



KOMISIJA EVROPSKIH SKUPNOSTI

Bruselj, 28.10.2004  
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Predlog

**UREDBA SVETA**

**o elektronskem zapisovanju in poročanju ribolovnih aktivnosti ter  
o daljinskem zaznavanju**

(predložena s strani Komisije)

## EXPLANATORY MEMORANDUM

The European Community is at the forefront in introducing modern technologies in order to improve management and monitoring of fisheries activities. Since 1992 it promoted the introduction of the satellite-based vessel monitoring system (VMS) as a tool to efficiently control its fishing fleet, irrespective of where it is operating, and third country fleets when operating within Community waters. After a series of pilot projects, the fitting on board of a vessel localisation device became mandatory for certain categories of vessels. As of 1 January 2005, save few exceptions, all Community vessels greater than 15 metres in length overall will be subject to VMS and cannot fish without an operational satellite localisation device on board.

A further step towards the utilisation of modern technologies is now proposed. The rational exploitation of fisheries resources, which is one of the main aims of the Common Fisheries Policy, requires accurate and timely reporting of information relating to fishing activities, such as quantities of catches on board, species, time spent at fishing, the area where catches have been taken and the gears used. This essential information is currently collected by the masters of the fishing vessels by recording it with a pen on a paperbound logbook. The same procedure is used when catches are transhipped, landed, transported or sold.

As a consequence, in order to be gathered, analysed and transmitted to the authorities in charge of managerial or control tasks, this information needs to be digitalised. This process is slow, costly and conducive to typing mistakes which can hinder the quality of the data.

In order to make it more efficient, accurate and less expensive, the Commission favours an electronic recording and reporting system which will replace the current manual and cumbersome process. It will be designed to alleviate the administrative burden on the masters and the main actors of the commercial chain and dramatically simplify the tasks of the national authorities.

Pilot projects on electronic recording and reporting of information relating to fisheries activities have been carried out in recent years. Some have already been conducted with conclusive results, others are still ongoing. There is no doubt about the feasibility of the electronic recording of fishing activities. Specific software is already available on the market. What is necessary now is a legislative text laying down the minimal requirements.

The setting of technical specifications, which are required in order to satisfy Community and third countries legislation, is the aim of an international project on secured and harmonised electronic logbook. This project is currently being carried out and specifications will be made available in 2005. A Commission Regulation will amend the current legislation on logbook and other recording requirements accordingly.

With a view to facilitating the introduction of this technology, the Community may grant financial assistance to fishermen as well as to national authorities under the framework of Decision 2004/465/EC<sup>1</sup>, as it did in the past in order to promote the setting up of the vessel monitoring systems.

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<sup>1</sup> Council Decision on a Community financial contribution towards Member States fisheries control programmes (JO L 157, 30.4.2004, p. 114).

Furthermore, the Commission proposes to take advantage of the Vessel Monitoring System (VMS) in order to track fishing vessels operating in a given fishing zone which may be in breach of national or Community legislation. Remotely sensed images may be used to detect such vessels. This technology is not new since it is already in use in other fields. Pilot projects focused on fishing activities have been carried out and they have proved to be successful. The objective is to cross-check the status of fishing vessels detected, thanks to this technology (Vessel Detection System), with position reports from VMS. Fisheries Monitoring Centres may wish to further investigate as regards those vessels which do not transmit position reports.

Predlog

## UREDBA SVETA

### o elektronskem zapisovanju in poročanju ribolovnih aktivnosti ter o daljinskem zaznavanju

SVET EVROPSKE UNIJE JE –

ob upoštevanju Pogodbe o ustanovitvi Evropske skupnosti in zlasti člena 37 Pogodbe,

ob upoštevanju predloga Komisije,

ob upoštevanju mnenja Evropskega parlamenta,

ob upoštevanju naslednjega:

- (1) Uredba Sveta (ES) št. 2371/2002<sup>2</sup> uvaja okvir za zagotavljanje ohranjanja in trajnostnega izkoriščanja ribolovnih virov v okviru skupne ribiške politike.
- (2) Cilji ohranjanja in trajnostnega izkoriščanja ribolovnih virov se dosegajo s pogoji, ki veljajo za dostop do voda in virov, in sicer z omejitvami ulova in ribolovnega napora in s sprejetjem tehničnih ukrepov, ki so povezani z ribolovnimi tehnikami in orodji ter velikostjo ulova.
- (3) Zato je treba za temeljito vodenje možnosti ribolova in za doseganje teh ciljev spremljati ribolovne aktivnosti z najustreznejšimi načini. Nadzor nad količino ulova se pretežno izvaja z zbiranjem podatkov o ulovu, iztovarjanju, pretovarjanju, transportu in prodaji, medtem ko se nadzor nad ribolovnim naporom pretežno izvaja z zbiranjem podatkov o značilnostih plovila, času, porabljenem za ribolov ter o uporabljenih orodjih. Poleg tega tehnologije daljinskega zaznavanja omogočajo nadzornim organom za ribolov, da spremljajo prisotnost plovil na določenem območju. Kombinacija vseh teh načinov poveča natančnost podatkov.
- (4) Člena 22(1) in 23(3) Uredbe št. 2371/2002 navajata, da Svet leta 2004 odloči o obveznosti elektronskega zapisovanja in sporočanja pomembnih podatkov v zvezi z ribolovnimi aktivnostmi, vključno glede iztovarjanj ali pretovarjanj ulova ter potrdila o prodaji in obveznosti vzpostavitve daljinskega zaznavanja.
- (5) Pilotne projekte o elektronskem zapisovanju in sporočanju ter tudi o daljinskem zaznavanju so države članice in druge države izvedle v preteklih letih. Izkazali so se za utemeljene in stroškovno učinkovite.

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<sup>2</sup> UL L 358, 31.12.2002, str. 59.

- (6) Zato je za namen nadzora treba uvesti pogoje za uporabo elektronskega zapisovanja in poročanja kot tudi daljinskega zaznavanja;
- (7) Ukrepe, potrebne za izvajanje te uredbe, je treba sprejeti v skladu s Sklepom Sveta 1999/468/ES z dne 28. junija 1999 o določitvi postopkov za uresničevanje Komisiji podeljenih izvedbenih pooblastil<sup>3</sup> –

SPREJEL NASLEDNJO UREDBO:

### *Člen 1*

#### *Elektronsko zapisovanje in poročanje*

1. Kapitan ribiškega plovila Skupnosti na elektronski način zapisuje podatke o ribolovnih aktivnostih, ki jih mora v skladu z zakonodajo Skupnosti zapisati v ladijski dnevnik in jih na elektronski način sporočiti pristojnemu organu.
2. Izjava o iztovorjenem ulovu ribiškega plovila Skupnosti in potrdilo o prvi prodaji tega ulova mora biti zapisana v elektronski obliki.
3. Države članice oblikujejo administrativne in tehnične strukture, ki jim omogočajo elektronski sprejem, obdelavo, preverjanje in prenos podatkov iz ladijskega dnevnika, deklaracije o iztovarjanju in potrdila o prodaji iz odstavkov 1 in 2.
4. Podrobni predpisi za izvajanje odstavkov 1 in 2 se sprejmejo po postopku iz člena 30(2) Uredbe (ES) št. 2371/2002. Ti predpisi lahko predvidijo izvzetje iz obveznosti, določenih v odstavkih 1 in 2 tega člena, kadar se ta izvzetja lahko upravičijo z nesorazmernostjo bremena, ki bi ga naložili izvajalcu, v primerjavi z gospodarsko pomembnostjo te aktivnosti.

### *Člen 2*

#### *Daljinsko zaznavanje*

1. Države članice zagotovijo, da imajo njihovi centri za spremljanje ribolova tehnično strukturo, ki jim omogoča, da pravočasno uskladijo podatke o položajih, ki jih na zemljo pošiljajo aparati za daljinsko zaznavanje s sateliti, s podatki Sistema spremljanja plovil (VMS), da ocenijo prisotnost ribiških plovil na določenem območju.
2. Podrobni predpisi za izvajanje odstavkov 1 in 2 tega člena se sprejmejo po postopku iz člena 30(2) Uredbe (ES) št. 2371/2002.

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<sup>3</sup> UL L 184, 17.7.1999, str. 23.

*Člen 3*

*Začetek veljavnosti*

Ta uredba začne veljati 1. januarja 2006.

Ta uredba je v celoti zavezujoča in se neposredno uporablja v vseh državah članicah.

V Bruslju, [...].

*Za Svet  
Predsednik*