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Odbor za ribarstvo

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2014/0213(COD)

3.9.2015

**\*\*\*II**

## **NACRT PREPORUKE ZA DRUGO ČITANJE**

o stajalištu Vijeća u prvom čitanju radi donošenja uredbe Europskog parlamenta i Vijeća o izmjeni Uredbe (EU) br. 1343/2011 o određenim odredbama za ribolov u području Sporazuma o GFCM-u (Opća komisija za ribarstvo Sredozemlja)  
(08806/1/2015 – C8-0260/2015 – 2014/0213(COD))

Odbor za ribarstvo

Izvjestitelj: Gabriel Mato

### ***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 stajalištu Vijeća u prvom čitanju radi donošenja uredbe Europskog parlamenta i Vijeća o izmjeni Uredbe (EU) br. 1343/2011 o određenim odredbama za ribolov u području Sporazuma o GFCM-u (Opća komisija za ribarstvo Sredozemlja) (08806/1/2015 – C8-0260/2015 – 2014/0213(COD))**

**(Redovni zakonodavni postupak: drugo čitanje)**

*Europski parlament,*

- uzimajući u obzir stajalište Vijeća u prvom čitanju (08806/1/2015 – C8-0260/2015),
  - uzimajući u obzir mišljenje Europskog gospodarskog i socijalnog odbora od 15. listopada 2014.<sup>1</sup>,
  - uzimajući u obzir stajalište u prvom čitanju<sup>2</sup> o prijedlogu Komisije upućenom Europskom parlamentu i Vijeću (COM(2014)0457),
  - uzimajući u obzir članak 294. stavak 7. Ugovora o funkcioniranju Europske unije,
  - uzimajući u obzir članak 76. Poslovnika,
  - uzimajući u obzir preporuku za drugo čitanje Odbora za ribarstvo (A8-0000/2015),
1. prihvaća stajalište Vijeća u prvom čitanju;
  2. odobrava izjavu priloženu ovoj Rezoluciji;
  3. utvrđuje da je akt prihvaćen u skladu sa stajalištem Vijeća;
  4. nalaže svojem predsjedniku da potpiše akt s predsjednikom Vijeća u skladu s člankom 297. stavkom 1. Ugovora o funkcioniranju Europske unije;
  5. nalaže svojem glavnom tajniku da potpiše akt nakon provjere jesu li svi postupci propisno zaključeni te da ga u dogovoru s glavnim tajnikom Vijeća da na objavu u *Službenom listu Europske unije*;
  6. nalaže svojem predsjedniku da stajalište Parlamenta proslijedi Vijeću, Komisiji i nacionalnim parlamentima.

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<sup>1</sup> SL C 12, 15.1.2015., str. 116.

<sup>2</sup> Usvojeni tekstovi od 13.1.2015., P8\_TA(2015)0005.

## PRILOG ZAKONODAVNOJ REZOLUCIJI

### Izjava Europskog parlamenta o odobravanju odstupanja za upotrebu povlačnih mreža koća i ribolov jednostrukim mrežama stajaćicama u Crnome moru

Europski parlament izjavljuje da su odredbe iz članka 15.a koji se treba uvrstiti u Uredbu (EU) br. 1343/2011 u vezi s odstupanjem od zabrane upotrebe određene opreme u obalnim vodama Crnog mora iznimne naravi. Njima se uzima u obzir trenutačna situacija u regiji u kojoj su države članice uvele mjere kako bi se dopustila upotreba dotične opreme u skladu s relevantnim preporukama GFCM-a. Tom je informacijom Parlament već raspolagao prije podnošenja aktualnog prijedloga Komisije. Iz tih razloga Parlament u danom kontekstu prihvaća dogovor kojim se dotične države članice ovlašćuju da odobre ta odstupanja. No, Parlament naglašava da se te odredbe neće uzimati ili upotrebljavati kao presedan u budućim pravnim aktima.

## EXPLANATORY STATEMENT

Following the adoption of Parliament's first reading position by the plenary on 13 January 2015, informal negotiations started with the Latvian Presidency with view to reaching an early second reading agreement. After two rounds of trilogue, Parliament's and Council's negotiating team reached agreement on the file on 26 March 2015. The text of the agreement was presented to the PECH Committee for a vote of approval on 6 May 2015, and approved by an overwhelming majority. On the basis of the committee's approval, the Chairman of the Committee undertook in his letter to the chair of Coreper to recommend to the plenary to approve Council's position at first reading without amendment. Following legal-linguistic verification, Council adopted its first reading position confirming the agreement on 13 July 2015.

As Council's first reading position is in conformity with the agreement reached in the trilogues, your Rapporteur recommends to the Committee to accept it without further amendments. Your Rapporteur would like to highlight in particular the following elements of the compromise:

The European Parliament and the Council agreed on the transposition into the Union Law of several Recommendations made by the General Fisheries Commission for the Mediterranean ("the GFCM Agreement") which provides an appropriate framework for multilateral cooperation to promote the development, conservation, rational management and best utilisation of living marine resources in the Mediterranean and the Black Sea at levels which are considered sustainable and at low risk of collapse.

The main problem encountered by the co-legislators was the choice of legal mechanisms to be used in requests to Member States to grant derogations, in particular concerning the use of trawl nets and gill-nets fisheries in the Black Sea and the minimum basal diameter of colonies, gear and devices and the harvesting of red coral.

Regarding the derogations to the ban of coastal trawling in the Black Sea, the Parliament accepted that these should be managed at Member States' level with the Commission scrutiny right. This differentiated procedure with respect to the one applicable in the Mediterranean is justified as these are different basins and, even if it concerns granting derogations, as in the Mediterranean, the conditions foreseen in the GFCM Recommendation to grant derogations in the Black Sea are much less stringent. It is question of authorizing a limited number of vessels to exceptionally use trawl nets within the Black Sea coastal zone. Also, Member States concerned are not obliged to introduce management plans but only a monitoring system as a condition for granting derogations.

Apart from this, the Commission has just accepted authorizations to vessels after having checked whether the conditions set by the GFCM Recommendation are met. This means that it was a question of transposing here *a posteriori* an existing situation.

However, the EP made a declaration pointing out that it accepts the arrangement authorising the Member States concerned to grant the derogations at stake but stresses that this arrangement is not to be taken or used as a precedent in any future legal act.

In relation to the issue on how to grant derogations on the harvesting and the minimum basal diameter of colonies of red coral, the Parliament succeeded in proposing a compromise that was accepted by all Institutions: . Member states will submit, within a period of 3 years, joint recommendations on the basis of the Article 18 of the CFP basic Regulation (regionalisation), accompanied by detailed information on the national management framework.

In the meantime, Member States that have already national frameworks in place can maintain them and those who wish to set up national frameworks they can do it provisionally, provided that an appropriate national management framework is in place. Where the Commission considers, on the basis of the notifications provided by the Member States, that a national management framework does not comply with the conditions set out in the present Regulation, it may, subject to providing relevant reasons and after consultation with the Members States concerned, request it to amend the framework.

On the issue of the gear and devices to be used for the harvesting of the red coral, the co-legislators agree that the use of the ROVs (Remotely Operated under-water Vehicles) for the purpose of observation and prospection of the red coral shall continue to be permitted in zones under the jurisdiction of the Members State provided that the ROV is not equipped with manipulator arms or any other allowing the cutting and harvesting of red coral. Such authorizations shall expire or be withdrawn no later than 31 December 2015, unless the MS concerned has obtained scientific results showing that the use of the ROVs beyond 31 December 2015 would have no negative impact on the sustainable exploitation of red coral.