



Plenary sitting

A8-0337/2018

16.10.2018

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks
(COM(2017)0097 – C8-0095/2017 – 2017/0043(COD))

Committee on Fisheries

Rapporteur: Ruža Tomašić

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

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	46
POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY	50
PROCEDURE – COMMITTEE RESPONSIBLE.....	54
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE.....	55

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks

(COM(2017)0097 – C8-0095/2017 – 2017/0043(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0097),
 - having regard to Article 294(2) and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0095/2017),
 - 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 31 May 2017¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the position in the form of amendments of the Committee on the Environment, Public Health and Food Safety (A8-0337/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) The common fisheries policy (CFP)

(1) The common fisheries policy (CFP)

¹ OJ C 288, 31.8.2017, p. 68.

should contribute to the protection of the marine environment, to the sustainable management of all commercially exploited species, and in particular to the achievement of good environmental status in the marine environment by 2020 in accordance with Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council.⁴⁰

⁴⁰ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

should contribute to the protection of the marine environment, to the sustainable management of all commercially exploited species, and in particular to the achievement of good environmental status in the marine environment by 2020 in accordance with Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council⁴⁰, ***and favourable conservation status for species and habitats in accordance with Council Directive 92/43/EEC^{40a} and Directive 2009/147/EC of the European Parliament and of the Council^{40b}.***

⁴⁰ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

^{40a} ***Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).***

^{40b} ***Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).***

Amendment 2

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) At the World Summit on Sustainable Development held in New York in 2015, the Union and its Member States committed themselves, by 2020, to effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive

fishing practices and implement science-based management plans, in order to restore fish stocks, in the shortest time feasible, at least to levels that can produce the maximum sustainable yield as determined by their biological characteristics.

Amendment 3

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council⁴¹ establishes the rules of the CFP in line with the international obligations of the Union. The objectives of the CFP are, inter alia, to ensure that fishing and aquaculture activities are environmentally sustainable in the long term, to apply the precautionary approach to fisheries management, and to implement the ecosystem-based approach to fisheries management.

⁴¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p.22).

Amendment

(2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council⁴¹ establishes the rules of the CFP in line with the international obligations of the Union. The objectives of the CFP are, inter alia, to ensure that fishing and aquaculture activities are environmentally, ***economically and socially*** sustainable in the long term, to apply the precautionary approach to fisheries management, and to implement the ecosystem-based approach to fisheries management.

⁴¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p.22).

Amendment 4

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) *In accordance with Regulation (EU) No 1380/2013, fisheries management based on the best available scientific advice requires harmonised, reliable and accurate data sets.*

Amendment 5

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) *The Adriatic Sea is an important sub-area within the Mediterranean, accounting for around one third of the total landings value.*

Amendment 6

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) *The management plans implemented and the technical measures introduced in 2016 are due to produce effects on the stocks and have to be analysed and taken into consideration when establishing the multiannual plan for the pelagic stocks in the region.*

Amendment 7

Proposal for a regulation Recital 5

Text proposed by the Commission

Amendment

(5) Current management measures for small pelagics in the Adriatic Sea concern

(5) Current management measures for small pelagics in the Adriatic Sea concern

access to waters, control of fishing effort, technical measures to regulate gears' usage. *Scientific advice has indicated that controlling catches is the most appropriate means of adapting fishing mortality and it would be a more effective management tool for small pelagics.*⁴³

access to waters, control of fishing effort **and** technical measures to regulate gears' usage.

⁴³ *Scientific, Technical and Economic Committee for Fisheries (STECF) Assessment of Mediterranean Sea stocks - part 2 (STECF-11-14).*

Justification

Taking into account the STECF latest report (STECF 16-14) which, by analysing positive and negative effects of various principles of management, has concluded that the best effects had the approach with the combination of different management measures (catch, effort, capacity limits) and that the individual approach for each measure entails also negative effects, it is proposed to delete the following statement.

Amendment 8

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) To achieve the objectives of the CFP, a number of conservation measures are to be adopted as appropriate in any combination thereof, such as **multi-annual** plans, technical measures, **fixing and allocation of fishing opportunities**.

Amendment

(6) To achieve the objectives of the CFP, a number of conservation measures are to be adopted as appropriate in any combination thereof, such as **multiannual** plans **and** technical measures.

Amendment 9

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The Adriatic Sea small pelagic fishery, especially in the Geographical Sub-Areas 17 and 18, has a very

important socio-economic impact for the Member States' coastal community's livelihood and future.

Amendment 10

Proposal for a regulation Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) In line with the principles and objectives of the CFP and pursuant to Article 18 of Regulation (EU) No 1380/2013, regionalisation should be used to adopt and implement measures that take into account the specificities of each fisheries area and safeguard their environmental conditions.

Amendment 11

Proposal for a regulation Recital 6 c (new)

Text proposed by the Commission

Amendment

(6c) Fishing opportunities should be allocated in accordance with the principles laid down in Article 17 of Regulation (EU) No 1380/2013, using transparent and objective criteria, including those of an environmental, social and economic nature. Fishing opportunities should also be fairly distributed across the various fisheries segments, including traditional and small-scale fisheries. Moreover, Member States should provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Amendment 12

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) Pursuant to Articles 9 and 10 of Regulation (EU) No 1380/2013, multiannual plans are to be based on scientific, technical and economic advice and contain objectives, quantifiable targets with clear timeframes, conservation reference points and safeguards.

Amendment

(7) Pursuant to Articles 9 and 10 of Regulation (EU) No 1380/2013, multiannual plans are to be based on the best available scientific, technical and economic advice and contain objectives, quantifiable targets with clear timeframes, conservation reference points, ***objectives for conservation and technical measures for the implementation of the landing obligation, as well as measures designed to avoid and reduce unwanted catches as far as possible***, and safeguards.

Amendment 13

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The objective of the multiannual plan should be to contribute to achieving the objectives of the CFP, and especially ***reaching*** and maintaining ***MSY for the stocks concerned***, achieving a sustainable fisheries sector and providing an effective management framework.

Amendment

(8) The objective of the multiannual plan should be to contribute to achieving the objectives of the CFP, and especially ***restoring*** and maintaining ***fish*** stocks ***above biomass levels capable of producing MSY, implementing the landing obligation***, achieving a sustainable fisheries sector and providing an effective management framework.

Amendment 14

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) This Regulation should not be considered as a precedent for other multiannual plans in the Mediterranean Sea unless otherwise provided.

Justification

This proposal for the Adriatic Sea, as it is, would set a dangerous precedent because if adopted it could be used as a model for other Mediterranean Sea areas as well, with even wider economic and social negative impact. Every sea region has different oceanic properties and unique circumstances.

Amendment 15

**Proposal for a regulation
Recital 8 b (new)**

Text proposed by the Commission

Amendment

(8b) A multiannual plan should always find a balance between the achievable result, taking into consideration the timeframe, and the socio-economic impact.

Amendment 16

**Proposal for a regulation
Recital 10**

Text proposed by the Commission

Amendment

(10) In line with the ecosystem-based approach ***and in addition*** to the ***fisheries-related descriptor of*** Directive 2008/56/EC, qualitative descriptors 1, 4 and 6 contained in Annex I to the Directive are to be considered in the framework of fisheries management.

(10) In line with the ecosystem-based approach, ***this plan should also contribute to the achievement of good environmental status, as laid down in*** Directive 2008/56/EC, qualitative descriptors 1, 4 and 6 contained in Annex I to the Directive are to be considered in the framework of fisheries management. ***This plan should also contribute to the achievement of favourable conservation status for habitats and species as required by Directive 2009/147/EC of the European Parliament and of the Council ^{1a} and***

Council Directive 92/43/EC^{1b} respectively.

^{1a} Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

^{1b} Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

Amendment 17

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) Article 16(4) of Regulation (EU) No 1380/2013 requires that fishing opportunities be fixed in accordance with the targets set out in the multiannual plans.

Amendment

deleted

Amendment 18

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) It is appropriate to establish the target fishing mortality (F) that corresponds to the objective of reaching and maintaining MSY as ranges of values which are consistent with achieving maximum sustainable yield (FMSY). Those ranges, based on scientific advice, are necessary in order to provide flexibility to take account of developments in the scientific advice, to contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries. The FMSY ranges have

Amendment

(12) It is appropriate to establish the target fishing mortality (F) that corresponds to the objective of reaching and maintaining MSY as ranges of values which are consistent with achieving maximum sustainable yield (FMSY). Those ranges, based on **best available** scientific advice, are necessary in order to provide flexibility to take account of developments in the scientific advice, to contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries. The

been calculated by the Scientific, Technical and Economic Committee for Fisheries (STECF) **and** are derived to deliver no more than a 5 % reduction in long-term yield compared to MSY.⁴⁵ In addition, the upper limit of the range is capped, so that the probability of the stock falling below Blim is no more than 5 %.

FMSY ranges have been calculated by the Scientific, Technical and Economic Committee for Fisheries (STECF).^{45a} **Based on this plan they** are derived to deliver no more than a 5 % reduction in long-term yield compared to MSY. In addition, the upper limit of the range is capped, so that the probability of the stock falling below Blim is no more than 5 %.

⁴⁵ *Scientific, Technical and Economic Committee for Fisheries (STECF) – Small pelagic stocks in the Adriatic Sea. Mediterranean assessments part 1 (STECF-15-14). 2015. [Publications Office of the European Union, Luxembourg, EUR 27492 EN, JRC 97707, 52 pp.] [The second part of this reference seems to be mistaken. OPOCE, please check.]*

^{45a} *Scientific, Technical and Economic Committee for Fisheries (STECF) – Small pelagic stocks in the Adriatic Sea. Mediterranean assessments part 1 (STECF-15-14). 2015. [Publications Office of the European Union, Luxembourg, EUR 27492 EN, JRC 97707, 52 pp.] [The second part of this reference seems to be mistaken. OPOCE, please check.]*

Amendment 19

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) For the purposes of **fixing fishing opportunities**, **there** should be **a threshold for FMSY ranges in normal use and, provided that the stock concerned is considered to be in a good state, a higher limit for certain cases**. It should only be possible to fix **fishing opportunities up to**

Amendment

(13) For the purposes of **reaching the objectives of the multiannual plan, the target for each of the species** should be **SSBpa**. It should only be possible to fix **a higher target** if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in

the higher limit if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in this Regulation in mixed fisheries or necessary to avoid harm to a stock caused by intra- or inter-species stock dynamics, or *in order to limit the year-on-year variations in fishing opportunities*.

this Regulation in mixed fisheries or necessary to avoid harm to a stock caused by intra- or inter-species stock dynamics, or *where one of the stocks of small pelagics is below SSBlim*.

Justification

Using only biomass is more appropriate and a more certain value for managing small pelagic species which are more dependent on environmental conditions than exploitation, at least until improvement of scientific assessment.

Amendment 20

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) *For stocks for which they are available and* for the purpose of the application of safeguard measures, it is necessary to establish conservation reference points expressed as *MSY Btrigger and Blim for anchovy and sardine stocks*. Should the stocks fall below *MSY Btrigger*, *fishing mortality should be reduced below FMSY*.

Amendment

(15) For the purpose of the application of safeguard measures, it is necessary to establish conservation reference points expressed as *SSBlim and SSBpa for small pelagics*. Should the stocks fall below *SSBlim*, *appropriate remedial measures should be adopted to contribute to the rapid return of the stock concerned to levels above SSBpa*.

Justification

Using only biomass is more appropriate and a more certain value for managing small pelagic species which are more dependent to environmental conditions than exploitation, at least till improvement of scientific assessment.

Amendment 21

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) *Further safeguard measures*

Amendment

deleted

should be implemented in case the stock size falls below the Blim reference point. Safeguard measures should include the reduction of fishing opportunities and specific conservation measures when scientific advice indicates that a stock is under threat. Those measures should be supplemented by other measures, as appropriate, such as Commission measures in accordance with Article 12 of Regulation (EU) No 1380/2013 or Member States measures in accordance with Article 13 of Regulation (EU) No 1380/2013.

Amendment 22

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) For stocks where the reference points are not available, the precautionary principle should apply. *In the specific case of stocks taken as by-catches, in the absence of scientific advice on the levels of minimum spawning biomass of such stocks, specific conservation measures should be adopted when scientific advice indicates that remedial measures are needed.*

Amendment

(17) For stocks where the reference points are not available, the precautionary principle should apply.

Amendment 23

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) In order to enable the implementation of the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for additional management measures. Such measures should be laid

Amendment

(18) In order to enable the implementation of the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for additional management measures, *in particular measures to*

down by means of delegated acts.

gradually eliminate discards, to count fish below the minimum conservation reference size and to minimise, and where possible eliminate, the negative impacts of fishing activities on the marine environment. Such measures should be laid down by means of delegated acts.

Amendment 24

Proposal for a regulation

Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) A joint recommendation by Croatia, Italy and Slovenia (Adriatica High-Level Group) and a study on technical characteristics of purse seine nets and their impact on bottom communities were submitted to, and revised by, independent experts and STECF. It is therefore appropriate to provide for a derogation from the second subparagraph of Article 13(3) of and point 2 of Annex II to Regulation (EC) No 1967/2006.

Amendment 25

Proposal for a regulation

Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) When scientific advice indicates that recreational fisheries have a significant impact on the fishing mortality of a particular stock, the Council should take them into account. To that effect the Council should be able to set a TAC for commercial catches which takes into account the volume of recreational catches and/or to adopt other measures restricting recreational fisheries such as

bag limits and closure periods.

Amendment 26

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) The plan should also provide for certain accompanying technical measures to be adopted, by means of delegated acts, in order to contribute to achieving the objectives of the plan, in particular as regards the protection of juvenile fish or to improve selectivity.

Amendment

(20) The plan should also provide for certain accompanying technical, *as well as temporal and spatial* measures to be adopted, by means of delegated acts, *and taking into account the best available scientific advice*, in order to contribute to achieving the objectives of the plan, in particular as regards the protection of juvenile fish or to improve selectivity.

Amendment 27

Proposal for a regulation

Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Artisanal fishing gear based on historical practices established in fishing communities should be safeguarded when defining the technical measures resulting from the multiannual plan or delegated acts adopted pursuant to it.

Amendment 28

Proposal for a regulation

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) In order to enable the industry to cope with the fishing effort reduction measures and the consequent reduction in income for businesses and for seafarers, there should be arrangements for priority

access to appropriate support from the European Maritime and Fisheries Fund (EMFF) in accordance with Regulation (EU) No 508/2014 of the European Parliament and of the Council^{1a}.

^{1a} Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

Amendment 29

Proposal for a regulation Recital 21 b (new)

Text proposed by the Commission

Amendment

(21b) In order to ensure an implementation which is consistent with the socio-economic impacts, it is therefore desirable, on the one hand, to grant derogations from the time limits for temporary cessation measures as referred to in Article 33 of Regulation (EU) No 508/2014, extending it only to the vessels covered by this multiannual plan and, on the other hand, to allow reopening of and access by the same vessels to the permanent cessation measures provided for in Article 34 of that Regulation.

Amendment 30

Proposal for a regulation Recital 22

Text proposed by the Commission

(22) Recognising that in the Adriatic Sea vessels targeting small pelagics tend to carry out short fishing trips, the use of prior notification as required under Article 17 of Regulation (EC) No 1224/2009 should be adapted so that the prior notifications are submitted at least **one and a half** hour before the estimated time of arrival at port. However, considering the limited effect of fishing trips involving very small quantities of fish on the stocks concerned, it is appropriate to establish a threshold for such prior notifications, when these vessels retain on board at least 1 tonne of **anchovy or of sardine**.

Amendment

(22) Recognising that in the Adriatic Sea vessels targeting small pelagics tend to carry out short fishing trips, the use of prior notification as required under Article 17 of Regulation (EC) No 1224/2009 should be adapted so that the prior notifications are submitted at least **half an** hour before the estimated time of arrival at port. However, considering the limited effect of fishing trips involving very small quantities of fish on the stocks concerned, it is appropriate to establish a threshold for such prior notifications, when these vessels retain on board at least 1 tonne of **small pelagics**.

Justification

Due to a specific coast and given the fact that fishing grounds are relatively close to ports, it is necessary to foresee shorter period for prior notification.

Amendment 31

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Thresholds should be established for catches of **anchovy and sardine** above which a fishing vessel is required to land in a designated port or a place close to the shore, in accordance with Article 43 of Regulation (EC) No 1224/2009. Moreover, when designating those ports or places close to the shore, Member States should apply the criteria provided for in Article 43(5) of that Regulation in such a way as to ensure effective control.

Amendment

(24) Thresholds should be established for catches of **small pelagics** above which a fishing vessel is required to land in a designated port or a place close to the shore, in accordance with Article 43 of Regulation (EC) No 1224/2009. Moreover, when designating those ports or places close to the shore, Member States should apply the criteria provided for in Article 43(5) of that Regulation in such a way as to ensure effective control.

Justification

It is proposed to use definition of 'small pelagics' from the current GFCM MP. This definition implies that these two species are managed together. These two species are caught together,

and as in the PS fishery it is not possible to target exclusively one species, management measures should apply to both of them together. Furthermore, these two species alternate in nature, and they are highly dependent on the environmental conditions. Due to this, exploitation of these species should be controlled and managed together, like already recognized in the current framework of GFCM.

Amendment 32

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) In order to adapt to the technical and scientific progress in a timely and proportionate fashion and to ensure flexibility and allow evolution of certain measures, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation as regards ***remedial measures for the conservation of mackerel and horse mackerel***, implementation of the landing obligation and technical measures. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

(25) In order to adapt to the technical and scientific progress in a timely and proportionate fashion and to ensure flexibility and allow evolution of certain measures, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation as regards implementation of the landing obligation and technical measures. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Justification

*Provisions of MAP should only apply to sardine and anchovy, since for other species (mackerel-*Scomber spp.* and horse mackerel-*Trachurus spp.*) there is a severe lack of data*

and scientific assessments. These species should be covered by the MAP due to a landing obligation, as this was the key EC explanation, but this should be clearly separated in the scope of MAP.

Amendment 33

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) In accordance with Article 10(3) of Regulation (EU) No 1380/2013, provisions should be established for the periodical assessment by the Commission of the adequacy and effectiveness of the application of this Regulation. Such assessment should follow and be based on a periodic evaluation of the plan that is based on scientific advice. The plan should be evaluated every five years. This period allows for the full implementation of the landing obligation, and for regionalised measures to be adopted, implemented and to show effects on the stocks and fishery. It is also a minimum required period by scientific bodies.

Amendment

(26) In accordance with Article 10(3) of Regulation (EU) No 1380/2013, provisions should be established for the periodical assessment by the Commission of the adequacy and effectiveness of the application of this Regulation. Such assessment should follow and be based on a periodic evaluation of the plan that is based on scientific advice. The plan should be evaluated ***three years after the entry into force of this Regulation and*** every five years ***thereafter***. This period allows for the full implementation of the landing obligation, and for regionalised measures to be adopted, implemented and to show effects on the stocks and fishery. It is also a minimum required period by scientific bodies.

Amendment 34

Proposal for a regulation Recital 27 a (new)

Text proposed by the Commission

Amendment

(27a) In order to support fishermen in the implementation of the measures provided for in this Regulation, Member States should make the widest possible use of the measures available under Regulation (EU) No 508/2014. It is appropriate to clarify that temporary cessation measures that have been

adopted in order to attain the objectives of this Regulation can be deemed eligible for support under Regulation (EU) No 508/2014, in order to take into account the socio-economic aspects of this Regulation. Furthermore, it is appropriate to grant a derogation, for vessels affected by this multiannual plan, from the periods during which support can be granted as well as from the cap on the financial contribution from the EMFF for temporary cessation measures laid down in Regulation (EU) No 508/2014.

Amendment 35

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

2. This Regulation shall apply to the stocks of anchovy (*Engraulis encrasicolus*) and sardine (*Sardina pilchardus*) in the Adriatic Sea (“*the stocks concerned*”) and *for* the fisheries *exploiting* these stocks. *It* shall apply also to by-catches of mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.) in the Adriatic Sea caught when fishing for *either or both of the stocks concerned*.

Amendment

2. This Regulation shall apply to the stocks of anchovy (*Engraulis encrasicolus*) and sardine (*Sardina pilchardus*) in the Adriatic Sea (“*small pelagics*”) and *to* the fisheries *targeting* these stocks. *For the purpose of implementing the landing obligation established in Article 15 of Regulation (EU) No 1380/2013, this Regulation* shall apply also to by-catches of mackerel (*Scomber* spp.) and horse mackerel (*Trachurus* spp.) in the Adriatic Sea caught when fishing for *small pelagics*.

Justification

Provisions of MAP should only apply to sardine and anchovy, since for other species there is severe lack of data and scientific assessments. These species should be covered by the MAP due to a landing obligation, as this was the key EC explanation, but this should be clearly separated in the scope of MAP.

Amendment 36

Proposal for a regulation Article 2 – paragraph 2 – point a b (new)

Text proposed by the Commission

Amendment

(ab) ‘Best available scientific advice’ means publicly available scientific advice that is supported by the most up-to-date scientific data and methods and has either been issued or reviewed by an independent scientific body that is recognised at the Union or international level.

Amendment 37

Proposal for a regulation

Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) ‘Targeting’ means account of at least 50 % of sardine or anchovy of the catch in live weight;

Justification

Definition of targeting is important for management in terms of fishing days.

Amendment 38

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) ‘Small *pelagic stocks*’ means *the* stocks *listed in Article 1(2) of this Regulation and any combination thereof*;

(c) ‘Small *pelagics*’ means stocks of *sardine (Sardina pilchardus) and anchovy (Engraulis encrasicolus)*;

Justification

It is proposed to use definition of ‘small pelagics’ from the current GFCM MP. This definition implies that these two species are managed together. These two species are caught together, and as in the PS fishery it is not possible to target exclusively one species, management measures should apply to both of them together. Furthermore, these two species alternate in nature, and they are highly dependent on the environmental conditions. Due to this, exploitation of these species should be controlled and managed together, like already

recognized in the current framework of GFCM.

Amendment 39

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) ‘Range of FMSY’ means a range of values where all levels of fishing mortality within the scientifically indicated boundaries of that range, in situations of mixed fisheries and in accordance with scientific advice, result in the maximum sustainable yield (MSY) in the long term under existing average environmental conditions without significantly affecting the reproduction process for the stocks concerned;

deleted

Amendment 40

Proposal for a regulation

Article 2 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) ‘Fishing day’ means any continuous period of 24 hours, or any part thereof, when a fishing vessel is engaged in fishing activity, such as searching for fish, shooting, setting, towing, hauling of a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring, caging, fattening and landing of fish and fishery products, as defined in point 28 of Article 4 of Regulation (EU) No 1380/2013; .

Amendment 41

Proposal for a regulation

Article 2 – paragraph 2 – point d b (new)

Text proposed by the Commission

Amendment

(db) ‘SSBlim’ means the spawning stock biomass reference point below which remedial management action is to be taken to ensure that the stock is rebuilt to a level where it is within safe biological limits;

Justification

Using only biomass is more appropriate and a more certain value for managing small pelagic species which are more dependent on environmental conditions than exploitation, at least until improvement of scientific assessment.

Amendment 42

Proposal for a regulation

Article 2 – paragraph 2 – point d c (new)

Text proposed by the Commission

Amendment

(dc) ‘SSBpa’ means the precautionary spawning stock biomass reference point below which management action is to be taken to ensure that the stock is rebuilt to a level where it is within safe biological limits;

Justification

Using only biomass is more appropriate and a more certain value for managing small pelagic species which are more dependent on environmental conditions than exploitation, at least till improvement of scientific assessment.

Amendment 43

Proposal for a regulation

Article 2 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) ‘MSY Btrigger’ means the spawning stock biomass reference point below which specific and appropriate management action is to be taken to

deleted

ensure that exploitation rates in combination with natural variations rebuild stocks above levels capable of producing MSY in the long term.

Amendment 44

Proposal for a regulation Article 2 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) ‘Fishing opportunity’ means a quantified legal entitlement to fish, expressed in terms of catches and/or fishing effort.

deleted

Amendment 45

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. The multiannual plan shall contribute to the achievement of the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013, ***in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce MSY.***

1. The multiannual plan shall contribute to the achievement of the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013.

Justification

The objectives are set in the Regulation (EU) No 1380/2013 and it is not necessary to repeat them here. The objectives from the CFP are equally important and that reaching of MSY cannot be more important than other objectives such as social stability of fisheries segment concerned.

Amendment 46

Proposal for a regulation Article 3 – paragraph 2

Text proposed by the Commission

2. The multiannual plan shall provide an effective, simple and stable management framework for the exploitation of small *pelagic stocks* in the Adriatic Sea.

Amendment

2. The multiannual plan shall provide an effective, simple and stable management framework for the exploitation of small *pelagics* in the Adriatic Sea.

Amendment 47

Proposal for a regulation Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The multiannual plan shall take into account the socio-economic aspects when it is developed or changed, in accordance with Article 2(5) of Regulation (EU) No 1380/2013.

Amendment 48

Proposal for a regulation Article 3 – paragraph 3

Text proposed by the Commission

3. The multiannual plan shall contribute to the *elimination* of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 for the species which are subject to it and to which this Regulation applies.

Amendment

3. The multiannual plan shall contribute to the *reduction* of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 for the species which are subject to it and to which this Regulation applies.

Justification

The total elimination of discards is operationally impossible, also because de minimis is still

a possibility provided for in the basic regulation.

Amendment 49

Proposal for a regulation Article 3 – paragraph 4

Text proposed by the Commission

4. The multiannual plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. It shall be coherent with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC.

Amendment

4. The multiannual plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem, ***particularly threatened habitats and protected species including marine mammals, seabirds and reptiles***, are minimised, ***and where possible eliminated***. It shall be coherent with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, ***and with the targets and rules laid down in Directives 2009/147/EC and 92/43/EEC***.

Amendment 50

Proposal for a regulation Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Measures under the plan shall be taken in accordance with the best available scientific advice.

Amendment 51

Proposal for a regulation Chapter 2 – title

Text proposed by the Commission

Amendment

TARGETS, SAFEGUARDS AND

***SOCIO-ECONOMIC TARGETS,
SAFEGUARDS AND SPECIFIC***

SPECIFIC MEASURES

MEASURES

Justification

The insertion of the word ‘socio-economic’ is in line with the amendment to the following Article 4a (socio-economic objectives) and new Recitals (21a) and (24a).

Amendment 52

Proposal for a regulation Article 4 – title

Text proposed by the Commission

Amendment

Targets for *anchovy and sardine*

Targets for *small pelagics*

Justification

This definition implies that these two species are managed together.

Amendment 53

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. The target *fishing mortality* shall be achieved as soon as possible and *on a progressive, incremental basis, by 2020 for the stocks concerned, and it* shall be maintained thereafter *within the ranges* set out in Annex I and in line with the objectives laid down in Article 3(1).

1. The target *reference points for small pelagics* shall be achieved as soon as possible and shall be maintained thereafter *above the values* set out in Annex I and in line with the objectives laid down in Article 3(1).

Justification

Provisions of Article 4 are hereby being adjusted in accordance to the proposal for biomass based reference points.

Amendment 54

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. ***Fishing opportunities*** shall comply with the target ***fishing mortality ranges*** set out in Annex I, column A to this Regulation.

2. ***Management measures for small pelagics*** shall comply with the target ***reference points*** set out in Annex I, column A to this Regulation.

Justification

Provisions of Article 4 are hereby being adjusted in accordance to the proposal for biomass based reference points. It is proposed to deleting term 'fishing opportunities' and replace it with term 'management measures'. In particular, fishing opportunities indicate TAC system, proposal is to replace it with term management measures which is more suitable for effort based management regime.

Amendment 55

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Notwithstanding paragraphs 1 and 2, ***fishing opportunities may be fixed at*** levels corresponding to ***lower levels of fishing mortality*** than those set out in Annex I, column A.

3. Notwithstanding paragraphs 1 and 2, ***management measures may target*** levels corresponding to ***higher values*** than those set out in Annex I, column A ***if:***

(a) on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries;

(b) on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or

(c) one of the stocks of small pelagics is below the reference point set out in Annex I, column B.

Justification

Provisions of Article 4 are hereby being adjusted in accordance to the proposal for biomass based reference points. In particular, fishing opportunities indicate TAC system, proposal is to replace it with term management measures which is more suitable for effort based management regime.

Amendment 56

Proposal for a regulation Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Notwithstanding paragraphs 2 and 3, fishing opportunities for a stock may be fixed in accordance with the fishing mortality ranges set out in Annex I, column B, provided that the stock concerned is above the minimum spawning biomass reference point set out in Annex II, column A:

deleted

(a) if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries,

(b) if, on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics, or

(c) in order to limit variations in fishing opportunities between consecutive years to not more than 20 %.

Amendment 57

Proposal for a regulation Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. When scientific advice indicates that recreational fisheries have a significant impact on the fishing mortality of a particular stock, the Council shall take them into account and may limit recreational fisheries when setting fishing opportunities in order to avoid exceeding the total target of fishing mortality.

Amendment 58

Proposal for a regulation Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Socio-economic objectives

In order to take into account the socio-economic objectives set out in point (f) of Article 2(5) of Regulation (EU) No 1380/2013, when applying the technical and conservation measures provided for in this Regulation, Member States shall make extensive use of the relevant measures set out in Regulation (EU) No 508/2014.

Justification

The amendment is intended to make it possible, where fishermen are affected by technical and/or conservation measures which have a particularly strong impact, adversely affecting both companies and workers, for Member States to grant access to financial support from the European Maritime and Fisheries Fund (EMFF).

Amendment 59

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. The conservation reference points expressed as minimum and limit spawning stock biomass levels **to** be applied in order to safeguard the full reproductive capacity of the stocks concerned **are set out in Annex II.**

1. The conservation reference points expressed as minimum and limit spawning stock biomass levels **shall** be applied in order to safeguard the full reproductive capacity of the stocks concerned.

Amendment 60

Proposal for a regulation Article 5 – paragraph 1 a (new)

1a. Three years after the application of the management measures referred to in Article 6(1a), scientific research shall verify the effectiveness of the measures taken, particularly on the stocks to which this Regulation applies and on the fisheries exploiting those stocks.

Justification

This amendment is needed to assess the effectiveness of the measures proposed in Article 4bis.

Amendment 61

**Proposal for a regulation
Article 5 – paragraph 2**

2. When scientific advice indicates that the spawning stock biomass of either of the ***stocks concerned*** is below the minimum spawning stock biomass reference point set out in Annex ***II***, column ***A*** to this Regulation, all appropriate remedial measures shall be adopted to ***ensure*** the rapid return of the ***stock concerned*** to levels above ***those capable of producing MSY***. In particular, by way of derogation from Article 4(2) and ***4(4)*** of this Regulation, ***fishing opportunities for the stocks concerned*** shall be ***fixed at a level consistent with a fishing mortality that is reduced below the range set out in Annex I, column A to this Regulation***, taking into account the decrease in biomass of that stock.

2. When scientific advice indicates that the spawning stock biomass of either of the ***small pelagics*** is below the minimum spawning stock biomass reference point set out in Annex ***I***, column ***B*** to this Regulation, all appropriate remedial measures shall be adopted to ***contribute to*** the rapid return of the ***small pelagics*** to levels above ***the reference point set out in Annex I, column A***. In particular, by way of derogation from Article 4(2) and ***in line with Article 4(3)*** of this Regulation, ***management measures*** shall be ***adjusted*** taking into account the decrease in biomass of that stock.

Justification

Proposed changes are in line with other proposals which are based on biomass as only and more certain value.

Amendment 62

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. When scientific advice indicates that the spawning stock biomass of **either of the stocks concerned** is below the limit spawning stock biomass reference point (**Blim**) as set out in Annex **II**, column B to this Regulation, further remedial measures shall be taken to **ensure** the rapid return of the **stock concerned** to levels above **the level capable of producing MSY**. In particular, those remedial measures may include, by way of derogation from Article 4, **paragraphs 2 and 4**, suspending the targeted fishery for the stock concerned and **the adequate reduction of fishing opportunities**.

Amendment

3. When scientific advice indicates that the spawning stock biomass of **both small pelagics** stocks is below the limit spawning stock biomass reference point (**SSBlim**) as set out in Annex **I**, column B to this Regulation, further remedial measures shall be taken to **contribute to** the rapid return of the **two stocks** to levels above **the reference point set out in Annex I, column A**. In particular, those remedial measures may include, by way of derogation from Article 4(2), suspending the targeted fishery for the stock concerned and **other adequate management measures**.

Justification

Proposed changes are in line with other proposals which are based on biomass as only and more certain value.

Amendment 63

Proposal for a regulation Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

When scientific advice indicates that remedial action is required for the conservation of the small **pelagic stocks referred to in Article 1(2) of this Regulation, or, in the case of anchovy and sardine**, when the spawning biomass of either of these stocks for a given year is below the conservation reference points set out in Annex **II**, column **A** to this Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 16 of this Regulation and Article 18

Amendment

I. When scientific advice indicates that remedial action is required for the conservation of the small **pelagics or** when the spawning biomass of either of these stocks for a given year is below the conservation reference points set out in Annex **I**, column **B** to this Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 16 of this Regulation and Article 18 of Regulation (EU) No 1380/2013.

of Regulation (EU) No 1380/2013
regarding:

Justification

Proposed changes are in line with other proposals which are based on biomass as only and more certain value.

Amendment 64

Proposal for a regulation
Article 6 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) characteristics of the fishing gear, in particular mesh size, construction of the gear, size of the gear or use of selectivity devices to ensure or improve selectivity; *deleted*

Amendment 65

Proposal for a regulation
Article 6 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) use of the fishing gear and depth of gear deployment, to ensure or improve selectivity; *deleted*

Amendment 66

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) prohibition or limitation to fish in specific areas to protect spawning and juvenile fish or fish below the minimum conservation reference size or non-target fish species; *deleted*

Amendment 67

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) prohibition or limitation on fishing or the use of certain types of fishing gear during specific time periods, to protect spawning fish or fish below the minimum conservation reference size or non-target fish species, **deleted**

Amendment 68

Proposal for a regulation

Article 6 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) minimum conservation reference sizes, to ensure the protection of juveniles of marine organisms; **deleted**

Amendment 69

Proposal for a regulation

Article 6 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) other characteristics linked to selectivity. **deleted**

Justification

The terms used in point (f), the subject of a delegation, are so general that it could infringe the substantive limits imposed by Article 290 TFEU. It is better to opt for deletion.

Amendment 70

Proposal for a regulation

Article 6 – paragraph 1 a (new)

1a. Notwithstanding paragraph 1, in order to achieve the targets set out in Article 4, the following measures shall apply for the years 2019–2022:

(a) in 2019 the catch limit for small pelagics shall be set at the level of catch in 2014; starting from 2020, catch limits for small pelagics shall be gradually reduced each year for the Member State concerned by 4 % in comparison to the previous year until 2022; however, the reduction shall not apply if in the preceding year the total catch for each Member State concerned is more than 2 % below the 2014 catch level;

(b) the fishing effort of fishing vessels targeting small pelagics shall not exceed 180 fishing days per year and 20 fishing days per month, with a maximum of 144 fishing days per year targeting sardine and a maximum of 144 fishing days per year targeting anchovy;

(c) spatio-temporal closures shall be implemented each year in order to protect nursery and spawning areas; such closures, for different types of fishing gears, shall cover the entire distribution of small pelagics in the Adriatic Sea, for periods of not less than 15 continuous days and up to 30 continuous days; those closures shall take place during the following periods:

(i) for sardine, from 1 October to 31 March, and

(ii) for anchovy, from 1 April to 30 September;

(d) additional closures for vessels of an overall length of over 12 metres, separately for each type of fishing gear, shall be implemented for not less than six months; such closures shall cover at least 30 % of the area which has been

identified as a nursery area or an area important for the protection of early age classes of fish (in territorial and inner sea);

(e) the overall fleet capacity of trawlers and purse seiners actively fishing for small pelagic stocks shall not exceed the registered fleet capacity of the active fleet in 2014 in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels.

Amendment 71

Proposal for a regulation Article 6 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

***1b.** Notwithstanding paragraph 1a, in order to ensure stability and limit variations in management measures, the duration of the closures referred to in points (c) and (d) thereof shall not vary by more than 10 % between consecutive years.*

Justification

Proposed measures are fully implemented as from 2017, and partly as from 2015. They are in line with the GFCM management plan and it is essential to continue with the same management approach and measures so we can properly assess their effect. In addition, it is proposed to implement gradual reduction of catch limit for the same period.

Amendment 72

Proposal for a regulation Article 6 a (new)

Text proposed by the Commission

Amendment

***Article 6a**
Technical measures*

1. For the purposes of this Regulation, the second subparagraph of Article 13(3) of and point 2 of Annex II to Regulation (EC) No 1967/2006 shall not apply.

2. For the purposes of this Regulation, the maximum length of surrounding nets (purse seines and seines without purse line) shall be restricted to 600 metres with a net drop of maximum 1/3 of length.

Justification

For implementation of any MP it is essential to include these provisions in MAP. This has already been requested through Joint recommendation by Adriatic MS and elaborated through Study on technical characteristics of PS nets and their impact on bottom communities. This study and request have also been revised by independent experts and STECF, which confirmed the conclusions. This represents one of the key provisions for ensuring the viability of the small pelagics PS fishery in the Adriatic.

Amendment 73

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article **15 of this Regulation and Article 18** of Regulation (EU) No 1380/2013 concerning:

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 18 of Regulation 1380/2013 concerning:

Justification

The rules set out in Regulation (EU) No 1380/2013 on the landing obligation and regionalisation are sufficient. For the Commission to take any further measures through delegated acts would therefore be inappropriate.

Amendment 74

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) exemptions from the application of the landing obligation for species for which scientific *evidence* demonstrates high survival rates, taking into account the characteristics of the gear, the fishing practices and the ecosystem, to facilitate the implementation of the landing obligation; and

(a) exemptions from the application of the landing obligation for species for which ***best available*** scientific ***advice*** demonstrates high survival rates, taking into account the characteristics of the gear, the fishing practices and the ecosystem, to facilitate the implementation of the landing obligation; and

Amendment 75

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ***the fixing of minimum conservation reference sizes, to ensure the protection of juveniles of marine organisms.***

deleted

Justification

Letter (d) should be deleted as this area is already covered in Article 6 above and there is no need for repetition.

Amendment 76

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

Amendment

1. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the prior notification referred to in that Article shall be made at least ***one and a half*** hour before the estimated time of arrival at port. The competent authorities of the coastal Member States may, on a case-by-case basis, give permission for an earlier entry into port.

1. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the prior notification referred to in that Article shall be made at least ***half an*** hour before the estimated time of arrival at port. The competent authorities of the coastal Member States may, on a case-by-case basis, give permission for an earlier entry into port.

Justification

In many areas of the Adriatic, the crew is still busy minutes before returning to port sorting catch into the appropriate boxes. Providing the above-mentioned notification prior to arrival in port, which means masters of fishing vessels having to communicate a set of information about the vessel and catch well in advance to the competent authorities of their flag Member State, is a somewhat burdensome requirement.

Amendment 77

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

2. The prior notification obligation shall apply to masters of Union fishing vessels retaining on board at least **one tonne** of anchovy or **one tonne** of sardine.

Amendment

2. The prior notification obligation shall apply to masters of Union fishing vessels retaining on board at least **two tonnes** of anchovy or **two tonnes** of sardine. ***Those quantities shall be calculated after deduction of the catches referred to in Article 15(11) of Regulation (EU) No 1380/2013.***

Justification

It is important to specify this owing to the landing obligation, under which products under the minimum conservation reference size must be landed and made over to a direct use other than human consumption. The quantities are the ones set in Article 13(a) and (b) of this proposal for a regulation.

Amendment 78

Proposal for a regulation

Article 12 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By way of derogation from Article 15(2) of Regulation (EC) No 1224/2009, the masters of all Union vessels of an overall length of equal to or more than 12 metres shall send the information referred to in Article 14 of that Regulation before the start of landing

operations.

Justification

Vessels subject to the requirements of this management plan and working on large fish species should be allowed to complete the fishing logbook prior to commencing landing operations. Sending this information prior to entering port in line with the general regulations can be difficult and sometimes dangerous, given both the difficulty of docking and the large amounts of fish that have to be sorted and boxed.

Amendment 79

**Proposal for a regulation
Article 13 – paragraph 1**

Text proposed by the Commission

The threshold applicable to the live weight of ***species from the respective stock subject to the multiannual plan***, above which a fishing vessel is required to land its catches in a designated port or a place close to the shore as set out in Article 43 of Regulation (EC) No 1224/2009 shall be:

- (a) 2000 kg of anchovy;***
- (b) 2000 kg of sardine.***

Amendment

The threshold applicable to the live weight of ***small pelagics***, above which a fishing vessel is required to land its catches in a designated port or a place close to the shore as set out in Article 43 of Regulation (EC) No 1224/2009 shall be ***4 tonnes***.

Amendment 80

**Proposal for a regulation
Article 14 – paragraph 1**

Text proposed by the Commission

Five years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ensure an evaluation of the impact of the multiannual plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks. The Commission shall submit the results of this evaluation to the European Parliament and to the Council.

Amendment

Three years after the entry into force of this Regulation], and every five years thereafter, the Commission shall ensure an evaluation of the impact of the multiannual plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks. The Commission shall submit the results of this evaluation to the European Parliament and to the Council ***and shall, if appropriate, submit a***

proposal to amend this Regulation.

Amendment 81

Proposal for a regulation Article 15 – paragraph 1

Text proposed by the Commission

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in *this* Article.

Amendment

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in Article **18 of Regulation (EU) No 1380/2013**.

Amendment 82

Proposal for a regulation Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15a

Support from the EMFF

1. Temporary cessation measures adopted in order to achieve the objectives of the multiannual plan shall be deemed as temporary cessation of fishing activities for the purposes of points (a) and (c) of Article 33(1) of Regulation (EU) No 508/2014.

2. By way of derogation from Article 33(2) of Regulation (EU) No 508/2014, until 31 December 2020 the maximum duration of support under that Regulation shall be of nine months, for fishing vessels subject to the spatial and temporal closures provided for in this Regulation.

3. In order to ensure the implementation of paragraph 2 of this Article, by way of derogation from Article 25(3) of Regulation (EU) No 508/2014, it shall be possible to increase the total financial contribution from the EMFF above the

cap of 15 % set out in that Article.

4. Priority shall be given, in the implementation of actions provided for in Article 30 of Regulation (EU) No 508/2014, to fishermen affected by the implementation of the measures contained in this multiannual plan.

5. Until 31 December 2020, and by way of derogation from the deadline set out in Article 34(4) of Regulation (EU) No 508/2014, vessels which have ceased all fishing activities as a result of the measures to reduce the fishing effort referred to in this Regulation may be eligible for support for permanent cessation as referred to in Article 34 of Regulation (EU) No 508/2014.

Amendment 83

Proposal for a regulation Annex I

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 84

Proposal for a regulation Annex II

Text proposed by the Commission

Amendment

[...]

deleted

EXPLANATORY STATEMENT

1) Background to the Commission proposal

The multiannual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks (hereinafter 'multiannual plan for the Adriatic Sea') is being established in accordance with the Basic Regulation. Multiannual plans are adopted as a priority, based on scientific, technical, and economic advice, and have to contain conservation measures to restore and maintain fish stocks above levels capable of producing the maximum sustainable yield. The Basic Regulation also stipulates that measures cannot be included in multiannual plans unless their economic and social impact has been taken into account.

The multiannual plan for the Adriatic Sea, the first plan of its kind in the Mediterranean area, is likely to have a major impact on fisheries management in the Mediterranean as a whole.

The Adriatic Sea is an important sub-area within the Mediterranean, accounting for about a third of the total landing value. Sardine and anchovy make up the bulk of small pelagic catches. The largest quantities are caught by Italy and Croatia. A third Member State, Slovenia, catches less than 1%, and Albania and Montenegro account for similarly small proportions. Small pelagic fisheries are at present regulated at national, EU, and international level. The General Fisheries Commission for the Mediterranean is the international body currently regulating fisheries of this type.

The ultimate goal of the proposal is to attain the maximum sustainable yield (MSY) by 2020, as required by the common fisheries policy. In the explanatory memorandum to the proposal the Commission states that the main aim of the multiannual plan for the Adriatic Sea is to restore stocks and the fisheries sector to a healthy state by ensuring that the fishery is made sustainable.

2) Substance of the proposal

On 24 February 2017 the Commission submitted a proposal for a multiannual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks. The multiannual plan for the Adriatic Sea can apply to stocks of anchovy, sardine, mackerel, and horse mackerel. The fundamental aim of the multiannual plan is to attain and maintain the maximum sustainable yield (MSY) for the stocks concerned, make the fisheries sector sustainable, and provide an effective management framework.

Under the multiannual plan for the Adriatic Sea the proposed targets are expressed as fishing mortality ranges around FMSY, as recommended by the STECF, with a deadline of 2020. Targets have been included for anchovy and sardine, and the ranges are based on recommendations issued by the STECF. According to the Commission's explanatory memorandum, these ranges will enable the stocks concerned to be managed on an MSY basis and presumably afford scope for adjustment should there changes in the scientific advice. Where data are available for fish stocks, these reference points are expressed as a spawning stock biomass.

The proposal includes provisions linked to the landing obligation to be adopted for the purposes of regionalisation.

3) Position of the rapporteur

The rapporteur welcomes the multiannual plan for the Adriatic Sea, as it will provide a tool for multiannual management of biological marine resources to help rebuild stocks and return the fisheries sector to a sustainable level. According to scientific assessments of the status of sardine and anchovy stocks, the current level of fishing in the Adriatic constitutes overexploitation. The rapporteur supports the measures intended to improve the state of stocks, with particular emphasis on spatial protection of areas in which to preserve juvenile fish and protect a stock while it is spawning.

Taking into account the state of stocks, the specific nature of fishing, and the complex socio-economic situation in the Adriatic, and with a view to ensuring effective management and to clarifying and simplifying individual provisions of the proposal, the rapporteur is proposing to make the following amendments:

Joint management of sardine and anchovy

The rapporteur does not agree with the Commission's proposal on separate management for sardine and anchovy, and is proposing instead that these two species be managed together. Small pelagic biomass can vary greatly from year to year, irrespective of fishing mortality, since small pelagics are highly dependent on environmental conditions. Given that in fishing it is not entirely possible exclusively to target either one of the above two species, the rapporteur considers that they should be managed together. Furthermore, the two species, the sardine and the anchovy, share the same ecological niche and their biomass is altering. In the proposal the rapporteur is introducing the term 'small pelagics', which is also used in the regional plan drawn up by the General Fisheries Commission for the Mediterranean.

Maintaining the principle of a regime based on management of fishing effort

The rapporteur strongly objects to the Commission's attempts to ensure that fishing is regulated by laying down total catch volumes and establishing a quota system. At present the whole Adriatic area (GSA 17 and GSA 18) is covered by the management plan produced by the General Fisheries Commission for the Mediterranean (GFCM), which is based on regulation of fishing effort and capacity through spatial-temporal regulation and limits on the number of fishing days per vessel, but initially sets the safe catch limit at the level of catch in 2014. The GFCM recommendation now in force (GFCM/40/2016/2) was issued in 2016. The rapporteur considers the current recommendation to be particularly important because it affords relative stability to the sector. The package of measures is being applied in 2017 and 2018, and during that time it should become apparent whether those measures, which have been fully applicable since 2015, are effective and producing results.

In the Mediterranean as a whole, the management regime is being implemented as described above, and any significant management change in one small part is likely to disrupt the EU market, open up space for increased imports from countries outside the EU, and put the

fisheries sector in an unequal market position.

Since the rapporteur's proposal is based on management of fishing effort, she is proposing to replace the management arrangement involving 'opportunities' with 'management measures'.

The rapporteur would point out that scientific assessments and recommendations are apt to change and considers this to be a further reason for steering clear of quota systems. One fact worth stressing is that different results have been obtained from the same data produced by GFCM and STECF working groups. The uncertainty inherent in these assessments creates additional misgivings when taking far-reaching key decisions based on scientific recommendations that can vary so widely.

Scientific assessments and their use in the proposed plan

One of the key provisions of the proposal relates to biological reference points. In the proposal these reference points are based on the fishing mortality value (F), which corresponds to exploitation of resources at maximum sustainable yield (FMSY). That value constitutes the target level which has to be reached, according to the Basic Regulation, by 2020. However, the fishing mortality value corresponding to the theoretical value of exploitation at maximum sustainable yield depends on a number of assumptions embedded in the procedure for scientific assessment of stock status and hence can vary greatly. In 2016, for example, the STECF took the view that the FMSY value for sardine was 0.08, whereas at the same time the GFCM put the value at 0.7, in other words nearly ten times higher. At the last plenary meeting of the STECF (17-01) a recommendation was issued to the effect that the value to be used for the target level of maximum sustainable yield should not be FMSY, but a theoretical conversion with exploitation factored in (ratio between fishing mortality and total mortality, $E=0.4$), which can also be expressed as the fishing mortality value F. Given that even the Commission's scientific advisory body (the STECF) has concluded that there are numerous uncertainties in these assessments, the rapporteur proposes that the reference point to be used in the multiannual plan for the Adriatic Sea should be stock biomass and not fishing mortality. It is especially important that, at a time when this matter is giving rise to controversy within the scientific community, there should be no possibility of introducing a quota system, whereby total catch would be determined precisely by targeting those reference points. Given the variations in the reference points, these cannot be used to determine the total allowable catch; the arrangement to be applied should be based on regulation of fishing effort to ensure the survival of an individual species in a sufficient quantity in terms of its biomass.

Defining the technical characteristics of purse seines for fishing small pelagics in the Adriatic

The rapporteur proposes that the plan proposal provide for an exemption from the provision of the Mediterranean Regulation concerning the drop of a purse seine and the relationship of depth to net drop. It should be stressed that the plan is being produced in line with regional characteristics and has to be suited to the fisheries of the area for which it is designed; it must also, from the outset, recognise, and allow for, the specific features of the fishing gear used in the Adriatic.

The Adriatic countries grouped together within AdriaMed (a subregional initiative in the form of an FAO project) have carried out a scientific study in order to describe the technical characteristics of purse seines in the Adriatic, their possible impact on the seabed, and their fishing behaviour. This study has proved that Italy, Croatia, and Slovenia are right to be calling for the dimensions of a purse seine to be so defined under the plan that the maximum length will be 600 m and the drop, not more than 1/3 of the length. Given that those are the dimensions being proposed, it is essential to waive the provision of the Mediterranean Regulation restricting the use of purse seines in areas shallower than 70% of the net drop; because of the Adriatic seabed configuration, this is unenforceable.

Socio-economic impact of the proposed plan

The Basic Regulation stipulates, among other things, that measures cannot be included in multiannual plans unless their economic and social impact has been taken into account.

The rapporteur would point out that in the Commission proposal there is no detailed assessment of socio-economic impacts. She is particularly worried because the fisheries sector in the Mediterranean has been in crisis for more than twenty years, and new provisions which have not been properly thought through might have a significant effect and bring about the ruin of the entire sector. Furthermore, there is nothing in the way of financial support and/or conversion measures for firms and workers in conjunction with the proposal to reduce sardine and anchovy catches, even though these are a key economic resource for small local communities, especially island communities, and industries.

14.9.2017

POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Fisheries

on the proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks

(COM(2017)0097 – C8-0095/2017 – 2017/0043(COD))

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Fisheries, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The common fisheries policy (CFP) should **contribute to** the protection of the marine environment, **to** the sustainable management of all commercially exploited species, **and in particular** to the achievement of good environmental status in the marine environment by 2020 in accordance with Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council.⁴⁰

⁴⁰ Directive 2008/56/EC of the European Parliament and of the Council of 17 June

Amendment

(1) The common fisheries policy (CFP) should **ensure** the protection of the marine environment **and** the sustainable management of all commercially exploited species **and should contribute** to the achievement of good environmental status in the marine environment by 2020 in accordance with Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council.⁴⁰

⁴⁰ Directive 2008/56/EC of the European Parliament and of the Council of 17 June

2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

Amendment 2

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Regionalisation should be used to create tailor-made measures that take into account the specificities of each fisheries area and safeguard their environmental conditions.

Amendment 3

Proposal for a regulation Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) Fishing opportunities should be allocated in accordance with the principles laid down in Article 17 of Regulation (EU) No 1380/2013, using transparent and objective criteria, including those of an environmental, social and economic nature. Fishing opportunities should also be fairly distributed across the various fisheries segments, including traditional and small-scale fisheries. Moreover, Member States should provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Amendment 4

Proposal for a regulation

Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. *Those remedial measures may also include, as appropriate, the submission of legislative proposals by the Commission and emergency measures adopted by the Commission under Article 12 of Regulation (EU) No 1380/2013.*

Amendment 5

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

Amendment

Five years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ensure an evaluation of the impact of the multiannual plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks. The Commission shall submit the results of this evaluation to the European Parliament and to the Council.

Three years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ensure an evaluation of the impact of the multiannual plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks, ***in particular as regards progress achieved towards restoring and maintaining fish stocks above levels capable of producing maximum sustainable yield.*** The Commission shall submit the results of this evaluation to the European Parliament and to the Council ***and may, where appropriate and taking into account the most recent scientific advice, propose adaptations to the multiannual plan or initiate modifications to the delegated acts.***

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Multiannual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks
References	COM(2017)0097 – C8-0095/2017 – 2017/0043(COD)
Committee responsible Date announced in plenary	PECH 1.3.2017
Opinion by Date announced in plenary	ENVI 1.3.2017
Date adopted	7.9.2017

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Multiannual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks			
References	COM(2017)0097 – C8-0095/2017 – 2017/0043(COD)			
Date submitted to Parliament	24.2.2017			
Committee responsible Date announced in plenary	PECH 1.3.2017			
Committees asked for opinions Date announced in plenary	ENVI 1.3.2017			
Rapporteurs Date appointed	Ruža Tomašić 22.3.2017			
Discussed in committee	25.4.2017	21.6.2017	21.11.2017	21.3.2018
Date adopted	9.10.2018			
Result of final vote	+: –: 0:	14 11 1		
Members present for the final vote	Marco Affronte, Clara Eugenia Aguilera García, Renata Briano, Alain Cadec, Linnéa Engström, Sylvie Goddyn, Carlos Iturgaiz, Werner Kuhn, António Marinho e Pinto, Gabriel Mato, Norica Nicolai, Ulrike Rodust, Remo Sernagiotto, Ricardo Serrão Santos, Ruža Tomašić			
Substitutes present for the final vote	Nicola Caputo, Rosa D’Amato, Giuseppe Ferrandino, Elisabetta Gardini, Anja Hazekamp, Francisco José Millán Mon, Nosheena Mobarik			
Substitutes under Rule 200(2) present for the final vote	David Borrelli, Klaus Buchner, Fabio Massimo Castaldo, Tadeusz Zwiefka			
Date tabled	16.10.2018			

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

14	+
ECR	Nosheena Mobarik, Remo Sernagiotto, Ruža Tomašić
EFDD	Fabio Massimo Castaldo, Rosa D'Amato
NI	David Borrelli
PPE	Alain Cadec, Elisabetta Gardini, Carlos Iturgaiz, Werner Kuhn, Gabriel Mato, Francisco José Millán Mon, Tadeusz Zwiefka
S&D	Renata Briano

11	-
ALDE	António Marinho e Pinto, Norica Nicolai
GUE/NGL	Anja Hazekamp
S&D	Clara Eugenia Aguilera García, Nicola Caputo, Giuseppe Ferrandino, Ulrike Rodust, Ricardo Serrão Santos
VERTS/ALE	Marco Affronte, Klaus Buchner, Linnéa Engström

1	0
ENF	Sylvie Goddyn

Key to symbols:

+ : in favour

- : against

0 : abstention