

**Question for written answer E-003859/2016  
to the Commission**  
Rule 130  
**Ole Christensen (S&D)**

Subject: Ban on underwater fishing at night and underwater fishing using breathing apparatus

In the proposal for a regulation on the conservation of fishery resources and the protection of marine ecosystems through technical measures (COM(2016)0134), Article 7(h) prohibits fishing underwater at night with spear-guns and/or breathing apparatus, thus placing underwater fishing on a par with harmful methods such as fishing using poisons.

This ban affects recreational underwater fishing in Denmark, which (as regards both night fishing and fishing using breathing apparatus) accounts for a very small proportion of Danish fishing as a whole in terms of catches. Furthermore, those who engage in underwater fishing get a great deal of enjoyment from this hobby, which appears to be sustainable and highly selective, and is thus not thought to have any major adverse effects.

1. What scientific grounds are there for the comprehensive ban on underwater fishing at night with spear-guns and/or breathing apparatus?
2. Does the Commission take the view that sufficient account has been taken of the objective of stepping up regionalisation, as referred to in Regulation (EU) No 1380/2013 of 11 December 2013?
3. In that connection, has the Commission considered whether it might be possible for any action against underwater fishing to be taken pursuant to acts adopted at regional level, rather than under centrally initiated legislation?