provisional application.

According to this Agreed Minute, Community fleets would have fishing possibilities for Greenland halibut in NAFO areas 3LMNO amounting to 5,013 tonnes from 16 April onwards. The Community should also submit to the NAFO Secretariat the fishing plans for the Greenland halibut fishery for 1995 and implement the installation and operation of satellite-tracking devices on some of the vessels concerned.

The present proposal modifies for the second time Council Regulation (EC) No. 3366/94 to the effect of establishing the new maximum level of catches for Community fleets in NAFO waters, and requiring Member States to transmit to the Commission their fishing plans for Greenland halibut and to implement the satellite-tracking programme on vessels flying their flag.



HAS ADOPTED THIS REGULATION:

*Article 1*

Council Regulation (EC) No. 3366/94 is amended as follows:

1. Annex I is replaced by the Annex I to this Regulation.
2. Article 2bis is added as follows:

*"Article 2bis*

Member States shall inform the Commission, of the fishing plan for the Greenland halibut fishery in the Regulatory Area and shall, no later than 1 December 1995, report to the Commission on its implementation".

3. Article 5bis is added as follows:

*"Article 5bis*

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 VI".

4. Annex II to this Regulation is added as Annex VI.

*Article 2*

All catches by Member States of Greenland halibut in areas 2+3 prior to the adoption of the present Regulation, and taken after 15 April 1995 shall be counted against the quota established in Annex I.

*Article 3*

This regulation shall enter into force the 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.

Done at Brussels,

For the Council  
The President

**ANNEX I**

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 2J3KL	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Cod	North West Atlantic	NAFO 3NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	513
			Greece	
			Spain	1,574
			France	221
			Ireland	
			Italy	
			Luxemburg	
			Netherlands	
			Portugal	2,155
			United Kingdom	1,022
			Austria	
			Finland	
			Sweden	
			Available for Member States	
			EC total	5,485
Atlantic redfish	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxemburg	
			Netherlands	
			Portugal	
			United Kingdom	
			Austria	
			Finland	
			Sweden	
			Available for Member States	
			EC total	4,030

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Atlantic redfish	North West Atlantic	NAFO 3LN	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	476
			EC total	476
American plaice	North West Atlantic	NAFO 3M <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4 (3) hereof.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
American plaice	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Yellowtail flounder	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.



Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Witch flounder	North West Atlantic	NAFO 3NO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Capelin	North West Atlantic	NAFO 3NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Squid	North West Atlantic	NAFO- subzones 3+4	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	p.m.
Greenland halibut	North West Atlantic	NAFO- subzones 2+3	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	5,013 <sup>(2)</sup>

<sup>(2)</sup> This quota shall apply as from 16 April onwards.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Shrimp	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4 (3) hereof.

## ANNEX II

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 allowing to process 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 5bis 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 installations 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 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 data 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;
  - 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.

ISSN 0254-1475

COM(95) 266 final

# DOCUMENTS

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Catalogue number : CB-CO-95-289-EN-C

ISBN 92-77-90415-1

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Office for Official Publications of the European Communities

L-2985 Luxembourg