



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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**A7-0295/2010**

28.10.2010

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2187/2005 as regards the prohibition of highgrading and restrictions on fishing for flounder and turbot in the Baltic Sea, the Belts and the Sound (COM(2010)0325 – C7-0156/2010 – 2010/0175(COD))

Committee on Fisheries

Rapporteur: Marek Józef Gróbarczyk

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

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

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

### ***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in ***bold***. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2187/2005 as regards the prohibition of highgrading and restrictions on fishing for flounder and turbot in the Baltic Sea, the Belts and the Sound**

**(COM(2010)0325 – C7-0156/2010 – 2010/0175(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0325),
  - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0156/2010),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 15 September 2010<sup>1</sup>,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A7-0295/2010),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to prepare a comprehensive management plan for flat fish in the Baltic Sea;
  3. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> Not yet published in the Official Journal.

## **Amendment 1**

### **Proposal for a regulation Article 2 – 1st sentence**

*Text proposed by the Commission*

This Regulation shall enter into force on the *twentieth* day following that of its publication.

*Amendment*

This Regulation shall enter into force on the day following that of its publication.

*Justification*

*To ensure that the Regulation enters into force before the end of 2010.*

## EXPLANATORY STATEMENT

Experience gained via the use of a discard system in the Baltic Sea, based on the total allowable catches (TAC) model of fisheries management, shows that the system works well and is practicable for certain species of fish. The rapporteur therefore emphasises the importance of adding Article 15a to Regulation (EC) No 2187/2005.

It should be noted that species making up by-catches may have a low market value, they may be completely unsuitable for human consumption, or it might be illegal to land them. The provision in question also makes it possible for live flounder, which are of no commercial value in the closed season, to be returned to the sea. Article 15a therefore paves the way for the sustainable exploitation of fish stocks, without any need for marketing standards to be lowered.

In order to prevent by-catches effectively and limit the discard of an excessive number of juvenile and under-sized specimens belonging to target or non-target species, it is absolutely vital that the fishing industry should be encouraged to use the most selective fishing gear and not to fish in areas in which there are large numbers of under-sized fish and non-target species. Variable closed periods should also be introduced that fit in with fish spawning cycles. Research on fishing gear selectivity should be carried out by scientists working in tandem with fishermen, who have vast experience in the area.

In 2011, Parliament will be focusing principally on proposals for the reform of the common fisheries policy (CFP), including a review of the discard system.

The action plan designed to eliminate discards in the Baltic Sea includes the introduction, where appropriate, of a complete ban on discards in the Baltic Sea fishery. This must result in sustainable and more efficient management of marine resources. It is therefore inappropriate to bring in a complete ban on discards in the case of flounder or other fish belonging to the flounder family, as this will have a negative impact on flounder stocks.

Bearing in mind the need for the fishery to remain stable and predictable, and for fish stocks to be exploited within established limits, the rapporteur is concerned that a ban on discards might be used to legalise the large-scale fishing of under-sized cod in the Baltic Sea.

Because there is a lack of reliable scientific data on the basis of which cod by-catches in industrial fisheries can be assessed, it is essential that full documentation of catches should be introduced immediately, together with full monitoring on the vessels engaged in these fishing activities.

There must be 100% qualitative and quantitative monitoring of industrial catches at landing. Otherwise, the policy of protecting Baltic fish stocks would be unrealistic and the long-term cod management plan pointless.

The rapporteur calls for the Union to take immediate action under the common fisheries policy to settle the issue of industrial fishing in the Baltic Sea, bearing in mind that, from an environmental point of view, such fishing is harmful to the Baltic's ecosystem, particularly as

the Baltic Sea has been classified as a 'particularly sensitive sea area' (PSSA) by the International Maritime Organization's Marine Environment Protection Committee. This places the Baltic Sea among the most precious and most sensitive marine ecosystems in the world.

The rapporteur calls on the Commission to work together with research institutes, environmental organisations and the fishing community to examine the adverse impact of industrial fishing on biodiversity in the Baltic Sea.

There is a pressing need for industrial fishing in the Baltic Sea to be stopped. It is the antithesis of fishing in an environmentally and economically sustainable way, using good fishing practices.

The climate in the Baltic Sea is changing, and different species of fish are adapting to this, meaning that their migration and spawning patterns are also changing. Parliament therefore calls on the Commission to carry out a review of the marine protection areas in the Baltic Sea.

A decision was taken to ban turbot fishing in subdivisions 25, 26 and 28 south of 59° 50' N between 1 June and 31 July. As the Commission does not have sufficient up-to-date, reliable data on the basis of which a decision can be taken to protect certain areas and leave others unprotected, and with the climate changes that are occurring – especially in view of the very small quantity of turbot that is being caught – this decision needs to be looked at again. According to Eurostat, throughout 2008 only around 100 tonnes of turbot were caught in the above-mentioned subdivisions, which are subject to protection measures for turbot. Around 1000 tonnes of turbot were caught in the remaining subdivisions, which are not protected areas. In the light of these figures, a review of the protection areas is needed.



## PROCEDURE

<b>Title</b>	Amendment of Council Regulation (EC) No 2187/2005 as regards the prohibition of highgrading and restrictions on fishing for flounder and turbot in the Baltic Sea, the Belts and the Sound	
<b>References</b>	COM(2010)0325 – C7-0156/2010 – 2010/0175(COD)	
<b>Date submitted to Parliament</b>	22.6.2010	
<b>Committee responsible</b> Date announced in plenary	PECH 6.7.2010	
<b>Rapporteur(s)</b> Date appointed	Marek Józef Gróbarczyk 14.7.2010	
<b>Discussed in committee</b>	30.8.2010	29.9.2010
<b>Date adopted</b>	26.10.2010	
<b>Result of final vote</b>	+: 22	–: 0
	0: 0	
<b>Members present for the final vote</b>	Josefa Andrés Barea, Antonello Antinoro, Kriton Arsenis, Alain Cadec, João Ferreira, Carmen Fraga Estévez, Pat the Cope Gallagher, Marek Józef Gróbarczyk, Carl Haglund, Iliana Malinova Iotova, Werner Kuhn, Isabella Lövin, Guido Milana, Maria do Céu Patrão Neves, Britta Reimers, Crescenzo Rivellini, Ulrike Rodust, Struan Stevenson, Catherine Trautmann, Jarosław Leszek Wałęsa	
<b>Substitute(s) present for the final vote</b>	Jean-Paul Basset, Ole Christensen, Diane Dodds, Raül Romeva i Rueda	