



COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT



PRESS RELEASE

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1649th Council meeting

- FISHERIES -

Brussels, 18 March 1993

President: **Mr Bjørn WESTH, Minister
for Agriculture and
Fisheries of the Kingdom of
Denmark**

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

Belgium:

Mr Jan DE BOCK Deputy Permanent Representative

Denmark:

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

Germany:

Mr Jochen BORCHERT Federal Minister for Food, Agriculture and Forestry
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 Charles JOSSELIN State Secretary for Maritime Affairs

Ireland:

Mr Gerry O'SULLIVAN Minister of State at the Department of the Marine

Italy:

Mr Rocco Antonio CANGELOSI Deputy Permanent Representative

Luxembourg:

Mr Jean-Marc HOSCHEIT Deputy Permanent Representative

Netherlands:

Mr Piet BUKMAN Minister for Agriculture, Nature Conservation and Fisheries

Portugal:

Mr Eduardo DE AZEVEDO SOARES Minister for Maritime Affairs

United Kingdom:

Mr David CURRY Minister of State for Agriculture, Fisheries and Food
Sir Hector MUNRO Parliamentary Under-Secretary of State, Scottish Office

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Commission:

Mr Ioannis PALEOKRASSAS Member

CONTROL SYSTEM APPLICABLE TO THE COMMON FISHERIES POLICY

A detailed policy debate was held on the proposal for a Regulation establishing a control system applicable to the common fisheries policy (CFP).

The purpose of the proposal is to amend the present control system so that the resources, structural and market aspects were more closely integrated and therefore involves repealing Regulation No 2241/87, which forms the basis for that system.

The Presidency was able to draw the following conclusions from discussions:

I. COMMUNITY ROLE AND COMPETENCE

The Council endorses the principle of unannounced arrival and of free movement of Commission inspectors in Member States.

The Council invites the Permanent Representatives Committee to work out the practical details for the carrying out of autonomous control missions by Commission inspectors. It considers that any autonomous powers for these inspectors should include monitoring of Member States' control and enforcement performances, but in no case imply direct control of individuals, which should remain the responsibility of Member States.

The Council attaches importance to the protection of individuals with regard to the processing of personal data and considers that access to Member States' databases should fully respect the principle of confidentiality under national law.

II. USE OF NEW TECHNOLOGIES

The Council endorses the principle of introducing new technologies in order to enhance control and enforcement.

The Council considers that, before deciding whether the use of satellite technologies should be mandatory or optional, extended pilot projects involving several Member States should be carried out within a time-limit to be defined. The projects should be monitored by the Commission and could include specific geographical areas and types of vessels.

In that context, the Council invites Member States to elaborate possible pilot projects, including where appropriate economic or other incentives for participation in such projects.

The questions of financing and cost-effectiveness of the systems will have to be reviewed on the basis of the pilot projects.

The Council invites the Commission to study, on a case-by-case basis, a timetable for the gradual introduction of various elements of its proposal concerning the use of new technologies, and to include feasible dates in the relevant provisions.

The Council also invites the Commission to examine other possible approaches, including or not including the satellite-communication component.

The Council instructs the Permanent Representatives Committee to examine possible options, including on a case-by-case basis the desirability of access for Commission officials to various databases, and to examine in each case the feasibility of remote on-line access or, as appropriate, direct access on the spot.

Cost and financing

The Council confirms its willingness to address the issue of enforcement costs falling disproportionately between Member States, including possible amendment of Council Decision 89/631/EEC.

In any event, the cost-benefit analysis must include alternative systems, in particular aerial surveillance.

III. SANCTIONS AND PENALTIES

The Council agrees to give priority attention to the question of harmonization of sanctions in order to ensure a comparable level of enforcement efficiency in all Member States but recognizes that Member States are free to determine the appropriate means in order to achieve this objective.

The Council invites the Permanent Representatives Committee to scrutinize the problems raised during the examination of the proposal, in particular the questions of avoiding double penalties, of penalty coefficients and of collective responsibility, and to present workable solutions based on the principle of proportionality.

In particular, it should be clearly stated whether persons not directly involved in fishing activities will be responsible for the contents of landing, transshipment and transport documents.

In that respect, it should be stated that within the framework of this Regulation the responsibility of individuals or organizations should remain a Member State competence and, conversely, Community measures should be imposed on Member States only.

IV. SCOPE OF THE REGULATION

The Council endorses the principle of extending control systems to Community vessels operating in third-country or international waters and to third-country vessels operating in Community waters. On that basis, it can accept the Commission's proposal, under the condition that general principles of law are respected, including the right of innocent passage.

The Council takes note of the fact that these provisions are without prejudice to the provisions contained in Fisheries Agreements with third countries and in international conventions. It recognizes the principle that such provisions cannot confer lesser obligations on Community vessels than required by the Regulation.

V. TECHNICAL CONSERVATION MEASURES

The Council invites the Permanent Representatives Committee to analyse the practical implementation of a one-net rule and to consider the need for individual and reasoned exemptions based on biological or operational considerations.

The Commission endorsed these Presidency conclusions.

It was agreed that the Permanent Representatives Committee would take comments by some delegations into account in further discussions with the aim of arriving at agreement at the Council meeting in June 1993.

APPLICATION OF THE ACT OF ACCESSION OF SPAIN AND PORTUGAL IN THE FISHERIES SECTOR

The Council took note of the Commission's presentation of the 1992 report on the application of the Act of Accession of Spain and Portugal in the fisheries sector, as provided for in their Act of Accession to the Community.

The report firstly takes stock of the Portuguese and Spanish fisheries sectors in relation to the conditions of access laid down in the accession arrangements for the Community fleet for the period 1986-1991.

Secondly, it sets out the guidelines which the Commission considers most appropriate for any changes to those arrangements to be decided on by the Council before 31 December 1993 and to apply as from 1 January 1996.

Following a discussion, the Council instructed the Permanent Representatives Committee to continue examining the report in order for the Council to draw conclusions at its next meeting, in June 1993, thereby enabling the Commission to draw up appropriate proposals.

HARMONIZATION OF VARIOUS TECHNICAL MEASURES IN MEDITERRANEAN FISHERIES

The Council held a policy debate on the proposal for a Regulation harmonizing various technical measures in Mediterranean fisheries, in order to point the way for further discussions.

This initiative comes in response to the conclusions arrived at by the Fisheries Council on 9 June 1992 concerning harmonization of the laws of the coastal Member States for the purposes of better conservation and management of stocks in compliance with the principles and objectives of the Common Fisheries Policy (CFP).

Following discussions, the Council confirmed that the harmonization of technical measures in Mediterranean fisheries was designed to improve the management and conservation of fishery resources. Therefore, while respecting the specific features of fishing in the various areas, the harmonized rules must be pitched at the technical level appropriate to the objective pursued, deep-sea fishing included.

It also called on the Commission to continue examining the proposal for a Regulation in consultation with the industry within the relevant Committee and to speed up the process of consultation with States engaging in fishing activities in the Mediterranean in order to arrive at agreements within as short a time as possible of the introduction of harmonized rules for the protection of resources.

FISHERIES MARKET SITUATION

The Council examined in depth the worrying market situation, in particular for white fish, due to the concurrence of a number of factors such as the general economic situation, which had reduced the buying power of the consumer, on one hand, and higher imports of fresh and frozen fish, on the other. This situation had further been negatively affected by seasonal and meteorological factors. In addition, the situation had been aggravated for certain countries because of recent movements in the European Monetary System, products of countries which devalued their currency having become more competitive.

The Council noted the positive measures already taken by the Commission. The Presidency set down the outcome of discussions in the following conclusions:

"The Council expressed its concern at the serious price trends on the market for certain types of fish.

It was generally agreed that:

- Member States should step up national controls in order to comply with the Commission Decision of 27 February 1993 on minimum prices;
- the Commission should consider possible ways of extending minimum prices to cover certain other types of fish;
- Member States should contribute to better collection of data on market trends;
- the Commission should submit proposals for improved controls on direct landings from vessels of third countries;
- the Commission should, in this connection, contact the third countries most concerned with a view to co-operating on controls and measures to stabilize the market;
- the Commission's initiative on better market management should be supported;
- the Commission's initiative on further structural measures should be supported."

EUROPEAN FISHERIES RESEARCH

The Council took note of the presentation by the Commission of a communication on European fisheries research.

The communication contains an analysis of the role of fisheries research, detailing the strengths and weaknesses of Member States' research schemes as well as international and above all Community co-operation and support arrangements.

On the basis of that review, adjustments are proposed in order to pinpoint more clearly, inter alia, the responsibilities of the Member States and the Commission and to focus Community action more sharply on those schemes and arrangements where it will prove most effective.

The Council instructed the Permanent Representatives Committee to examine the communication in preparation for a policy debate at the Council meeting in June 1993. The communication is also to be presented at the Research Council meeting in April 1993.

ADDITIONAL QUOTAS IN SWEDISH WATERS

The Council adopted the Regulation allocating additional catch quotas among Member States for vessels fishing in the Swedish fishing zone in the Baltic Sea for 1993, following the adaptation of the EFTA Agreements consequent upon the Community's last enlargement.

This involves 1 500 tons of herring and 600 tons of cod, allocated to Denmark and Germany.

Those catch quotas are additional to the fishing rights agreed on annually between the two sides under the Fisheries Agreement between the Community and Sweden.

Bruxelles, le 19 mars 1993.

BIO(93) 67 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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Conseil Pêche du 18.3.93 (Xavier PRATS)

Le Conseil a eu un débat que la Présidence a qualifié de "très constructif" sur l'ensemble des dossiers à l'ordre du jour.

1. Marché de la pêche

Le Conseil a eu un débat en restreinte sur la situation des marchés : suite à cette discussion, les conclusions suivantes de la Présidence ont été adoptées :

- Les Etats membres devront renforcer les contrôles à niveau national afin d'assurer la bonne application de la décision sur les prix minima (N.B. : en effet, ce sont les Etats membres et non pas la Commission qui sont compétents en matière de contrôle);
- La Commission considérera l'opportunité d'élargir le nombre d'espèces soumises à prix minima (cfr. notes IP(93)144 et IP(93)183);
- Les Etats membres devraient améliorer la collecte de données sur les tendances des marchés;
- La Commission devrait présenter des propositions sur l'amélioration du contrôle des débarquements directs de poissons à partir de navires de pays tiers;
- La Commission devrait contacter les pays tiers les plus directement concernés afin d'assurer leur collaboration pour ce qui concerne le contrôle et les mesures de stabilisation des marchés;
- Les initiatives de la Commission visant à améliorer la commercialisation des produits de la pêche seront renforcées;
- Le Conseil devrait appuyer les initiatives de la Commission en matière de nouvelles actions structurelles.

2. Contrôle de l'application de la politique commune de pêche

La Commission avait présenté, en octobre 1992, une proposition de règlement visant à établir un nouveau régime de contrôle pour la PCP (cfr. notes P(92) 56 et IP(92) 186).

La proposition de la Commission laisse les compétences directes et les tâches opérationnelles de contrôle aux Etats membres, la Commission intervenant uniquement pour garantir l'efficacité et donc l'équité des différentes mesures mises en place par chaque Etat membre. La Commission avait annulé sa proposition afin de reprendre certains amendements du Parlement européen.

La Commission estimait très important que le Conseil donne des orientations politiques et se prononce sur les questions clés pour permettre une adoption définitive au Conseil du mois de juin.

A la suite du débat, un texte sous forme de conclusions de la Présidence a été approuvé qui devrait faciliter cette adoption.

Restent à résoudre plusieurs aspects concernant aussi bien le rôle et les compétences communautaires que les nouvelles technologies ou les sanctions. A noter cependant que le Conseil a pleinement confirmé trois éléments essentiels de la proposition de la Commission : le principe de l'introduction de nouvelles technologies pour renforcer le contrôle de la PCP, celui de la nécessité d'introduire un système indépendant d'inspections communautaires, et celui de l'harmonisation des sanctions nationales.

3. Rapport sur le régime d'adhésion de l'Espagne et du Portugal à la Communauté

La Commission a présenté au Conseil ce rapport qu'elle avait adopté en décembre 1992. Le texte établit un bilan de l'application du régime d'adhésion pour la période 1986-91 et identifie des orientations pour les éventuelles adaptations. La Commission fera faire les propositions opportunes pour que le Conseil puisse adopter, avant la fin de 1993, les mesures d'adaptation qui entreront en vigueur à partir du 1er janvier 1996.

Le Conseil a donné un accueil favorable au rapport. M. PALEOKRASSAS a souligné que la Communauté, dans le cadre de l'effort de rationalisation de la PCP, doit envisager la révision des conditions d'accès aux eaux et aux ressources fixées par l'Acte d'Adhésion de l'Espagne et du Portugal, afin d'éliminer à partir du 1.1.1996 le maximum de dérogations existantes tout en garantissant les équilibres existants et en renforçant la PCP.

4. Mesures techniques en Méditerranée

Le Conseil a discuté la proposition de la Commission concernant l'harmonisation des mesures techniques de pêche en Méditerranée. Il a invité la Commission à approfondir les consultations avec les pays tiers méditerranéens, afin d'aboutir à des accords permettant d'introduire des mesures harmonisées de protection des ressources. Le Commissaire PALEOKRASSAS a souligné le fait que les quatre pays méditerranéens les plus concernés par cette proposition ont pleinement accepté les orientations de la Commission.

Amitiés,

Xavier PRATS