



2018/0193(COD)

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AMENDMENTS

820 - 851

Draft report

Isabelle Thomas

(PE627.839v01-00)

Fisheries Control

Proposal for a regulation

(COM(2018)0368 – C8-0238/2018 – 2018/0193(COD))

Amendment 820
Werner Kuhn

Proposal for a regulation
Article 2 – paragraph 1
Regulation (EC) No 768/2005
Article 1

Text proposed by the Commission

1. This Regulation establishes a European Fisheries Control Agency ('the Agency') for the purpose of ensuring a high, uniform and effective level of control and compliance with the rules of the Common Fisheries Policy, including its external dimension.

Amendment

1. This Regulation establishes a European Fisheries Control Agency ('the Agency') for the purpose of ensuring a high, uniform and effective level of control and compliance with the rules of the Common Fisheries Policy, including its external dimension, **and the operational coordination of fisheries control.**

Or. de

Amendment 821
Ricardo Serrão Santos

Proposal for a regulation
Article 2 – paragraph 1 a (new)
Regulation (EC) No 768/2005
Article 2 – point a

Present text

(a) 'control and inspection' means any measures taken by Member States, in particular pursuant to Articles 23, 24 and 28 of Regulation (EC) No 2371/2002, to control and inspect fishing activities within the scope of the common fisheries policy including surveillance and monitoring activities such as **satellite-based** vessel monitoring systems and observer schemes;

Amendment

(1a) Article 2 is amended as follows:

“(a) ‘control and inspection’ means any measures taken by Member States, in particular pursuant to Articles 23, 24 and 28 of Regulation (EC) No 2371/2002, to control and inspect fishing activities within the scope of the common fisheries policy including surveillance and monitoring activities such as vessel monitoring systems and observer schemes;”

Or. en

(<https://eur-lex.europa.eu/legal->

Amendment 822
Ricardo Serrão Santos

Proposal for a regulation
Article 2 – paragraph 1 b (new)
Regulation (EC) No 768/2005
Article 2 – point b

Present text

(b) ‘means of control and inspection’ means surveillance vessels, aircraft, vehicles and other material resources as well as inspectors, observers and other human resources used by Member States for control and inspection;

Amendment

(1b) Article 2 is amended as follows:

"(b) ‘means of control and inspection’ means surveillance vessels, aircraft, vehicles and other ***technological and*** material resources as well as inspectors, observers and other human resources used by Member States for control and inspection;”

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005R0768&qid=1549308911622&from=EN>)

Amendment 823
Liadh Ní Riada

Proposal for a regulation
Article 2 – paragraph 2 – point a
Regulation (EC) No 768/2005
Article 3 – point e

Text proposed by the Commission

(e) to assist Member States and the Commission in harmonising the application of the common fisheries policy;

Amendment

(e) to assist Member States and the Commission in harmonising the application of the common fisheries policy ***and real time shared access to individual fishing vessel and producers quota shares;***

Or. en

Amendment 824

Werner Kuhn

Proposal for a regulation

Article 2 – paragraph 2 – point c

Regulation (EC) No 768/2005

Article 3 – point k

Text proposed by the Commission

(k) to assist the Commission in the performance of tasks assigned to the Commission in legislative acts of the Union with regard to the objectives of the Agency.

Amendment

(k) to assist the Commission in the performance of tasks assigned to the Commission in legislative acts of the Union with regard to the objectives of the Agency, ***without calling the Agency's independence into question.***

Or. de

Amendment 825

Isabelle Thomas

Proposal for a regulation

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

Regulation (EC) No 768/2005

Article 3 – point k a (new)

Text proposed by the Commission

Amendment

(ka) Providing fishermen with real-time access to their rights and the obligations incumbent on them according to the dynamic positioning of vessels, i.e. which species can be caught, the amount and which fishing gear can be used, via either mobile networks, a satellite connection or on-board computer support.

Or. fr

Justification

The proposal is designed to improve real-time information access for fishermen as regards their rights and obligations when fishing, which is made easier by new information and communication technologies.

Amendment 826
Isabelle Thomas

Proposal for a regulation
Article 2 – paragraph 2 a (new)
Regulation (EC) No 768/2005
Article 4 – paragraph 2

Present text

2. The Agency may, at the request of the Commission, cooperate with the competent authorities of third countries in matters relating to control and inspection in the framework of agreements concluded between the Community and such countries.

Amendment

(2a) Article 4(2) shall be replaced by the following:

«2. When negotiating international fisheries agreements to which the European Union is party, the agency shall work with the competent authorities of third countries in monitoring and inspection tasks.

Or. fr <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02005R0768-20161006&from=EN>

Amendment 827
Isabelle Thomas

Proposal for a regulation
Article 2 – paragraph 2 b (new)
Regulation (EC) No 768/2005
Article 7 – point a

Present text

(a) establish and develop a core curriculum for the training of the instructors of the fisheries inspectorate of the Member States and provide additional training courses and seminars to those **officials** and other personnel involved in control and inspection activities;

Amendment

(2b) (a) prepare a core curriculum for the training of the instructors of the fisheries inspectors of the Member States and provide additional training courses and seminars to those **inspectors** and other personnel involved in **monitoring**, control and inspection activities; **The core curriculum must be compulsory for all EU inspectors and training proved through certification.**

Or. fr (<https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:02005R0768-20161006&from=EN>)

Amendment 828
Isabelle Thomas

Proposal for a regulation
Article 2 – paragraph 2 c (new)
Regulation (EC) No 768/2005
Article 7 – point e a (new)

Text proposed by the Commission

Amendment

(2c) (ea) to pre-identify risk factors and warn the Commission of third countries suspected of ignoring efforts to tackle illegal, uncontrolled and unregulated fishing.

Or. fr

Amendment 829
Ricardo Serrão Santos

Proposal for a regulation
Article 2 – paragraph 5 a (new)
Regulation (EC) No 768/2005
Article 24 – paragraph 1

Present text

Amendment

1. The Administrative Board shall be composed of representatives of Member States **and** six representatives of the Commission. Each Member State shall be entitled to appoint one member. The Member States **and** the Commission shall appoint one alternate to each member who will represent the member in his/her absence.

(5a) “1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission **and two representatives of the European Parliament**. Each Member State shall be entitled to appoint one member. The Member States, the Commission **and the Parliament** shall appoint one alternate to each member who will represent the member in his/her absence.”

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005R0768&qid=1549308911622&from=EN>)

Amendment 830

Liadh Ní Riada

Proposal for a regulation

Article 4 – paragraph 1 – point 5

Regulation (EC) No 1005/2008

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. May instruct that the fishing vessel, provided that it is over 80 metres, immediately reroute to a port that the official has requested;

Or. en

Amendment 831

Liadh Ní Riada

Proposal for a regulation

Article 4 – paragraph 1 – point 8

Regulation (EC) No 1005/2008

Article 14 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to import fishery products constituting one single consignment and which have been processed in a third country, the importer shall submit to the authorities of the Member State of importation a statement established by the processing plant in that third country and endorsed by its competent authorities in accordance with the form in Annex IV:

2. In order to import fishery products constituting one single consignment and which have been processed in a third country **or at sea**, the importer shall submit to the authorities of the Member State of importation a statement established by the processing plant in that third country **or its flagged vessel** and endorsed by its competent authorities in accordance with the form in Annex IV:

Or. en

Amendment 832

Liadh Ní Riada

Proposal for a regulation

Article 4 – paragraph 1 – point 8

Regulation (EC) No 1005/2008
Article 14 – paragraph 2 – point b

Text proposed by the Commission

(b) indicating that the processed products have been processed in that third country from catches accompanied by catch certificate(s) validated by the flag State; and

Amendment

(b) indicating that the processed products have been processed in that third country *or its flagged vessel* from catches accompanied by catch certificate(s) validated by the flag State; and

Or. en

Amendment 833
Liadh Ní Riada

Proposal for a regulation
Article 4 – paragraph 1 – point 8
Regulation (EC) No 1005/2008
Article 14 – paragraph 2 – point d

Text proposed by the Commission

(d) *the fishery products concerned are caught by fishing vessels flying the flag of the country where those fishery products are processed and;*

Amendment

deleted

Or. en

Amendment 834
Liadh Ní Riada

Proposal for a regulation
Article 4 – paragraph 1 – point 9
Regulation (EC) No 1005/2008
Article 16 – paragraph 1

Text proposed by the Commission

1. The importer of fishery products into the Union shall submit the catch certificate, as established in Article 12(4), together with its transport details as specified in appendix of Annex II, the

Amendment

1. The importer of fishery products into the Union shall submit the catch certificate, as established in Article 12(4), together with its transport details as specified in appendix of Annex II, the

statement of the processing plant as established in Article 14(2) and other information as required in Articles 12, 14, and 17, electronically via CATCH to the competent authorities of the Member State in which the product is intended to be imported. The catch certificate together with its transport details, the statement of the processing plant and other information as required in Articles 12 and 14 have to be submitted at least three working days before the estimated time of arrival at the place of entry into the territory of the Union. The deadline of three working days may be adapted according to the type of fishery product, the distance to the place of entry into the territory of the Union or the transport means used. Those competent authorities shall, on the basis of risk management, check all submitted documents, in particular the catch certificate in the light of the information provided in the notification received from the flag State in accordance with Articles 20 and 22.

statement of the processing plant **and processing vessel** as established in Article 14(2) and other information as required in Articles 12, 14, and 17, electronically via CATCH to the competent authorities of the Member State in which the product is intended to be imported. The catch certificate together with its transport details, the statement of the processing plant **and processing vessel** and other information as required in Articles 12 and 14 have to be submitted at least three working days before the estimated time of arrival at the place of entry into the territory of the Union. The deadline of three working days may be adapted according to the type of fishery product, the distance to the place of entry into the territory of the Union or the transport means used. Those competent authorities shall, on the basis of risk management, check all submitted documents, in particular the catch certificate in the light of the information provided in the notification received from the flag State in accordance with Articles 20 and 22.

Or. en

Amendment 835

Isabelle Thomas

Proposal for a regulation

Article 4 – paragraph 1 – point 9 a (new) Regulation (EC) No 1005/2008

Article 20 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(9a) 5a. Subject to the provisions of international fisheries agreements and when geographically feasible, with a view to tackling IUU fishing by third-country vessels, the Commission may restrict fishing to vessels registered in the outermost regions within 100 nautical miles from those areas, in accordance with Article 5(3) of Regulation (EU) No

Amendment 836
Ole Christensen

Proposal for a regulation
Article 5 – paragraph 1
Regulation (EC) No 2016/1139
Article 12 and 13

Text proposed by the Commission

Amendment

***In Regulation (EC) No 2016/1139,
Articles 12 and 13 are deleted.***

deleted

Justification

Related to amendment to article 14 paragraph 4 of Regulation (EC) No 1224/2009

Amendment 837
Liadh Ní Riada

Proposal for a regulation
Annex I – paragraph 1
Regulation (EC) No 1224/2009
Annex III – table

Text proposed by the Commission

Amendment

ANNEX III

ANNEX III

POINTS TO BE ASSIGNED TO UNION
FISHING LICENCE HOLDERS OR
UNION MASTERS FOR SERIOUS
INFRINGEMENTS

POINTS TO BE ASSIGNED TO UNION
FISHING LICENCE HOLDERS OR
UNION MASTERS FOR SERIOUS
INFRINGEMENTS¹

¹For fishing vessels 80 metres or above in length that have committed serious infringements the points incurred shall be twofold.

Justification

The vast scale of these fishing vessels such as the supertrawlers and the damage incurred when certain serious infringements are committed merits harsher penalties to ensure strict compliance.

Amendment 838**Linnéa Engström, Marco Affronte****Proposal for a regulation****Annex 1 – paragraph 1**

Regulation (EC) No 1224/2009

Annex III – table - row 1 - column 2 (“serious infringements”)

Text proposed by the Commission

1. Not fulfilling of obligations to accurately record and report data relating to fishing activities, including data to be transmitted by vessel monitoring system and prior notices, as required under the rules of the common fisheries policy;

Amendment

1. Not fulfilling of obligations to accurately record and report data relating to fishing activities, including data to be transmitted by vessel monitoring system, ***automatic identification system*** and prior notices, as required under the rules of the common fisheries policy.

Justification

Non-transmission of automatic identification system data shall be considered as a serious infringement to the rules of the CFP and sanctioned with the appropriate number of points, as it is often turned off to escape monitoring by the competent authorities of the flag or coastal State.

Amendment 839**Norica Nicolai**

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 1 – column 2 – indent 1 (criteria)

Text proposed by the Commission

- the catches related to the suspected

Amendment

- the catches related to the suspected

infringement occurred:
in a closed area; *or*
beyond a closed depth;

infringement occurred:
in a closed area;

Or. en

Amendment 840

Francisco José Millán Mon, Gabriel Mato, Carlos Iturgaiz, Verónica Lope Fontagné

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 1 – column 2 – indent 2 (criteria)

Text proposed by the Commission

Amendment

*– the infringement is the second one
detected in the preceding twelve months;*

deleted

Or. es

Justification

In line with Amendment 722.

Amendment 841

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 1 – column 2 – indent 2 (criteria)

Text proposed by the Commission

Amendment

*- the infringement is the **second** one detected
in the preceding twelve months;*

*- the infringement is the **third** one detected in
the preceding twelve months;*

Or. en

Amendment 842

Francisco José Millán Mon, Gabriel Mato, Carlos Iturgaiz, Verónica Lope Fontagné

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009
Annex IV – table – row 2 – column 2 – indent 1(criteria)

Text proposed by the Commission

Amendment

– the suspected infringement is a *second* one detected in the preceding twelve months; **deleted**

Or. es

Justification

In line with Amendment 722.

Amendment 843

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 2 – column 2 – indent 1 (criteria)

Text proposed by the Commission

Amendment

- the suspected infringement is a ***second*** one detected in the preceding twelve months;

- the suspected infringement is a ***third*** one detected in the preceding twelve months;

Or. en

Amendment 844

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 3 – column 2 – indent 1 (criteria)

Text proposed by the Commission

Amendment

- the catches related to the suspected infringement occurred:
in a closed area; ***or***
beyond a closed depth;

- the catches related to the suspected infringement occurred:
in a closed area;

Or. en

Amendment 845

Francisco José Millán Mon, Gabriel Mato, Carlos Iturgaiz, Verónica Lope Fontagné
Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 3 – column 2 – indent 2 (criteria)

Text proposed by the Commission

– the gear used is one of the following:

- Fishing with explosive
- Prohibited drifting gillnets

Amendment

– the gear used is one of the following:

- Fishing with explosive
- Prohibited drifting gillnets, **not including ‘xeito’ nets**

Or. es

Amendment 846

Francisco José Millán Mon, Gabriel Mato, Carlos Iturgaiz, Verónica Lope Fontagné
Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 3 – column 2 – indent 4 (criteria)

Text proposed by the Commission

– **the suspected infringement is a second one detected in the preceding twelve months;**

Amendment

deleted

Or. es

Justification

In line with Amendment 722.

Amendment 847

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 3 – column 2 – indent 4 (criteria)

Text proposed by the Commission

- the suspected infringement is a **second** one

Amendment

- the suspected infringement is a **third** one

detected in the preceding twelve months;

detected in the preceding twelve months;

Or. en

Amendment 848

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 4 – column 2 – indent 1 (criteria)

Text proposed by the Commission

Amendment

- the catches related to the suspected infringement occurred:

- in a closed area; or
- ***beyond a closed depth;***

- the catches related to the suspected infringement occurred:

- in a closed area; or

Or. en

Amendment 849

Francisco José Millán Mon, Gabriel Mato, Carlos Iturgaiz, Verónica Lope Fontagné

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 4 – column 2 – indent 2 (criteria)

Text proposed by the Commission

Amendment

– the suspected infringement is the third one detected in the preceding six months;

deleted

Or. es

Justification

In line with Amendment 722.

Amendment 850

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 4 – column 2 – indent 2 (criteria)

Text proposed by the Commission

- the suspected infringement is the third one detected in the preceding *six* months;

Amendment

- the suspected infringement is the third one detected in the preceding *twelve* months;

Or. en

Amendment 851

Norica Nicolai

Proposal for a regulation

Annex 1 – paragraph 1

Regulation (EC) No 1224/2009

Annex IV – table – row 5 – column 2 (criteria)

Text proposed by the Commission

The number of simultaneous infringements which are not considered individually serious infringements exceeds *3*.

Amendment

The number of simultaneous infringements which are not considered individually serious infringements exceeds *4*.

Or. en