



Plenary sitting

A9-0134/2022

27.4.2022

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council
laying down conservation and management measures for the Conservation of
the Southern Bluefin Tuna
(COM(2021)0424 – C9-0344/2021 – 2021/0242(COD))

Committee on Fisheries

Rapporteur: Grace O'Sullivan

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 laying down conservation and management measures for the Conservation of the Southern Bluefin Tuna

(COM(2021)0424 – C9-0344/2021 – 2021/0242(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0424),
 - 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 (C9-0344/2021),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 22 October 2021¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A9-0134/2022),
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 5

Text proposed by the Commission

(5) The CCSBT adopts annual conservation and management measures *by*

Amendment

(5) The *Extended Commission of the* CCSBT adopts annual conservation and

¹ OJ C 105, 4.3.2022, p. 151.

way of resolutions that are binding on members of the Extended Commission, including on the Union.

management measures *that its* members, including the Union, *have firmly committed to respecting and complying with, unless the CCSBT decides not to adopt those measures.*

Amendment 2

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) It is recommended to table and support proposals in RFMOs aimed at improved transparency standards, particularly regarding the beneficial ownership of vessels, potentially taking as a starting point the example of the Indian Ocean Tuna Commission (IOTC) which adopted, in 2019, a conservation and management measure mandating states to submit information on the beneficial owners of authorised vessels.

Amendment 3

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) It is important to continue to promote actively the constitution of new RFMOs or the setting up of other regional arrangements where they do not exist, in particular for managing sustainably shared stocks, such as the small pelagic and demersal stocks in Western Africa, the Arctic or the Southwest Atlantic.

Amendment 4

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) In order to swiftly incorporate future CCSBT measures into Union law, 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 information provided for in the CCSBT Record of Vessels, and time limits or periods related to reporting for catch tagging forms, retention of CDS documents, transmission of transshipment notifications and declarations, transmission of information to the CCSBT Compliance Committee concerning the IUU vessel list and investigation reports, transmission of information concerning point of contact for port inspections, and transmission of notification of delays in the submission of port inspection reports, transmission of by-catch report, and deadlines for the submission of annual reports.

Amendment

(11) In order to swiftly incorporate future CCSBT measures into Union law, 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 ***amendments to this Regulation concerning*** the information provided for in the CCSBT Record of Vessels, and time limits or periods related to reporting for catch tagging forms, retention of CDS documents, transmission of transshipment notifications and declarations, transmission of information to the CCSBT Compliance Committee concerning the IUU vessel list and investigation reports, transmission of information concerning point of contact for port inspections, and transmission of notification of delays in the submission of port inspection reports, transmission of by-catch report, and deadlines for the submission of annual reports, ***in addition to the documents included in the Annex to this Regulation and its subsequent amendments.***

Amendment 5

**Proposal for a regulation
Recital 11 a (new)**

Text proposed by the Commission

Amendment

(11a) It is necessary to defend and strengthen the role of RFMOs in reinforcing mechanisms to fight against IUU fishing, such as collaborative work on the exchange of information regarding IUU vessels lists, submission of information to the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels, or the compulsory allocation of IMO numbers for distant water fishing vessels.

Amendment 6

Proposal for a regulation Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) It is useful to promote research, through studies and the establishment of working parties, on the socioeconomic impacts of resource exploitation on coastal communities, local job creation and food security.

Amendment 7

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

Text proposed by the Commission

Amendment

(i) ‘Catch monitoring form’ means the CDS document ***that*** records information on the catch, transshipment, export, and import of SBF;

(i) ‘Catch monitoring form’ means the CDS document ***referred to in point 1 of the Annex to this Regulation, which*** records information on the catch, transshipment, export, and import of SBF;

Amendment 8

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

Text proposed by the Commission

Amendment

(j) ‘Catch tagging form’ means the CDS document ***that*** records information on individual fish tagged;

(j) ‘Catch tagging form’ means the CDS document ***referred to in point 2 of the Annex to this Regulation, which*** records information on individual fish tagged;

Amendment 9

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

Text proposed by the Commission

(l) ‘Export or re-export form’ means the CDS document **that** contains information on SBF already tracked on the catch monitoring form of an import that is, either in full or part, exported or re-exported;

Amendment

(l) ‘Export or re-export form’ means the CDS document ***referred to in point 3 of the Annex to this Regulation , which*** contains information on SBF already tracked on the catch monitoring form of an import that is, either in full or part, exported or re-exported;

Amendment 10

Proposal for a regulation

Article 3 – paragraph 1 – point s

Text proposed by the Commission

(s) ‘CCSBT Transshipment declaration’ means Annex ***I to the CCSBT Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels***¹⁷;

Amendment

(s) ‘CCSBT Transshipment declaration’ means ***the document referred to in point 4 of the Annex to this Regulation***;

¹⁷

https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf

Amendment 11

Proposal for a regulation

Article 3 – paragraph 1 – point t

Text proposed by the Commission

(t) ‘CCSBT conservation and management measures’ means the resolutions and other ***binding*** measures adopted by the CCSBT;

Amendment

(t) ‘CCSBT conservation and management measures’ means the resolutions and other measures adopted by the CCSBT ***the Union has firmly committed to complying with***;

Amendment 12

Proposal for a regulation

Article 4

Text proposed by the Commission

The targeting of SBF by Union fishing vessels shall be prohibited. Any SBF retained on board of Union fishing vessels shall account exclusively for by-catch.

Amendment

Unless the best scientific advice available states otherwise and it is so agreed in the framework of the Convention, the targeting of SBF by Union fishing vessels shall be prohibited. Any SBF retained on board of Union fishing vessels shall account exclusively for by-catch.

Amendment 13

Proposal for a regulation

Article 25 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts amending ***or supplementing*** this Regulation in accordance with Article 26 concerning measures adopted by CCSBT in the following areas:

Amendment

1. ***The Commission shall adopt, by ... [six months after the date of entry into force of this Regulation], a delegated act in accordance with Article 26 supplementing this Regulation with the CCSBT documents listed in the Annex to this Regulation. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend that delegated act subsequently.***

The Commission is empowered to adopt delegated acts amending this Regulation in accordance with Article 26 concerning measures adopted by CCSBT in the following areas:

Justification

The delegation of powers to the Commission should be restricted to the content of this Regulation, including its annexes. The Commission should not supplement this Regulation with legal provisions that have not been agreed in the framework of the CCSBT Convention.

Amendment 14

Proposal for a regulation

Article 25 – paragraph 1 – point a

Text proposed by the Commission

- (a) targeting by Union fishing vessels of SBF of Article 4;

Amendment

- (a) targeting by Union fishing vessels of SBF of Article 4, ***in accordance with the best scientific advice available***;

Amendment 15

**Proposal for a regulation
Article 25 – paragraph 2**

Text proposed by the Commission

2. Delegated acts amending or supplementing this Regulation in accordance with paragraph 1 shall be strictly limited to the implementation in Union law of amendments to the CCSBT measures.

Amendment

2. Delegated acts amending or supplementing this Regulation in accordance with paragraph 1 shall be strictly limited to the implementation in Union law of amendments to the CCSBT ***conservation and management*** measures.

Amendment 16

**Proposal for a regulation
Annex (new)**

Text proposed by the Commission

Amendment

ANNEX

- (1) The catch monitoring form set out in Appendix 1 to the CCSBT Resolution on the Implementation of a CCSBT Catch Documentation Scheme of 21 October 2021;***
- (2) The catch tagging form set out in Appendix 1 to the CCSBT Resolution on the Implementation of a CCSBT Catch Documentation Scheme of 21 October 2021;***
- (3) The export or re-export form set out in Appendix 1 to the CCSBT Resolution on the Implementation of a CCSBT Catch Documentation Scheme of 21 October 2021;***
- (4) The CCSBT Transshipment***

*declaration set out in Annex I to the
CCSBT Resolution on Establishing a
Program for Transshipment by Large-
Scale Fishing Vessels of 12 October
2017.*

EXPLANATORY STATEMENT

Purpose and content of the proposal

The purpose of this proposal is to implement into EU law the relevant control, conservation and management measures adopted by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). The CCSBT is the regional fisheries management organisation (RFMO) responsible for managing Southern bluefin tuna (*Thunnus maccoyii* – SBF) through its area of distribution. The CCSBT has a mandate to adopt binding conservation and enforcement measures for the fisheries under its purview.

The Convention for the Conservation of Southern Bluefin Tuna (Convention) does not provide for the accession of regional economic integration organisations, such as the EU. To promote cooperation in the conservation and management of Southern bluefin tuna, the CCSBT has created an Extended Commission, to which the EU is a member since 2015 and as such has the same obligations as members of the CCSBT. The EU must therefore comply with the decisions of the CCSBT and contribute to it financially.

The SBT TAC in the CCSBT area amounts to 17,647 tonnes per year for the 2021-2023 period, which is the same as the 2018-2020 TAC. The CCSBT allocated to the European Union an effective catch limit of 11 tons for the year 2021.

The justification for the delegation of powers is based by the Commission on the need to quickly implement measures that will benefit the EU fleet, improve the level playing-field and further support the long-term sustainable management of stocks. The process of implementing measures adopted by RFMOs into EU law, from the first draft Commission proposal to the adoption of a final act by the Council and the European Parliament, takes an average of 18 months.

The proposed Regulation

The proposal prohibits the targeting of the Southern bluefin tuna by EU vessels (Art. 4), with only by-catches being allowed. Union fishing vessels that could by-catch the species shall be registered in the CCSBT record of vessels. In practice, most obligations will be only triggered if the Union fleet accidentally by-catches Southern bluefin tuna, and retains those fish on-board, something that has not been reported to date. No by-catch of SBT by EU vessels has been reported since 2012.

The proposal implements the CCSBT catch documentation scheme (CDS). By-catches of Southern bluefin tuna shall be tagged with catch tagging forms, while import, export and re-export documents are mandatory for the trading of Southern bluefin tuna.

Catch monitoring documents and tagging forms shall be validated and verified by flag Member States. The proposal also implements CCSBT provisions concerning reviews and investigations related to the CDS and the maintenance of CDS records.

All transshipments of Southern bluefin tuna shall take place in ports. There is an obligation to notify transshipments and use transshipment declarations.

The proposal implements the duty to cooperate in providing fishing vessels' data for: the investigation of incidents; cooperation related to the inclusion of a Union fishing vessel on the CCSBT Illegal Unreported and Unregulated (IUU) vessels list; reported cases of non-compliance; port inspection infringements.

The proposal also implements duties relating to monthly catch reports, and to annual and compliance reporting.

The delegated powers listed in the proposal include changes to the information provided for the CCSBT record of fishing vessels, time limits and periods related to:

- reporting for catch tagging forms;
- retention of CDS documents, and notification of transshipments;
- transshipment declarations;
- sending information concerning the IUU vessels list and investigation reports to the CCSBT Compliance Committee;
- information concerning the contact point for port inspections, and notification of inspection report delays;
- reporting of periods of by-catches; and
- deadlines for submission of annual reports.

Position of the Rapporteur

The Rapporteur notes that SBT is not a targeted species nor does it represent a substantial by-catch for EU vessels operating in the SBT distribution area. In order to account for accidental by-catch the CCSBT assigned to the EU a quota of 11 tons/year in 2021.

The Rapporteur takes note of this Commission proposal and proposes the adoption of this legislative proposal with amendments with particular reference to the particular nature of the agreement under which the Union has committed itself to respect the decisions adopted by the CCSBT.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Proposal for a regulation laying down conservation and management measures for the conservation of the southern bluefin tuna
References	COM(2021)0424 – C9-0344/2021 – 2021/0242(COD)
Date submitted to Parliament	28.7.2021
Committee responsible Date announced in plenary	PECH 13.9.2021
Rapporteurs Date appointed	Grace O’Sullivan 11.10.2021
Discussed in committee	16.3.2022
Date adopted	25.4.2022
Result of final vote	+: 26 –: 0 0: 1
Members present for the final vote	Clara Aguilera, François-Xavier Bellamy, Izaskun Bilbao Barandica, Maria da Graça Carvalho, Rosanna Conte, Rosa D’Amato, Giuseppe Ferrandino, Søren Gade, Francisco Guerreiro, Anja Hazekamp, Niclas Herbst, Jan Huitema, Ladislav Ilčić, France Jamet, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, Grace O’Sullivan, João Pimenta Lopes, Manuel Pizarro, Caroline Roose, Bert-Jan Ruissen, Annie Schreijer-Pierik, Peter van Dalen, Theodoros Zagorakis
Substitutes present for the final vote	Catherine Chabaud, Nicolás González Casares, Valentino Grant, Ivo Hristov, Gabriel Mato, Raffaele Stancanelli
Date tabled	27.4.2022

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

26	+
ECR	Ladislav Ilčić, Raffaele Stancanelli
ID	Valentino Grant, France Jamet
PPE	François-Xavier Bellamy, Maria da Graça Carvalho, Peter van Dalen, Niclas Herbst, Francisco José Millán Mon, Annie Schreijer-Pierik, Theodoros Zagorakis
Renew	Izaskun Bilbao Barandica, Søren Gade, Jan Huitema, Pierre Karleskind
S&D	Clara Aguilera, Giuseppe Ferrandino, Nicolás González Casares, Ivo Hristov, Predrag Fred Matić, Manuel Pizarro
The Left	Anja Hazekamp
Verts/ALE	Rosa D'Amato, Francisco Guerreiro, Grace O'Sullivan, Caroline Roose

0	-

1	0
ID	Rosanna Conte

Key to symbols:

+ : in favour

- : against

0 : abstention