



16.7.2015

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NACRT IZVJEŠĆA

o prijedlogu uredbe Europskog parlamenta i Vijeća o izmjeni Uredbe (EU) br. 1236/2010 Europskog parlamenta i Vijeća o sustavu kontrole i izvršenja primjenjivom na području obuhvaćenom Konvencijom o budućoj multilateralnoj suradnji u ribarstvu sjeveroistočnog Atlantika (COM(2015)0121 – C8-0076/2015 – 2015/0063(COD))

Odbor za ribarstvo

Izvjestitelj: Ole Christensen

Oznake postupaka

- * Postupak savjetovanja
- *** Postupak suglasnosti
- ***I Redovni zakonodavni postupak (prvo čitanje)
- ***II Redovni zakonodavni postupak (drugo čitanje)
- ***III Redovni zakonodavni postupak (treće čitanje)

(Navedeni se postupak temelji na pravnoj osnovi predloženoj u nacrtu akta.)

Izmjene nacrta akta

Amandmani Parlamenta u obliku dvaju stupaca

Brisanja su označena *podebljanim kurzivom* u lijevom stupcu. Izmjene su označene *podebljanim kurzivom* u obama stupcima. Novi tekst označen je *podebljanim kurzivom* u desnom stupcu.

U prvom i drugom retku zaglavlja svakog amandmana naznačen je predmetni odlomak iz nacrta akta koji se razmatra. Ako se amandman odnosi na postojeći akt koji se želi izmijeniti nacrtom akta, zaglavlje sadrži i treći redak u kojem se navodi postojeći akt te četvrti redak u kojem se navodi odredba akta na koju se izmjena odnosi.

Amandmani Parlamenta u obliku pročišćenog teksta

Novi dijelovi teksta označuju se *podebljanim kurzivom*. Brisani dijelovi teksta označuju se oznakom ■ ili su precrtani. Izmjene se naznačuju tako da se novi tekst označi *podebljanim kurzivom*, a da se zamijenjeni tekst izbriše ili precrta.

Iznimno, izmjene strogo tehničke prirode koje unesu nadležne službe prilikom izrade konačnog teksta ne označuju se.

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NACRT ZAKONODAVNE REZOLUCIJE EUROPSKOG PARLAMENTA

**o prijedlogu uredbe Europskog parlamenta i Vijeća o izmjeni Uredbe (EU) br. 1236/2010 Europskog parlamenta i Vijeća o sustavu kontrole i izvršenja primjenjivom na području obuhvaćenom Konvencijom o budućoj multilateralnoj suradnji u ribarstvu sjeveroistočnog Atlantika
(COM(2015)0121 – C8-0076/2015 – 2015/0063(COD))**

(Redovni zakonodavni postupak: prvo čitanje)

Europski parlament,

- uzimajući u obzir prijedlog Komisije upućen Europskom parlamentu i Vijeću (COM(2015)0121),
 - uzimajući u obzir članak 294. stavak 2. i članak 43. stavak 2. Ugovora o funkcioniranju Europske unije, u skladu s kojima je Komisija podnijela prijedlog Parlamentu (C8-0076/2015),
 - uzimajući u obzir članak 294. stavak 3. Ugovora o funkcioniranju Europske unije,
 - uzimajući u obzir mišljenje Europskog gospodarskog i socijalnog odbora od 27. svibnja 2015.¹,
 - uzimajući u obzir članak 59. Poslovnika,
 - uzimajući u obzir izvješće Odbora za ribarstvo (A8-0000/2015),
1. usvaja stajalište u prvom čitanju preuzimajući prijedlog Komisije;
 2. traži od Komisije da predmet ponovno uputi Parlamentu ako namjerava bitno izmijeniti svoj prijedlog ili ga zamijeniti drugim tekstom;
 3. nalaže svojem predsjedniku da stajalište Parlamenta proslijedi Vijeću, Komisiji i nacionalnim parlamentima.

¹ Još nije objavljeno u Službenom listu.

EXPLANATORY STATEMENT

BACKGROUND

The Convention on Future Multilateral Cooperation in North East Atlantic Fisheries to which the European Union is a Contracting Party aims to ensure the long term conservation and optimum utilisation of the fishery resources of the North East Atlantic area, providing sustainable, environmental and social benefits.

For the purpose of ensuring the application of this Convention and recommendations adopted by the North East Atlantic Commission (NEAFC), measures concerning control and enforcement relating to fisheries concerned may be adopted.

Regulation (EU) No 1236/2010 transposes into Union law the Scheme of control and enforcement adopted by the NEAFC.

At its Annual Meetings in 2012, 2013, 2014 and 2015, NEAFC adopted:

- Recommendation 15:2013 amending the Scheme, concerning the communication of transhipments and of port of landing;
- Recommendation 9:2014 amending the Scheme, concerning, respectively, the definitions, a number of provisions applying to Port State Control of foreign fishing vessels and the infringement procedures;
- Recommendation 12:2015 amending Recommendation 9:2014 with respect to Articles 22 and 23 of the Scheme on Port State Control of foreign fishing vessels.

These Recommendations were adopted with the full support of the EU in NEAFC. It is in the EU's interest therefore that they be introduced in Union law by means of the proposed regulation.

CONTENT OF THE PROPOSAL

The proposal seeks to amend Regulation (EU) No 1236/2010 in order to incorporate it into Union law amendments to the Scheme as adopted in NEAFC Recommendations 15/2013 and 9/2014 as amended by Recommendation 12/2015 which have become binding for the Contracting Parties to NEAFC and consequently for the EU.

- The main change, operated by Recommendation 9/2014, is the alignment of the Scheme with the FAO Agreement on Port State Measures to prevent, deter and eliminate IUU, approved by the EU in 2011. Contracting Parties have agreed that this recommendation will enter into force on 1 July 2015.
- The other change, made through Recommendation 15/2013, clarifies that vessels involved in a transhipment operation in the Regulatory Area as receiving vessel shall communicate the port of landing regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Recommendation 12/2015 amended Recommendation 9/2014 with respect to notification

procedures on Port State Control of foreign fishing vessels with the aim to adapt them for the switch-over from a paper based system to a modern web-based ICT application, operated by the NEAFC Secretary.

RAPPORTEUR's POSITION

Your rapporteur welcomes the transposition of the recommendations adopted within NEAFC, into EU law.

The main amendment to Regulation 1236/2010 concerns the alignment of the FAO Agreement control system on measures pertaining to port State competencies in order to prevent, deter and eliminate IUU fishing. The measures provided by this amendment will ensure a better long-term conservation and optimum utilization of fishery resources in the area of the Northeast Atlantic, bringing lasting results under the environmental and social aspects.

Considering that the entry into force of the amended version of the recommendation should have taken place by 1 July 2015, your rapporteur has decided not to propose amendments, in order to speed up the process of adoption as much as possible.

However your rapporteur would like to make two critical considerations from both a procedural and content point of view.

Concerning the procedure, your rapporteur stresses that the Commission has an increasing tendency to present to the two co-legislators proposals of transpositions of recommendations of international organizations with such short adoption deadlines that they complicate the legislative work of the Parliament and the Council, who must take into account the timeframes imposed by their internal procedures. All this to the detriment of the quality of legislation.

From a content point of view the proposal in question introduces new measures which should already be integrated in Regulations No. 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy and No. 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated, in respect of which Parliament is awaiting from the Commission proposals for the required revision.