



Plenary sitting

A9-0149/2020

8.9.2020

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 (COM(2019)0619 – C9-0188/2019 – 2019/0272(COD))

Committee on Fisheries

Rapporteur: Giuseppe Ferrandino

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627 (COM(2019)0619 – C9-0188/2019 – 2019/0272(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2019)0619),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0188/2019),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A9-0149/2020),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) At its 21st special meeting in 2018, the International Commission for the Conservation of Atlantic Tunas ('ICCAT'), established by the Convention, adopted Recommendation 18-02 establishing a

Amendment

(4) At its 21st special meeting in 2018, the International Commission for the Conservation of Atlantic Tunas ('ICCAT'), established by the Convention, adopted Recommendation 18-02 establishing a

multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean ('the Management Plan'). The Management Plan follows the advice from the ICCAT's Standing Committee on Research and Statistics ('SCRS') stating that ICCAT should establish a multiannual management plan for the stock in 2018 since the current status of the stock no longer appears to require the emergency measures introduced under the recovery plan for bluefin tuna (established by Recommendation 17-17 amending Recommendation 14-04).

multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean ('the Management Plan'). The Management Plan follows the advice from the ICCAT's Standing Committee on Research and Statistics ('SCRS') stating that ICCAT should establish a multiannual management plan for the stock in 2018 since the current status of the stock no longer appears to require the emergency measures introduced under the recovery plan for bluefin tuna (established by Recommendation 17-17 amending Recommendation 14-04), ***but without weakening existing monitoring and control measures.***

Justification

In its most recent report, ICCAT's SCRS stated that the Commission should consider moving from a rebuilding plan to a management plan, without weakening the current monitoring and control measures.

Amendment 2

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) At its 26th regular meeting in 2019, ICCAT adopted Recommendation 19-04 amending the multi-annual management plan established by Recommendation 18-02. ICCAT Recommendation 19-04 repeals and replaces Recommendation 18-02.

Amendment 3

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The Management plan takes into account the specificities of the different types of gear and fishing techniques. When implementing the Management plan, the Union and Member States should **endeavour to** promote coastal fishing activities and the use of fishing gear and techniques which are selective and have a reduced environmental impact, gear and techniques used in traditional and artisanal fisheries, thereby contributing to a fair standard of living for local economies.

Amendment

(8) The Management plan takes into account the specificities of the different types of gear and fishing techniques. When implementing the Management plan, the Union and Member States should promote coastal fishing activities and the use of fishing gear and techniques which are selective and have a reduced environmental impact, **in particular** gear and techniques used in traditional and artisanal fisheries, thereby contributing to a fair standard of living for local economies. **Examples of such traditional and artisanal fisheries are for instance the age-old technique for trapping and catching tuna known as “almadrabas”, practised in certain parts of the Mediterranean, as well as the small-scale coastal fleet fishery for fresh fish by baitboats, longliners and handliners. When allocating the fishing opportunities available to them, Member States should distribute national quotas fairly and transparently among the various fleet segments, aiming to redistribute part of the quota to traditional and artisanal fisheries, whilst taking into account historic rights.**

Amendment 4

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Member States should ensure that enough of their quota provides for bluefin tuna by-catches, particularly by traditional and artisanal fisheries.

Justification

Many fishers targeting species similar to the bluefin tuna, such as swordfish, do not have a quota for their bluefin tuna by-catches.

Amendment 5

Proposal for a regulation Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) *Account should be taken of the specific characteristics and needs of small-scale artisanal fisheries.*

Amendment 6

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) Taking into account that certain recommendations of ICCAT are being amended frequently by ICCAT Contracting Parties and are likely to be amended further in the future, in order to swiftly implement into Union law future ICCAT recommendations amending or supplementing the ICCAT Management plan, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the following aspects: ***deadlines for the target fishing mortality required to maintain the stock biomass at a level consistent with MSY***; deadlines for reporting information, time periods for fishing seasons; minimum conservation reference sizes; percentages and parameters, the information to be submitted to the Commission; tasks for national observers and regional observers, reasons for refusing the authorisation to transfer fish; reasons for seizing the catches and ordering the release of fish. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work,

(14) Taking into account that certain recommendations of ICCAT are being amended frequently by ICCAT Contracting Parties and are likely to be amended further in the future, in order to swiftly implement into Union law future ICCAT recommendations amending or supplementing the ICCAT Management plan, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the following aspects: deadlines for reporting information, time periods for fishing seasons; minimum conservation reference sizes; percentages and parameters, the information to be submitted to the Commission; tasks for national observers and regional observers, reasons for refusing the authorisation to transfer fish; reasons for seizing the catches and ordering the release of fish. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the

including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

³¹ OJ L 123, 12.5.2016, p. 1.

Interinstitutional Agreement of 13 April 2016 on Better Law-Making³¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

³¹ OJ L 123, 12.5.2016, p. 1.

Justification

The recital needs to be coherent with Article 65 of this Proposal.

Amendment 7

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

The objective of this Regulation is to maintain a biomass of bluefin tuna ***above levels capable of producing maximum sustainable yield.***

Amendment

The objective of this Regulation is to maintain a biomass of bluefin tuna ***around B0.1, achieved by fishing at or less than F0.1.***

Justification

This objective, established by ICCAT, is not in contradiction to the CFP objective on MSY, but it is more specific in terms of the indicator to be used.

Amendment 8

Proposal for a regulation Article 5 – paragraph 1 – point 6

Text proposed by the Commission

(6) 'Recreational fishery' means non-

Amendment

(6) 'Recreational fishery' means non-

commercial fisheries activities exploiting marine biological resources for recreation, tourism *or sport*;

commercial fisheries activities exploiting marine biological resources for recreation *and/or* tourism;

Justification

The definition of a sport fishery should be included in the proposal.

Amendment 9

Proposal for a regulation

Article 5 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6a) "Sport fishery" means non-commercial fisheries whose members adhere to a national sport organisation or are issued with a national sport licence;

Justification

This is the definition given in the ICCAT Recommendation.

Amendment 10

Proposal for a regulation

Article 5 – paragraph 1 – point 12

Text proposed by the Commission

Amendment

(12) 'Caging' means the relocation of live bluefin tuna *in farms and subsequent feeding aiming to fatten and increase their total biomass*;

(12) 'Caging' means the relocation of live bluefin tuna *from the transport cage or trap to the farming or fattening cages*;

Justification

For reasons of clarity and uniformity among CPCs, the definition should be the same as in ICCAT Recommendation 18-02. If there is a problem with this definition, it should be dealt with in the context of ICCAT.

Amendment 11

Proposal for a regulation
Article 5 – paragraph 1 – point 14

Text proposed by the Commission

(14) ‘Farm’ means a marine area clearly defined by geographical coordinates, used for the fattening or farming of bluefin tuna caught by traps and/or purse seiners. A farm could have several farming locations, all of them defined by geographical coordinates with a clear definition of longitude and latitude for each one of the points of the polygon;

Amendment

(Does not affect the English version.)

Amendment 12

Proposal for a regulation
Article 5 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘Stereoscopic camera’ means a camera with two or more lenses, with a separate image sensor or film frame for each lens, enabling the taking of three-dimensional images for the purpose of measuring the length of the fish;

Amendment

(17) ‘Stereoscopic camera’ means a camera with two or more lenses, with a separate image sensor or film frame for each lens, enabling the taking of three-dimensional images for the purpose of measuring the length of the fish ***and assisting in refining the number and weight of bluefin tuna;***

Justification

The definition was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 13

Proposal for a regulation
Article 5 – paragraph 1 – point 32

Text proposed by the Commission

(32) ‘fishing effort’ means the product of the capacity and the activity of a fishing vessel ***to measure the intensity*** of the

Amendment

(32) ‘fishing effort’ means the product of the capacity and the activity of a fishing vessel; ***for a group of fishing vessels it***

fishing *operations*. *This measurement varies from gear to gear. For longline fisheries is measured in number of hooks or hooks-hours. For purse-seiners is measured in terms of boat days (fishing time plus searching time).*

means the sum of the fishing effort of all vessels in the group.

Justification

The ICCAT Recommendations do not provide for a definition of "fishing effort". If a definition had to be included here, this should be the one given in Article 4(1), point 21, of the CFP basic Regulation.

Amendment 14

**Proposal for a regulation
Article 7 – paragraph 2**

Text proposed by the Commission

2. By way of derogation from paragraph 1, the carry-over of non-harvested live bluefin tuna may be permitted if a reinforced system of control is developed and reported by the Commission to the ICCAT Secretariat. That system shall be an integral part of the Member State inspection plan referred to in Article 13, and shall include at least the measures established in Articles 26 (3) and 52.

Amendment

2. By way of derogation from paragraph 1, the carry-over ***within a farm*** of non-harvested live bluefin tuna ***from a previous year's catch*** may be permitted if a reinforced system of control is developed and reported by the Commission to the ICCAT Secretariat. That system shall be an integral part of the Member State inspection plan referred to in Article 13, and shall include at least the measures established in Articles 26 (3) and 52.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 15

**Proposal for a regulation
Article 7 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2a. By way of derogation from paragraph 1, Member States may request

to transfer a maximum of 5 % of their 2019 quota to 2020. Member States shall include that request in their fishing capacity plan.

Justification

Possibility to carry-over unused quota is a possibility for all CPCs and foreseen in the ICCAT Rec. 19-04 and the Member States should have the same possibility.

Amendment 16

**Proposal for a regulation
Article 7 – paragraph 3**

Text proposed by the Commission

3. Before a fishing season starts, Member States responsible for farms shall ensure a thorough assessment of any live bluefin tuna carried over after bulk-harvests in farms under their jurisdiction. To this end, all carried-over live bluefin tuna of the catching year subject to bulk-harvest in farms shall be transferred to other cages using stereoscopic camera systems or alternative methods, provided they guarantee the same level of precision and accuracy, in accordance with Article 50. Fully documented traceability shall be ensured at all times. Carry-over of bluefin tuna of years that were not subject to **harvest** shall be controlled annually **using** the same procedure of **sampling** based on risk assessment.

Amendment

3. Before a fishing season starts, Member States responsible for farms shall ensure a thorough assessment of any live bluefin tuna carried over after bulk-harvests in farms under their jurisdiction. To this end, all carried-over live bluefin tuna of the catching year subject to bulk-harvest in farms shall be transferred to other cages using stereoscopic camera systems or alternative methods, provided they guarantee the same level of precision and accuracy, in accordance with Article 50. Fully documented traceability shall be ensured at all times. Carry-over of bluefin tuna of years that were not subject to **bulk-harvest** shall be controlled annually **by applying** the same procedure **to appropriate samples** based on risk assessment.

Justification

This amendment aims at aligning the text to the ICCAT Recommendations.

Amendment 17

**Proposal for a regulation
Article 10 – paragraph 2**

Text proposed by the Commission

2 Member States **may allocate sectorial quotas to** small scale coastal vessels authorised to fish for bluefin tuna and shall include such allocation in their fishing plans. They shall also include the additional measures to closely monitor the quota consumption by that fleet in their monitoring, control and inspection plans. Member States may authorise a different number of vessels to fully utilise their fishing opportunities, using the parameters referred to in paragraph 1.

Amendment

2. Member States **that have** small scale coastal vessels authorised to fish for bluefin tuna **shall allocate a specific sectorial quota for those vessels** and shall include such allocation in their fishing plans. They shall also include the additional measures to closely monitor the quota consumption by that fleet in their monitoring, control and inspection plans. Member States may authorise a different number of vessels to fully utilise their fishing opportunities, using the parameters referred to in paragraph 1.

Justification

This amendment aims to align the text with point 19(a) of ICCAT Recommendation 19-04.

Amendment 18

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

In accordance with Article 17 of Regulation (EU) No 1380/2013, when allocating the fishing opportunities available to them, Member States shall use transparent and objective criteria, including those of an environmental, social and economic nature, and shall also **endeavour to** distribute national quotas fairly among the various fleet segments giving special consideration to traditional and artisanal fisheries, and **to** provide incentives to Union fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Amendment

In accordance with Article 17 of Regulation (EU) No 1380/2013, when allocating the fishing opportunities available to them, Member States shall use transparent and objective criteria, including those of an environmental, social and economic nature **as well as historic rights**, and shall also distribute national quotas fairly among the various fleet segments giving special consideration to traditional and artisanal fisheries, and provide incentives to Union fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Amendment 19

Proposal for a regulation Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

To that end, Member States which allocate less than 20 % of their bluefin tuna quota to their small-scale coastal vessels shall establish an annual fishing allocation redistribution plan, in order to increase the quota allocated to those vessels. In that plan, Member States shall outline how they shall endeavour to redistribute the quota in accordance with the principles and criteria referred to in the first paragraph.

Amendment 20

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

Amendment

Each Member State with a bluefin tuna quota shall establish an annual fishing capacity management plan. In that plan, Member States shall adjust the number of ***fishing*** vessels in a way ***to ensure*** that the fishing capacity is commensurate with the fishing opportunities allocated to catching vessels for the relevant quota period. Member States shall adjust the fishing capacity using the parameters defined in Union act in force for the fishing opportunities allocations. The adjustment of fishing capacity for purse seiners shall be limited to a maximum variation of 20% compared to the baseline fishing capacity of 2018.

Each Member State with a bluefin tuna quota shall establish an annual fishing capacity management plan. In that plan, Member States shall adjust the number of ***catching*** vessels ***and traps*** in a way ***that ensures*** that the fishing capacity is commensurate with the fishing opportunities allocated to catching vessels ***and traps*** for the relevant quota period. Member States shall adjust the fishing capacity using the parameters defined in Union act in force for the fishing opportunities allocations. The adjustment of ***Union*** fishing capacity for purse seiners shall be limited to a maximum variation of 20% compared to the baseline fishing capacity of 2018.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02. Traps are considered fishing vessels by Article 4(4) of Regulation

1380/2013. Traps also have allocated quota.

Amendment 21

Proposal for a regulation

Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Where appropriate, Member States shall submit revised farming management plans to the Commission by 15 May each year.

Justification

The paragraph was amended in ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 22

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

Amendment

3. In case of the non-submission by a Member State to the Commission of any of the plans referred to in paragraph 1 within the deadline or if the Commission found a case of serious non-compliance with the provisions of the present of Regulation as established in final inspections reports, it may decide to not endorse the plans submitted and to transmit the Union plan to ICCAT Secretariat without the plans of Member State concerned.

3. In case of the non-submission by a Member State to the Commission of any of the plans referred to in paragraph 1 within the deadline or if the Commission found a case of serious non-compliance with the provisions of the present of Regulation **concerning the annual fishing plans** as established in final inspections reports, it may decide to not endorse the plans submitted and to transmit the Union plan to ICCAT Secretariat without the plans of Member State concerned.

Amendment 23

Proposal for a regulation

Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a By way of derogation from paragraph 1 of this Article, Cyprus and Greece may request in their annual fishing plans, as referred to in Article 10, that purse seiners flying their flag be allowed to fish for bluefin tuna in the Eastern Mediterranean Sea (FAO fishing area 37.3.1 and 37.3.2) from 15 May until 1 July.

Justification

The derogation is included in ICCAT Recommendation 18-02.

Amendment 24

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. By way of derogation from paragraph 1, Croatia may request in *its* annual fishing plans, as referred to in Article 10, that purse seiners flying *its* flag be allowed to fish for bluefin tuna for farming purposes in the Adriatic Sea (FAO fishing area 37.2.1) until 15 July.

2. By way of derogation from paragraph 1 **of this Article**, Croatia **and Italy** may request in **their** annual fishing plans, as referred to in Article 10, that purse seiners flying **their** flag be allowed to fish for bluefin tuna for farming purposes in the Adriatic Sea (FAO fishing area 37.2.1) **from 26 May** until 15 July.

Justification

The text should be aligned with ICCAT Recommendation 18-02.

Amendment 25

Proposal for a regulation Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. By way of derogation **form paragraph 1**, if a Member State provides

3. By way of derogation **from paragraphs 1 and 2**, if a Member State

evidence to the Commission that, due to **winds reaching force 4 or more on the Beaufort scale**, some of its purse **seiner** fishing for bluefin tuna in the eastern Atlantic and Mediterranean Sea were unable to utilise **their normal** fishing days during **a year**, that Member State may **carry over** a maximum of 10 days lost **until 11 July of that year for the vessels concerned**. The inactivity of the vessels concerned, and in the case of a joint fishing operation for all vessels involved, shall be duly justified with weather reports and VMS positions.

provides evidence to the Commission that, due to **extraordinary weather phenomena or due to a public health crisis**, some of its purse **seiners** fishing for bluefin tuna in the eastern Atlantic and Mediterranean Sea were unable to utilise **the** fishing days **allocated to them** during **the fishing season**, that Member State may **prolong the fishing season by an equivalent number of fishing days lost for the vessels concerned, up to** a maximum of 10 days lost. The inactivity of the vessels concerned, and in the case of a joint fishing operation for all vessels involved, shall, **in the event of extraordinary weather phenomena**, be duly justified with weather reports and VMS positions.

Amendment 26

Proposal for a regulation Article 20 – paragraph 1

Text proposed by the Commission

1. Each Member State shall make provision for **by-catch** of bluefin tuna within its quota and shall inform the Commission thereof when transmitting its fishing plan.

Amendment

1. Each Member State shall make provision for **enough by-catches** of bluefin tuna within its quota and shall inform the Commission thereof when transmitting its fishing plan.

Justification

Many fishers targeting species similar to the bluefin tuna, such as swordfish, do not have a quota for their bluefin tuna by-catches. An adequate amount of the bluefin tuna quota must be set aside for by-catches.

Amendment 27

Proposal for a regulation Article 29 – paragraph 3

Text proposed by the Commission

3. Union purse seiners shall not engage in joint fishing operations with

Amendment

3. Union purse seiners shall not engage in joint fishing operations with

purse seiners from other CPCs.

purse seiners from other CPCs. **However, Member States may authorise their purse seine vessels to engage in joint fishing operations with CPCs with less than five authorised purse seine vessels. For that purpose, a protocol shall be agreed in advance between the Member State and the CPC concerned on the operational arrangements to be followed by the vessels and by the authorities of each party, in particular as regards the catch declaration documents as required by the applicable legislation.**

Justification

The Commission proposal omits to include paragraph 62 of Recommendation 19-04, providing for a derogation to the prohibition of joint fishing operations. This derogation should be accompanied by certain conditions, notably by a protocol agreed between the interested parties.

Amendment 28

Proposal for a regulation Article 35 – title

Text proposed by the Commission

Amendment

Monthly reports on quantities

Weekly reports on quantities

Amendment 29

Proposal for a regulation Article 35 – paragraph 1

Text proposed by the Commission

Amendment

Each Member State shall send **to the Commission, before the 15th day of each month, the** data concerning quantities of bluefin tunas caught, landed, transhipped, or caged during the preceding **month** by the fishing vessels or traps flying the flag of or registered in that Member State. The information provided shall be structured by gear type including by-catch, catches in

Each Member State shall send **weekly catch reports to the Commission. Those reports shall include** data concerning quantities of bluefin tunas caught, landed, transhipped, or caged during the preceding **week** by the fishing vessels or traps flying the flag of or registered in that Member State. The information provided shall be structured by gear type including by-catch,

sport and recreational fisheries and zero catches. The Commission shall promptly forward that information to the ICCAT Secretariat.

catches in sport and recreational fisheries and zero catches. ***In the case of purse seine vessels and traps, the reports shall comply, mutatis mutandis, with Article 31.*** The Commission shall promptly forward that information to the ICCAT Secretariat.

Amendment 30

Proposal for a regulation Article 38 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that one ICCAT regional observer shall be assigned to each farm for the whole period of caging operations. In cases of force majeure, and following confirmation of those circumstances that constitute force majeure by the **competent** authorities of the Member State concerned, an ICCAT regional observer may be shared by two farms to guarantee the continuity of farming operations. However, the Member State responsible for the farms shall immediately request the deployment of an additional regional observer.

Amendment

4. Member States shall ensure that one ICCAT regional observer shall be assigned to each farm for the whole period of caging operations. In cases of force majeure, and following confirmation of those circumstances that constitute force majeure by the authorities of the **farming** Member State concerned, an ICCAT regional observer may be shared by two farms to guarantee the continuity of farming operations. However, the Member State responsible for the farms shall immediately request the deployment of an additional regional observer.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 31

Proposal for a regulation Article 43 – paragraph 3

Text proposed by the Commission

3. However, in cases when the video record is of insufficient quality or clarity to estimate the quantities transferred, the master of the vessel or operator of the farm or trap may request the authorities of the

Amendment

3. However, in cases when the video record is of insufficient quality or clarity to estimate the quantities transferred, the master of the vessel or operator of the farm or trap may request the authorities of the

responsible Member State to be authorised to conduct a new transfer operation and to provide the corresponding video record to the regional observer. If that voluntary transfer control is not performed with satisfactory results, the responsible Member State shall initiate an investigation. If after that investigation, it is confirmed that the quality of the video does not permit to estimate the quantities involved in the transfer, the control authorities of the responsible Member State shall order **a** control transfer operation and provide the corresponding video record to the ICCAT regional observer. New transfers shall be conducted as control transfer(s) until the quality of the video record could allow estimating the quantities transferred.

responsible Member State to be authorised to conduct a new transfer operation and to provide the corresponding video record to the regional observer. If that voluntary transfer control is not performed with satisfactory results, the responsible Member State shall initiate an investigation. If after that investigation, it is confirmed that the quality of the video does not permit to estimate the quantities involved in the transfer, the control authorities of the responsible Member State shall order **another** control transfer operation and provide the corresponding video record to the ICCAT regional observer. New transfers shall be conducted as control transfer(s) until the quality of the video record could allow estimating the quantities transferred.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 32

Proposal for a regulation Article 50 – paragraph 4

Text proposed by the Commission

4. When the results of the programme indicate that the quantities of bluefin tuna caged differ from the quantities reported caught and/or transferred, **the** Member State **responsible for the farm shall**, in cooperation with the Member State or CPC responsible for the **catching vessel or trap**, **launch an investigation**.

Amendment

4. When the results of the programme indicate that the quantities of bluefin tuna caged differ from the quantities reported caught and/or transferred, **an investigation shall be launched by the flag** Member State **of the catching vessel or trap** in cooperation with the Member State or CPC responsible for the **farm**.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 33

Proposal for a regulation Article 51 – title

Text proposed by the Commission

Amendment

Caging *declaration*

Caging *report*

Amendment 34

Proposal for a regulation Article 51 – paragraph 1

Text proposed by the Commission

Amendment

1. Within one week from the completion of the caging operation, the Member State responsible for the farm shall submit a caging declaration **according to** Annex XIV to the Member State or CPC whose vessels or traps have caught the bluefin tuna, and to the Commission. The Commission shall transmit that information to the ICCAT Secretariat.

1. Within one week from the completion of the caging operation, the Member State responsible for the farm shall submit a caging **report, including the caging** declaration **set out in** Annex XIV to the Member State or CPC whose vessels or traps have caught the bluefin tuna, and to the Commission. The Commission shall transmit that information to the ICCAT Secretariat.

Justification

ICCAT Recommendations 18-02 and 19-04 refer to this as a caging report, so for clarity it is preferable to use the same term.

Amendment 35

Proposal for a regulation Article 52 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purpose of paragraph 2, each Member State responsible for farms shall establish a minimum percentage of fish to be controlled. That percentage shall be set out in the annual inspection plan referred to in Article 13. Each Member State shall communicate to the

3. For the purpose of paragraph 2, each Member State responsible for farms shall establish a minimum percentage of fish to be controlled. That percentage shall be set out in the annual inspection plan referred to in Article 13. Each Member State shall communicate to the

Commission the results of the random controls carried out each year. The Commission shall transmit those results to the ICCAT Secretariat in April of the following *year*.

Commission the results of the random controls carried out each year. The Commission shall transmit those results to the ICCAT Secretariat in April of the *year* following *the period of the relevant quota*.

Amendment 36

Proposal for a regulation Article 54 – title

Text proposed by the Commission

Amendment

Caging report

Caging *overview* report

Amendment 37

Proposal for a regulation Article 54 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States subject to the obligation of submitting caging declarations under Article 51, shall send to the Commission a caging report each year by 31 July for the previous year. The Commission shall send that information to the ICCAT Secretariat by 1 August each year. The report shall contain the following information:

Member States subject to the obligation of submitting caging declarations *and reports* under Article 51, shall send to the Commission a caging *overview* report each year by 31 July for the previous year. The Commission shall send that information to the ICCAT Secretariat by 1 August each year. The *caging overview* report shall contain the following information:

Justification

For clarity's sake it is necessary to distinguish individual caging reports from the annual report that Member States are required to send the Commission every year.

Amendment 38

Proposal for a regulation Article 56 – paragraph 3

Text proposed by the Commission

Amendment

3. For control purposes, the master or

3. For control purposes, the master or

his representative shall ensure that the transmission of VMS data from catching vessels that are authorised to fish actively for bluefin tuna is not interrupted when vessels are in port.

his representative shall ensure that the transmission of VMS data from catching vessels that are authorised to fish actively for bluefin tuna is not interrupted when vessels are in port, ***unless there is a system of hailing in and out of port.***

Justification

The derogation is included in ICCAT Recommendation 18-02.

Amendment 39

**Proposal for a regulation
Article 60 – paragraph 1**

Text proposed by the Commission

Without prejudice to Articles 89 to 91 of Regulation (EC) No 1224/2009, and in particular the duty of the Member States to take appropriate enforcement measures with respect to a fishing vessel, the Member State responsible for the farm(s) for bluefin tuna shall take appropriate enforcement measure with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of Articles 45 to 55. ***The measures may include,*** depending on the gravity of the offense and in accordance with the pertinent provisions of national law, suspension or withdrawal ***of the record of bluefin tuna farm, and the imposition of fines.***

Amendment

Without prejudice to Articles 89 to 91 of Regulation (EC) No 1224/2009, and in particular the duty of the Member States to take appropriate enforcement measures with respect to a fishing vessel, the Member State responsible for the farm(s) for bluefin tuna shall take appropriate enforcement measure with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of Articles 45 to 55. Depending on the gravity of the offense and in accordance with the pertinent provisions of national law, ***such measures may include, in particular,*** suspension ***of the authorisation*** or withdrawal ***from the ICCAT Record of Bluefin Tuna Farming Facilities established in accordance with ICCAT Recommendation 06-07, and/or*** fines.

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 40

Proposal for a regulation
Article 61 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Regulations (EC) No 1224/2009, (EC) No 1005/2008 and Regulation (EU) No 1379/2013⁴⁶, Union trade, landing, import, export, placing in cages for fattening or farming, re-export and transshipment of bluefin tuna that are not accompanied by the accurate, complete and validated documentation set out in this Regulation, Article 4b of Regulation (EC) No 1936/2001 and Union legislation implementing ICCAT rules on the catch documentation programme shall be prohibited.

⁴⁶ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

Amendment 41

Proposal for a regulation
Article 61 – paragraph 2 – point a

Text proposed by the Commission

(a) the bluefin tuna was caught by fishing vessels or traps whose flag State does not have a quota, catch limit **or allocation of fishing effort** for bluefin tuna under the terms of ICCAT conservation and management measures, or;

Amendment

1. Without prejudice to Regulations (EC) No 1224/2009, (EC) No 1005/2008 and Regulation (EU) No 1379/2013⁴⁶, Union trade, landing, import, export, placing in cages for fattening or farming, re-export and transshipment of bluefin tuna that are not accompanied by the accurate, complete and validated documentation set out in this Regulation, Article 4b of Regulation (EC) No 1936/2001 and Union legislation implementing ICCAT rules on the **bluefin tuna** catch documentation programme shall be prohibited.

⁴⁶ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

Amendment

(a) the bluefin tuna was caught by fishing vessels or traps whose flag State does not have a quota **or** catch limit for bluefin tuna under the terms of ICCAT conservation and management measures, or;

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 42

Proposal for a regulation Article 65 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *The target of fishing mortality to maintain the stock biomass at MSY as referred to in Article 3;* **deleted**

Justification

The target of fishing mortality is an essential element of the Regulation and, consequently, it should only be modified through the ordinary legislative procedure (co-decision).

Amendment 43

Proposal for a regulation Annex I – point 2 – indent 2 a (new)

Text proposed by the Commission

Amendment

- ***No more than 90 % of its quota for bluefin tuna among its catching vessels in the Adriatic for farming purposes.***

Justification

This provision is included in ICCAT Recommendation 18-02.

Amendment 44

Proposal for a regulation Annex X – point 9

Text proposed by the Commission

Amendment

(9) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, ***then a new transfer shall be requested by the control*** authorities. ***The new*** transfer shall include all the bluefin tuna in the receiving cage

(9) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, ***the operator may request to the flag*** authorities ***of the vessel or trap to conduct a voluntary control transfer. Such voluntary control*** transfer

into another cage which must be empty.

shall include ***transfer of*** all the bluefin tuna in the receiving cage into another cage which must be empty. ***Where the origin of the fish is a trap, the bluefin tuna already transferred from the trap to the receiving cage may be sent back to the trap, in which case the control transfer shall be cancelled under the supervision of the ICCAT regional observer.***

Justification

The paragraph was amended by ICCAT Recommendation 19-04, which amended ICCAT Recommendation 18-02.

Amendment 45

Proposal for a regulation

Annex XI – part B – point 2 – introductory part

Text proposed by the Commission

(2) The Member State responsible for the farm shall provide a report to the Member State or CPC responsible for the catching vessel or trap and to the Commission, including the following documents:

Amendment

(2) ***Within 15 days from the caging date,*** the Member State responsible for the farm shall provide a report to the Member State or CPC responsible for the catching vessel or trap and to the Commission, including the following documents:

Justification

The timeframe is laid down by ICCAT Recommendation 18-02.

EXPLANATORY STATEMENT

Background of the Proposal

The European Union has been a Contracting Party to the International Convention for the Conservation of Atlantic Tunas ("the ICCAT Convention") since 14 November 1997.

The ICCAT Convention provides a framework for regional cooperation on the conservation and management of tunas and tuna-like species in the Atlantic Ocean and the adjoining seas through the setting up of an International Commission for the Conservation of Atlantic Tunas ("ICCAT").

ICCAT has the authority to adopt binding recommendations for the conservation and management of the fisheries under its purview. These acts are essentially addressed to the ICCAT Contracting Parties, but also contain obligations for private operators (e.g. vessel masters). ICCAT recommendations enter into force six months following their adoption and must be implemented into Union law as soon as possible.

Content of the Proposal

The objective of the proposal currently under consideration [COM (2019) 619] is therefore to transpose into EU law ICCAT Recommendation 18-02, which establishes a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean (hereafter 'the Management plan'). The Recommendation was adopted at ICCAT's 21st special meeting, which was held in Dubrovnik from 12 to 19 November 2018.

The Management plan follows the advice from the Standing Committee on Research and Statistics ('SCRS') stating that ICCAT should establish a multiannual management plan for the stock in 2018 since the current status of the stock no longer appears to require the emergency measures introduced under the Recovery plan for bluefin tuna following Recommendation 17-17 amending the Recommendation 14-04. The latter was transposed into EU law by Regulation (EU) No 2016/1627.

The transposition covers all control measures that concern the catch and farming of bluefin tuna in EU waters and/or by EU vessels in the Convention Area.

ICCAT Recommendation 18-02 provides for a Management plan that is generally more flexible than the existing rules of the Recovery plan, although some measures are more precise or restrictive, such as the controls in farms. The main differences could be summarised as follows:

- a) Open seasons: This proposal provides for a 10 days longer open season for purse seiners than in Regulation (EU) 2016/1627, unless Member States establish otherwise in their annual fishing plans.
- b) By-catch limit increases to 20% in this proposal, in comparison to a 5% in Regulation (EU) 2016/1627.
- c) Fishing capacity: up to 20% more purse seiners (reference period 2018) are allowed to fish under this proposal, in comparison with the Regulation (EU) 2016/1627 and a new

- sectorial quota for small-scale fisheries in Azores, Madeira and Canarias is recognized.
- d) Farming capacity: with this proposal there could potentially be a 7% more fish in farms.
 - e) Intra-farm transfers and random controls: The control system for bluefin tuna is reinforced, concerning live fish monitoring at farms. This is done through random controls based on risk analysis and estimation of carry-over by using stereoscopic cameras.

Position of the Rapporteur

The rapporteur calls for a strict transposition of ICCAT Recommendation 18-02, in order to establish a level playing field for EU operators vis-à-vis third country operators. He considers it crucial that identical conditions apply to all the actors involved in the fishery to ensure the support and understanding of the sector.

In this case, the Commission has transposed the ICCAT Recommendation in a very accurate manner, except for some specific cases, namely:

- a) the definition of ‘caging’ in Article 5.
- b) Article 16 on fishing seasons should include derogations for the Eastern Mediterranean Sea and the Adriatic Sea, as they are foreseen by the ICCAT Recommendation.
- c) Article 56 on the transmission of VMS data should include an exception for operations where there is a system of hailing in and out of port.
- d) Annex I should include a limit of the percentage of quota that can be allocated for farming purposes in the Adriatic Sea.
- e) Annex XI should include a timeframe for the provision of reports between Member State authorities.

Therefore, the rapporteur proposes specific amendments in the above cases, in order to align the proposal with the ICCAT Recommendation.

The Rapporteur also suggests amending the terminology of the caging declaration and caging report in Articles 51 and 54 of the proposal respectively, in order to better align them with the terminology used in the ICCAT Recommendation and avoid confusion.

During its 26th Regular Meeting, which was held in Palma de Mallorca in November 2019, ICCAT adopted Recommendation 19-04, which introduces some minor amendments to Recommendation 18-02. The amendments were agreed on by the European Union, and relate to the following articles:

- a) Article 5, definition of stereoscopic camera.
- b) Article 7, carry-over of non-harvested live bluefin tuna.
- c) Article 12, annual fishing capacity management plans.
- d) Article 14, annual farming management plans.
- e) Article 35, reports on quantities.
- f) Article 38, ICCAT Regional Observer Programme.
- g) Article 43, verification by ICCAT Regional observers and conduct of investigations.
- h) Article 50, measures and programmes to estimate the number and weight of bluefin tuna to be caged.
- i) Article 51 and 54, caging declaration and caging report.
- j) Article 60, enforcement.

k) Article 61, marketing measures.

l) Annex X, minimum standards for video recording procedures.

The rapporteur proposes amendments on the abovementioned articles, in order to bring the text in line with ICCAT Recommendation 19-04.

Finally, the Rapporteur considers that the COVID-19 outbreak has an extraordinary impact on fishing activities, including those related to bluefin tuna. He therefore considers it appropriate to extend the fishing season for purse seine fishing for bluefin tuna until 11 July if purse seiners fishing for bluefin tuna were unable to utilize their normal fishing days because of a public health crisis.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EU) No 2017/2107, (EU) No 2019/[NAFO], (EU) No 1936/2001, and repealing Regulation (EU) No 2016/1627	
References	COM(2019)0619 – C9-0188/2019 – 2019/0272(COD)	
Date submitted to Parliament	28.11.2019	
Committee responsible Date announced in plenary	PECH 16.12.2019	
Committees asked for opinions Date announced in plenary	ENVI 16.12.2019	
Not delivering opinions Date of decision	ENVI 9.1.2020	
Rapporteurs Date appointed	Giuseppe Ferrandino 22.1.2020	
Discussed in committee	21.1.2020	18.5.2020
Date adopted	3.9.2020	
Result of final vote	+: 20	–: 1
	0: 4	
Members present for the final vote	Clara Aguilera, Pietro Bartolo, François-Xavier Bellamy, Izaskun Bilbao Barandica, Isabel Carvalhais, Rosanna Conte, Rosa D’Amato, Giuseppe Ferrandino, Søren Gade, Francisco Guerreiro, Anja Hazekamp, Niclas Herbst, France Jamet, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, Grace O’Sullivan, Manuel Pizarro, Caroline Roose, Annie Schreijer-Pierik, Ruža Tomašić, Peter van Dalen	
Substitutes present for the final vote	Manuel Bompard, Gabriel Mato, Raffaele Stancanelli	
Date tabled	8.9.2020	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

20	+
ECR	Raffaele Stancanelli, Ruža Tomašić
GUE/NGL	
ID	Rosanna Conte, France Jamet
NI	Rosa D'Amato
PPE	François-Xavier Bellamy, Peter van Dalen, Niclas Herbst, Gabriel Mato, Francisco José Millán Mon, Annie Schreijer-Pierik,
RENEW	Izaskun Bilbao Barandica, Søren Gade, Pierre Karleskind
S&D	Clara Aguilera, Pietro Bartolo, Isabel Carvalhais, Giuseppe Ferrandino, Predrag Fred Matić, Manuel Pizarro
VERTS/ALE	

1	-
GUE/NGL	Manuel Bompard

4	0
GUE/NGL	Anja Hazekamp
VERTS/ALE	Francisco Guerreiro, Grace O'Sullivan, Caroline Roose

Key to symbols:

+ : in favour

- : against

0 : abstention