



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Fisheries

2014/0138(COD)

13.3.2015

AMENDMENTS 22 - 169

Draft report
Renata Briano
(PE537.393v01-00)

Prohibition on driftnet fisheries

Proposal for a regulation
(COM(2014)0265 – C8-0007/2014 – 2014/0138(COD))

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PE551.917v01-00

EN

United in diversity

EN

Amendment 22

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Alain Cadec, Cláudia Monteiro de Aguiar, Remo Sernagiotto, Werner Kuhn, Annie Schreijer-Pierik, Jens Gieseke, Andrej Plenković

Proposal for a regulation

–

Proposal for a rejection

The European Parliament rejects the Commission proposal.

Or. en

Justification

While it is necessary to regulate driftnets, the present European Commission proposal is not scientifically founded and it would put in danger the activity of small scale fisheries that are using driftnets in a sustainable way. The EC should rather undertake a serious scientific study on the environmental impact that driftnets have on marine resources, mainly on protected and endangered species. It should also evaluate the socioeconomic impact of such a ban, since the proposal does not respect the principle of proportionality.

Amendment 23

Norica Nicolai, Alain Cadec, Raymond Finch, Ian Hudghton, Diane Dodds, David Coburn

Proposal for a regulation

–

Proposal for a rejection

The European Parliament rejects the Commission proposal.

Or. en

Justification

A total ban on driftnet fisheries is not justified and would have a disastrous socio-economic impact in numerous fishing regions specifically for the small-scale fisheries sector. Moreover, the Commission does not respect the regionalised approach of the Common Fisheries Policy; therefore it should review its proposal. The current applicable legislation needs to be

complied with and Member states have to control its implementation.

Amendment 24

Ruža Tomašić, Ian Duncan

Proposal for a regulation

—

Proposal for a rejection

***The European Parliament rejects the
Commission proposal.***

Or. en

Justification

The European Commission proposal is not scientifically based and it is not justified. Moreover, there is a direct danger to small scale fisheries that are using Drift nets in sustainable way. Total ban of driftnet fisheries would have a significant socioeconomic impact on fishing regions which use small size Drift nets in accordance with EU regulations. Proposal does not respect the principle of proportionality, nor is in line with the CFP regionalisation approach.

Amendment 25

Josu Juaristi Abaunz

Draft legislative resolution

Citation 4 a (new)

Draft legislative resolution

Amendment

***having regard to Opinion No 89 of 10
July 2014 of the South Western Waters
Regional Advisory Council (CCR.S),***

Or. es

Amendment 26

Josu Juaristi Abaunz

Draft legislative resolution
Paragraph 1

Draft legislative resolution

1. *Adopts its position at first reading hereinafter set out;*

Amendment

1. *The Committee on Fisheries proposes that the proposal for a Regulation of the European Parliament and of the Council laying down a prohibition on driftnet fisheries, amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97 be rejected;*

Or. es

Amendment 27
Josu Juaristi Abaunz

Draft legislative resolution
Paragraph 2

Draft legislative resolution

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

Amendment

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially *by excluding selective small-scale nets* or replace it with another text *which, based on the principle of subsidiarity, excludes specifically the selective drifting gillnet gear used by small-scale fishing fleets, such as the "xeito", which on the basis of Galicia's sole competence for inland waters is a properly regulated fishing gear to which technical control measures are applied;*

Or. es

Amendment 28
Sylvie Goddyn

Proposal for a regulation

Title

Text proposed by the Commission

Proposal for a Regulation of the European Parliament and of the Council **laying down a prohibition** on driftnet fisheries, **amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97**

Amendment

Proposal for a Regulation of the European Parliament and of the Council **on carrying out impact assessments** on driftnet fisheries, **and studies on the state of fish stocks in European fisheries**

Or. fr

Justification

Before introducing any kind of ban, the state of the stocks available needs to be assessed. Furthermore, objective studies need to be carried out to determine whether the use of small-scale driftnets really is incompatible with sustainable fishing.

Amendment 29

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Title

Text proposed by the Commission

Proposal for a Regulation of the European Parliament and of the Council **laying down a prohibition on** driftnet fisheries, amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97

Amendment

Proposal for a Regulation of the European Parliament and of the Council **governing** driftnet fisheries, amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97

Or. es

Amendment 30

Izaskun Bilbao Barandica

Proposal for a regulation

Title

Text proposed by the Commission

Proposal for a Regulation of the European Parliament and of the Council laying down **a prohibition on** driftnet fisheries, amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97

Amendment

Proposal for a Regulation of the European Parliament and of the Council laying down **rules for** driftnet fisheries, amending Council Regulations (EC) No 850/98, (EC) No 812/2004, (EC) No 2187/2005 and (EC) No 1967/2006 and repealing Council Regulation (EC) No 894/97

Or. es

Amendment 31

Ian Hudghton

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Regulation (EU) No 1380/2013 stipulates that Member States should cooperate at regional level in the development and implementation of conservation measures affecting fishing activity; this regional framework replaces the previous one-size-fits-all approach used in the Common Fisheries Policy.

Or. en

Amendment 32

Sylvie Goddyn

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Sustainable exploitation of marine biological resources should be based on the precautionary approach, which derives not only from the precautionary principle referred to in the first subparagraph of Article 191(2) of the Treaty on the Functioning of the European Union but also from the Union's international undertakings as reflected in the United Nations Fish Stocks Agreement⁷, and in particular *its* Article 6, and on the best scientific evidence available.

⁷ OJ L 189, 03.07.1998, p. 16

Amendment

(2) Sustainable exploitation of marine biological resources should be based on the precautionary approach, which derives not only from the precautionary principle referred to in the first subparagraph of Article 191(2) of the Treaty on the Functioning of the European Union but also from the Union's international undertakings as reflected in the United Nations Fish Stocks Agreement⁷, and in particular Article 6 *thereof*, and on the best scientific evidence available. ***In the latter regard and insofar as possible, impact assessments on driftnet fisheries should be carried out, focusing on third country vessels particularly in the Mediterranean.***

⁷ OJ L 189, 03.07.1998, p. 16

Or. fr

Justification

Impact assessments on illegal driftnet fishing practices by third country vessels in the Mediterranean would provide a basis for applying a policy which would be more effective than a straightforward ban or over-regulation burdensome to EU operators.

Amendment 33

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) ***Sustainable*** exploitation of marine biological resources should be based on the ***precautionary*** approach, ***which derives not only from the precautionary principle referred to in the first subparagraph of Article 191(2) of the Treaty on the Functioning of the European Union but***

Amendment

(2) Exploitation of marine biological resources should be based on the ***social, economic and environmental sustainability*** approach of Article 3(3) of the ***Treaty on European Union, which acts as a counterbalance to the precautionary principle in the first***

also from the Union's international undertakings as reflected in the United Nations Fish Stocks Agreement⁷, and in particular its Article 6, and on the best scientific evidence available.

subparagraph of Article 191(2) of the Treaty on the Functioning of the European Union.

⁷ OJ L 189, 03.07.1998, p. 16

Or. es

Amendment 34

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The measures adopted pursuant to this Regulation to regulate the use of drifting gillnets shall also bear in mind the principle of proportionality, so as to protect mainly the activity of the small-scale fishing fleet.

Or. es

Amendment 35

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) The Common Fisheries Policy should contribute to *the protection of the marine environment, to the sustainable management of all commercially exploited species*, and in particular to the achievement of good environmental status by 2020, as set out in Article 1(1) of

(3) The Common Fisheries Policy should contribute to sustainable, *socioeconomic and environmental development*, and in particular to the achievement of good environmental status by 2020, as set out in Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council.

Directive 2008/56/EC of the European Parliament and of the Council⁸.

⁸ 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).

⁸ 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).

Or. es

Amendment 36
Sylvie Goddyn

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) ***The conservation objectives, regarding incidental mortality of protected species, pursued by the abovementioned Union rules on driftnets are still valid and should be strengthened.***

Amendment

(7) ***Much*** incidental mortality of protected species ***is a consequence of illegal fishing practices and not of the type of fishing gear used.***

Or. fr

Justification

It should be pointed out that small driftnets correctly used do not cause excessive mortality of protected species.

Amendment 37
Anja Hazekamp

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The conservation objectives, regarding

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Amendment

(7) The conservation objectives, regarding

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incidental mortality of protected species, pursued by the abovementioned Union rules on driftnets are still valid and should be strengthened.

incidental mortality of protected species ***including, in particular, cetaceans, sea turtles, sharks and sea birds, which lead to international concerns about the environmental impacts of driftnets,*** pursued by the abovementioned Union rules on driftnets are still valid and should be strengthened. ***Driftnets are also a major concern in terms of fish welfare. Fish experience substantial pain and stress when tangled in these nets. They can cause body damage and stress for many hours or days.***

Or. en

Justification

Fish are sentient animals. It is scientifically proven that fish experience stress and pain like mammals. Considering that large numbers of fish are captured and killed for food it is morally important to include fish welfare in discussion about fisheries and catch methods.

Amendment 38

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Fishing with driftnets carried out on a small-scale on traditional and/or small vessels, creating socioeconomically and environmentally sustainable fishing, amongst which may be cited xeito fishing gear in Galicia and sardinal gear in Andalusia, as well as other types of gear in the European Union, should in any case be preserved.

Or. es

Amendment 39
Ian Hudghton

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The definition of driftnets should *be refined for reasons of clarity and in order to ensure uniformity in the understanding* and implementation by Member States *of rules on driftnets*.

Amendment

(8) The definition of driftnets should *reflect the huge regional variation in fisheries and fishing techniques; accordingly definitions and the development* and implementation of *relevant conservation measures should be initiated* by Member States *cooperating at regional level*.

Or. en

Amendment 40
José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The definition of driftnets should be refined for reasons of clarity and in order to ensure uniformity in the understanding and implementation by Member States of rules on driftnets.

Amendment

(8) The definition of driftnets should be refined for reasons of clarity and in order to ensure uniformity in the understanding and implementation by Member States *and in all EU waters* of rules on driftnets.

Or. es

Amendment 41
Ian Hudghton

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) *Moreover it is necessary to extend the*

Amendment

deleted

scope of this definition so as to cover any newly identified types of drifting fishing nets other than drifting gillnets developed in certain fisheries. It is particularly important to cover by this definition gears that unlike drifting gillnets are made up of two or more walls of netting hung jointly in parallel on the headline(s) yet they operate close to the water surface in the same manner as drifting gillnets do and have similar impact on marine resources, hence should be coherently regulated.

Or. en

Amendment 42
Ian Duncan

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) Moreover it is necessary to extend the scope of this definition so as to cover any newly identified types of drifting fishing nets other than drifting gillnets developed in certain fisheries. It is particularly important to cover by this definition gears that unlike drifting gillnets are made up of two or more walls of netting hung jointly in parallel on the headline(s) yet they operate close to the water surface in the same manner as drifting gillnets do and have similar impact on marine resources, hence should be coherently regulated.

deleted

Or. en

Amendment 43
Isabelle Thomas

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The current Union legislative framework on driftnets has ***shown weaknesses and loopholes in that rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear.***

Amendment

(10) The current Union legislative framework on driftnets has ***proved effective where the rules have been observed. However, illegal practices need to be stopped and, to that end, Member States which have detected such practices should be required to tighten their control arrangements, apply and strengthen the relevant penalties and introduce new management measures.***

Or. fr

Amendment 44

Ian Hudghton

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The current Union legislative framework on ***driftnets*** has shown weaknesses ***and loopholes in that rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear.***

Amendment

(10) The current Union legislative framework on ***fishing activities*** has shown weaknesses ***as a result of the one-size-fits-all approach of previous fisheries Regulations.***

Or. en

Amendment 45

Sylvie Goddyn

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The current Union legislative

Amendment

(10) The current Union legislative

framework on driftnets has shown weaknesses and loopholes in that rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear.

framework on driftnets has shown weaknesses and loopholes in that rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear. ***It should be pointed out, however, that, in many cases, the vessels engaging in illegal driftnet fishing practices, particularly in the Mediterranean, are third country rather than EU vessels.***

Or. fr

Justification

European operators are unfairly stigmatised by rules that will not, in fact, apply to fishing fleets from countries south of the Mediterranean, whose use of driftnets would be deemed unlawful according to EU standards.

Amendment 46

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The current Union legislative framework on driftnets has shown weaknesses and loopholes in that rules ***proved easy to circumvent*** and ineffective in terms of addressing the conservation concerns linked to this fishing gear.

Amendment

(10) The current Union legislative framework on driftnets has shown weaknesses and loopholes in that ***there are cases where these rules are circumvented*** and ineffective in terms of addressing the conservation concerns linked to this fishing gear.

Or. es

Amendment 47

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The current Union legislative framework on driftnets has shown weaknesses and loopholes in that rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear.

Amendment

(10) The current Union legislative framework on driftnets has shown weaknesses and loopholes in that, ***in certain cases***, rules proved easy to circumvent and ineffective in terms of addressing the conservation concerns linked to this fishing gear.

Or. es

Amendment 48
Sylvie Goddyn

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, the vast majority of which operating without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, which makes it easy to escape monitoring, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.

Amendment

deleted

Or. fr

Justification

The text of the Commission proposal, with its reference to the difficulty of controlling small-scale vessels, effectively accuses their operators of fraud. The accusation is based on speculation.

Amendment 49
José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation
Recital 11

Text proposed by the Commission

Amendment

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, the vast majority of which operating without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, which makes it easy to escape monitoring, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.

deleted

Or. es

Amendment 50
Isabelle Thomas

Proposal for a regulation
Recital 11

Text proposed by the Commission

Amendment

(11) The driftnet fishing is carried out by ***an undefinable*** number of small-scale multipurpose fishing vessels, the vast majority of which operating without any regular scientific and control monitoring. ***Due to the small scale nature of these fishing activities, which makes it easy to escape monitoring, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.***

(11) The driftnet fishing is carried out by ***a very large*** number of small-scale multipurpose fishing vessels, the vast majority of which ***are apparently*** operating without any regular scientific and control monitoring. ***A GPS system should be introduced to facilitate vessel control.***

Or. fr

Amendment 51
Josu Juaristi Abaunz

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) The driftnet fishing is carried out by an ***undefinable*** number of small-scale multipurpose fishing vessels, ***the vast majority of which*** operating without any regular scientific and control monitoring. ***Due to the small scale nature of these fishing activities, which makes it easy to escape monitoring, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.***

Amendment

(11) The driftnet fishing is carried out by ***a certain*** number of small-scale multipurpose fishing vessels, operating ***in some cases*** without any regular scientific and control monitoring. ***In other cases, as with the "xeito" gear, small-scale fleets fish sustainably with low temporal or spatial impact, following regulated and controlled fishing patterns by virtue of sole competence over fishing in inland waters.***

Or. es

Amendment 52
Ian Hudghton

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, the vast majority of which operating without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, ***which makes it easy to escape monitoring, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.***

Amendment

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, the vast majority of which operating without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, ***it is difficult to quantify precisely how many families and small businesses in economically fragile communities would be adversely affected by ill-conceived EU legislation.***

Or. en

Amendment 53

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné,
Annie Schreijer-Pierik

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, ***the vast majority of which*** operating without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, ***which makes it easy to escape monitoring***, the control and enforcement efforts have not produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.

Amendment

(11) The driftnet fishing is carried out by an undefinable number of small-scale multipurpose fishing vessels, operating ***in some cases*** without any regular scientific and control monitoring. Due to the small scale nature of these fishing activities, the control and enforcement efforts have not ***always*** produced the necessary results in terms of conservation of marine resources, in particular with regard to certain protected species.

Or. es

Amendment 54

Isabelle Thomas

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Many small-scale fisheries, which are those most affected by this Regulation, are sustainable and are located close inshore or in estuaries – areas subject to specific constraints, where driftnets could not be replaced by other types of fishing gear. Given that the viability of many fisheries depends heavily or entirely on driftnet activities, protective measures are called for.

Or. fr

Amendment 55
Isabelle Thomas

Proposal for a regulation
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) An impact assessment on the currently applicable EU and national legislation should be carried out as a matter of urgency so that, where it is not working properly, corrective measures can be taken area by area.

Or. fr

Amendment 56
Sylvie Goddyn

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) Illegal driftnet activities carried out by Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect.

(12) Illegal driftnet activities carried out by Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect. ***It needs to be established, however, whether the main perpetrators of these illegal fishing activities are EU registered vessels or vessels from third countries.***

Or. fr

Justification

Checks should be carried out to ensure that EU operators, particularly in the Mediterranean,

are not being wrongly blamed for practices which are the work of third country operators.

Amendment 57

Ian Hudghton

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Illegal driftnet activities carried out by Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect.

Amendment

(12) Illegal driftnet activities carried out by Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect. ***Illegal fishing activities are best combatted by implementing proper control and enforcement regimes, not by amending the very laws which are being broken.***

Or. en

Amendment 58

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Illegal driftnet activities carried out by Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect.

Amendment

(12) Illegal driftnet activities carried out by ***some*** Union fishing vessels, in particular for the purpose of targeting species listed in Annex VIII of Regulation (EC) No 847/97, continue to be reported and have been cause of criticism regarding the Union compliance with applicable international obligations in this respect.

Or. es

Amendment 59
Sylvie Goddyn

Proposal for a regulation
Recital 13

Text proposed by the Commission

Amendment

(13) Moreover, the driftnet fishing by operating close to or at the water surface continues to be cause of high concern for incidental takings of air-breathing animals such as marine mammals, sea turtles and sea birds, which are mostly classified as species to be strictly protected under Union legislation.

deleted

Or. fr

Justification

It should be pointed out that small driftnets correctly used do not cause excessive mortality of protected species.

Amendment 60
Ian Hudghton

Proposal for a regulation
Recital 13

Text proposed by the Commission

Amendment

(13) Moreover, the driftnet fishing by operating close to or at the water surface continues to be cause of high concern for incidental takings of air-breathing animals such as marine mammals, sea turtles and sea birds, which are mostly classified as species to be strictly protected under Union legislation.

deleted

Or. en

Amendment 61
Isabelle Thomas

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) Additionally, monitoring and reporting systems established under Council Directive 92/43/EEC (Habitats Directive)¹² have proven to be not effective for the identification and recording of the anthropogenic causes of death of strictly protected species due to fishing activities.

¹² COUNCIL DIRECTIVE 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7)

Amendment

(14) Additionally, ***in some cases***, monitoring and reporting systems established under Council Directive 92/43/EEC (Habitats Directive)¹² have proven to be not effective for the identification and recording of the anthropogenic causes of death of strictly protected species due to fishing activities. ***Control arrangements therefore need to be tightened in those situations where there is insufficient documentation.***

¹² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7)

Or. fr

Amendment 62
Sylvie Goddyn

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic

Amendment

deleted

impacts, it is necessary to introduce a full prohibition to take on board or use any kind of driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

Or. fr

Justification

Before introducing any kind of ban, the state of the stocks available needs to be assessed. Furthermore, objective studies need to be carried out to determine whether the use of small-scale driftnets really is incompatible with sustainable fishing.

Amendment 63

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Recital 16

Text proposed by the Commission

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, it is necessary to introduce a full prohibition to take on board or use any kind of driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

deleted

Or. es

Amendment 64

Isabelle Thomas

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, ***it is necessary to introduce a full prohibition to take on board or use any kind of driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.***

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, ***the Member States should adopt local and regional management plans where the impact assessment indicates they are required, so as to introduce technical provisions in respect of the fisheries in question, and should step up the resources they allocate to their control effort.***

Or. fr

Amendment 65
Josu Juaristi Abaunz

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account ***the minimal*** socio-economic impacts, it is necessary to introduce a ***full*** prohibition ***to take on board or use any kind of driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.***

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause ***when it is not used in a sustainable manner***, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account ***the fact that its*** socio-economic impacts ***have not been sufficiently assessed***, it is necessary to introduce a ***selective*** prohibition ***on large-scale fishing with driftnets, identified as very harmful to species in need of strict protection and/or which***

does not stop bycatches of unauthorised species, without penalising small-scale fishing fleets which use sustainable fishing gear regulated by virtue of sole competency on fishing in inland waters and for which there are specific technical control measures.

Or. es

Amendment 66
Ian Hudghton

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly *address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts*, it is *necessary to introduce a full prohibition to take on board or use any kind of driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.*

Amendment

(16) In view of the reasons stated above and in order to properly *adapt to the new regional dimension of the Common Fisheries Policy*, it is *appropriate that any measures dealing with driftnets be initiated, where necessary, by Member States cooperating at regional level.*

Or. en

Amendment 67
José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above

Amendment

(16) In view of the reasons stated above

and in order to properly address the conservation concerns that this fishing gear **continues to** cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the **minimal** socio-economic impacts, it is necessary to **introduce a full prohibition to take on board or use any kind of** driftnets **in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.**

and in order to properly address the conservation concerns that this fishing gear **may** cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the socio-economic impacts, it is necessary to **regulate the use of** driftnets.

Or. es

Amendment 68
David-Maria Sassoli

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the **minimal** socio-economic **impacts**, it is necessary to introduce a **full prohibition to take on board or use any kind of** driftnets in all Union waters **and** by **all** Union vessels **whether they operate** within Union waters or beyond, **as well as** by non-Union vessels in Union waters.

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the socio-economic **aspect**, it is necessary to introduce a **review, based on the logic of the Common Fisheries Policy and in particular the principle of regionalisation and a strengthening of monitoring by Member States of compliance with effective sanctions, with regard to** driftnets **used** in all Union waters **both** by Union vessels **operating** within Union waters or beyond **and** by non-Union vessels in Union waters.

Or. it

Amendment 69
Izaskun Bilbao Barandica

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, it is necessary to ***introduce a full prohibition to take on board or use any kind of*** driftnets in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, it is necessary to ***introduce a review which applies Common Fisheries Policy criteria, enhances the principle of regionalisation, and strengthens control systems and enforcement of sanctions for*** driftnets ***used*** in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

Or. es

Amendment 70
Marco Affronte

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, it is necessary to introduce ***a full prohibition to take on board or use any kind of*** driftnets

Amendment

(16) In view of the reasons stated above and in order to properly address the conservation concerns that this fishing gear continues to cause, as well as to achieve the environmental and enforcement objectives in an effective and efficient manner, while taking into account the minimal socio-economic impacts, it is necessary to introduce ***additional measures, based on the logic of the***

in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

Common Fisheries Policy and in particular the principle of regionalisation and a strengthening of control and sanctions, with regard to driftnets stored, kept on board or used in all Union waters and by all Union vessels whether they operate within Union waters or beyond, as well as by non-Union vessels in Union waters.

Or. it

Amendment 71
Josu Juaristi Abaunz

Proposal for a regulation
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The Commission should guarantee the subsidiarity principle and exclude sustainable small-scale fisheries which use drift gillnets, such as the "xeito", from the prohibition, as the "xeito" is properly regulated on the basis of Galicia having sole competence for fishery matters in inland waters and for the regulation and control of fishing activity and the gears and tackle permitted.

Or. es

Amendment 72
Sylvie Goddyn

Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment

(17) For reasons of clarity of Union legislation, it is also necessary to delete all other provisions related to driftnets by

deleted

amending Council Regulation (EC) No 850/98¹³, Regulation (EC) No 812/2004, Regulation (EC) No 2187/2005 and Council Regulation (EC) No 1967/2006¹⁴, and repealing Regulation (EC) No 894/97.

¹³ *Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p. 1).*

¹⁴ *Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 409, 30.12.2006, p. 11);*

Or. fr

Justification

This provision becomes irrelevant if the proposal to ban driftnets is rejected.

Amendment 73 Izaskun Bilbao Barandica

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) For reasons of clarity of Union legislation, it is also necessary to delete all other provisions related to driftnets *by amending Council Regulation (EC) No 850/98¹³, Regulation (EC) No 812/2004, Regulation (EC) No 2187/2005 and Council Regulation (EC) No 1967/2006¹⁴, and repealing Regulation (EC) No 894/97.*

Amendment

(17) For reasons of clarity of Union legislation, it is also necessary to ***amend or*** delete all other provisions related to driftnets ***in all other pieces of Union legislation which are inconsistent with the provisions of this*** Regulation.

¹³ *Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p. 1).*

¹⁴ *Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 409, 30.12.2006, p. 11);*

Or. es

Amendment 74
Isabelle Thomas

Proposal for a regulation
Recital 18

Text proposed by the Commission

Amendment

(18) Vessels carrying out fisheries with small-scale driftnets may need some time to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January 2015.

deleted

Or. fr

Amendment 75
Josu Juaristi Abaunz

Proposal for a regulation
Recital 18

Text proposed by the Commission

Amendment

(18) Vessels carrying out fisheries with small-scale *driftnets may need some time*

(18) Vessels carrying out fisheries with *the driftnets used by the* small-scale *fishing*

to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January 2015.

fleets, which use fishing gear such as the "xeito" and other sustainable and traditional gear, should be excluded.

Or. es

Justification

This is the case for ancestral types of gear and tackle such as the "trasmallo del Miño", the "lampreira", the "muxileira", the "varga da Solla" and the "varga do muxo". These are used in a sustainable manner by the small-scale fishing fleets in coastal communities in Galicia and northern Portugal, in the area bordering continental waters.

Amendment 76

Liadh Ní Riada

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Vessels carrying out fisheries with small-scale driftnets may need some time to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January 2015.

Amendment

(18) A total driftnet ban disregards the fishing fleet capacities of individual member states, as it is overcapacity that brings depleted fish stocks. Consideration must be given to the negative conservational and environmental impact of unsustainable driftnet overfishing by large factory vessels.

Or. en

Amendment 77

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Recital 18

Text proposed by the Commission

*(18) Vessels carrying out fisheries with **small-scale** driftnets may need some time*

Amendment

*(18) Vessels carrying out fisheries with driftnets **directly affected by this***

to adjust to the new situation *and necessitate a phasing-out period*. This Regulation should *therefore* enter into force on 1 January **2015**.

Regulation may need some time to adjust to the new situation. *Methods for granting access to the European Maritime and Fisheries Fund (EMFF) should be developed therefore*. This Regulation should enter into force on 1 January **2017**.

Or. es

Amendment 78

Renata Briano, Richard Corbett, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) *Vessels* carrying out fisheries *with small-scale driftnets* may need some time to adjust to the new *situation and necessitate a phasing-out period*. This Regulation should therefore *enter into force on 1 January 2015*.

Amendment

(18) *Fishermen* carrying out *artisanal* fisheries may need some time to adjust to the new *requirements*. *In cases where they need to change the type of gear they use, support should be provided by the European Maritime and Fisheries Fund, provided that the new gear is less harmful than the gear used before*. This Regulation should therefore *apply from 1 January 2017*.

Or. en

Justification

It is necessary to provide fishermen with the financial means foreseen by the EMFF, in order to limit the burden for the fisheries sector, provided that the tools chosen are more environmentally sustainable. The date of entry into force in 2017 allows the application of the fund.

Amendment 79

Izaskun Bilbao Barandica

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Vessels carrying out fisheries with small-scale driftnets may need some time to adjust to the new situation **and necessitate a** phasing-out period. This Regulation should therefore enter into force on 1 January **2015**.

Amendment

(18) Vessels carrying out fisheries with small-scale driftnets **longer than 2 500 metres** may need some time to adjust to the new situation.
During this phasing out period, **if said vessels change the kind of gear they use in order to continue fishing, they may count on the support of the European Maritime and Fisheries Fund.**
This Regulation should therefore enter into force on 1 January **2016**.

Or. es

Amendment 80

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Vessels carrying out fisheries with small-scale driftnets may need some time to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January **2015**.

Amendment

(18) **Some** vessels carrying out fisheries with small-scale driftnets may need some time to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January **2016**.

Or. es

Amendment 81

Marco Affronte

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Vessels carrying out fisheries with small-scale driftnets may need some time

Amendment

(18) Vessels carrying out fisheries with small-scale driftnets may need some time

to adjust to the new situation and necessitate a phasing-out period. This Regulation should therefore enter into force on 1 January **2015**.

to adjust to the new situation and necessitate a phasing-out period. ***In cases where they will need to change the type of gear they use, support may be provided by the European Maritime and Fisheries Fund only in cases in which they have not committed serious offences relating to the use of driftnets.*** This Regulation should therefore enter into force on 1 January **2016**.

Or. it

Amendment 82
Liadh Ní Riada

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The socio-economic role of sustainable small-scale driftnet fishing in rural and peripheral communities is considered to be of vital importance.

Or. en

Amendment 83
Ricardo Serrão Santos, Richard Corbett, Renata Briano, José Blanco López

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) Small scale traditional fisheries using driftnets, such as "menaidi" in Italy, "estoueyre" and "bigearreyre" in France, "xeito" and "El Sardinal" in Spain, the "Mourne herring driftnet" fishery in Northern Ireland, the "Clovelly herring fishery" in North Devon or the "Southern North Sea herring fishery" in

Essex and East Anglia in England, and the "sardinheira" in Portugal are part of the cultural identity of those countries.

Or. en

Amendment 84
Ian Duncan, Julie Girling

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

This Regulation shall apply to all fishing activities within the scope of the Common Fisheries Policy as set out in Article 1(2) of Regulation (EU) No 1380/2013.

Amendment

This Regulation shall apply to all fishing activities within the scope of the Common Fisheries Policy as set out in Article 1(2) of Regulation (EU) No 1380/2013 ***with the following exemptions:***

- a) vessels using driftnets within 12 miles of the coastline of a member state***
- b) vessels using driftnets outside of 12 miles of the coastline of a member state where the minimum mesh size is 47 mm for pelagic fisheries and 90mm for demersal fisheries***

Or. en

Amendment 85
Lidia Senra Rodríguez

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

This Regulation ***shall apply to all fishing activities within the scope of the Common Fisheries Policy as set out in Article 1(2) of Regulation (EU) No 1380/2013.***

Amendment

This Regulation ***relating to professional fisheries shall apply in internal maritime waters, in territorial seas and in the exclusive economic zone corresponding to the Member States of the European Union.***

Amendment 86

**Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné,
Annie Schreijer-Pierik**

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation shall apply to all fishing activities within the scope of the Common Fisheries Policy as set out in Article 1(2) of Regulation (EU) No 1380/2013.

Amendment

This Regulation shall apply to all fishing activities within the scope of the Common Fisheries Policy as set out in Article 1(2) of Regulation (EU) No 1380/2013, ***with the exception of vessels meeting the requirements set out in the second paragraph.***

Or. es

Justification

Gear which is sustainable from an environmental point of view, such as for instance the xeito, sardinal and similar gear, should not be included in this Regulation.

Amendment 87

**Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné,
Annie Schreijer-Pierik**

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Fishing gear of a kind which does not entail any risk to protected or endangered species, and the vessels which use such gear, shall remain outside of the scope of this Regulation.

Or. es

Justification

Gear which is sustainable from an environmental point of view, such as for instance the ☐xeito☐, ☐sardinal☐ and similar gear, should not be included in this Regulation.

Amendment 88

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Article 1 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Scope

Scope

1b. Member States shall forward a list of the fisheries which meet the requirements laid down in the second paragraph, together with a scientific and/or technical justification, to the European Commission before 31 December 2015.

Or. es

Justification

Gear which is sustainable from an environmental point of view, such as for instance the ☐xeito☐, ☐sardinal☐ and similar gear, should not be included in this Regulation.

Amendment 89

Gabriel Mato, Francisco José Millán Mon, Carlos Iturgaiz, Verónica Lope Fontagné, Annie Schreijer-Pierik

Proposal for a regulation

Article 1 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. The European Commission shall be authorised to adopt a delegated act with the list of the fishing gears referred to in the second paragraph.

Justification

Gear which is sustainable from an environmental point of view, such as for instance the □xeito□, □sardinal□ and similar gear, should not be included in this Regulation.

Amendment 90

Lidia Senra Rodríguez

Proposal for a regulation

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1a

Purpose

1. This Regulation lays down the rules concerning the use and technical specifications of driftnets authorised for commercial fishing of the targeted species listed paragraph 2 in the waters of the EU Member States.

2. The only species that may be caught with these nets are sardine, sprat, anchovy, Atlantic saury and related species to which the permitted mesh sizes apply.

Amendment 91

Diane Dodds

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Commission

Amendment

2. In addition, a 'driftnet' means a net made up of one or more walls of netting, hung jointly in parallel on the headline(s), held on the water surface or at a certain

deleted

distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached. It may be equipped with devices aiming to stabilise the net or to limit its drift such as a sea-anchor or an anchor on the bottom attached at one single end of the net.

Or. en

Amendment 92
Ian Duncan

Proposal for a regulation
Article 2 – paragraph 2

Text proposed by the Commission

Amendment

2. In addition, a 'driftnet' means a net made up of one or more walls of netting, hung jointly in parallel on the headline(s), held on the water surface or at a certain distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached. It may be equipped with devices aiming to stabilise the net or to limit its drift such as a sea-anchor or an anchor on the bottom attached at one single end of the net.

deleted

Or. en

Amendment 93
Jarosław Wałęsa

Proposal for a regulation
Article 2 – paragraph 2

Text proposed by the Commission

Amendment

2. In addition, a 'driftnet' means a net made up of one or more walls of netting, hung

2. In addition, a 'driftnet' means a net made up of one or more walls of netting, hung

jointly in parallel on the headline(s), held on the water surface or at a certain distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached.

It may be equipped with devices aiming to stabilise the net or to limit its drift such as a sea-anchor or an anchor on the bottom attached at one single end of the net.

jointly in parallel on the headline(s), held on the water surface or at a certain distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached.

Or. en

Amendment 94
Isabelle Thomas

Proposal for a regulation
Article 3

Text proposed by the Commission

Amendment

Article 3

deleted

Prohibition of driftnets

It shall be prohibited:

(a) to catch any marine biological resource with driftnets; and

(b) to keep any kind of driftnet on board of fishing vessels

Or. fr

Amendment 95
Sylvie Goddyn

Proposal for a regulation
Article 3 – title

Text proposed by the Commission

Amendment

Prohibition of driftnets

Impact assessment on driftnet fishing

Or. fr

Justification

In the absence of proper impact assessments, any ban on, or measures to regulate, driftnet fishing should be ruled out.

Amendment 96
Sylvie Goddyn

Proposal for a regulation
Article 3

Text proposed by the Commission

Amendment

Prohibition of driftnets

deleted

It shall be prohibited:

(a) to catch any marine biological resource with driftnets; and

(b) to keep any kind of driftnet on board of fishing vessels

Or. fr

Justification

In the absence of proper impact assessments, any ban on, or measures to regulate, driftnet fishing should be ruled out.

Amendment 97
Diane Dodds

Proposal for a regulation
Article 3

Text proposed by the Commission

Amendment

Prohibition of driftnets

deleted

It shall be prohibited:

(a) to catch any marine biological resource with driftnets; and

(b) to keep any kind of driftnet on board of fishing vessels

Amendment 98
Ian Duncan

Proposal for a regulation
Article 3

Text proposed by the Commission

Amendment

Prohibition of driftnets

deleted

It shall be prohibited:

(a) to catch any marine biological resource with driftnets; and

(b) to keep any kind of driftnet on board of fishing vessels

Amendment 99
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 – title

Text proposed by the Commission

Amendment

Prohibition of driftnets

Rules governing commercial driftnet fishing

Amendment 100
José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation
Article 3 – title

Text proposed by the Commission

Amendment

Prohibition of driftnets

Regulation of the use of driftnets

Amendment 101
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

It shall be prohibited:

1. The driftnets permitted for commercial fishing of the species targeted shall be those defined and established under this Regulation.

2. Use of authorised driftnets shall take account of closed seasons or restricted seasons for the catch species or the provisional suspension of fishing activities in certain areas for biological or other reasons.

Or. es

Amendment 102
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

a) to catch any marine biological resource with driftnets; and

deleted

Or. es

Amendment 103
Jarosław Wałęsa

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) to catch any marine biological resource with driftnets; **and**

(a) to catch any marine biological resource with driftnets **longer than 2.5 kilometre;**

Or. en

Amendment 104

Liadh Ní Riada

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) to catch any marine biological resource with driftnets; and

(a) to catch any marine biological resource with driftnets as far as large fish processing vessels, otherwise called factory ships, are concerned; and

Or. en

Amendment 105

Ulrike Rodust, Gesine Meissner, Nils Torvalds

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) to **catch any marine biological resource with driftnets;** and

(a) to **use driftnets longer than 1000 metres;** and

Or. en

Amendment 106

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

a) to catch any marine biological resource with driftnets; and

a) **to use** driftnets **longer than 2 500 metres**; and

Or. es

Amendment 107
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

a) to catch any marine biological resource with driftnets; **and**

a) **to use** driftnets **longer than 2 500 metres**;

Or. es

Amendment 108
Marco Affronte

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) **to catch any marine biological resource with driftnets; and**

(a) **to use driftnets longer than 1000 metres**;

Or. it

Amendment 109
Ricardo Serrão Santos, Richard Corbett

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) to *catch any marine biological resource with driftnets*; and

(a) to *use driftnets longer than 1000 metres*; and

Or. en

Amendment 110
Jaroslav Wałęsa

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) to *keep any kind of driftnet on board of fishing vessels*

deleted

Or. en

Amendment 111
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) to *keep any kind of driftnet on board of fishing vessels*

deleted

Or. es

Amendment 112
Josu Juaristi Abaunz

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) to keep any kind of driftnet on board of fishing vessels *deleted*

Or. es

Amendment 113

Liadh Ní Riada

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) to keep any kind of driftnet on board of *fishing* vessels

(b) to keep any kind of driftnet on board of *the aforementioned* vessels

Or. en

Amendment 114

Ulrike Rodust, Gesine Meissner, Nils Torvalds

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) to *keep any kind of driftnet on board of fishing vessels*

(b) to *carry on board of fishing vessels driftnets of an aggregate length exceeding 1000 metres. The total length of several driftnets shall not exceed 1000 metres.*

Or. en

Amendment 115

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) to keep any kind of driftnet on board of fishing vessels

b) to keep on board of fishing vessels ***driftnets exceeding the length specified in point (a)***

Or. es

Amendment 116
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) to keep any kind of driftnet on board of fishing vessels

b) to keep on board of fishing vessels ***driftnets exceeding 2 500 metres in length***

Or. es

Amendment 117
Marco Affronte

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) to ***keep any kind of driftnet*** on board of fishing vessels

(b) to ***carry*** on board of fishing vessels ***driftnets of an aggregate length exceeding 1000 metres;***

Or. it

Amendment 118
Ricardo Serrão Santos, Richard Corbett

Proposal for a regulation
Article 3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) to **keep any kind of driftnet on board of fishing vessels**

(b) to **carry on board of fishing vessels driftnets of an aggregate length exceeding 1000 metres**

Or. en

Amendment 119
Ivan Jakovčić

Proposal for a regulation
Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) For small driftnets the above prohibition shall apply from 1 January 2018.

Or. hr

Amendment 120
José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation
Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

ba) Fishing vessels equipped with driftnets less than 1000 metres in total length and engaged in traditional, or small-scale fishing activities on a sustainable basis, shall be accorded concessions so as to ensure their survival as unique models of sustainable social, economic and environmental development, exempting them from any requirements preventing or restricting their normal activities.

Or. es

Amendment 121
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

ba) small-scale fishing such as that involving the use of 'xeito' and 'sardinal' gear shall be exempted.

Or. es

Amendment 122
Marco Affronte

Proposal for a regulation
Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) within the Mediterranean Sea, to store, transport, keep on board or use driftnets longer than 500 metres or with a mesh size exceeding 50 mm or used by fishing vessels longer than 10 metres or used beyond the three-mile limit;

Or. it

Amendment 123
David-Maria Sassoli

Proposal for a regulation
Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) Fisheries using driftnets that are not prohibited under Article 3 shall be carried out in such a way as to ensure that:

- (i) catches of, and other harm to, protected species are avoided;*
- (ii) catches of unwanted species are kept to a minimum, thus maintaining the sustainability of the marine environment;*
- (iii) undertakings and workers that practise sustainable fishing are protected.*

Or. it

Amendment 124
Sylvie Goddyn

Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Impact assessments on driftnet fisheries, and studies on the state of fish stocks in European fisheries, should be carried out without delay.

Or. fr

Amendment 125
Josu Juaristi Abaunz

Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The prohibition shall not apply to small-scale fishing activity using traditional fishing gear regulated under exclusive inshore fishery provisions and subject to technical conservation, management and responsible exploitation requirements, ensuring the rational exploitation of marine fishery resources.

Or. es

Justification

This is the case for Galician 'xeito' governed by Decree 15/2011 regulating the gear, tackle, tools and equipment permitted for the extraction of living marine resources in Galician waters, in accordance with Articles 27 and 28 of the Galician Statute of Autonomy conferring upon it sole responsibility for inshore fishing, shellfishing and aquaculture, as well as responsibility for legislation and for enforcement of national legislation in the fisheries sector.

Amendment 126

Ian Duncan, Julie Girling

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Before the prohibition of any type of driftnet, the European Parliament shall carry out a detailed impact assessment by driftnet type.

Or. en

Amendment 127

Renata Briano, Richard Corbett, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Objectives for driftnet fisheries

Fisheries using driftnets that are not prohibited under Article 3 shall be carried out in such a way to ensure that:

- (a) catches of, and harm to, protected species as listed in the annexes of the Habitats and Birds Directives are avoided; and***
- (b) unwanted catches are minimised.***

Justification

The list of protected species, that fishermen shall avoid to catch or harm, is different from the list of prohibited species, whose catch is forbidden and constitutes a case of illegal fishing.

Amendment 128

Ulrike Rodust, Gesine Meissner, Nils Torvalds, Renata Briano

Proposal for a regulation

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Objectives for driftnet fisheries

Fisheries using driftnets that are not prohibited under Article 3 shall be carried out in such a way to ensure that:

(a) catches of, and harm to, protected species as listed in the annexes of the Habitats and Birds Directives are avoided; and

(b) unwanted catches are minimised; and

(c) the mesh size, length and height of driftnets are ensured for increased selectivity and to minimise the negative impact on the ecosystem.

Justification

The list of protected species, that fishermen shall avoid to catch or harm, is different from the list of prohibited species whose catch is forbidden and constitutes a case of illegal fishing.

Amendment 129

Lidia Senra Rodríguez

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Boat size and engine power

- 1. Newly built commercial driftnet fishing vessels shall have a minimum tonnage of 1.5 GT and an overall length of at least 5 metres.***
- 2. The maximum authorised driftnet fishing tonnage shall be 50 GRT or 52 GT.***
- 3. The maximum length of driftnet fishing vessels shall be no more than 15 metres between perpendiculars or 18 metres overall.***
- 4. The maximum engine capacity of driftnet fishing vessels shall be 270 horsepower (HP), subject to restrictions regarding the organisation of the fishing sector and adjustment to the European Fisheries Fund, or those laid down in the instrument replacing or amending them.***

Or. es

Amendment 130
Isabelle Thomas

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Conditions for the use of driftnets

- 1. The master of a fishing vessel using one or more driftnets shall ensure that:***
 - (a) the net is watched at all times during fishing activity;***

(b) each extremity of the driftnet is marked in a visible manner so that its position can be determined at any time. The driftnets must be permanently marked with the registration letter(s) and number of the vessel to which they belong.

2. Article 14 of Regulation (EC) No 1224/2009 notwithstanding, the master of a vessel using one or more driftnets shall record the following information in a logbook, or its equivalent, e.g. a fishing form, where such already exists, on a daily basis:

(a) the total length of the driftnets on board;

(b) the total length of the driftnets used by fishing trip;

(c) the quantity of each cetacean, reptile and seabird species caught during each fishing operation;

(d) the quantity of each species held on board;

(e) the date and position of such catches.

In accordance with point (e) of Article 7(1) of Regulation (EC) No 1224/2009, all vessels, regardless of their length, using one or more driftnets shall be required to have prior authorisation to fish, issued by the competent authority of the flag state.

Or. fr

Amendment 131
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Driftnet fishing targets

Small-scale driftnet fishing for pelagic species not prohibited under Article 3 shall be carried out in such a way as to:

a) prevent the capture of, or any injury to, protected species and

b) minimise catches of unwanted species.

The fishing vessels used shall be eligible for European Maritime and Fisheries Fund assistance to develop and implement innovative selection systems designed to meet the above targets.

Or. es

Amendment 132

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

Proposal for a regulation

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Conditions for fishing with driftnets

1. Vessels engaged in driftnet fishing may not use simultaneously another type of gear and any other gear on board shall be stowed and secured as stipulated under Article 47 of Regulation (EC) N° 1224/2009.

2. The master of a fishing vessel using one or more driftnets shall ensure that:

a) nets in use remain under constant visual observation;

b) markers are affixed to each end of the net, so that its position may be determined at any time. Driftnets shall be

permanently marked with the registration letters and numbers of the vessel to which they belong.

3. In accordance with Article 7(1)(e) of Regulation (EC) No 1224/2009, all fishing vessels over 12 metres in length using one or more drift-nets must have a prior fishing authorisation issued by the competent authorities of the flag Member State.

Or. es

Justification

The rapporteur's amendment 9 could have drastic consequences for the small-scale fleet and would represent a disproportionate cost in certain cases, such as 'xeito' or 'sardinal' fishing activities in Spain. Certain measures would be very complex to implement in with regard to fishing activities making use of many different ports. Many fishing activities take place close inshore, with the result that a two-hour notice period would mean very long and unnecessary waiting times. There is no need to introduce registration requirements in addition to those stipulated under EU rules.

Amendment 133 **Remo Sernagiotto**

Proposal for a regulation **Article 3 a (new)**

Text proposed by the Commission

Amendment

Article 3a

Conditions for driftnet fisheries

- 1. During a fishing trip involving the use of driftnets, no other kind of gear may be carried on board the fishing vessel.*
- 2. The master of a fishing vessel using one or more driftnets shall ensure that:*
 - (a) devices are attached to each end of the driftnet so that its position can be determined at any time. The driftnets must be permanently marked with the registration letter(s) and number of the*

vessel to which they belong.

3. In addition to the provisions of Article 14 of Council Regulation (EC) No 1224/2009*, the master of a fishing vessel with a length overall exceeding 10 metres using one or more driftnets shall record in a logbook the following information on a day-to-day basis:

(a) the total length of the nets on board;

(b) the total length of the nets used in each fishing operation;

(c) the total number of cetaceans, reptiles and seabirds caught accidentally.

4. As provided for in point (e) of Article 7(1) of Council Regulation (EC) No 1224/2009, all fishing vessels using one or more driftnets shall, regardless of the length of the vessel concerned, have prior authorisation to fish issued by the competent authorities of the flag Member State.

**** Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).***

Or. it

Justification

The purpose of this Article is to set out conditions for the use of driftnets.

Amendment 134
Marco Affronte

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Conditions for driftnet fisheries

- 1. During a fishing trip involving the use of driftnets, no other kind of gear may be carried on board the fishing vessel.*
- 2. Landing of catches from driftnet fisheries shall take place only in designated ports. Masters of vessels using one or more driftnets who wish to use a landing location in a Member State shall notify the competent authorities in the Member State concerned, at least two hours before arrival in port, of the planned landing location and time of arrival.*
- 3. The master of a fishing vessel using one or more driftnets shall ensure that:*
 - (a) during fishing activity, the net is kept under constant visual observation;*
 - (b) devices are attached to each end of the driftnet so that its position can be determined at any time. The driftnets must be permanently marked with the registration letter(s) and number of the vessel to which they belong.*
- 4. Without prejudice to Article 14 of Council Regulation (EC) No 1224/2009*, the master of a fishing vessel using one or more driftnets shall record in an electronic logbook the following information on a day-to-day basis:*
 - (a) the total length of the nets on board;*
 - (b) the total length of the nets used in each fishing operation;*
 - (c) the mesh size used;*

- (d) the common name of the net used;*
- (e) the quantity of each species caught during each fishing operation, including cetaceans, turtles and seabirds, by-catches and discards at sea;*
- (f) the quantity of each species held on board;*
- (g) the date and position of such catches.*

5. The data registered as referred to in paragraph 4 must be communicated to the appropriate authorities identified by the individual Member States before and not after 31 January of the year following that to which the data collected refer.

6. As provided for in point (e) of Article 7(1) of Regulation (EC) No 1224/2009, all fishing vessels using one or more driftnets shall, regardless of the length of the vessel concerned, have prior authorisation to fish issued by the competent authorities of the flag Member State.

Or. it

Amendment 135
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 b (new)

Text proposed by the Commission

Amendment

Article 3b

Conditions for fishing with driftnets

1. Vessels engaged in driftnet fishing may not use simultaneously any other gear and any such gear shall be stowed and secured in accordance with Article 47 of Regulation (EC) N° 1224/2009

2. Without prejudice to Article 14 of Council Regulation (EC) No 1224/2009^{1a} the master of a fishing vessel using one or

more driftnets shall record daily in a logbook the following information:

a) the total length of the nets on board;

b) the total length of the nets used for each fishing operation;

c) the quantity of each species caught during each fishing operation, including cetaceans, reptiles, seabirds, by-catches and discards;

The quantity of each species held on board,

The date and position of such catches.

3. In accordance with Article 7(1)(e) of Regulation (EC) No 1224/2009, all fishing vessels using one or more driftnets must, irrespective of the length of the vessel concerned, be issued with prior fishing authorisation the authorities of the flag Member State.

1 Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 388/2006, (EC) No 1300/2008 and (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

Or. es

Amendment 136

Renata Briano, Ricardo Serrão Santos, David-Maria Sassoli

**Proposal for a regulation
Article 3 b (new)**

Text proposed by the Commission

Amendment

Article 3b

Conditions for driftnet fisheries

- 1. During a fishing trip involving the use of driftnets, no other kind of gear may be carried on board the fishing vessel.***
- 2. Landing of catches from driftnet fisheries shall take place only in designated areas.***
- 3. The master of a fishing vessel using one or more driftnets shall ensure that signals are attached to each end of the driftnets, so that its positions can be determined at any time. The driftnets must be permanently marked with the registration letter(s) and number of the vessel to which they belong.***
- 4. Without prejudice to Article 14 of Council Regulation (EC) No 1224/2009, the master of a fishing vessel longer than 10 metres using one or more driftnets shall record in a logbook the following information:***
 - (a) the total length of the nets on board;***
 - (b) the total length of the nets used in each fishing operation;***
 - (c) the number of cetaceans, reptiles and seabirds, by-catches and discard at sea;***
 - (d) the date and position of such catches.***

As provided for in point (e) of Article 7(1) of Regulation (EC) No 1224/2009, all fishing vessels using one or more driftnets shall, regardless of the length of the vessel concerned, have prior authorization to fish issued by the competent authorities of the flag Member State.

Or. en

Justification

In addition to the obligation to record the quantity of each species caught during each fishing operation, as provided for by Reg. 1224/2009, an obligation to record the number of cetaceans, reptiles and seabirds is necessary in order to verify the impact of driftnets on environment. The exemption for small scale vessels (length equal or superior to 10 metres) is justified by the environmental sustainability of the artisanal fisheries that escapes the application of the precautionary principle.

Amendment 137

Lidia Senra Rodríguez

Proposal for a regulation

Article 3 b (new)

Text proposed by the Commission

Amendment

Article 3b

Period of activity

Commercial driftnet fishing may be carried out for five days a week only, with a compulsory minimum weekly rest period of 48 hours consecutively, including all or part of Sundays.

Or. es

Amendment 138

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

Proposal for a regulation

Article 3 b (new)

Text proposed by the Commission

Amendment

Article 3b

Regionalised measures

- 1. Measures necessary to ensure the environmental sustainability of driftnets shall be drafted on a regionalised basis.***
- 2. The measures referred to in paragraph 1 may include:***

- a) prohibitions or restrictions concerning the use of driftnets shorter than 2500 metres;*
- b) the addition of new prohibited species;*
- c) a total ban on the use of driftnets in a given sea area or specific fishery;*

Or. es

Justification

This amendment is an alternative to the rapporteur's amendment 10. It does not make any sense to introduce driftnet specifications in addition to those already applicable in the Member States. Moreover, point 3 of the same amendment could cause problems if fleets were obliged to change fishing gear unnecessarily.

Amendment 139
Marco Affronte

Proposal for a regulation
Article 3 b (new)

Text proposed by the Commission

Amendment

Article 3b

Regionalised measures

- 1. Measures necessary to attain the objectives set out in Article 3a shall be developed on a regionalised basis.*
- 2. The measures referred to in paragraph 1 may include:*
 - (a) prohibitions and restrictions regarding the use of driftnets not mentioned in points (a) or (b) of Article 3;*
 - (b) adding species to the list set out in the Annex;*
 - (c) a total ban on the use of driftnets in a specific sea or fishery;*
 - (d) further definitions regarding the technical characteristics of driftnets, such as mesh size;*

(e) further definitions regarding the use of driftnets, such as distance from shore.

Or. it

Amendment 140
Isabelle Thomas

Proposal for a regulation
Article 3 b (new)

Text proposed by the Commission

Amendment

Article 3b

Regionalised measures

1. Existing plans notwithstanding, the requisite measures for achievement of the aims of this Regulation shall be set out in national, regional or local management plans as provided for in Article 19 of Regulation (EU) No 1380/2013.

2. The measures referred to in paragraph 1 may include:

(a) restrictions as to the use of driftnets not covered by points (a) and (b) of Article 3;

(b) additions to the list of species annexed to the Regulation;

(c) a complete ban on driftnets in a specific area or fishery;

(d) further stipulations on the technical characteristics of the driftnets, such as the mesh;

(e) further stipulations as to the use of the driftnets, e.g. on distances from shore.

Or. fr

Amendment 141
Isabelle Thomas

Proposal for a regulation
Article 3 c (new)

Text proposed by the Commission

Amendment

Article 3c

***Procedure for adoption of national
regionalisation measures***

***Existing national, local and regional
management plans notwithstanding,
Article 19 of Regulation (EU)
No 1380/2013 shall apply to the national
regionalisation measures referred to in
Article 3b.***

Or. fr

Amendment 142

Renata Briano, Richard Corbett, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation
Article 3 c (new)

Text proposed by the Commission

Amendment

Article 3c

Regionalised measures

- 1. Upon recommendations by Member States, measures necessary to attain the objectives set out in Article 3a shall be developed on a regionalised basis.***
- 2. The measures referred to in paragraph 1 may include:***
 - (a) restrictions regarding the use of driftnets not mentioned in points (a) and (b) of Article 3;***
 - (b) adjustment of the protected species to the local conditions;***
 - (c) technical characteristics of driftnets, such as mesh size, length and height of the net;***

(d) further measures regarding the use of driftnets, such as distance from shore, holding time of the driftnet in sea.

(e) possible procedure and time of notification of the planned landing location and time of arrival;

(f) consequences and actions to be taken if there is any harm or by-catch to protected species.

3. The use of driftnets in a specific fishery may only be restricted if alternative gear is available which has significantly less negative effects from an environmental point of view.

Or. en

Justification

The aim is to avoid excessive powers to the Commission when adopting delegated acts. This amendment assures that in any case the Commission cannot ban the use of driftnets.

Amendment 143
Izaskun Bilbao Barandica

Proposal for a regulation
Article 3 c (new)

Text proposed by the Commission

Amendment

Article 3c

Regionalised measures

1. Measures necessary to achieve the objectives of this Regulation shall be drafted on a regionalised basis.

2. The measures referred to in paragraph 1 may include:

a) prohibitions or restrictions concerning the use of driftnets not referred to in Article 3, (a) or (b);

b) the addition of species to the list

contained in the Annex;

c) a total ban on the use of drift nets in a given sea area or specific fishery;

d) additional driftnet specifications such as mesh size;

e) additional restrictions governing driftnet use, such as distance from the coast.

Or. es

Amendment 144
Marco Affronte

Proposal for a regulation
Article 3 c (new)

Text proposed by the Commission

Amendment

Article 3c

Review

1. Member States having a direct management interest affected by the measures referred to in Article 3c shall report to the Commission on the implementation of this Regulation within two years after its entry into force and every third year thereafter.

2. On the basis of the data collected as referred to in Article 3a(5), Member States shall draw up an annual report to be submitted to the Commission by 31 May of the year following that to which the data refer, setting out the relevant aggregate data (see Article 3b) and conclusions as to the environmental sustainability of the individual items of fishing gear used.

3. The Commission shall, on the basis of the reports from Member States referred to in paragraphs 1 and 2, and taking into account scientific advice, including from STECF and ICES, evaluate, in the year

following that in which it receives those reports, the impact of the measures adopted in accordance with this Regulation on the stocks and fisheries concerned.

Or. it

Amendment 145
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 c (new)

Text proposed by the Commission

Amendment

Article 3c

Prohibitions

- 1. Simultaneous use of different types of fishing gear shall be prohibited and no fishing gear other than driftnets may be used on the same day.*
- 2. It shall also be prohibited to carry on board fishing gear or equipment other than driftnets.*
- 3. The setting of driftnets in navigation channels, leading lines, port access channels, and anchoring grounds indicated on marine charts shall be prohibited.*
- 4. The setting of driftnets within 250 metres of coastline beaches duly marked out with buoys shall be prohibited from 1 June to 30 September.*

Or. es

Amendment 146
Isabelle Thomas

Proposal for a regulation
Article 3 d (new)

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Text proposed by the Commission

Amendment

Article 3d

Impact assessment

1. In order to identify current shortcomings in terms of control arrangements and scientific monitoring at EU level, and to produce an up-to-date picture of the environmental sustainability, and especially the selectivity, of the various fisheries using driftnets, the Commission should carry out an impact assessment on the European and national legislation currently in force.

2. The impact assessment should also include data on the number of jobs linked to driftnet fishing in the various European fisheries, and on the economic importance of the activity.

3. The Commission will be empowered, on the basis of the assessment, to make recommendations to the Member States concerning the management and control of driftnet fishing.

4. The impact assessment will be published two years after the entry into force of this Regulation.

Or. fr

Amendment 147
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 d (new)

Text proposed by the Commission

Amendment

Article 3d

Driftnet marker buoys

1. The presence of driftnets shall be

indicated by means of orange or yellow marker buoys at least, situated at their extremities and equipped with radar reflectors or other reflecting devices. The diameter of the buoys shall be at least 350 millimetres.

2. The buoys situated at the extremities of the net and along its length shall display clearly and prominently the vessel name, together with its registration number and page and approved gear indicated with the initials: RD

3. Vessels must remain attached to one end of driftnets being used, whose presence must be signalled as indicated in paragraphs 1 and 2. For the purposes of night-time fishing, a light shall be displayed at the opposite end of the vessel.

Or. es

Amendment 148

Renata Briano, Richard Corbett, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation Article 3 d (new)

Text proposed by the Commission

Amendment

Article 3d

Procedure for adoption of regionalised measures

1. Article 18 of Regulation (EU) No 1380/2013 shall apply to the regionalised measures referred to in Article 3c of this Regulation. Joint recommendations in accordance with Article 18(7) of Regulation (EU) No 1380/2013 may be submitted by 1 January 2017.

2. The Commission shall be empowered to adopt delegated acts upon receipt of the joint recommendations referred to in paragraph 1 of this Article, following consultations with the European

*Parliament and the Advisory Councils
and in accordance with Article 3g setting
on the regionalised measures referred to
in Article 3c.*

*3. By way of derogation from paragraphs
1 to 3 of this Article, in respect of waters
covered by Regulation (EC) No
1967/2006, such regionalised measures
may be adopted as part of the
management plans referred to in Article
19 of that Regulation.*

Or. en

Amendment 149
Isabelle Thomas

Proposal for a regulation
Article 3 e (new)

Text proposed by the Commission

Amendment

Article 3e

Infringements

*Any infringement of the ban on the use of
driftnets more than 2 500 metres along, or
of the ban on targeting species included in
the list annexed hereto, shall be regarded
as gross or wilful negligence.*

Or. fr

Justification

The control regulation will have to be revised to include provision for a type of infringement worse than a 'serious infringement'.

Amendment 150
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 e (new)

Text proposed by the Commission

Amendment

Article 3e

Distance between fishing gear and nets
When driftnets are unfurled in the vicinity of others that have already been set, a suitable distance shall be maintained so as not to hamper commercial fishing operations.

Or. es

Amendment 151
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 f (new)

Text proposed by the Commission

Amendment

Article 3f

Measurement of driftnets

1. The mesh size shall be the distance in a straight line measured internally between two opposite knots of a mesh measured diagonally when the net is fully extended. For knotless nets, mesh size shall be defined as the distance in a straight line between opposite corners of a mesh measured diagonally when the net is fully extended.

2. Mesh sizes must be measured when the driftnet is wet and after use, with 20 measurements being made of different parts of the net and the average taken as the definitive mesh size, always in accordance with. Regulation (EC) N° 517/2008 of 10 June 2008 laying down detailed rules for the implementation of Regulation (EC) N° 850/1998 as regards the determination of the mesh size and assessing the thickness of twine of fishing

nets, or any provision replacing it.

Or. es

Amendment 152

Renata Briano, Richard Corbett, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation

Article 3 g (new)

Text proposed by the Commission

Amendment

Article 3g

Exercise of delegated powers

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The power to adopt delegated acts as referred to in Article 3d shall be conferred on the Commission for a period of five years from (the entry into force of this Regulation). 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.***
- 3. The delegation of power referred to in Article 3d may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.***

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 3d shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Or. en

Amendment 153
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 g (new)

Text proposed by the Commission

Amendment

Article 3g

Driftnets used for commercial sea fishing

A driftnet is a gillnet consisting of a rectangular piece of netting between two surface lines kept afloat by buoys, allowing the net to be set at various depths using weighted sinkers. One end of the net must remain attached to the vessel with a line of variable length, while the other end remains free.

Or. es

Amendment 154
Lidia Senra Rodríguez

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Proposal for a regulation
Article 3 h (new)

Text proposed by the Commission

Amendment

Article 3h

Technical specifications

The driftnet shall comply with the following technical specifications:

- a). The mesh size shall be between 23 and 40 mm;***
- b) The maximum distance between the ropes or lines of the unfurled net shall be 16 metres;***
- c) The maximum length of each of the individual driftnet sections or panels shall be 70 metres and the maximum extended length shall be 100 metres;***
- d) the maximum total driftnet length authorised per vessel per day shall not, under any circumstances, exceed 1000 metres.***

Or. es

Amendment 155
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 i (new)

Text proposed by the Commission

Amendment

Article 3i

Working hours

The weekly rest period for driftnet fishing activities shall be between 12.00 on Saturday and 12.00 on Monday.

Or. es

Amendment 156
Lidia Senra Rodríguez

Proposal for a regulation
Article 3 j (new)

Text proposed by the Commission

Amendment

Article 3j

Fishing activity

Driftnet fishing may be carried out throughout year except during the temporary suspension of fishing activities for certain species or in certain sea areas.

Or. es

Amendment 157
Sylvie Goddyn

Proposal for a regulation
Article 4

Text proposed by the Commission

Amendment

Article 4

deleted

Amendments of related Regulations

1. In Article 20 of Regulation (EC) No 850/98, paragraph 3 is deleted.

2. Regulation (EC) No 812/2004 is amended as follows:

(a) Article 1a is deleted;

(b) in Annex I, points A (b) and E (b) are deleted;

(c) in Annex III, point D is deleted.

3. Article 2(o), Article 9 and Article 10 of Regulation (EC) No 2187/2005 are deleted.

4. In Annex II (a) of Regulation (EC) No 1967/2006, the words "and drifting nets"

are deleted.

Or. fr

Justification

This provision becomes irrelevant if the proposal to ban driftnets is rejected.

Amendment 158

Isabelle Thomas

Proposal for a regulation

Article 4

Text proposed by the Commission

Amendment

Article 4

deleted

Amendments of related Regulations

1. In Article 20 of Regulation (EC) No 850/98, paragraph 3 is deleted.

2. Regulation (EC) No 812/2004 is amended as follows:

(a) Article 1a is deleted;

(b) in Annex I, points A (b) and E (b) are deleted;

(c) in Annex III, point D is deleted.

3. Article 2(o), Article 9 and Article 10 of Regulation (EC) No 2187/2005 are deleted.

4. In Annex II (a) of Regulation (EC) No 1967/2006, the words "and drifting nets" are deleted.

Or. fr

Amendment 159

Diane Dodds

Proposal for a regulation

Article 4

Text proposed by the Commission

Amendment

Article 4

deleted

Amendments of related Regulations

1. In Article 20 of Regulation (EC) No 850/98, paragraph 3 is deleted.

2. Regulation (EC) No 812/2004 is amended as follows:

(a) Article 1a is deleted;

(b) in Annex I, points A (b) and E (b) are deleted;

(c) in Annex III, point D is deleted.

3. Article 2(o), Article 9 and Article 10 of Regulation (EC) No 2187/2005 are deleted.

4. In Annex II (a) of Regulation (EC) No 1967/2006, the words ‘and drifting nets’ are deleted.

Or. en

Amendment 160
Jarosław Wałęsa

Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) in Annex I, points A (b) and E (b) are deleted;

deleted

Or. en

Amendment 161
Nils Torvalds

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

Text proposed by the Commission

Amendment

i) Annex I

Prohibited Species

***Albacore,
Bluefin tuna,
Bigeye tuna,
Skipjack,
Atlantic bonito,
Yellowfin tuna,
Blackfin tuna,
Little tuna,
Southern bluefin tuna,
Frigate tuna,
Oceanic sea breams,
Marlins,
Sailfishes,
Salmon,
Sea Trout,
Swordfishes,
Sauries,
Dolphinfishes,
Sharks, and
Cephalopods***

Or. en

Justification

The species in this list may under no circumstances be fished by using driftnets regardless of net lengths, mesh size, boat size or geographical area.

**Amendment 162
Jarosław Wałęsa**

Proposal for a regulation
Article 4 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) in Annex III, point D is deleted.

deleted

Or. en

Amendment 163
Nils Torvalds

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Article 2(o), Article 9 and Article 10 of Regulation (EC) No 2187/2005 are deleted.

deleted

Or. en

Justification

Justification: The deletion of this paragraph is of key importance to keep the driftnet ban for targeting salmon and sea trout in the Baltic Sea (Regulation (EC) No 2187/2005) and to protect the highly threatened harbour porpoise and sea birds. The fisheries using driftnets have since 2008 successfully shifted to using long lines for salmon fishing. Finland and Sweden has phased out also that fishery in favour of the more selective and seal safe trap net fishery, in accordance with scientific advice.

Amendment 164
Remo Sernagiotto

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Annex

Prohibited species

Albacore

Bluefin tuna

Bigeye tuna

Skipjack

Yellowfin tuna

Blackfin tuna

Little tuna

Southern bluefin tuna

Oceanic sea breams

Marlins

Sailfishes

Swordfishes

Sharks

Or. it

Justification

The amendment lists species which it is not permitted to catch with driftnets because protected species might accidentally be caught. In comparison with the version in force (Annex VIII to Regulation 894/97), certain species have been deleted from the annex which it is considered can be caught without any risk of accidentally catching protected species, such as dolphins, turtles, etc. The mesh size of driftnets used to catch the species which have been deleted from the annex is too small to enable protected species to be caught.

Amendment 165

Sylvie Goddyn

Proposal for a regulation

Article 5

Text proposed by the Commission

Amendment

Article 5

deleted

Repeal

Regulation (EC) No 894/97 is repealed.

Or. fr

Justification

This regulation does not need to be repealed if the proposal to ban driftnets is rejected.

Amendment 166

Sylvie Goddyn

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

This Regulation shall enter into force on 1 January 2015. *deleted*

Or. fr

Justification

This amendment is self-explanatory.

Amendment 167

Jarosław Wałęsa

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

This Regulation shall enter into force on 1 January 2015.

This Regulation shall enter into force on 1 January 2016.

Or. en

Amendment 168

Renata Briano, Ricardo Serrão Santos, David-Maria Sassoli

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

This Regulation shall enter into force on 1

This Regulation shall enter into force on

January 2015.

the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2017, with the exception of Article 4 paragraph 3, which shall apply from 1 July 2017.

It shall apply to driftnets covered by Regulation (EC) No 2187/2005 and Regulation (EC) No 850/98 from the date when regionalised measures for the respective regions, as referred in Article 3c of this Regulation, enter into force.

Or. en

Amendment 169

José Blanco López, Clara Eugenia Aguilera García

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

This Regulation shall enter into force on 1 January **2015**.

This Regulation shall enter into force on 1 January **2017**.

Or. es