

## P6\_TA(2005)0128

### Sole stocks \*

**European Parliament legislative resolution on the proposal for a Council regulation establishing measures for the recovery of the sole stocks in the Western Channel and the Bay of Biscay (COM(2003)0819 – C5-0047/2004 – 2003/0327(CNS))**

#### (Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003)0819)<sup>1</sup>,
  - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0047/2004),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A6-0050/2005),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
  3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  5. Instructs its President to forward its position to the Council and the Commission.

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Text proposed by the Commission

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Amendments by Parliament

#### Amendment 1 Title

Proposal for a Council regulation establishing ***measures for the recovery of the*** sole stocks in the Western Channel and the Bay of Biscay

Proposal for a Council regulation establishing ***a management plan for*** sole stocks in the Western Channel and the Bay of Biscay

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<sup>1</sup> Not yet published in OJ.

*(This amendment entails replacing "recovery" by "management" throughout the text with the exception of the last line of Article 3(3)).*

Amendment 2

Recital 1

*(1) Recent scientific advice from the International Council for the Exploration of the Sea (ICES) has indicated that the sole stocks in ICES Divisions VIIe and VIIa,b have been subjected to levels of mortality by fishing which have eroded the quantities of mature fish in the sea to the point at which the stocks may not be able to replenish themselves by reproduction and that the stocks are therefore threatened with collapse.* **deleted**

Amendment 3

Recital 2

*(2) Measures **need to** be taken **to establish multi-annual plans for the recovery of** these stocks in conformity with **Article 5** of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy.* **(2) *Management* measures *should* be taken *for* these stocks in conformity with **Article 6** of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy.**

Amendment 4

Recital 3

*(3) The objectives of the plans should be to **rebuild** these stocks **to** safe biological limits **within five to ten years**.* **(3) The objectives of the plans should be to *ensure that* these stocks *remain within* safe biological limits.**

Amendment 5

Recital 3 a (new)

***(3a) The objective of the new common fisheries policy is to provide for the sustainable exploitation of living aquatic resources, taking account of the environmental, social and economic***

*aspects in a balanced manner.*

Amendment 6  
Recital 3 b (new)

*(3b) In implementing the plan, the Commission and the Member States should ensure the full participation of the Regional Advisory Councils and other stakeholders.*

Amendment 7  
Recital 5

*(5) The absolute sizes of the stocks concerned as estimated by STECF and ICES are too uncertain to be used as targets for the recovery and the targets should be expressed in terms of fishing mortality rates.* *deleted*

Amendment 8  
Recital 6

*(6) In order to achieve that objective, the levels of fishing mortality rates need to be controlled so that it is highly likely that those rates are reduced from year to year.* *deleted*

Amendment 9  
Recital 8

*(8) Once recovery has been achieved the Council should decide on a proposal from the Commission on follow-up measures in accordance with Article 6 of Regulation (EC) No 2371/2002.* *deleted*

Amendment 10  
Article 2

The *recovery* plan shall aim to *rebuild* the sole stocks concerned *to* within safe biological limits.

The *management* plan shall aim to *maintain* the sole stocks concerned within safe biological limits.

Amendment 12  
Article 3, paragraph 2

2. *Where the Commission finds, on the basis of the annual evaluation, that any of the sole stocks concerned has reached the objective set out in Article 2, the Council shall decide by qualified majority on a proposal from the Commission to replace, for that stock, the recovery plan provided for in this Regulation by a management plan in accordance with Article 6 of Regulation (EC) No 2371/2002.* **deleted**

Amendment 13  
Article 3, paragraph 3

3. Where the Commission finds, on the basis of the annual evaluation, that any of the sole stocks concerned ***do not show proper sign of recovery***, the Council shall decide by qualified majority on a proposal from the Commission on additional and/or alternative measures to ensure recovery of the stock concerned.

3. Where the Commission finds, on the basis of the annual evaluation, that any of the sole stocks concerned ***are at risk of collapse***, the Council shall decide by qualified majority on a proposal from the Commission on additional and/or alternative measures to ensure recovery of the stock concerned.

Amendment 14  
Article 5, paragraph 1

1. *Where the fishing mortality rate for one of the sole stocks concerned has been estimated by the STECF in the light of the most recent report of ICES to be above 0.14 per year, the TAC for that stock shall not exceed a level of catches which, according to a scientific evaluation carried out by the STECF in the light of the most recent report of ICES, will result in a reduction of:*

*(a) 20% in the fishing mortality rate in its year of application, compared to the fishing mortality rate estimated for the preceding year with regard to the sole stock in Division VIIe;*

*(b) 35% in the fishing mortality rate in its year of application, compared to the fishing mortality rate estimated for the*

1. ***The TAC shall not exceed a level of catches for which a scientific evaluation by the STECF, carried out in the light of the most recent report of ICES, has shown that it will result in a 15% increase in the quantities of adult fish in the sea, at the end of its year of application, by comparison with the quantities estimated to be present in the sea at the start of the year in question.***

*preceding year with regard to the sole stock in Divisions VIIa and b.*

Amendment 15  
Article 5, paragraph 2

*2. Where the fishing mortality rate for one of the sole stocks concerned has been estimated by the STECF, in the light of the most recent report of ICES, to be equal to or below 0.14 per year, the TAC for that stock shall be set at a level of catches which, according to a scientific evaluation carried out by the STECF in the light of the most recent report of ICES will result in a fishing mortality rate of:*

*(a) 0.11 per year in the year of its application with regard to the sole stock in Division VIIe;*

*(b) 0.09 per year in the year of its application with regard to the sole stock in Divisions VIIa and b.*

*2. The Council shall not adopt a TAC which the STEFC, in the light of the most recent report of ICES, expects would result, in the year of its application, in a fishing mortality rate in excess of the following values:*

*Bay of Biscay sole: 0.36;*

*Western Channel sole: rate to be defined in view of subsequent ICES advice, following the inclusion of data series from certain countries which are currently not taken into account.*

Amendment 16  
Article 6, paragraphs 1 and 2

*1. In the first year of application of this Regulation, the following rules shall apply:*

*(a) where application of Article 5 would result in a TAC which exceeds the TAC of the preceding year by more than 25%, the Council shall adopt a TAC which shall not be more than 25% greater than the TAC of that year;*

*where application of Article 5 would result in a TAC which is more than 25% less than the TAC of the preceding year, the Council shall adopt a TAC which is not more than 25% less than the TAC of that year.*

2. Starting with the *second* year of application of this Regulation, the following rules shall apply:

(a) where application of Article 5 would result in a TAC which exceeds the TAC of the preceding year by more than 15%, the Council shall adopt a TAC which shall not be more than 15% greater than the TAC of that year;

(b) where application of Article 5 would result in a TAC which is more than 15% less than the TAC of the preceding year, the Council shall adopt a TAC which is not more than 15% less than the TAC of that year.

2. Starting with the *first* year of application of this Regulation, the following rules shall apply:

(a) where application of Article 5 would result in a TAC which exceeds the TAC of the preceding year by more than 15%, the Council shall adopt a TAC which shall not be more than 15% greater than the TAC of that year;

(b) where application of Article 5 would result in a TAC which is more than 15% less than the TAC of the preceding year, the Council shall adopt a TAC which is not more than 15% less than the TAC of that year.

Amendment 17  
Chapter III

*This chapter is deleted.*

Amendment 18  
Article 16

By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish, the permitted margin of tolerance, in estimation of quantities, in kilograms retained on board of vessels shall be **5%** of the logbook figure.

By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish, the permitted margin of tolerance, in estimation of quantities, in kilograms ***of live weight*** retained on board of vessels, shall be **8%** of the logbook figure. ***In the event that no conversion factor is laid down in Community legislation, the conversion factor adopted by the Member State whose flag the vessel is flying shall apply.***

Amendment 19  
Article 17

The competent authorities of a Member State shall ensure that any quantity of common sole exceeding **50 Kg** caught in any of the areas referred to in Article 1

The competent authorities of a Member State shall ensure that any quantity of common sole exceeding **100 Kg** caught in any of the areas referred to in Article 1

shall be weighed using auction room scales before sale.

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Amendment 20  
Article 19, paragraph 1

1. The competent authorities of a Member State may require that any quantity of common sole exceeding **50 Kg** caught in any of the geographical areas referred to in Article 1 and first landed in that Member State is weighed before being transported elsewhere from the port of first landing.

1. The competent authorities of a Member State may require that any quantity of common sole exceeding **100 Kg** caught in any of the geographical areas referred to in Article 1 and first landed in that Member State is weighed before being transported elsewhere from the port of first landing.

Amendment 21  
Article 19, paragraph 2

2. By way of derogation from Article 13 of Regulation (EEC) No 2847/93, quantities bigger than **50 Kg** of common sole which are transported to a place other than that of landing or import shall be accompanied by a copy of one of the declarations provided for in Article 8(1) of Regulation (EEC) No 2847/93 pertaining to the quantities of the sole transported. The exemption provided for in Article 13(4)(b) of Regulation (EEC) No 2847/93 shall not apply.

2. By way of derogation from Article 13 of Regulation (EEC) No 2847/93, quantities bigger than **100 Kg** of common sole which are transported to a place other than that of landing or import shall be accompanied by a copy of one of the declarations provided for in Article 8(1) of Regulation (EEC) No 2847/93 pertaining to the quantities of the sole transported. The exemption provided for in Article 13(4)(b) of Regulation (EEC) No 2847/93 shall not apply.

Amendment 22  
Annex

***This annex is deleted.***