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2014-2019

Committee on Fisheries

2014/0213(COD)

11.11.2014

AMENDMENTS

20 - 64

Draft report
Gabriel Mato
(PE539.617v01-00)

on the provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area

Proposal for a regulation
(COM(2014)0457 – C8-0102/2014 – 2014/0213(COD))

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PE541.602v01-00

EN

United in diversity

EN

Amendment 20
Izaskun Bilbao Barandica

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) At its Annual Sessions in 2011 and 2012, the GFCM adopted measures for the sustainable exploitation of red coral in its area of competence to be implemented in Union law. One of those measures concerns the use of Remotely Operated under-water Vehicles (ROVs). The GFCM decided that ROVs in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of recommendation GFCM/35/2011/2, are no longer to be allowed after 2014. According to another measure laid down in recommendation GFCM/36/2012/1, red coral catches are to be landed only in a limited number of ports with adequate port facilities and the lists of designated ports are to be communicated to the GFCM Secretariat. Any changes affecting the lists of ports designated by Member States should be communicated to the European Commission for further transmission to the GFCM Secretariat.

Amendment

(4) At its Annual Sessions in 2011 and 2012, the GFCM adopted measures for the sustainable exploitation of red coral in its area of competence to be implemented in Union law. One of those measures concerns the use of Remotely Operated under-water Vehicles (ROVs). The GFCM decided that ROVs in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of recommendation GFCM/35/2011/2, are no longer to be allowed after 2014.

Authorisation may be granted for the use of ROVs up to the end of 2015 for scientific experimental campaigns, provided there are no scientific opinions that indicate they should not be used.

According to another measure laid down in recommendation GFCM/36/2012/1, red coral catches are to be landed only in a limited number of ports with adequate port facilities and the lists of designated ports are to be communicated to the GFCM Secretariat. Any changes affecting the lists of ports designated by Member States should be communicated to the European Commission for further transmission to the GFCM Secretariat.

Or. es

Amendment 21
Clara Eugenia Aguilera García

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) At its Annual Sessions in 2011 and 2012, the GFCM adopted measures for the sustainable exploitation of red coral in its area of competence to be implemented in Union law. One of those measures concerns the use of Remotely Operated under-water Vehicles (ROVs). The GFCM decided that ROVs in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of recommendation GFCM/35/2011/2, are no longer to be allowed after 2014. According to another measure laid down in recommendation GFCM/36/2012/1, red coral catches are to be landed only in a limited number of ports with adequate port facilities and the lists of designated ports are to be communicated to the GFCM Secretariat. Any changes affecting the lists of ports designated by Member States should be communicated to the European Commission for further transmission to the GFCM Secretariat.

Amendment

(4) At its Annual Sessions in 2011 and 2012, the GFCM adopted measures for the sustainable exploitation of red coral in its area of competence to be implemented in Union law. One of those measures concerns the use of Remotely Operated under-water Vehicles (ROVs). The GFCM decided that ROVs in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of recommendation GFCM/35/2011/2, are no longer to be allowed after 2014, ***except in the cases and circumstances explicitly established in recommendation GFCM/35/2011/2***. According to another measure laid down in recommendation GFCM/36/2012/1, red coral catches are to be landed only in a limited number of ports with adequate port facilities and the lists of designated ports are to be communicated to the GFCM Secretariat. Any changes affecting the lists of ports designated by Member States should be communicated to the European Commission for further transmission to the GFCM Secretariat.

Or. es

Justification

If the idea is to take over all the recommendations made by the GFCM, then direct reference should be made to the relevant provision.

Amendment 22

Izaskun Bilbao Barandica

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts

Amendment

(9) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts

in accordance with Article 290 of the Treaty should be delegated to the Commission concerning authorisations to derogate from the prohibition to harvest red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

in accordance with Article 290 of the Treaty *on the Functioning of the European Union* should be delegated to the Commission concerning authorisations to derogate from the prohibition to harvest red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies. ***The Commission shall, in this regard, take into account the efforts made by Member States which have responded to the GFCM's recommendation and developed suitable national management plans.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

()

Or. es

Justification

Amendment aimed at avoiding any clash between the Member States' management plans and the one proposed in this Regulation.

Amendment 23 **Isabelle Thomas**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission concerning authorisations to derogate from the prohibition to harvest

Amendment

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red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies, ***unless the Member State concerned has already transposed the relevant GFCM Recommendation by means of a framework equivalent to that proposed by the acts in question.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. fr

Justification

The rapporteur proposes taking account of Member States which have already transposed the GFCM recommendations by means of management plans. However, management plans are not the only way of transposing the legislation. It can also be done on the basis of a licensing structure, for example.

Amendment 24 **Clara Eugenia Aguilera García**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission concerning authorisations to derogate from the prohibition to harvest red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies. It is of particular importance that the Commission carry out appropriate consultations during its

Amendment

(9) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission concerning authorisations to derogate from the prohibition to harvest red coral at depths less than 50 m and to depart from the minimum basal diameter of red coral colonies. ***The Commission shall in all cases take into account any measures and national management***

preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

plan/s that the Member States themselves may have already adopted in response to the recommendations of the GFCM. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. es

Justification

Addresses the need to factor in the measures which are already being adopted at national level, so that both these and the provisions based on the GFCM recommendations are complementary and not exclusive of one another.

Amendment 25 **Anja Hazekamp**

Proposal for a regulation
Article 1 – paragraph 1 – point 1
Regulation (EU) No 1343/2011
Article 15 a – paragraph 1

Text proposed by the Commission

1. The use of trawl nets shall be prohibited ***within 3 nautical miles off the coast, provided that the 50 meters isobath is not reached, or within the 50 meters isobath where the depth of 50 meters is reached at a shorter distance from the coast.***

Amendment

1. The use of trawl nets shall be prohibited.

Or. nl

Justification

If EU regulation is to be clear, enforceable and not unnecessarily complicated, a total ban on trawl nets is the best solution for putting an end to the damage caused to coral reefs by trawl fishing.

Amendment 26
Izaskun Bilbao Barandica

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 b – paragraph 1

Text proposed by the Commission

1. The harvesting of red coral shall be prohibited at depth less than 50 m.

Amendment

1. The harvesting of red coral shall be prohibited at depth less than 50 m. ***This provision may be amended when scientific opinions, confirmed by the Scientific Advisory Committee of the GFCM, recommend its harvesting.***

Or. es

Amendment 27
Clara Eugenia Aguilera García

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 b – paragraph 1

Text proposed by the Commission

1. The harvesting of red coral shall be prohibited at depth less than 50 m.

Amendment

1. The harvesting of red coral shall be prohibited at depth less than 50 m, ***except in the cases and circumstances explicitly established in recommendation GFCM/35/2011/2.***

Or. es

Justification

If the idea is to take over all the recommendations made by the GFCM, then direct reference should be made to the relevant provision.

Amendment 28
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 b – paragraph 1

Text proposed by the Commission

1. The harvesting of red coral shall be prohibited at depth less than 50 m.

Amendment

1. The harvesting, ***retaining on board, transshipment, landing, transfer, storage, selling or displaying of red coral*** shall be prohibited.

Or. nl

Amendment 29
Gabriel Mato

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 b – paragraph 1

Text proposed by the Commission

1. The harvesting of red coral shall be prohibited at depth less than 50 m.

Amendment

1. The harvesting of red coral shall be prohibited at depth less than 50 m. ***If scientific studies, as validated by the GFCM's Scientific Advisory Committee (SAC), indicate otherwise, the Commission shall adopt delegated acts, in accordance with Article 27, which shall reflect the results of such studies.***

Or. en

Justification

The GFCM Recommendation 35/2011/2 foresees the possibility to harvest red coral at depth less than 50 m. in case "scientific studies indicate otherwise".

Amendment 30

Izaskun Bilbao Barandica

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 b – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations. ***The Commission shall, in this regard, take into account the efforts made by Member States which have responded to recommendation GFCM/35/2011/2 and developed suitable national management plans.***

Or. es

Amendment 31

Isabelle Thomas

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 b – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations. ***However, this paragraph shall not apply to Member States which have already transposed Recommendation CGPM/35/2011/2 by establishing a framework equivalent to that proposed by the acts in question.***

Justification

The rapporteur proposes taking account of Member States which have already transposed the GFCM recommendations by means of management plans. However, management plans are not the only way of transposing the legislation. It can also be done on the basis of a licensing structure, for example.

Amendment 32

Clara Eugenia Aguilera García

Proposal for a regulation**Article 1 – paragraph 1 – point 2**

Regulation (EU) No 1343/2011

Article 16 b – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations. ***The Commission shall also, in this regard, take into account any measures and management plan/s that the Member States themselves may have already adopted in response to the recommendations of the GFCM.***

Justification

Addresses the need to factor in the measures which are already being adopted at national level, so that both these and the provisions based on the GFCM recommendations are complementary and not mutually exclusive.

Amendment 33

Anja Hazekamp

Proposal for a regulation**Article 1 – paragraph 1 – point 2**

Regulation (EU) No 1343/2011
Article 16 b – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to grant derogations from paragraph 1. Those delegated acts shall include rules ensuring scientific evaluation of the zones subject to derogations.

Amendment

deleted

Or. nl

Amendment 34
Izaskun Bilbao Barandica

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 c – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral. ***The Commission shall, in this regard, take into account the efforts made by Member States which have responded to recommendation GFCM/36/2012/1 and developed suitable national management plans.***

Or. es

Amendment 35
Isabelle Thomas

Proposal for a regulation
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral. ***However, this paragraph shall not apply to Member States which have already transposed Recommendation CGPM/36/2012/1 by establishing a framework equivalent to that proposed by the acts in question.***

Or. fr

Justification

The rapporteur proposes taking account of Member States which have already transposed the GFCM recommendations by means of management plans. However, management plans are not the only way of transposing the legislation. It can also be done on the basis of a licensing structure.

Amendment 36
Clara Eugenia Aguilera García

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 c – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral. ***The Commission shall also, in this regard, take into account any measures that the Member States themselves may have***

*already adopted in response to the
recommendations of the GFCM.*

Or. es

Justification

Addresses the need to factor in the measures which are already being adopted at national level, so that both these and the provisions based on the GFCM recommendations are complementary and not exclusive of one another.

Amendment 37
Izaskun Bilbao Barandica

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 d – paragraph 1

Text proposed by the Commission

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen.

Amendment

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen ***with the relevant licence.***

Or. es

Amendment 38
Isabelle Thomas

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 d – paragraph 1

Text proposed by the Commission

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen.

Amendment

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen ***as recognised by the Member State.***

Or. fr

Justification

To avoid any possible confusion over the different definitions that exist in each Member State.

Amendment 39

Alain Cadec

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 d – paragraph 1

Text proposed by the Commission

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen.

Amendment

1. For the harvesting of red coral, the only permitted gear shall be a hammer used manually by professional fishermen ***as recognised by the Member State.***

Or. fr

Justification

Avoids creating a new definition and uses the wording from the EMFF Regulation.

Amendment 40

Izaskun Bilbao Barandica

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 d – paragraph 2

Text proposed by the Commission

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, as from 1 January 2015, the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of paragraphs 3(a) or 3(b) of recommendation

Amendment

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, as from 1 January 2015, ***and provided scientific opinions so indicate,*** the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of

Amendment 41
Alain Cadec

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 d – paragraph 2

Text proposed by the Commission

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, *as from 1 January 2015*, the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of paragraphs 3(a) or 3(b) of recommendation GFCM/35/2011/2.

Amendment

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be ***authorised until 31 December 2015. It shall be prohibited from that date.*** That prohibition shall cover the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of paragraphs 3(a) or 3(b) of recommendation GFCM/35/2011/2.

Justification

Takes over the GFCM wording, which authorises the use of this gear until 2015. The spirit of the recommendation covers the whole of 2015.

Amendment 42
Gabriel Mato

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 d – paragraph 2

Text proposed by the Commission

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, as from 1 January **2015**, the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of paragraphs 3(a) or 3(b) of recommendation GFCM/35/2011/2.

Amendment

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, as from 1 January **2016**, the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of paragraphs 3(a) or 3(b) of recommendation GFCM/35/2011/2. ***With regard to the second sentence of this paragraph, if scientific advice, as validated by the GFCM's Scientific Advisory Committee (SAC), states otherwise, the Commission shall adopt delegated acts, in accordance with Article 27, which shall reflect this advice.***

Or. en

Justification

This is in line with paragraph 3(a) of recommendation GFCM/35/2011/2 which stipulates that "the authorisation of ROV for prospection shall only be allowed until 2015, unless scientific advice states otherwise".

Amendment 43

Clara Eugenia Aguilera García

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 d – paragraph 2

Text proposed by the Commission

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited. That prohibition shall cover, as from 1 January 2015, the use of Remotely Operated under-water Vehicles which may have been authorized by Member States in zones under national jurisdiction exclusively for observation and prospection of red coral on the basis of

Amendment

2. The use of Remotely Operated under-water Vehicles for the exploitation of red coral shall be prohibited ***except in the cases and circumstances explicitly established in recommendation GFCM/35/2011/2.*** That prohibition shall cover, as from 1 January 2015, the use of Remotely Operated under-water Vehicles which may have been authorized by

paragraphs 3(a) or 3(b) of recommendation
GFCM/35/2011/2.

Member States in zones under national
jurisdiction exclusively for observation and
prospection of red coral on the basis of
paragraphs 3(a) or 3(b) of recommendation
GFCM/35/2011/2.

Or. es

Justification

*If the idea is to take over all the recommendations made by the GFCM, then direct reference
should be made to the relevant provision.*

Amendment 44

Marco Affronte

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 g – paragraph 1

Text proposed by the Commission

1. Masters of fishing vessels shall promptly
release ***unharméd and alive*** sea turtles
incidentally taken in fishing gears back to
the sea.

Amendment

1. Masters of fishing vessels shall promptly
release sea turtles incidentally taken in
fishing gears back to the sea, ***if they are
unharméd and alive.***

Or. it

Justification

*The sea turtles caught are not always unharméd. In the case of injured sea turtles, see
paragraph 2.*

Amendment 45

Clara Eugenia Aguilera García

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 g – paragraph 1

Text proposed by the Commission

Amendment

1. *Masters of fishing vessels shall promptly release unharmed and alive sea turtles incidentally taken in fishing gears back to the sea.*

1. *Specimens of sea turtles accidentally taken in fishing gears shall be safely handled and released unharmed and alive, to the extent this is possible.*

Or. es

Justification

Word for word transposition of the GFCM recommendation into the Community regulation.

Amendment 46
Marco Affronte

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 g - paragraph 2

Text proposed by the Commission

2. Masters of fishing vessels shall not bring ashore sea turtles, unless *as part of* a specific rescue programme and *provided* that the competent national authorities concerned have been duly and officially informed prior to returning to port.

Amendment

2. Masters of fishing vessels shall not bring ashore sea turtles, unless *they have been injured or are in clear difficulty, provided that there is* a specific rescue programme and that the competent national authorities concerned have been duly and officially informed prior to returning to port.

Or. it

Justification

Releasing injured sea turtles should be avoided, if the Member State has a specific rescue programme.

Amendment 47
Alain Cadec

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 g - paragraph 3

Text proposed by the Commission

Amendment

3. Vessels using purse seines for small pelagic species or surrounding nets without purse line for pelagic species shall **not encircle** sea turtles.

3. Vessels using purse seines for small pelagic species or surrounding nets without purse line for pelagic species shall, **to the extent practicable, avoid encircling** sea turtles.

Or. fr

Justification

Takes over the wording of the recommendation. The Commission proposal goes beyond what the GFCM prescribes.

Amendment 48

Clara Eugenia Aguilera García

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 h – paragraph 1

Text proposed by the Commission

Amendment

1. Masters of fishing vessels shall not take on board, tranship and land monk seals, unless this is required to rescue and to secure assistance for the recovery of harmed individual animals and provided that the competent national authorities concerned have been duly and officially informed prior to returning to port.

1. *Does not affect the English version.*

Or. es

Justification

Amendment 49

Clara Eugenia Aguilera García

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011
Article 16 h – paragraph 2

Text proposed by the Commission

2. Masters of fishing vessels having accidentally taken specimens of monk seals in their fishing gears shall promptly release them unharmed and alive. The carcass of dead specimens shall be landed and shall be seized and destroyed by the national authorities.

Amendment

2. Specimens of monk seals accidentally taken in fishing gears shall be released unharmed and alive. Should it be already dead, the carcass shall be landed and the national authorities notified at the latest upon arrival at port.

Or. es

Justification

Word for word transposition of the GFCM recommendation into the Community regulation.

Amendment 50
Clara Eugenia Aguilera García

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 i

Text proposed by the Commission

Masters of fishing vessels shall promptly return to the sea cetaceans incidentally caught in fishing gears.

Amendment

Specimens of cetaceans accidentally taken in fishing gears shall be safely handled and released unharmed and alive, to the extent this is possible

Or. es

Justification

Word for word transposition of the GFCM recommendation into the Community regulation.

Amendment 51
Marco Affronte

Proposal for a regulation
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

2. Fishing vessels that have incidentally caught sharks and rays species included in Annex II to the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean shall promptly release them ***unharméd and*** alive.

Amendment

2. Fishing vessels that have incidentally caught sharks and rays species included in Annex II to the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean shall promptly release them ***if they are*** alive.

Or. it

Justification

Sharks and rays that are caught alive are not always unharmed. However, injured ones should also be released, so that they nevertheless have some chance of survival.

Amendment 52

Remo Sernagiotto, Renata Briano, Marco Affronte

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 l - paragraph 1

Text proposed by the Commission

1. For the purpose of this Article, the reference fishing capacity for small pelagic stocks is that established on the basis of the lists of vessels of the concerned Member States communicated to the GFCM Secretariat in accordance with paragraph 22 of recommendation GFCM/37/2013/1. Those lists include all vessels equipped with trawl nets, purse seines or other types of surrounding nets without purse line authorised to fish for small pelagic stocks and registered in harbours located in Geographical Sub-Area 17 and 18, as referred to in Annex I, or operating in Geographical Sub-Area 17 and/or in Geographical Sub-Area 18 although

Amendment

(Does not affect the English version)

registered in harbours located in other Geographical Sub-Area at the date of 31 October 2013.

Or. it

Justification

(Does not affect the English version).

Amendment 53

Ruža Tomašić

on behalf of the ECR Group

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 1 - paragraph 2

Text proposed by the Commission

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight ***in any given fishing trip***.

Amendment

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight.

Or. hr

Justification

Recommendation GFCM/37/2013/1, Article 22, should be transposed in its entirety, as recommended in the GFCM recommendation, without unnecessary additions from the Commission.

Amendment 54

Tonino Picula

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 1 – paragraph 2

Text proposed by the Commission

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight ***in any given fishing trip***.

Amendment

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight.

Or. hr

Justification

The definition set out in the GFCM recommendation does not include the words 'in any given fishing trip', and this regulation is the transposition of the GFCM recommendation into EU law. The Commission supported this recommendation at the GFCM, so it is not clear why it has been altered during application. There was no discussion with stakeholders on this topic, nor was it approved by GFCM. No GFCM procedure was carried out that would have made this modification possible. The definition should therefore keep the same wording as in the recommendation.

Amendment 55

Remo Sernagiotto, Renata Briano, Marco Affronte, Alain Cadec

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 161 – paragraph 2

Text proposed by the Commission

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight ***in any given fishing trip***.

Amendment

2. Vessels equipped with trawl nets and purse seines, irrespective of the vessel's length overall, are classified as fishing actively for small pelagic stocks when sardine and/anchovy account for at least 50% of the catch in live weight ***landed between 1 January and 31 December of the previous year***.

Or. it

Justification

This amendment is designed to clearly identify vessels which are actually fishing actively for bluefish. The one-year time frame is a sufficient period for this aim, also in order to adjust the multiannual management plan for these stocks from year to year.

Amendment 56

Ruža Tomašić

on behalf of the ECR Group

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 1 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that vessels equipped with trawl nets and purse seines for small pelagic stocks as identified in paragraph 2 do not operate for more than 20 fishing days per month and do not exceed 180 fishing days per year.

Amendment

4. Member States shall ensure that vessels equipped with trawl nets and purse seines for small pelagic stocks as identified in paragraph 2 do not operate for more than 20 fishing days per month and do not exceed 180 fishing days **with a registered catch** per year.

Or. hr

Justification

The Commission's proposal ignores the fact that there is no guarantee of catching fish on every fishing trip, for instance, a broken net could result in no catch. It would therefore be inappropriate to take a fishing day away from fishermen if they have no registered catch for that day.

Amendment 57

Clara Eugenia Aguilera García

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 1343/2011

Article 16 1 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that vessels equipped with trawl nets and purse seines

Amendment

4. Member States shall ensure that vessels equipped with trawl nets and purse seines

for small pelagic stocks as identified in paragraph 2 do not operate for more than **20** fishing days per *month* and do not exceed 180 fishing days per year.

for small pelagic stocks as identified in paragraph 2 do not operate for more than **5** fishing days per *week* and do not exceed 180 fishing days per year.

Or. es

Justification

Word for word transposition of the GFCM recommendation into the Community regulation.

Amendment 58
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 1343/2011
Article 16 1 a (new)

Text proposed by the Commission

Amendment

Article 16la

1. To restore the ecosystem and protect vulnerable species, Member States shall designate areas that are temporarily closed to fisheries if the fishing logbooks show that there are unintended bycatches of species included in the IUCN Red List in these areas. Designation of these fishing-free areas shall be coordinated by the Commission

2. To restore the ecosystem and protect fish stocks, Member States shall designate areas that are temporarily closed to fisheries if stock assessments show that fish stocks are under the precautionary limit. Designation of these fishing-free areas shall be coordinated by the Commission.

Or. nl

Amendment 59
Isabelle Thomas

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 1343/2011
Article 17 a

Text proposed by the Commission

Masters of fishing vessels authorised to harvest red coral shall have on board a logbook in which are reported the daily catches of red coral and fishing activity by area and depths, including the number of fishing days and diving. That information shall be communicated to the competent national authorities *without delay*.

Amendment

Masters of fishing vessels authorised to harvest red coral shall have on board a logbook in which are reported the daily catches of red coral and fishing activity by area and depths, including the number of fishing days and diving. That information shall be communicated to the competent national authorities *within the deadlines provided for by the rules in force*.

Or. fr

Justification

The control regulation 1224/2009, the related implementing regulation 404/2011 and the delegated and implementing acts associated with these texts lay down the notification deadlines and derogations. The relevant deadlines should therefore be clarified, rather than contributing to a situation of legal uncertainty.

Amendment 60
Alain Cadec

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 1343/2011
Article 17 a

Text proposed by the Commission

Masters of fishing vessels authorised to harvest red coral shall have on board a logbook in which are reported the daily catches of red coral and fishing activity by area and depths, including the number of fishing days and diving. That information shall be communicated to the competent national authorities *without delay*.

Amendment

Masters of fishing vessels authorised to harvest red coral shall have on board a logbook in which are reported the daily catches of red coral and fishing activity by area and depths, including the number of fishing days and diving. That information shall be communicated to the competent national authorities *within the deadlines provided for by the rules in force*.

Justification

Given that the GFCM recommendation does not lay down a deadline, the wording proposed by the Commission goes beyond the intention of the RFMO.

Amendment 61
Marco Affronte

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) No 1343/2011

Article 17 b – paragraph 1– point d

Text proposed by the Commission

(d) any event of incidental catch and release of cetaceans, indicating at least the fisheries concerned, characteristics of gear type, times, locations (either by Geographical Sub-Areas or statistical rectangles, as defined in Annex I) and *affected cetaceans species*;

Amendment

(d) any event of incidental catch and release of cetaceans, indicating at least the fisheries concerned, characteristics of gear type, times, locations (either by Geographical Sub-Areas or statistical rectangles, as defined in Annex I) and *indicating at least whether it is a dolphin or another cetacean*;

Or. it

Justification

It is rarely possible to identify the specific cetacean species, in particular that of the dolphin family (bottle-nose dolphins, striped dolphins, Risso's dolphins, pilot whales, etc.) on the mere basis of fishermen's knowledge. However, it is relatively simple to distinguish between a dolphin and another cetacean.

Amendment 62
Izaskun Bilbao Barandica

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) No 1343/2011

Article 17 b – paragraph 2

Text proposed by the Commission

2. By 31 December 2014 at the latest, Member States shall establish the rules recording incidental catches referred to in paragraph 1 by the masters of fishing

Amendment

deleted

vessels which are not subject to the keeping of a fishing logbook pursuant to Article 14 of Regulation (EC) No 1224/2009. "

Or. es

Amendment 63
Clara Eugenia Aguilera García

Proposal for a regulation
Article 1 – paragraph 1 – point 4
Regulation (EU) No 1343/2011
Article 23 a – paragraph 1

Text proposed by the Commission

Amendment

1. By 15 **November** of each year, Member States shall submit to the Commission:

1. By 15 **December** of each year, Member States shall submit to the Commission:

Or. es

Justification

It is proposed that the date set in the Commission proposal be put back one month to ensure the national statistics are available, taking into account the closing dates of the fishing seasons.

Amendment 64
Clara Eugenia Aguilera García

Proposal for a regulation
Article 1 – paragraph 1 – point 4
Regulation (EU) No 1343/2011
Article 23 a – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall transmit the information referred to in paragraph 1 to the Executive Secretary of the GFCM by **15** December of each year.

2. The Commission shall transmit the information referred to in paragraph 1 to the Executive Secretary of the GFCM by **31** December of each year.

Or. es

Justification

It is proposed that the date suggested by the Commission be put back, in line with the previous amendment.