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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



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RESTREINT

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INTRODUCTORY NOTE

from : General Secretariat of the Council

to : COREPER

No. Cion prop. : SEC(2001) 553 final – doc. 7385/01 PECHE 69 CONFIDENTIEL

Subject : Communication from the Commission to the Council on criteria for allocation of fishing possibilities in the International Commission for the Conservation of Atlantic Tuna (ICCAT)

I. INTRODUCTION

1. ICCAT is the Regional Fisheries Organisation aimed at conserving the resources of tuna and tuna-like fishes of the Atlantic Ocean, and the Mediterranean. The Community became a member of the organisation in 1997. France and the United Kingdom are also members on behalf of their respective overseas territories and Denmark, on behalf of the Faroe Islands, occasionally participates as an observer.
2. At the ICCAT annual meeting of 1998, ICCAT decided to establish an ad-hoc Working Group to analyse and consider recommending criteria for quota allocation. The creation of the group was a result of the growing dissatisfaction of certain Contracting Parties, mainly coastal developing states, as regards the practice within ICCAT for sharing out the quotas of stocks subject to limitation of catches. This practice was that historical catches were the essential, but not exclusive criterion.
3. Two meetings of the ICCAT Working Group on allocation criteria have taken place in 1999 and 2000. Due to the difficulties of the issue, the meetings were inconclusive.

4. The annual meeting of ICCAT in 2000 agreed on a third meeting of this Working Group to be held in Brussels on 21-23 May 2001, upon an invitation by the European Community.

II. PREPARATION OF THE MEETING OF THE ICCAT WORKING GROUP ON ALLOCATION CRITERIA

5. The Commission approved on 6 April 2001 the communication to the Council on criteria for allocation of fishing possibilities in the International Commission for the Conservation of Atlantic Tunas (ICCAT) (doc. 7385/01 PECHE 69 CONFIDENTIEL). This communication provides the background for the discussion and suggests the position to be taken by the Community at the forthcoming meeting of the ICCAT Working Group.
6. The Working Party on External Fisheries Policy considered this issue at its meeting on 5 April 2001. Several delegations regretted the tight deadlines for examining the communication.
7. The Working Party endorsed the Presidency suggestion that discussions focus on defining the key elements of the Community position. Technical aspects of the Community position might be considered thereafter during the co-ordination meetings, in accordance with existing practices.
8. The Commission's communication was in general favourably received by a number of delegations; some delegations however, expressed reservations on certain aspects of it. Some delegations emphasised the need to address the legitimate interest of states, particularly coastal developing states, to develop their fishing industries by obtaining a fair share of the quotas. Some other delegations stressed that Community fisheries interests should be the primary concern in this debate, the French delegation in particular considered that there should be a differentiation between stocks which have already been allocated and those which have not; the historical catch record being the predominant criterion for the first set of stocks.
9. In the light of the discussions, the Presidency has prepared a draft Community position, which seeks, as far as possible, to take into account the main concerns of all delegations; this draft, attached as Annex, is submitted to the Committee of Permanent Representatives.

DRAFT COMMUNITY POSITION

to be presented at the 3rd meeting of the ICCAT Working Group on allocation criteria

Recalling the importance of regional fisheries organisations as the cornerstones for the conservation and sustainable management of fish stocks;

Noting the importance of the 3rd meeting of the ICCAT Working Group on Allocation Criteria and the particular need for the European Community to contribute to a positive outcome, which preserves and strengthens ICCAT's performance in conserving tuna and tuna-like species in the Atlantic Ocean;

The Community, when establishing a general allocation framework within ICCAT for future decisions, should aim at:

- ensuring the protection and conservation of tuna and tuna-like species and their responsible exploitation on a sustainable basis ;
- preserving the legitimate interest and rights of Community fishermen, whilst at the same time allowing coastal developing States to develop their fishing industries by obtaining a fair share of the quotas.

The guidelines for the Community position will be:

- the criteria should in general be applied to all stocks. Application should be carried out by the ICCAT appropriate organs on a case by case basis for each individual stock;
- the criteria should be divided into two categories:
 - (a) qualifying criteria, used to decide which parties are entitled to a quota, and
 - (b) the allocation criteria to decide allocation among those parties that qualify

- among the allocation criteria, the historical catch records should be the main criterion, particularly in the case of stocks currently allocated. Other criteria to be taken into account are those listed in Article 11 of the *United Nations Agreement on straddling and highly migratory fish stocks*, as well as the records of compliance with ICCAT measures, subsistence and small scale fisheries, the need to minimise disruption, and dependence on domestic consumption;
- the list of criteria should take into account the interests of Coastal Developing States;
- claims to have or increase quotas for the sole purpose of trading should not be accepted.

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