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REPORT

on the proposal for a Council regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea and amending Regulations (EC) No 2847/93 and (EC) No 973/2001 (COM(2003) 589 – C5-0480/2003 – 2003/0229(CNS))

Committee on Fisheries

Rapporteur: Giorgio Lisi

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- *** Assent procedure
majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 16 October 2003 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea and amending Regulations (EC) No 2847/93 and (EC) No 973/2001 (COM(2003) 589 – 2003/0229(CNS)).

At the sitting of 20 October 2003 the President of Parliament announced that he had referred the proposal to the Committee on Fisheries as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy for its opinion (C5-0480/2003).

The Committee on Fisheries appointed Giorgio Lisi rapporteur at its meeting of 25 November 2003.

The committee considered the Commission proposal and draft report at its meetings of 2 December 2003 and 19 January, 16 February and 16 March 2004.

At the last meeting it adopted the draft legislative resolution by 15 votes to 2, with 4 abstentions.

The following were present for the vote: Struan Stevenson (chairman), Rosa Miguélez Ramos (vice-chairwoman), Giorgio Lisi (rapporteur), Elspeth Attwooll, Niels Busk, Nigel Paul Farage, Giovanni Claudio Fava (for Vincenzo Lavarra), Ian Stewart Hudghton, Giorgos Katiforis, Heinz Kindermann, Albert Jan Maat (for Brigitte Langenhagen), Patricia McKenna, Nello Musumeci, Seán Ó Neachtain, Neil Parish (for Hugues Martin), Manuel Pérez Álvarez, Joaquim Píscarreta, Dominique F.C. Souchet, Ioannis Souldakis (for Bernard Poignant), Catherine Stihler and Daniel Varela Suanzes-Carpegna.

The Committee on the Environment, Public Health and Consumer Policy decided on 1 December 2003 not to deliver an opinion.

The report was tabled on 17 March 2004.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea and amending Regulations (EC) No 2847/93 and (EC) No 973/2001 (COM(2003) 589 – C5-0480/2003 – 2003/0229(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 589)¹,
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0480/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A5-0159/2004),
1. Rejects the Commission proposal;
 2. Calls on the Commission to withdraw its proposal and submit a new one;
 3. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.

EXPLANATORY STATEMENT

To date, Mediterranean fisheries have not been paid the attention they deserve within the CFP, despite the major socio-economic role they play in many areas and the strategic importance of the Mediterranean Sea itself.

The Green Paper on CFP reform clearly highlighted the problem of Mediterranean fisheries and acknowledged their specificity and the difficulties experienced to date in implementing the management and conservation measures in force. The action plan for Mediterranean fisheries submitted by the Commission (COM(2002) 535) drew attention to the need for an innovative approach to be adopted, to include flexible measures for the management of resources in the Mediterranean.

Despite the strong calls made by Parliament for due account to be taken of the specificity of the Mediterranean and for flexible measures to be put forward (see the Lisi report on the action plan - A5-0171/2003), the management approach set out in the Commission proposal for a regulation currently before us is totally at odds with the real situation in the Mediterranean and, furthermore, fails to include any flanking measures that would be capable of offsetting the disastrous socio-economic impact which it would have.

The proposal has a number of extremely serious shortcomings:

First of all, the central plank of the reform - namely, respect for the specificity of the Mediterranean, of its fleet, of the socio-economic fabric and of fish species and sizes - appears to have been left out of the proposal for a regulation.

Having acknowledged the specificity of a geographical area and the fact that the management policy pursued to date has been a failure, one cannot then put forward a new regulation that shows the same failings as the previous one and even goes so far as to make them worse.

Secondly, the proposed reform of Mediterranean fisheries cannot be carried out without genuine, in-depth consultations first being conducted with those directly affected, namely the fishermen's and shipowners' associations, which over recent years have made huge efforts to enhance the responsibility of their members. Their efforts, which have produced a very large number of examples of good practice, would be wasted if they were to have a regulation imposed on them from above, without their consent.

The discussions (both few in number and limited in scope) that it has been possible to hold with the sector have shown that it is impossible to initiate a constructive debate on the Commission proposal. Your rapporteur is convinced that this is due to the attitude adopted by the Commission which, despite the fact that there are some useful suggestions, is not holding out any prospect of genuine sustainable development of fishing activities in the Mediterranean.

By involving the fishermen, we can ensure that the rules are observed; ignoring their experience and their concerns would in practice push them to the outer fringes of the law.

The third fundamental issue is the Mediterranean Sea's international dimension, which makes it vital for it a multilateral decision-making process to be established.

The recent Venice Conference (26-26 November 2003) was undoubtedly a step towards closer dialogue on fisheries matters with non-Community Mediterranean countries. However, unless all interested parties are actively involved in the attempt to ensure sustainable fishing, there is a risk that it will be European fishermen who will bear the full brunt of the reform without the objective of sustainable exploitation of fish stocks actually being achieved.

Lastly, there are many doubts about the reliability of the scientific basis for many of the proposal's provisions, including those on net size and the minimum size of fish. In other instances, the rules have been severely tightened up without any clear explanation of the scientific basis for doing so or of what the real impact will be on the sustainability of fishing, both in socio-economic terms and in terms of biodiversity.

Given the above, your rapporteur proposes that:

- the proposal for a regulation be rejected;
- the Commission be asked to submit at the earliest opportunity a new proposal that takes due account of all suggestions and proposals that may emerge from thorough and in-depth consultations with all interested parties.