



Council of the
European Union

045231/EU XXVI. GP
Eingelangt am 29/11/18

Brussels, 29 November 2018
(OR. en)

5963/98
DCL 1

PECHE 47

DECLASSIFICATION

of document: ST 5963/98 RESTREINT

dated: 27 February 1998

new status: Public

Subject: Working Party on External Fisheries Policy 12 February 1998

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

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

5963/98

RESTREINT

PECHE 47

OUTCOME OF PROCEEDINGS

from: Working Party on External Fisheries Policy

dated: 12 February 1998

Prev. doc. No.: 5347/98 PECHE 20 (Morocco & Mauritania)
10914/97 PECHE 273 (GFCM)
10248/97 PECHE 253 & 12853/97 PECHE 400 (CCAMLR)
10022/97 PECHE 241 (Argentina)
5628/98 PECHE 25 AFRICA 4 (South Africa)

This note covers the following items:

- I. Morocco: information on resumption of discussions
- II. Mauritania
- III. GFCM: preparation of the second session of the Working Party on Fisheries Economics and Statistics (Rome, 2-5 March 1998)
- IV. CCAMLR
- V. Any other business
 - (i) Argentina
 - (ii) South Africa

I. MOROCCO: INFORMATION ON RESUMPTION OF DISCUSSIONS

1. The Commission representative explained that, in view of recent domestic political developments in Morocco, the dialogue with that country on the implementation of the EC/Morocco Fisheries Agreement was expected to be resumed soon. Subject to confirmation, initial talks were scheduled to take place in Brussels in the week of 9 March 1998. Resumption of contacts was all the more important bearing in mind that the current Agreement expires in the course of next year.
2. The Spanish delegation, whilst welcoming these developments, expressed its continuing concerns with regard to the repercussions of the recent conservation measures decided by Morocco, in particular the biological rest period of 4 months for 1998 in respect of the cephalopod fishery. In response, the Commission representative made the following comments:
 - the Commission's legal views on Morocco's decision regarding the biological rest period in question remained as stated in the exchange of letters between Morocco and the Commission at the beginning of the year. The Community should nevertheless be prepared to face the *de facto* consequences of this Moroccan decision, about which interested fleets should be warned by their respective national authorities in good time;
 - the Moroccan side did not appear unwilling to discuss the issue of conservation measures at forthcoming discussions. Morocco would however not reverse the decision on the biological rest period;
 - the Commission had already informed the Spanish authorities on the Commission's views regarding Spain's request for financial assistance to shipowners whose fishing operations were affected by this biological rest period.

II. MAURITANIA

3. The Commission representative informed the Group that Mauritanian and Community scientists had met in Tenerife from 27 to 29 January 1998 to discuss the issue of minimum sizes for cephalopods and black hake. A further meeting was scheduled to take place in Nouadhibou from 24 to 26 February 1998. Given this timetable, the Commission would ask for the existing derogation regime in respect of the minimum sizes regime in question to be extended by one further month (i.e. until 30 March 1998). This extension would allow for proper conclusions to be drawn from the result of these scientific meetings with a view to reaching formal decisions at the forthcoming meeting of the Joint Committee, which was scheduled to take place in March.⁽¹⁾

III. GFCM: PREPARATION OF THE SECOND SESSION OF THE WORKING PARTY ON FISHERIES ECONOMICS AND STATISTICS (ROME, 2-5 MARCH 1998)

4. The Commission representative explained that this second session of the GFCM Working Party was taking place in a context of the ongoing restructuring process of GFCM. It was therefore important that the GFCM Working Party - which would meet only for the second time since its creation in 1989 - not pre-empt decisions to be taken at a later stage by GFCM⁽²⁾ regarding the functioning of this body (in particular with respect to the terms of reference under which the Scientific Committee should operate). With that proviso in mind, the work of this Working Party could nevertheless be useful from the point of view of improving the methodology for collecting statistical data on fishing in the Mediterranean.
5. As to the meeting documents prepared by GFCM in respect of the meeting, the Commission representative stated that the scope of these documents should not be regarded as imposing a restrictive framework on deliberations of this Working Party.
6. The Spanish delegation pointed out that the organization cost of the forthcoming meeting of this Working Party would be supported by the Spanish government. Furthermore, this delegation took the view that, notwithstanding its particular context, this meeting would be useful in providing a basis for further work to be done by the Scientific Committee of GFCM.

(1) In the meantime, the Mauritanian authorities informed the Commission services that they agreed to:
-hold a further meeting of the Scientific Group from 24 to 26 February 1998 in Nouadhibou;
-extend the derogation regime until 30 March 1998;
-resume the meeting of the Joint Committee in the week of 16 March 1998.

(2) p.m. the 23rd session of GFCM is scheduled for July 1998.

7. Finally, it was agreed that an in situ Community coordination meeting prior to the proceedings of the GFCM Working Party would be organized. The coordination meeting would, among other things, consider the draft common position yet to be prepared by the Commission⁽³⁾.

IV. CCAMLR

Commission non-paper on a unified regulatory framework

8. The Commission representative circulated a Commission non-paper titled: "A unified regulatory framework for CCAMLR based on stages of fishery development". This non-paper should form the basis for the Community contribution to the forthcoming CCAMLR debate - to be held in the framework of an inter-sessional meeting of CCAMLR⁽⁴⁾ - on ensuring a coherent progression in the development of fisheries in the area in question. The Commission representative noted that CCAMLR, at its most recent annual session (November 1997), had called for such an inter-sessional debate, *inter alia* in the light of the concerns voiced in particular by the European Community with regard to certified deficiencies in the existing framework governing the transition from exploratory fisheries to established fisheries. Because of these deficiencies, a number of unregulated fisheries ("illegal fisheries") could now be operated in the CCAMLR area; there was an urgent need to curtail these practices for the sake of a proper conservation of stocks. Some measures, with a view to addressing this problem, had already been adopted at the 1997 CCAMLR meeting. However, these measures should be developed and specified further at the 1998 CCAMLR meeting in the light of the results of the inter-sessional meeting.
9. As to the nature of the non-paper, the Commission representative explained that the document aimed much more at providing an overview of the different problematic issues than at identifying and suggesting specific solutions, eg. under the form of new conservation measures. It was by any rate important that the Community make such a contribution to the CCAMLR debate, since this should contribute to giving a higher profile to the Community's role in that body.
10. Delegations welcomed the non-paper. They were equally concerned at the phenomenon of illegal

⁽³⁾ On 23 February 1998, the Commission circulated to delegations the draft common position in question.

⁽⁴⁾ This inter-sessional meeting of CCAMLR is scheduled to take place in the period end of May/beginning of June in Brussels, at dates yet to be specified. This meeting would involve not only the coastal and fishing nations concerned, but also Japan and the United States as important purchasing countries of fishery products harvested in the CCAMLR Regulatory area.

fishing in the CCAMLR Regulatory area and said that all efforts should be deployed to combat these practices. In that connection, the Italian delegation felt that corresponding measures should, if need be, also include trade sanctions.

11. Finally, it was agreed that the Commission non-paper would be examined at a forthcoming meeting of the Working Party in March.

DECLASSIFIED

Transposition of CCAMLR recommendations into Community law

12. Several delegations expressed concern at possible delays in the transposition of the various 1997 CCAMLR recommendations - which would enter into force in May 1998 - into the Community regulatory framework. For the sake of the Community's credibility within CCAMLR, they considered it important that this transposition take place in due time.
13. The Commission representative replied that the Commission internal procedures to that effect were well under way. With a view to facilitating procedures for the transposition in question, the Commission services were studying at present the format in which these proposals would be submitted to the Council (eg. the aspect of dividing the set of CCAMLR recommendations into different Community regulations). Some delegations reserved their position on a possible new format pending the submission of the Proposals in question.

V. ANY OTHER BUSINESS

(i) Argentina

14. The Commission representative informed delegations that a high level Joint Working Group between Argentina and the European Community, which took place on 9 and 10 February 1998 in Buenos Aires, conducted in-depth discussions on the management measures which Argentina had adopted recently with respect to a number of main fisheries operated within the framework of the Agreement⁽⁵⁾. The Joint Working Group would meet again on 9 and 10 March 1998 in Brussels⁽⁶⁾. As at the February meeting, the Commission would continue to endeavour to minimize the consequences of the conservation measures on fishing activities operated under the EC/Argentina Agreement.
15. The Spanish delegation voiced its deep concern at what it considered could be the considerable impact of the Argentinian conservation measures on the profitability of the Community fleets' fishing activities operated under the Agreement.

⁽⁵⁾ Argentina had also confirmed its interest in the establishment of a regional fisheries organization in the South West Atlantic (SAFO). The Commission undertook to provide further information on this subject (methodology, timetable, etc.) in due course.

⁽⁶⁾ The Joint Committee itself should meet in April in Brussels to discuss different aspects of the implementation of the Agreement.

16. It was agreed to revert to this matter at a future meeting of the Working Party.

(ii) South Africa

17. The Commission representative informed delegations that the South African side had accepted to hold technical discussions on a future Fisheries Agreement, in parallel with similar meetings on the agricultural aspects of the future FTA. This was a positive development from the perspective of ensuring a link between negotiations on the FTA and the Fisheries Agreement. This being so, the Commission representative called for realism with regard to delegations' expectations in terms of fishing opportunities which might be obtained under a possible Agreement.

18. The Spanish delegation, having noted the most recent arrangements for further technical discussions, claimed that, at present, essential information (eg. with regard to possible quotas and species available) was still lacking with regard to the nature and content of a future Agreement. In these circumstances, this delegation, referring to its earlier position regarding the need to ensure parallelism between negotiations on the FTA on the one hand and those on the Fisheries Agreement on the other, continued to insist that the fisheries component in the FTA be set aside for the time being.

DECLASSIFIED