



TEXTS ADOPTED

P8_TA(2015)0104

Multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks *I**

Amendments adopted by the European Parliament on 28 April 2015 on the proposal for a regulation of the European Parliament and of the Council establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (COM(2014)0614 – C8-0174/2014 – 2014/0285(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The United Nations Convention of 10 December 1982 on the Law of the Sea¹⁶, to which the Union is a contracting party, provides for conservation obligations, including the maintaining or restoring populations of harvested species at levels which can produce the maximum sustainable yield.

¹⁶ OJ L 179, 23.6.1998, p. 3

Amendment

(1) The United Nations Convention of 10 December 1982 on the Law of the Sea¹⁶, to which the Union is a contracting party, provides for conservation obligations, including the maintaining or restoring populations of harvested species at levels which can produce the maximum sustainable yield, *as qualified by relevant environmental and economic factors*.

¹⁶ OJ L 179, 23.6.1998, p. 3.

¹ The matter was referred back to the committee responsible for reconsideration pursuant to Rule 61(2), second subparagraph (A8-0128/2015).

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) Regulation (EU) No 1380/2013 of the European Parliament and of the Council establishes the rules of the common fisheries policy ('CFP') in line with the international obligations of the Union. The objectives of the CFP are, amongst others, to ensure that fishing and aquaculture are ***environmentally*** sustainable in the long-term, ***to apply*** the precautionary approach ***to fisheries management***, and ***to implement*** the ecosystem-based approach to fisheries management.

Amendment

(4) Regulation (EU) No 1380/2013 of the European Parliament and of the Council establishes the rules of the common fisheries policy ('CFP') in line with the international obligations of the Union. The objectives of the CFP are, amongst others, to ensure that fishing and aquaculture are sustainable ***from a socio-economic and environmental point of view*** in the long term, ***in keeping with a balanced application of*** the precautionary approach and ***of*** the ecosystem-based approach to fisheries management.

Amendment 3

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The multi-species management plan established by this Regulation requires greater account to be taken of the different ecological roles and functions of the species covered by the plan. Since the various species interact to a great extent, catches cannot be sustainably maximised for all species simultaneously and decisions are needed about which species should be prioritised.

Amendment 4

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The Council and the European Parliament should take into account the latest recommendations and reports from ICES as regards maximum sustainable

yield to ensure that this Regulation is as up-to-date as possible.

Amendment 5

Proposal for a regulation

Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) In accordance with Directive 2008/56/EC of the European Parliament and of the Council^{1a} (hereinafter the 'Marine Strategy Framework Directive'), natural size and age distributions of commercial fish stocks are important indicators for achieving good ecological status of the marine environment.

^{1a} Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

Amendment 6

Proposal for a regulation

Recital 8

Text proposed by the Commission

Amendment

(8) *It is appropriate* to establish a multi-species fisheries plan taking into account the dynamics between the stocks of cod, herring and sprat, and also considering the by-catch species of the fisheries for these stocks, namely the Baltic stocks of plaice, brill, flounder and turbot. The objective of this plan should be to *aim at achieving and maintaining maximum* sustainable yields for the stocks concerned.

(8) *The ultimate goal is* to establish a multi-species fisheries plan taking into account the dynamics between the stocks of cod, herring and sprat, and also considering the by-catch species of the fisheries for these stocks, namely the Baltic stocks of plaice, brill, flounder and turbot. The objective of this plan should be to *re-establish, achieve and maintain populations of the species concerned above the levels that are capable of producing* sustainable yields for the stocks concerned, *minimising as far as possible the impact on other species, such as seabirds, and on the wider marine*

environment, in accordance with Article 2(2) of Regulation (EU) No 1380/2013.

Amendment 7

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The exploitation of cod and pelagic stocks should not jeopardise the sustainability of the stocks taken as by-catches in these fisheries, namely the Baltic stocks of plaice, brill, flounder and turbot. Therefore, the plan should also aim at ensuring the conservation of these by-catch stocks above biomass levels corresponding to precautionary approach.

Amendment

(9) The exploitation of cod and pelagic stocks should not jeopardise the sustainability of the stocks taken as by-catches in these fisheries, namely the Baltic stocks of plaice, brill, flounder and turbot. Therefore, the plan should also aim at ensuring the conservation of these by-catch stocks above biomass levels corresponding to *a precautionary and ecosystem-based approach to fisheries management, capable of producing maximum sustainable yield.*

Amendment 8

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Regulation (EU) No 1380/2013 further aims to gradually eliminate discards, taking into account the best scientific advice, by avoiding and reducing unwanted catches. This aim can be achieved by improving the selectivity of fishing gears and practices.

Amendment 9

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Article 16(4) of Regulation (EU) No 1380/2013 requires that fishing opportunities be fixed in accordance with the targets set out in the multiannual plans.

Amendment

(11) Article 16(4) of Regulation (EU) No 1380/2013 requires that fishing opportunities be fixed in accordance with the targets set out in the multiannual plans. *The levels to be achieved in terms of*

mortality by fishery and biomass ought to take account of the most up-to-date scientific advice.

Amendment 10

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) These targets should therefore be established and expressed in terms of fishing mortality rates, based on scientific advice¹⁹.

¹⁹ ICES technical services, September 2014 http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2014/Special%20Requests/EU_Fmsy_range_for_Baltic_cod_and_pelagic_stocks.pdf

Amendment 11

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) It is necessary to establish conservation reference points to allow for additional precaution when a stock size is reduced to certain critical level posing serious risk. Such conservation reference points should be determined at levels of ***minimum spawning*** biomass of a stock ***that is consistent with full reproductive capacity***. Remedial measures should be envisaged in case the stock size falls below ***minimum spawning biomass***.

Amendment 12

Proposal for a regulation

Amendment

(12) These targets should therefore be established and expressed in terms of fishing mortality rates, based on scientific advice¹⁹, ***that restore and maintain populations of harvested species above levels which can produce maximum sustainable yield. The maximum sustainable yield exploitation rate should be the upper limit for exploitation.***

¹⁹ ICES technical services, September 2014 http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2014/Special%20Requests/EU_Fmsy_range_for_Baltic_cod_and_pelagic_stocks.pdf

Amendment

(13) It is necessary to establish conservation reference points to allow for additional precautions when a stock size is reduced to certain critical level posing serious risk. Such conservation reference points should be determined at levels of biomass ***corresponding to maximum sustainable yield (BMSY)*** of a stock. Remedial measures should be envisaged in ***order to prevent*** the stock size ***from falling*** below ***that level***.

Recital 14

Text proposed by the Commission

(14) In the case of stocks taken as by-catches, in the absence of scientific advice on such levels of minimum spawning biomass, specific conservation measures should be adopted when scientific advice states that a stock is under threat.

Amendment

(14) In the case of stocks taken as by-catches, in the absence of scientific advice on such levels of minimum spawning biomass, specific conservation measures should be adopted when ***other indicators make it possible to give*** scientific advice ***that*** states that a stock is under threat. ***The scientific data on spawning biomass levels for by-catches must be speedily made available so that the necessary measures can be taken.***

Amendment 13

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) In order to comply with the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for other management measures as set out under points (a) to (c) of Article 15(4) of that Regulation. Such measures should be laid down by way of delegated acts.

Amendment

(16) In order to comply with the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for other management measures as set out under points (a) to (c) of Article 15(4) of that Regulation. Such measures should be laid down by way of delegated acts ***after consultation with the advisory councils concerned.***

Amendment 14

Proposal for a regulation

Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The Commission should take account of the opinion of the advisory councils concerned when adopting delegated acts to comply with the landing obligation laid down by Article 15(1) of Regulation (EU) No 1380/2013, so as to provide for other management measures as set out under points (a) to (c) of Article 15(4) of that Regulation.

Amendment 15

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) The plan should also provide for certain accompanying technical measures to be adopted, by way of delegated acts, in order to contribute to the achievement of the objectives of the plan, in particular as regards the protection of juveniles or spawning fish. Pending the revision of Council Regulation (EC) No 2187/2005²⁰, it should also be envisaged that such measures may, where necessary for the achievement of the objectives of the plan, derogate from certain non-essential elements of that Regulation.

²⁰ Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 (OJ L 349, 31.12.2005, p. 1).

Amendment 16

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment 17

Proposal for a regulation Recital 18

Amendment

(17) The plan should also provide for certain accompanying technical measures to be adopted, by way of delegated acts ***after consultation with the advisory councils concerned***, in order to contribute to the achievement of the objectives of the plan, in particular as regards the protection of juveniles or spawning fish. Pending the revision of Council Regulation (EC) No 2187/2005²⁰, it should also be envisaged that such measures may, where necessary for the achievement of the objectives of the plan, derogate from certain non-essential elements of that Regulation.

²⁰ Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 (OJ L 349, 31.12.2005, p. 1).

Amendment

(17a) The Commission should take account of the opinion of the advisory councils concerned when adopting certain accompanying technical measures to help achieve the plan's objectives.

Text proposed by the Commission

(18) In order to adapt to **the** technical and scientific progress in a timely and proportionate fashion and to ensure flexibility and allow evolution of certain measures, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation as regards remedial measures concerning plaice, flounder, turbot and brill, implementation of the landing obligation and technical measures. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at **experts** 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 Council.

Amendment

(18) In order to adapt to technical and scientific progress in a timely and proportionate fashion and to ensure flexibility and allow evolution of certain measures, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation as regards remedial measures concerning plaice, flounder, turbot and brill, implementation of the landing obligation and technical measures. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at **the level of experts and specialist bodies in the Member States and the Union, involving both the European Parliament and the Council experts. Intensive debate with the stakeholders affected should be undertaken before a proposal for a specific measure is finalised.** 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.

Amendment 18

**Proposal for a regulation
Recital 18 a (new)**

Text proposed by the Commission

Amendment

(18a) The Commission should take account of the opinion of the advisory councils concerned when adopting delegated acts to extend the scope of this Regulation with regard to remedial measures for plaice, flounder, turbot and brill, implementation of the landing obligation and technical measures.

Amendment 19

Proposal for a regulation Recital 18 b (new)

Text proposed by the Commission

Amendment

(18b) When implementing the plan established by this Regulation, priority should be given to the application of the principle of regionalisation as established in Article 18 of Regulation (EU) No 1380/2013.

Amendment 20

Proposal for a regulation Recital 19

Text proposed by the Commission

Amendment

(19) In accordance with Article 18 of Regulation (EU) No 1380/2013, where the Commission has been granted powers to adopt delegated acts in respect of certain conservation measures as set out in the plan, Member States having a direct management interest in the Baltic Sea fisheries should have the possibility to submit joint recommendations for such measures, so that these measures are well designed to correspond to the particularities of the Baltic Sea and its fisheries. The deadline for submitting these recommendations should be established, as required by Article 18(1) of that Regulation.

(19) In accordance with Article 18 of Regulation (EU) No 1380/2013, where the Commission has been granted powers to adopt delegated acts in respect of certain conservation measures as set out in the plan, Member States ***and the advisory councils*** having a direct management interest in the Baltic Sea fisheries should have the possibility to submit joint recommendations for such measures, so that these measures are well designed to correspond to the particularities of the Baltic Sea and its fisheries. The deadline for submitting these recommendations should be established, as required by Article 18(1) of that Regulation.

Amendment 21

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) To enhance the effectiveness and innovational aspects of the plan, joint recommendations and subsequent delegated acts should aim to ensure the inclusion of bottom-up and results-based

approaches.

Amendment 22

**Proposal for a regulation
Recital 19 b (new)**

Text proposed by the Commission

Amendment

(19b) The Commission should take account of the opinion of the advisory councils concerned when adopting delegated acts regarding certain conservation measures provided for in the plan.

Amendment 23

**Proposal for a regulation
Recital 22 a (new)**

Text proposed by the Commission

Amendment

(22a) Rules should be laid down to ensure that financial support under Regulation (EU) No 508/2014 of the European Parliament and of the Council^{1a} can be provided in the event of temporary cessation of fisheries.

^{1a} Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

Amendment 50

**Proposal for a regulation
Recital 25**

Text proposed by the Commission

(25) As regards the time-frame, *it is expected that for* the stocks concerned *maximum sustainable yield* should be *reached* by 2015. *It* should be maintained from *there* on.

Amendment

(25) As regards the time-frame, the stocks concerned *should achieve the target by 2015 where possible. Achieving exploitation rates by a later date* should be *allowed only if achieving them* by 2015 *would seriously jeopardise the social and economic sustainability of the fishing fleets involved. After 2015, those rates should be achieved as soon as possible, and in any event by no later than 2020. The target* should be maintained from *those dates* on.

Amendment 25

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) *In the absence of fishing effort regime it is necessary to delete the specific rules on special fishing permit and replacement of vessels or engines applicable to the Gulf of Riga. Accordingly, Council Regulation (EC) No 2187/2005 should be amended.*

Amendment

deleted

Amendment 26

Proposal for a regulation

Article 1 – paragraph 2

Text proposed by the Commission

2. *The plan shall* also *apply to* plaice, flounder, turbot and brill in ICES Subdivisions 22-32 *caught* when fishing for *the* stocks *concerned*.

Amendment

2. *This Regulation* also *provides for measures in respect of by-catches of* plaice, flounder, turbot and brill in ICES Subdivisions 22-32 *to be applied* when fishing for stocks *referred to in paragraph 1*.

Amendment 27

Proposal for a regulation

Article 2 – points b and c

Text proposed by the Commission

(b) ‘trapnet’ means **large** nets, anchored, fixed on stakes or occasionally floating, **open at the surface** and provided with various types of fish herding and retaining devices, and which are generally divided into chambers closed at the bottom by netting;

(c) ‘pots and creels’ **mean small** traps designed to catch crustaceans or fish in the form of cages or baskets made with various materials that are set on the seabed either singly or in rows; connected by ropes (buoy-lines) to buoys on the surface showing their position and having one or more openings or entrances;

Amendment

(b) ‘trapnet, **fyke-net and pound net**’ means nets, anchored, fixed on stakes or **occasionally floating** and provided with various types of fish herding and retaining devices, and which are generally divided into chambers closed at the bottom by netting;

(c) ‘pots and creels’ **means** traps designed to catch crustaceans or fish in the form of cages or baskets made with various materials that are set on the seabed either singly or in rows; connected by ropes (buoy-lines) to buoys on the surface showing their position and having one or more openings or entrances;

Amendments 63, 28 and 56

Proposal for a regulation Article 3

Text proposed by the Commission

1. The plan shall **aim at contributing to** the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013 and in particular:

(a) **achieving** and maintaining maximum sustainable yield for the stocks concerned, and

(b) ensuring the conservation of the stocks of plaice, brill, flounder and turbot **in line with the precautionary approach**.

2. The plan shall **aim at contributing to** the implementation of the landing obligation established in Article 15(1) of Regulation (EU) No 1380/2013 for the stocks concerned and for plaice.

Amendment

1. The plan shall **ensure the achievement of** the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013, and **of the Marine Strategy Framework Directive (MSFD) No 2008/56/EC**, in particular:

(a) **restoring** and maintaining the stocks concerned **above biomass levels that can produce** maximum sustainable yield, and

(b) ensuring the conservation of the stocks of plaice, brill, flounder and turbot **above levels capable of producing the maximum sustainable yield**.

2. The plan shall **contribute to the elimination of discards, taking into account the best available scientific advice, by avoiding and reducing unwanted catches, and** to the implementation of the landing obligation established in Article 15(1) of Regulation (EU) No 1380/2013 for the stocks

concerned and for plaice.

Amendment 29

Proposal for a regulation

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Coherence with Union environmental legislation

- 1. The plan shall apply the ecosystem-based approach to fisheries management.**
- 2. In order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised and that fisheries activities avoid the degradation of the marine environment, the plan shall be coherent with, and shall contribute to achievement of the objectives of, the Marine Strategy Framework Directive so as to achieve good environmental status by 2020. In particular, it shall:**
 - (a) aim to ensure that the conditions described in descriptor 3 contained in Annex I to that Directive are fulfilled;**
 - (b) aim to contribute to the fulfilment of descriptors 1, 4 and 6 contained in Annex I to that Directive in proportion to the role played by fisheries in their fulfilment.**

Amendment 30

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. The target fishing mortality shall be **reached** by 2015 and maintained **onwards** for the stocks concerned within the following ranges:

1. The target fishing mortality shall **take into account the most recent scientific advice and shall, where possible, be achieved** by 2015 **and, on a progressive, incremental basis, by 2020 at the latest,** and **shall be** maintained **thereafter for the stocks concerned. The fishing mortality** for the stocks concerned **shall be set** within

the following ranges:

Stock	Target fishing mortality range	Stock	Target fishing mortality range
Western Baltic Cod	<i>0.23-0.29</i>	Western Baltic Cod	<i>0 to FMSY</i>
Eastern Baltic Cod	<i>0.41-0.51</i>	Eastern Baltic Cod	<i>0 to FMSY</i>
Central Baltic herring	<i>0.23-0.29</i>	Central Baltic herring	<i>0 to FMSY</i>
Gulf of Riga herring	<i>0.32-0.39</i>	Gulf of Riga herring	<i>0 to FMSY</i>
Bothnian Sea herring	<i>0.13-0.17</i>	Bothnian Sea herring	<i>0 to FMSY</i>
Bothnian Bay herring	<i>Not defined</i>	Bothnian Bay herring	<i>0 to FMSY</i>
Western Baltic herring	<i>0.25-0.31</i>	Western Baltic herring	<i>0 to FMSY</i>
Baltic Sprat	<i>0.26-0.32</i>	Baltic Sprat	<i>0 to FMSY</i>

Values for FMSY (fishing mortality consistent with achieving maximum sustainable yield) shall be taken from the latest reliable scientific advice available and Fishing mortality (F) should aim at 0.8 x FMSY.

Amendment 58

Proposal for a regulation Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Fishing opportunities shall be set in such a way as to ensure that there is less than a 5 % probability that they are in excess of the F-MSY values shown in the table set out in paragraph 1.

Amendment 31

Proposal for a regulation Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. This Regulation shall provide for the temporary cessation of fishing activities as defined in Article 33 of Regulation (EU) No 508/2014, with financial support being provided under that Regulation.

Amendment 32

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. The conservation reference points ***expressed in minimum spawning biomass level that is*** consistent with full reproductive capacity shall be for the stocks concerned as follows:

Stock	Minimum spawning biomass level (in tonnes)
Western Baltic cod	36 400
Eastern Baltic cod	88 200
Central Baltic herring	600 000
Gulf of Riga herring	Not defined
Bothnian Sea herring	Not defined
Bothnian Bay herring	Not defined

1. The conservation reference points ***that are*** consistent with full reproductive capacity shall be, for the stocks concerned, as follows:

Stock	Minimum spawning biomass level (in tonnes)
Western Baltic cod	36 400 <i>for 2015 and BMSY for the remaining years</i>
Eastern Baltic cod	88 200 <i>for 2015 and BMSY for the remaining years</i>
Central Baltic herring	600 000 <i>for 2015 and BMSY for the remaining years</i>
Gulf of Riga herring	Not defined <i>for 2015 and BMSY for the remaining years</i>
Bothnian Sea herring	Not defined <i>for 2015 and BMSY for the remaining years</i>
Bothnian Bay herring	Not defined <i>for 2015 and BMSY</i>

			<i>for the remaining years</i>
Western Baltic herring	110 000	Western Baltic herring	110 000 <i>for 2015 and BMSY for the remaining years</i>
Baltic sprat	570 000	Baltic sprat	570 000 <i>for 2015 and BMSY for the remaining years</i>

Amendment 33

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. When the spawning biomass of any of the stocks concerned for a certain year is below the minimum spawning biomass levels set out in paragraph 1, appropriate remedial measures shall be adopted to ensure ***rapid return of the stock*** concerned to ***precautionary levels***. In particular, by way of derogation from Article 4(2) of this Regulation and in accordance with Article 16(4) of Regulation (EU) No 1380/2013 fishing opportunities shall be set at levels lower than those resulting in target fishing mortality ranges laid down in Article 4(1). These remedial measures may also include, as appropriate, the submission of legislative proposals by the Commission and emergency measures adopted by the Commission under Article 12 of Regulation (EU) No 1380/2013.

Amendment

2. When the spawning biomass of any of the stocks concerned for a certain year is below the minimum spawning biomass levels set out in paragraph 1, appropriate remedial measures shall be adopted to ensure ***that the stocks*** concerned ***return to levels above those capable of producing maximum sustainable yield (MSY) as soon as possible***. In particular, by way of derogation from Article 4(2) of this Regulation and in accordance with Article 16(4) of Regulation (EU) No 1380/2013, fishing opportunities shall be set at levels lower than those resulting in target fishing mortality ranges laid down in Article 4(1) ***of this Regulation***. These remedial measures may also include, as appropriate, the submission of legislative proposals by the Commission and emergency measures adopted by the Commission under Article 12 of Regulation (EU) No 1380/2013.

Amendment 59

Proposal for a regulation Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When the biomass of any of the stocks concerned for a certain year falls below the levels set out in the table below, appropriate measures shall be taken to halt targeted fishing for the relevant stock:

Stock	Limit biomass level (in tonnes)
Western Baltic cod	26 000
Eastern Baltic cod	63 000
Central Baltic herring	430 000
Gulf of Riga herring	Not defined
Bothnian Sea herring	Not defined
Bothnian Bay herring	Not defined
Western Baltic herring	90 000
Baltic sprat	410 000

Amendment 34

Proposal for a regulation Article 6

Text proposed by the Commission

Article 6

Measures ***in case of threat to*** plaice,
flounder, turbot and brill

1. When scientific advice ***states that the conservation of any of the*** Baltic stocks of plaice, flounder, turbot or brill ***is under threat***, the Commission shall be empowered to adopt delegated acts in accordance with Article 15 on specific conservation measures ***concerning the stock under threat*** and regarding ***any of***

Amendment

Article 6

Technical conservation measures ***for***
plaice, flounder, turbot and brill

1. When scientific advice ***indicates that remedial measures are needed to ensure that*** the Baltic stocks of plaice, flounder, turbot or brill ***are managed in accordance with the precautionary approach***, the Commission shall be empowered to adopt delegated acts in accordance with Article 15 on specific conservation measures ***for by-catches of plaice, flounder, turbot and***

the following:

(c) (a) adaptation of fishing capacity and fishing effort;

(d)(b) technical measures, including

(1) characteristics of fishing gear, in particular mesh size, twine thickness, size of the gear);

(2) use of the fishing gear, in particular immersion time, depth of gear deployment);

(3) prohibition or limitation to fish in specific areas;

(4) prohibition or limitation to fish during specific time periods;

(5) minimum conservation reference size.

2. The measures referred to in paragraph 1 shall aim at achieving the objective set out in Article 3(1)(b) and be based on scientific advice.

3. The Member States concerned may submit joint recommendations in accordance with Article 18(1) of Regulation (EU) No 1380/2013 for specific conservation measures as referred to in paragraph 1.

brill and regarding the following **technical measures**:

(a) adaptation of fishing capacity and fishing effort;

(b) characteristics of fishing gear, in particular mesh size, twine thickness, size of the gear;

(c) use of the fishing gear, in particular immersion time **and** depth of gear deployment;

(d) prohibition or limitation to fish in specific areas;

(e) prohibition or limitation to fish during specific time periods;

(f) minimum conservation reference size;

(g) other characteristics linked to selectivity.

2. The measures referred to in paragraph 1 shall aim at achieving the objective set out in **point (b) of Article 3(1) and coherence with Union environmental legislation as set out in Article 3a**, and **shall** be based on **the best available** scientific advice.

3. The Member States concerned may submit joint recommendations in accordance with Article 18(1) of Regulation (EU) No 1380/2013 for specific conservation measures as referred to in paragraph 1.

3a. Before adopting a delegated act, the Commission shall consult the European Parliament and the advisory committees concerned.

3b. The Commission shall, in consultation with the Member States concerned, analyse the impact of the delegated acts referred to in paragraph 1 one year after their adoption, and every year thereafter. If such analysis shows that a delegated act is not adequate to deal with the current situation, the Member States concerned may submit a joint recommendation in accordance with Article 18(1) of Regulation (EU) No 1380/2013.

Amendment 35

Proposal for a regulation Article 7

Text proposed by the Commission

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013 the landing obligation shall not apply to ***the stocks concerned and plaice*** when fishing with the following gears: trapnets, pots and creels.

Amendment

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to ***cod*** when fishing with the following gears: trapnets, pots and creels, ***fyke-nets and pound nets***.

Amendment 36

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. The measures referred to in paragraph 1 shall aim at achieving the objectives set out in Article 3 and in particular the protection of juveniles or spawning fish.

Amendment

2. The measures referred to in paragraph 1 shall aim at achieving the objectives set out in Article 3, in particular the protection of juveniles or spawning fish, ***as well as coherence with Union environmental legislation as set out in Article 3a, and ensuring that negative impacts of fishing activities on the marine ecosystem are minimised.***

Amendment 37

Proposal for a regulation Article 9 – paragraph 3 – point a

Text proposed by the Commission

(a) specifications of target species ***and*** mesh sizes laid down in Annexes II ***and*** III referred to in Articles 3 ***and*** 4 of Regulation (EC) No 2187/2005;

Amendment

(a) specifications of target species, mesh sizes ***and minimum conservation reference sizes*** laid down in Annexes II, III ***and IV to Regulation (EC) No 2187/2005*** ***and*** referred to in Articles 3, 4 ***and 14(1)*** of ***that*** Regulation;

Amendment 38

Proposal for a regulation Article 9 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) the trawling prohibition for the Gulf of Riga laid down in Article 22 thereof.

deleted

Amendment 39

**Proposal for a regulation
Article 9 – paragraph 4 a (new)**

Text proposed by the Commission

Amendment

4a. Moreover, the Commission shall endeavour to take account of the most recent scientific studies, including ICES studies, before adopting technical measures.

Amendment 40

**Proposal for a regulation
Article 9 – paragraph 4 b (new)**

Text proposed by the Commission

Amendment

4b. During the cod spawning season, pelagic fishing using stationary gear with a mesh size of less than 110 mm, or 120 mm in the case of outrigger gear, shall be prohibited.

Amendment 41

**Proposal for a regulation
Chapter VI a (new)**

Text proposed by the Commission

Amendment

CHAPTER VIa SPECIFIC MEASURES

Article 9a

Specific measures

1. Any fishing activity shall be prohibited from 1 May to 31 October within the areas enclosed by sequentially joining with rhumb lines the following positions, which shall be measured according to the

WGS84 coordinate system:

(a) Area 1:

- 55° 45' N, 15° 30' E
- 55° 45' N, 16° 30' E
- 55° 00' N, 16° 30' E
- 55° 00' N, 16° 00' E
- 55° 15' N, 16° 00' E
- 55° 15' N, 15° 30' E
- 55° 45' N, 15° 30' E

(b) Area 2:

- 55° 00' N, 19° 14' E
- 54° 48' N, 19° 20' E
- 54° 45' N, 19° 19' E
- 54° 45' N, 18° 55' E
- 55° 00' N, 19° 14' E

(c) Area 3:

- 56° 13' N, 18° 27' E
- 56° 13' N, 19° 31' E
- 55° 59' N, 19° 13' E
- 56° 03' N, 19° 06' E
- 56° 00' N, 18° 51' E
- 55° 47' N, 18° 57' E
- 55° 30' N, 18° 34' E
- 56° 13' N, 18° 27' E.

2. All Union vessels of an overall length equal to or greater than eight metres carrying on board or using any gears for cod fishing in the Baltic Sea in accordance with Article 3 of Regulation (EC) No 2187/2005 shall hold a special permit for fishing for cod in the Baltic Sea.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 15 to amend this Article, where necessary for the achievement of the objectives referred to in Article 3, and in particular the protection of juveniles or spawning fish.

Amendment 42

Proposal for a regulation Article 10

Text proposed by the Commission

Article 10

Regional cooperation

1. Article 18 (1) to (6) of Regulation (EU) No 1380/2013 shall apply to the measures *under this Chapter*.

2. Member States concerned may submit joint recommendations *in accordance with Article 18(1) of Regulation (EU) No 1380/2013 within the following deadlines:*

a) for the measures set out in Article 6(1) and concerning a given calendar year, not later than 1 September of the previous year;

b) for the measures set out in Articles 8(1) and 9(1), for the first time not later than six months after the entry into force of this Regulation and thereafter six months after each submission the evaluation of the plan in accordance with Article 14.

Amendment

Article 10

Regional cooperation

1. Article 18 (1) to (6) of Regulation (EU) No 1380/2013 shall apply to the measures *referred to in Articles 6, 8 and 9 of this Regulation*.

2. Member States concerned may, *after having consulted the regional advisory councils*, submit *any* joint recommendations *referred to in Articles 6(3), 8(3) and 9(4) for the first time not later than 12 months after the entry into force of this Regulation, and thereafter 12 months after each submission of the evaluation of the plan in accordance with Article 14, but not later than 1 September for measures concerning the Member States. They may also submit such recommendations in the event of any abrupt change in the situation for any of the stocks covered by the plan, if the measures recommended are deemed necessary or justified by scientific advice*.

2a. The advisory councils concerned may also submit recommendations in accordance with the timetable set out in paragraph 2.

2b. Any deviations by the Commission from the joint recommendations shall be presented to the European Parliament and to the Council and shall be capable of

being scrutinised.

Amendment 43

Proposal for a regulation Article 12

Text proposed by the Commission

Article 12

Prior notifications

1. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the prior notification obligation laid down in that Article shall apply to

masters of Union fishing vessels of eight metres overall length or more retaining on board at least 300 **kg** of cod

or two **tons** of pelagic stocks.

2. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the **advance** notification period laid down in that Article shall be **of** at least one hour before the estimated time of arrival at port.

Amendment

Article 12

Prior notifications

1. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the prior notification obligation laid down in that Article shall apply:

(a) in relation to fishing vessels targeting cod, to masters of Union fishing vessels of eight metres overall length or more retaining on board at least 300 **kilograms** of cod;

(b) in relation to fishing vessels targeting herring and/or sprat, to masters of Union fishing vessels of eight metres overall length or more retaining on board at least two tonnes of pelagic stocks.

2. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the **prior** notification period laid down in that Article shall be at least one hour before the estimated time of arrival at port. **The competent authorities of the coastal Member States may, on a case-by-case basis, permit an earlier entry into port, provided that the necessary conditions for the appropriate control measures are to hand.**

Amendment 45

Proposal for a regulation Article 13 – point b

Text proposed by the Commission

(b) **5 tonnes** of pelagic stocks.

Amendment

(b) **2 tonnes** of pelagic stocks.

Amendment 46

Proposal for a regulation Article 14

Text proposed by the Commission

Article 14

Evaluation of the plan

The Commission shall ***ensure an evaluation of*** the impact of this plan on the stocks covered by this Regulation and on the fisheries exploiting those stocks, in particular ***to take account of changes in scientific advice, six years after the entry into force of the plan and, thereafter, every six years.*** The Commission shall submit the results of ***these*** evaluations to the European Parliament and Council.

Amendment

Article 14

Evaluation of the plan

Three years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ***evaluate*** the impact of this ***multiannual*** plan on the stocks covered by this Regulation and on the fisheries exploiting those stocks, in particular ***as regards the progress achieved towards restoring and maintaining fish stocks above levels capable of producing maximum sustainable yield.*** The Commission shall submit the results of ***that evaluation*** to the European Parliament and the Council ***and may, where appropriate and taking into account the most recent scientific advice, propose adaptations to the multiannual plan or initiate modifications to the delegated acts.***

Amendment 47

Proposal for a regulation Chapter IX a (new)

Text proposed by the Commission

Amendment

CHAPTER IXa

SUPPORT FROM THE EUROPEAN MARITIME AND FISHERIES FUND

Article 14a

Support from the European Maritime and Fisheries Fund

For the purposes of point (c) of Article 33(1) of Regulation (EU) No 508/2014, the multi-annual plan provided for by this Regulation shall be regarded as a multi-annual plan pursuant to Articles 9 and 10 of Regulation (EU) No 1380/2013.

Amendment 48

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Articles 6, 8 and 9 shall be conferred on the Commission for *an indeterminate* period of *time from the date of the entry into force of this Regulation*.

Amendment

2. The delegation of power referred to in Articles 6, 8 and 9 shall be conferred on the Commission for *a* period of *five years from 1 September 2015. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Amendment 49

Proposal for a regulation Article 16

Text proposed by the Commission

Articles 20 and 21 of Regulation (EC) No 2187/2005 are deleted.

Amendment

Regulation (EC) No 2187/2005 *is amended as follows:*

1. Article 13(3) is deleted.

2. In Annex IV, in the column headed "Minimum size", the words "38 cm" in respect of the minimum conservation reference size for cod shall be replaced by "35 cm".