

# EUROPEAN PARLIAMENT

2004



2009

---

*Session document*

**A6-0408/2007**

24.10.2007

**\***

## **REPORT**

on the proposal for a Council regulation establishing a multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean  
(COM(2007)0169 – C6-0110/2007 – 2007/0058(CNS))

Committee on Fisheries

Rapporteur: Iles Braghetto

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission.)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

## CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	5
EXPLANATORY STATEMENT .....	10
PROCEDURE.....	12



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council regulation on establishing a multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean (COM(2007)0169 – C6-0110/2007 – 2007/0058(CNS))**

### **(Consultation procedure)**

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2007)0169),
  - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0110/2007),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A6-0408/2007),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
  3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  5. Instructs its President to forward its position to the Council and Commission.

---

Text proposed by the Commission

---

Amendments by Parliament

Amendment 1  
Article 3a (new)

### ***Article 3a***

***At least one month before the list of vessels and traps which is referred to in Articles 12 and 13 is sent to the Commission, the Member States shall submit electronically to the Commission a fisheries plan indicating the number of vessels and traps for which fishing licences are to be***

*requested, accompanied by information concerning the expected fishing effort.*

*Each Member State shall ensure that the number of vessels and traps included in the fisheries plan is proportionate to the bluefin-tuna quota allocated to it.*

*Justification*

*The Commission is to ask for fisheries plans to be submitted under the fisheries agreements – even in the case of fish stocks which are in good shape. Since the biggest problem relating to bluefin-tuna fishing is a fleet capacity which exceeds the quotas available, the submission of such plans is much more justified in this case (as has been admitted by the Commission itself, which has undertaken to include this requirement).*

Amendment 2  
Article 4, paragraph 1

1. Each Member State may allocate its bluefin tuna quota to fishing vessels flying its flag and traps registered by it which are authorised to fish actively for bluefin tuna.

1. Each Member State may allocate its bluefin tuna quota to fishing vessels flying its flag and traps registered by it which are authorised to fish actively for bluefin tuna ***and which are included in the fisheries plan referred to in Article 3a.***

*Justification*

*Consistency with the amendment proposing a new Article 3a.*

Amendment 3  
Article 4, paragraph 2 a (new)

***2a. Each Member State shall take the necessary action in order to ensure that its fattening and farming capacity is consistent with the bluefin-tuna TACs in the Eastern Atlantic and the Mediterranean.***

*Justification*

*As the rapporteur points out, the number of bluefin-tuna fattening farms has outstripped the TACs for that species. Each Member State must establish a balance between its quotas and the capacity of its fattening farms, failing which there will be no reduction in the pressure being exerted on the fish stocks – which is, after all, the purpose of the recovery plan.*

Amendment 4  
Article 5, paragraph 1

1. Bluefin tuna fishing by large-scale pelagic longline vessels over 24 m shall be prohibited in the East Atlantic and Mediterranean, ***with the exception of the area delimited by West of 10°W and North of 42° N***, during the period from 1 June to 31 December.

1. Bluefin tuna fishing by large-scale pelagic longline vessels over 24 m shall be prohibited in the East Atlantic and Mediterranean during the period from 1 June to 31 December.

*Justification*

*The derogations relating to fishing areas conflict with the views held by all scientific experts and with the opinion expressed by the majority of the Member States. They are not justified from the biological point of view, since the Mediterranean and the Atlantic are populated by a single tuna stock. Furthermore, they will severely distort competition and will lead to more intensive fishing in the areas concerned, including by vessels which do not traditionally operate there.*

Amendment 5  
Article 5, paragraph 4 a (new)

***(4a) Financial compensation from the European Fisheries Fund shall be paid to fishermen (both to crews and to shipowners) during the closed season, in accordance with the aims of the recovery plans referred to in Article 5 of Regulation (EC) No 2371/2002.***

*Justification*

*Financial compensation must be provided for fishermen during closed seasons.*

Amendment 6  
Article 7, paragraph 2

***2. By derogation from paragraph 1 and without prejudice to Article 10, a minimum size for bluefin tuna (*Thunnus thynnus*) of 8 kg shall apply for the following bluefin tunas:***

***deleted***

***(a) bluefin tuna caught in the Eastern Atlantic by bait boats, trolling boats and***

*pelagic trawlers;*

*(b) bluefin tuna caught in the Adriatic  
Sea for farming purposes.*

*Justification*

*The derogations relating to minimum size conflict with the views held by all scientific experts and with the opinion expressed by the majority of the Member States. They are not justified from the biological point of view, since the Mediterranean and the Atlantic are populated by a single tuna stock. Furthermore, the effectiveness of checks would be reduced. It should be pointed out that a derogation for the Bay of Biscay (6.4 kilograms instead of 10) is already in operation.*

Amendment 7

Article 12, paragraph 1, subparagraph 1 a (new)

***The number of vessels on the list shall reflect the terms and conditions and the calculation of the fishing effort referred to in the fisheries plan provided for in Article 3a.***

*Justification*

*Consistency with the amendment proposing a new Article 3a.*

Amendment 8

Article 13, paragraph 1, subparagraph 1 a (new)

***The number of traps on the list shall reflect the terms and conditions and the calculation of the fishing effort referred to in the fisheries plan provided for in Article 3a.***

*Justification*

*Consistency with the amendment proposing a new Article 3a.*

Amendment 9

Article 17, paragraph 5 a (new)

***5a. The Commission shall immediately ensure that bluefin tuna fishery operations are shut down in those Member States***

***which do not meet the deadline for supplying information as referred to in paragraph 5.***

*Justification*

*Given the failure of Member States to respect the reporting requirements in 2007 and the subsequent overruns of certain national allocations, the national fishery should be closed if no catch data are provided by the Member State.*

Amendment 10  
Article 21, paragraph 2 a (new)

***2a. On the basis of the catch data provided by the traps and as an important source of information for monitoring bluefin tuna, the Commission in conjunction with the ICCAT secretariat shall draw up a plan to reactivate traps in the Atlantic and to recover traps which are no longer active in the Mediterranean.***

*Justification*

*The purpose of this is to preserve a sustainable and highly selective method of catching tuna.*

Amendment 11  
Article 24, paragraph 4 a (new)

***4a. The Member States shall cooperate amongst themselves in order to harmonise their laws on implementation measures in respect of vessels flying their flag which are found to be in contravention of the requirements stemming from this Regulation.***

*Justification*

*Penalties must be harmonised in order to prevent discrepancies in the way in which the Member States implement this regulation.*

## **EXPLANATORY STATEMENT**

At the end of November 2006 the International Commission for the Conservation of Atlantic Tunas (ICCAT) launched – in the form of recommendations – the plan under consideration here in response to scientists' concerns regarding the critical condition of the stock on account of overfishing. In brief the plan provides for a steady reduction in the catch quota (by 20% between 2006 and 2010), an increase in minimum size from 10 to 30 kilograms, with derogations (8 kilograms) for fishing in the Bay of Biscay and for catches in the Adriatic intended for fish farms. It should be pointed out that a derogation for the Bay of Biscay (6.4 kilograms instead of 10) is already in operation. Furthermore, the fishing period for longline vessels is to be restricted from 1 June to the end of each year and for purse seine vessels from 1 July to 31 December. Control measures are to be stepped up in order to combat illegal fishing.

On the whole the proposal for a regulation meets with the rapporteur's approval, although he notes that certain matters have not been fully dealt with.

The bluefin-tuna recovery plan has been criticised in a variety of ways, which illustrates the fact that scientific experts and fishermen hold differing views regarding the need for stocks to be protected.

Attention is drawn to the need for the data gathered to be more widely disseminated and for a uniform data-interpretation criterion to be established in order to provide a sound scientific basis for assessing the state of fish stocks.

### **Derogations**

The rapporteur welcomes the fact that the minimum size is to be increased to 30 kilograms, provided that all fleets are required to observe the same rules. Differing treatment may, however, be justified by the inherent characteristics of traditional fishing.

If the situation regarding the survival of fish stocks is really so critical, the derogations regarding both minimum size and – to a lesser extent – closed seasons are unacceptable. Derogations would not be justified from a biological point of view on account of the fact that the Mediterranean and the Atlantic are populated by a single tuna stock. Derogations would also make controls less effective.

### **Controls**

Illegal fishing is regarded as one of the major scourges undermining the protection of bluefin-tuna stocks. In the proposal for a regulation the problem is described and tackled incisively, through provision for more stringent checks to be carried out during the various stages of the fishing process. What effect the controls will have on illegal fishing remains to be seen. The controls would in all likelihood be more effective if the various categories of people working in the fishing industry were to cooperate more effectively with state and local authorities. To this end the Member States must be involved in the EU's decision-making process through the introduction of the principle of Member-State initiative.

How and on whom penalties should be imposed is still an open question, involving effective joint measures to enable illegality to be combated in the various countries and arrangements for protecting those whose operations are transparent.

### **Fleet reduction**

The proposal for a regulation calls for a gradual decrease in the total catch quota, which by 2010 will have been reduced overall by approximately 20% – hence the data indicating an increase in the number of fleet units are contradictory and conflicting. The fact that the number of cages for tuna fattening has been greatly increased – with the result that capacity will greatly exceed the sum total of the quotas available – is also very worrying. The existence of additional fattening capacity which bears no relation to the value of the bluefin-tuna fishing quotas held will inevitably lead – *inter alia* – to more intensive fishing efforts.

### **Reciprocity for non-EU fleets**

Stock management is a complex issue in the Mediterranean area, where other non-ICCAT countries are present. An ICCAT meeting was held from 29 to 31 January in Tokyo for the purpose of dividing up the total quota amongst all the contracting parties. The EU was assigned 55.7% of the total, which represents a slight reduction in the entitlement – 57.1% – which it had been granted up to 2006. Hence there is competition – in particular within the Mediterranean – from other non-EU fleets: from Libya and Turkey and also from China and Japan.

Hence the regulation will achieve its objective only if its principles and provisions are also applied by the above-mentioned non-EU countries.

### **Socio-economic impact**

Bluefin-tuna fishing is an ancient and well-established tradition. The rapporteur questions whether the socio-economic impact which will be caused by the reduction in fishing activity in order to preserve the economic balance of fishing operations has been assessed. In the proposal for a regulation there is no reference to the recovery plans provided for in Community law (Article 5 of Regulation (EC) No 2371/2002), even though such a reference is essential if fishermen – both crews and shipowners – are to receive financial compensation from the European Fisheries Fund.

## PROCEDURE

<b>Title</b>	Recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean
<b>References</b>	COM(2007)0169 - C6-0110/2007 - 2007/0058(CNS)
<b>Date of consulting Parliament</b>	19.4.2007
<b>Committee responsible</b> Date announced in plenary	PECH 26.4.2007
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	ENVI 26.4.2007
<b>Not delivering opinions</b> Date of decision	ENVI 3.5.2007
<b>Rapporteur(s)</b> Date appointed	Iles Braghetto 25.4.2007
<b>Date adopted</b>	22.10.2007
<b>Result of final vote</b>	+: 20 -: 3 0: 1
<b>Members present for the final vote</b>	Jim Allister, Alfonso Andria, Stavros Arnautakis, Elspeth Attwooll, Marie-Hélène Aubert, Iles Braghetto, Luis Manuel Capoulas Santos, Paulo Casaca, Zdzisław Kazimierz Chmielewski, Avril Doyle, Emanuel Jardim Fernandes, Carmen Fraga Estévez, Hélène Goudin, Pedro Guerreiro, Ian Hudghton, Heinz Kindermann, Rosa Miguélez Ramos, Philippe Morillon, Seán Ó Neachtain, Luca Romagnoli, Struan Stevenson, Catherine Stihler, Margie Sudre
<b>Substitute(s) present for the final vote</b>	Thomas Wise
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Willem Schuth
<b>Date tabled</b>	24.10.2007