



Plenary sitting

A8-0381/2018

23.11.2018

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1343/2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area
(COM(2018)0143 – C8-0123/2018 – 2018/0069(COD))

Committee on Fisheries

Rapporteur: Linnéa Engström

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.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1343/2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (COM(2018)0143 – C8-0123/2018 – 2018/0069(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0143),
 - 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 (C8-0123/2018),
 - 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 23 May 2018¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A8-0381/2018),
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 a (new)

Text proposed by the Commission

Amendment

(1a) One of the objectives of the Common Fisheries Policy (CFP), as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the

¹ OJ C 283, 10.8.2018, p. 95.

Council^{1a}, is to ensure exploitation of marine living biological resources that provide long-term sustainable economic, environmental and social conditions.

^{1a} 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

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)

Regulation (EU) No 1343/2011

Article 2 – paragraph 1 – subparagraph 1

Present text

This Regulation applies to all commercial fishing and aquaculture activities conducted by EU fishing vessels and nationals of Member States in the GFCM Agreement area.

Amendment

(-1) In Article 2(1), the first subparagraph is replaced by the following:

‘This Regulation applies to all commercial fishing and aquaculture activities, *as well as to recreational fishing activities where specifically provided for in this Regulation*, conducted by EU fishing vessels and nationals of Member States in the GFCM Agreement area.’

Justification

Article 2(1) of the GFCM Regulation restricts its scope to commercial fisheries. However, in the current proposal, there are several provisions dealing with recreational ones (Articles 10c, 16n and 22h as well as Annex VI, point 6). Thus being, it would be appropriate to amend the scope in Article 2(1) accordingly.

Amendment 3

Proposal for a regulation

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Article 1 – paragraph 1 – point 1 – point b
Regulation (EU) No 1343/2011
Article 3 – paragraph 1 – point e

Text proposed by the Commission

(e) “buffer area” means a zone **set up around** a fisheries restricted area in order to avoid accidental access to it;

Amendment

(e) “buffer area” means a zone **surrounding** a fisheries restricted area in order to avoid accidental access to it, **enhancing the protection of the surrounded area**;

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b
Regulation (EU) No 1343/2011
Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) **"recreational fishing vessel" means a ship of any type, with a hull length of 2,5 metres or more, regardless of the means of propulsion, intended for sports or leisure purposes, and not engaged in trade.**

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 10a – paragraph 1 – point 3 – indent 3

Text proposed by the Commission

– **36° 59,344' N, 15° 26,062' E**

Amendment

– **35° 59,344' N, 15° 26,062' E**

Justification

In line with GFCM Recommendation 40/2016/4 (Annex 2).

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 10a – paragraph 1 – point 3 – indent 4

Text proposed by the Commission

Amendment

– 36° 59,344' N, 15° 13,338' E.

– 35° 59,344' N, 15° 13,338' E.

Justification

In line with GFCM Recommendation 40/2016/4 (Annex 2).

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) No 1343/2011

Article 10b – paragraph 3 – indent 3

Text proposed by the Commission

Amendment

– 36° 58,342' N, 15° 27,294' E

– 35° 58,342' N, 15° 27,294' E

Justification

In line with GFCM Recommendation 40/2016/4 (Annex 2).

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) No 1343/2011

Article 10b – paragraph 3 – indent 4

Text proposed by the Commission

Amendment

– 36° 58,342' N, 15° 12,106' E

– 35° 58,342' N, 15° 12,106' E

Justification

In line with GFCM Recommendation 40/2016/4 (Annex 2).

Amendment 9

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 1343/2011
Article 10d – paragraph 1

Text proposed by the Commission

1. Without prejudice to paragraphs (2) and (3) of Article 10c, commercial fishing activities carried out with bottom set nets, bottom trawl nets, set longlines and traps shall only be allowed, in the area referred to in those paragraphs, if the vessel is in possession of a specific authorisation, and if it can demonstrate that it has historically carried out fishing activities in the areas concerned.

Amendment

1. Without prejudice to paragraphs (2) and (3) of Article 10c, commercial fishing activities carried out with bottom set nets, bottom trawl nets, set longlines and traps shall only be allowed, in the area referred to in those paragraphs, if the vessel is in possession of a specific ***national*** authorisation, and if it can demonstrate that it has historically carried out fishing activities in the areas concerned.

Justification

To clarify the origin of the specific authorization, further expressed in the point (3).

Amendment 10

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 1343/2011
Article 10d – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In the area referred to in Article 10c(2), authorised fishing vessels shall not be entitled to fish for more than two fishing days per week. Authorised fishing vessels using otter twin trawl gear shall not be entitled to fish for more than one fishing day per week.

Justification

In line with the GFCM Recommendation 41/2017/3 (par. 8, 9).

Amendment 11

Proposal for a regulation
Article 1 – paragraph 1 – point 3

Text proposed by the Commission

7. Fishing vessels equipped with bottom set nets, bottom trawl nets, set longlines and traps without authorisations shall be allowed to transit through the Fisheries Restricted Area only if they follow a direct course at a constant speed of not less than 7 knots and with VMS and/or AIS active on board.

Amendment

7. Fishing vessels equipped with bottom set nets, bottom trawl nets, set longlines and traps without authorisations shall be allowed to transit through the Fisheries Restricted Area only if they follow a direct course at a constant speed of not less than 7 knots and with VMS and/or AIS active on board, ***and if they do not carry out fishing activities of any kind.***

Justification

To clarify that fishing vessels without fishing authorization shall only be allowed to transit a Restricted Area if they do not carry out fishing activities of any kind, despite the course being direct and the speed constant.

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 1343/2011

Article 14a – paragraph 1

Text proposed by the Commission

1. ***Within the period from April to June every year***, each Member State concerned shall establish a closure period of at least two months ***in the Black Sea***.

Amendment

1. Each Member State concerned shall establish a closure period of at least two months ***during the spawning season of turbot, from April to June every year.***

Justification

In line with GFCM recommendation 41/2017/4 par 19.

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) No 1343/2011

Article 16m – paragraph 1

Text proposed by the Commission

Each Member State **may** establish in the Mediterranean Sea a system of individual daily and/or annual catch limits for red coral.

Amendment

Each Member State **shall** establish in the Mediterranean Sea a system of individual daily and/or annual catch limits for red coral.

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22i – paragraph 1

Text proposed by the Commission

1. Member States shall establish a register of the fishing vessels authorized to carry on board or land quantities of blackspot seabream caught in the Alboran Sea that constitute more than 20% of the catch in live weight after sorting per tide.

Amendment

1. Member States shall establish a register of the fishing vessels authorized to carry on board or land quantities of blackspot seabream caught in the Alboran Sea that constitute more than 20 % of the catch in live weight after sorting per tide. ***That register shall be maintained and updated.***

Justification

In line with GFCM Recommendation 41/2017/2 (par.12).

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22k a (new)

Text proposed by the Commission

Amendment

Article 22ka

Temporal closure in the Gulf of Gabès
From 1 July to 31 September each year, fishing with bottom trawl nets shall be prohibited between the coast and the 200 metres depth isobaths of GSA 14 (Gulf of Gabès) as referred to in Annex I.

Justification

This is in line with Recommendation GFCM/40/2016/4 paragraph 12. The CFP deals also with fishing activities by Union fishing vessels outside Union waters (CFP Regulation, Article 1(2)(c)). Correspondingly, the GFCM Regulation applies to all commercial fishing activities conducted by EU fishing vessels and nationals of Member States in the whole of the GFCM Agreement area (Article 2(1)). Hence, if there are Union fishing vessels fishing in those waters, the EU actually needs to implement the pertaining recommendation for that part also.

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22k b (new)

Text proposed by the Commission

Amendment

Article 22kb

Designated ports

1. Each Member State shall designate landing ports in which landings of European hake and deep-water rose shrimp from the Strait of Sicily may take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. Member States shall transmit to the GFCM Secretariat and to the Commission not later than 30 November 2018 a list of designated landing ports. Any subsequent change to that list shall be promptly notified to the GFCM Secretariat and to the Commission.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of European hake and deep-water rose shrimp fished in the Strait of Sicily at any place other than landing ports designated by the Member States.

Justification

In line with Part V of Recommendation GFCM/40/2016/4.

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22n – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) operating without **an** VMS system.

(c) operating without **a** VMS system **or any other system of geo-localisation allowing control authorities to track activities, in the case of vessels of more than 12 metres in overall length.**

Justification

In Article 22i "Fishing authorizations and fishing activities", point (4) states that all vessels over 12 meters "shall be equipped with VMS or any other control their activities" to be granted a fishing authorization. The corresponding infringement for the lack of such equipment, expressed in Article 22n, does not stipulate the possibility of not having equipment other than VMS.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22o – paragraph 1

Text proposed by the Commission

Amendment

1. By 30 **November** each year, each Member State shall send to the Commission, through the accustomed data-processing support, an updated list of the vessels using bottom-set gillnets authorized to fish turbot in the Black Sea (GFCM geographical subarea 29, as defined in Annex I).

1. By 30 **December** each year, each Member State shall send to the Commission, through the accustomed data-processing support, an updated list of the vessels using bottom-set gillnets authorized to fish turbot in the Black Sea (GFCM geographical subarea 29, as defined in Annex I), **if any changes have been made to that list.**

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 1343/2011

Article 22p – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The national plans and all its elements shall be communicated to the fishing associations and shall be made publicly accessible for all fishermen.

EXPLANATORY STATEMENT

The General Fisheries Commission for the Mediterranean (GFCM) was set up by an international agreement in 1949 by means of an international agreement under the Food and Agriculture Organization of the United Nations (FAO), which entered into force in 1952. All Member States bordering the Mediterranean and the Black Sea, together with the European Union, participate in the management of fisheries in this area, in cooperation with several third countries, in the framework of the GFCM. The GFCM's Contracting Parties are: the European Union, Albania, Algeria, Bulgaria, Cyprus, Croatia, Egypt, France, Japan, Greece, Israel, Italy, Lebanon, Libya, Malta, Morocco, Monaco, Romania, Syria, Slovenia, Spain, Tunisia and Turkey.

The GFCM adopts, on the basis of scientific advice, recommendations and resolutions designed to promote the development, conservation, rational management and best utilization of stocks of living aquatic resources in the Mediterranean and the Black Sea at levels are considered sustainable and at low risk.

The organisation has the authority to adopt compulsory decisions ('recommendations') in its area of competence. As a contracting party to the GFCM, the EU is bound to adopt and transpose these recommendations accordingly, where the content is not already covered by Community legislation, into Community law.

The European Commission proposes to amend Regulation (EU) No 1343/2011 in order to transpose in Union law a number of measures adopted by the GFCM at its annual sessions of 2015, 2016 and 2017.

These measures concern the European hake and the deep-water rose shrimp in the Strait of Sicily the turbot in the Black Sea, the blackspot seabream in the Alboran Sea and red coral in the Mediterranean Sea. The proposal also establishes a fishing restricted area in the Adriatic (Jabuka/PomoPit area).

The proposal is consistent with the Common Fisheries Policy (CFP). It covers conservation measures, management measures, monitoring, control and surveillance measures and measures to fight illegal, unreported and unregulated fishing.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area	
References	COM(2018)0143 – C8-0123/2018 – 2018/0069(COD)	
Date submitted to Parliament	22.3.2018	
Committee responsible Date announced in plenary	PECH 16.4.2018	
Committees asked for opinions Date announced in plenary	ENVI 16.4.2018	
Not delivering opinions Date of decision	ENVI 25.4.2018	
Rapporteurs Date appointed	Linnéa Engström 25.4.2018	
Discussed in committee	24.4.2018	24.9.2018
Date adopted	21.11.2018	
Result of final vote	+: 24	–: 0
	0:	0
Members present for the final vote	Marco Affronte, Clara Eugenia Aguilera García, Renata Briano, Alain Cadec, Richard Corbett, Linnéa Engström, Sylvie Goddyn, Ian Hudghton, Carlos Iturgaiz, Werner Kuhn, António Marinho e Pinto, Barbara Matera, Ulrike Rodust, Annie Schreijer-Pierik, Remo Sernagiotto, Isabelle Thomas, Ruža Tomašić, Peter van Dalen, Jarosław Wałęsa	
Substitutes present for the final vote	Ole Christensen, Rosa D’Amato, Francisco José Millán Mon, Maria Lidia Senra Rodríguez, Nils Torvalds	
Date tabled	23.11.2018	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

24	+
ALDE	António Marinho e Pinto, Nils Torvalds
ECR	Remo Sernagiotto, Ruža Tomašić, Peter van Dalen
EFDD	Rosa D'Amato, Sylvie Goddyn
GUE/NGL	Maria Lidia Senra Rodríguez
PPE	Alain Cadec, Carlos Iturgaiz, Werner Kuhn, Barbara Matera, Francisco José Millán Mon, Annie Schreijer-Pierik, Jarosław Wałęsa
S&D	Clara Eugenia Aguilera García, Renata Briano, Ole Christensen, Richard Corbett, Ulrike Rodust, Isabelle Thomas
Verts/ALE	Marco Affronte, Linnéa Engström, Ian Hudghton

0	-

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention