



Plenary sitting

A9-0004/2024

24.1.2024

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council laying down conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amending Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) No 1224/2009, and repealing Council Regulation (EEC) No 1899/85 and Regulation (EU) No 1236/2010
(COM(2023)0362 – C9-0221/2023 – 2023/0206(COD))

Committee on Fisheries

Rapporteur: Francisco Guerreiro

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, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amending Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) No 1224/2009, and repealing Council Regulation (EEC) No 1899/85 and Regulation (EU) No 1236/2010 (COM(2023)0362 – C9-0221/2023 – 2023/0206(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0362),
 - 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 (C9-0221/2023),
 - 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 20 September 2023¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A9-0004/2024),
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 1

¹ OJ C, C/2023/871, 08.12.2023.

Text proposed by the Commission

(1) One of the objectives of the Common Fisheries Policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council²¹, is to ensure exploitation of marine biological resources in a way that provides sustainable economic, environmental and social conditions.

²¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Amendment 2

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In 2022, the Union, the Faroe Islands, Greenland, Iceland, Norway and the United Kingdom held consultations on control measures for certain pelagic fisheries in the North-East Atlantic. Those consultations were concluded in November 2022, on the basis of the Union position endorsed by the Council on 14 October

Amendment

(1) One of the objectives of the Common Fisheries Policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council²¹, is to ensure exploitation of marine biological resources in a way that provides sustainable economic, environmental and social conditions. ***Furthermore, in accordance with Article 28 of that Regulation, the Union is to ensure that its fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law in the area of the CFP, while promoting a level-playing field for Union operators vis-à-vis third-country operators.***

²¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Amendment

(11) In 2022, the Union, the Faroe Islands, Greenland, Iceland, Norway and the United Kingdom held consultations on control measures for certain pelagic fisheries in the North-East Atlantic. Those consultations were concluded in November 2022, on the basis of the Union position endorsed by the Council on 14 October

2022. The measures agreed in these consultations³² should be implemented into Union law. In accordance with the agreement of the Parties to these fisheries consultations, the application of certain measures should be deferred in order to provide for sufficient implementation time.

³² Agreed Record signed by Heads of Delegation of respective Parties in November 2022 (https://oceans-and-fisheries.ec.europa.eu/system/files/2022-12/2022-coastal-states-fisheries-consultations-control-measures_en.pdf).

2022. The measures agreed in these consultations³² should be implemented into Union law. In accordance with the agreement of the Parties to these fisheries consultations, the application of certain measures should be deferred in order to provide for sufficient implementation time. ***Those measures should not be applicable until all Parties to those fisheries consultations cease to adopt unilateral fisheries measures, thus jeopardising the state of certain pelagic stocks, and honour their obligations in relation to each other.***

³² Agreed Record signed by Heads of Delegation of respective Parties in November 2022 (https://oceans-and-fisheries.ec.europa.eu/system/files/2022-12/2022-coastal-states-fisheries-consultations-control-measures_en.pdf).

Amendment 3

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Regarding the obligation to ensure surveillance of landings of certain pelagic stocks through camera and sensor technologies in landing and processing facilities where more than 3 000 tonnes of those stocks are weighed per calendar year, the surveillance measures should be applied to landings exceeding 10 tonnes so as to exclude small-scale coastal and artisanal fishing. In the case of landing and processing facilities where landings above 10 tonnes do not occur but the total amount of landings amount to more than 3 000 tonnes per calendar year the obligation to use surveillance camera and sensor technologies should not apply. The Member States should publish the list of ports that meet such conditions.

Amendment 4

Proposal for a regulation Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) The implementation of the provisions established in Article 52 may benefit from support under the European Maritime Fisheries and Aquaculture Fund established by Regulation (EU) 2021/1139 of the European Parliament and of the Council.

Amendment 5

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

Amendment

2. This Regulation applies ***without prejudice to*** the obligations set out in existing regulations in the fisheries sector, in particular Regulation of the European Parliament and of the Council (EU) 2017/2403⁴², and Council Regulations (EC) No 1005/2008⁴³ and (EC) No 1224/2009.

2. This Regulation applies ***notwithstanding*** the obligations set out in existing regulations in the fisheries sector, in particular Regulation of the European Parliament and of the Council (EU) 2017/2403⁴², and Council Regulations (EC) No 1005/2008⁴³ and (EC) No 1224/2009.

⁴² Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

⁴³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No

⁴² Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

⁴³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No

Amendment 6

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

For the purposes of this Regulation, the following definitions shall apply:

Amendment

For the purposes of this Regulation, the **definitions set out in Article 4 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council and Article 4 of Regulation (EC) No 1224/2009 of the Council shall apply, unless otherwise provided for in this Regulation. The following definitions shall also apply:**

Amendment 7

Proposal for a regulation

Article 3 – paragraph 1 – point 13

Text proposed by the Commission

13. ‘VMS’ means a **satellite-based** fishing vessel monitoring system providing the competent authorities with data at regular intervals on the position, course and speed of the fishing vessel;

Amendment

13. ‘VMS’ means a fishing vessel monitoring system providing the competent authorities with data at regular intervals on the position, course and speed of the fishing vessel;

Amendment 8

Proposal for a regulation

Article 3 – paragraph 1 – point 21

Text proposed by the Commission

21. ‘electronic fishing logbook’ means the record by **computerised** means of fishing activity details recorded by the master of a fishing vessel and transmitted to the flag State from the prior notification of entry into the Regulatory Area until the

Amendment

21. ‘electronic fishing logbook’ means the record by **electronic** means of fishing activity details recorded by the master of a fishing vessel and transmitted to the flag State from the prior notification of entry into the Regulatory Area until the exit from

exit from the Regulatory Area.

the Regulatory Area.

Amendment 9

Proposal for a regulation

Article 3 – paragraph 1 – point 22

Text proposed by the Commission

22. ‘FMC’ means a land-based fisheries monitoring centre of the flag State;

Amendment

22. ‘FMC’ means a fisheries monitoring centre *as defined in Article 4, point (15), of Council Regulation (EC) 1224/2009*;

Amendment 10

Proposal for a regulation

Article 4 – paragraph 6

Text proposed by the Commission

6. **Masters of Union fishing vessels** shall implement temporary closures in the areas identified by NEAFC following information on encounters with possible VMEs until the NEAFC Secretariat notifies the re-opening of those areas.

Amendment

6. **Member States** shall implement temporary closures in the areas identified by NEAFC following information on encounters with possible VMEs until the NEAFC Secretariat notifies the re-opening of those areas.

Amendment 11

Proposal for a regulation

Article 5 – paragraph 3 – point d

Text proposed by the Commission

(d) provide a report of the results of the exploratory bottom fishing activities to ICES and the Commission, which shall forward it to the NEAFC Secretariat.

Amendment

(d) provide a report of the results, **including all raw data collected**, of the exploratory bottom fishing activities to ICES and the Commission, which shall forward it to the NEAFC Secretariat.

Amendment 12

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. Member States shall send by electronic means to the Commission the information of all fishing vessels flying their flag and registered in the Union which they intend to authorise to conduct fishing activities in the Regulatory Area. This information shall be sent by 15 December each year for the following year or in any case before the vessel's entry into the Regulatory Area.

Amendment

1. Member States shall send by electronic means to the Commission the information of all fishing vessels flying their flag and registered in the Union which they intend to authorise to conduct fishing activities in the Regulatory Area. This information shall be sent by 15 December each year for the following year or in any case **not later than 15 days** before the vessel's entry into the Regulatory Area.

Amendment 13

Proposal for a regulation

Article 8 – paragraph 5 – point c

Text proposed by the Commission

(c) ensure that fishing vessels flying its flag comply with **applicable recommendations adopted by NEAFC**; and

Amendment

(c) ensure that fishing vessels flying its flag comply with **this Regulation**; and

Amendment 14

Proposal for a regulation

Article 8 – paragraph 6 – point b

Text proposed by the Commission

(b) IMO number (*where available*);

Amendment

(b) IMO number **or, if not applicable, other unique vessel identifier**;

Amendment 15

Proposal for a regulation

Article 9 – paragraph 2 – point d

Text proposed by the Commission

(d) IMO number if subject to IMO

Amendment

(d) IMO number if subject to IMO Resolution A.1078(28) **or, if not**

Resolution A.1078(28);

applicable, other unique vessel identifier;

Amendment 16

Proposal for a regulation Article 9 – paragraph 3

Text proposed by the Commission

3. The documents referred to in Article 7(2) and (3) of Implementing Regulation (EU) 404/2011 **for Union fishing vessels of 17 metres length overall or more with fish rooms and for Union vessels with chilled or refrigerated seawater tanks** shall be checked at regular intervals by the competent authority of the flag Member State.

Amendment

3. The documents referred to in Article 7(2) and (3) of Implementing Regulation (EU) 404/2011 shall be checked at regular intervals by the competent authority of the flag Member State.

Amendment 17

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. It shall be prohibited to deploy fishing gear that is not marked, if marking is required, or if the marking contravenes the requirements referred to in paragraph 1. NEAFC fisheries inspectors may remove and dispose of a fishing gear with non-compliant marking, **as well as** fish that are found in the gear.

Amendment

2. It shall be prohibited to deploy fishing gear that is not marked, if marking is required, or if the marking contravenes the requirements referred to in paragraph 1. NEAFC fisheries inspectors may remove and dispose of a fishing gear with non-compliant marking. **The** fish that are found in the gear **shall be donated to charitable organisations or organisations that benefit public interest and, if not fit for human consumption, disposed of in accordance with national law consistent with Union law.**

Amendment 18

Proposal for a regulation Article 11 – title

Text proposed by the Commission

Garbage at sea and retrieval of lost gear

Amendment

Waste from fishing vessels and retrieval of lost gear

Amendment 19

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. Masters of Union fishing vessels **are prohibited from** deliberately **abandoning or discarding** fishing gear **and from discharging** waste from ships as defined in Directive (EU) 2019/883 of the European Parliament and of the Council⁴⁸ into the sea, in accordance with MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships.

⁴⁸ Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

Amendment 20

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

2. **In addition to the information referred to in Article 48 of Council Regulation (EC) 1224/2009 required in those cases where the lost gear cannot be retrieved**, Union fishing vessels shall notify the competent authorities of its flag Member State within 24 hours **of the**

Amendment

1. Masters of Union fishing vessels **shall be legally responsible for ensuring that they do not** deliberately **abandon or discard** fishing gear **or discharge any kind of** waste from **their** ships as defined in Directive (EU) 2019/883 of the European Parliament and of the Council⁴⁸ into the sea, in accordance with MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships.

⁴⁸ Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

Amendment

2. Union fishing vessels shall notify the competent authorities of its flag Member State within 24 hours **about the required information referred to in Article 14(7) and 48 of Council Regulation (EC) 1224/2009 in those cases where the lost**

following:

- (a) *the call sign of the vessel;*
- (b) *the quantity of lost gear; and*
- (c) *if the vessel has tried to retrieve the gear or not.*

gear cannot be retrieved.

Amendment 21

Proposal for a regulation Article 11 – paragraph 3

Text proposed by the Commission

3. The Member State shall without delay notify the information referred to in **paragraph 2 and** Article 48 of Regulation 1224/2009 to the Commission, which shall transmit it to the NEAFC Secretariat.

Amendment

3. The Member State shall without delay notify the information referred to in Article **14(7) and Article** 48 of Regulation 1224/2009 to the Commission, which shall transmit it to the NEAFC Secretariat.

Amendment 22

Proposal for a regulation Article 11 – paragraph 4

Text proposed by the Commission

4. Member States shall undertake to retrieve on a regular basis lost fixed gears belonging to vessels flying their flag.

Amendment

4. Member States shall undertake to retrieve on a regular basis lost fixed gears belonging to vessels flying their flag. ***If gear is retrieved that has not been reported as lost, the Member State or other Contracting Party that retrieved the gear may recover the cost from the master of the vessel that has lost the gear.***

Amendment 23

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

2. The electronic fishing logbook data ***forwarded*** by the master and stored at the

Amendment

2. The electronic fishing logbook data ***transmitted*** by the master and stored at the

FMC shall be considered as the official data. These data and any changes thereof shall be notified to the NEAFC Secretariat by the FMC without delay.

FMC shall be considered as the official data. These data and any changes thereof shall be notified to the NEAFC Secretariat by the FMC without delay.

Amendment 24

Proposal for a regulation

Article 13 – paragraph 3 – point b – point iii

Text proposed by the Commission

iii. the list of codes of product form, type of packing **and type of** container shall be in accordance with **the NEAFC Master Data Register available on the NEAFC website**.

Amendment

iii. the list of codes of product form **or presentation, preservation state of the resource**, type of packing **or** container shall be in accordance with **Annex VIa**.

Amendment 25

Proposal for a regulation

Article 14 – paragraph 1 – point a

Text proposed by the Commission

(a) transmit the electronic fishing logbook data by electronic means to their FMC, including at a minimum the data set out in Annex VII including all catches when the vessel engaged in fishing activities **for fishery resources**;

Amendment

(a) transmit the electronic fishing logbook data by electronic means to their FMC, including at a minimum the data set out in Annex VII including all catches when the vessel engaged in fishing activities;

Amendment 26

Proposal for a regulation

Article 15 – paragraph 1 – point a

Text proposed by the Commission

(a) communicate reports of transhipments in accordance with the specification and format set out in Annex VII by electronic means to their FMC. These reports shall include the quantities on-loaded and off-loaded for each transhipment. The master of a Union donor

Amendment

(a) communicate reports of transhipments in accordance with the specification and format set out in Annex VII by electronic means to their FMC. These reports shall include the quantities on-loaded and off-loaded for each transhipment. The master of a Union donor

fishing vessels shall transmit a donor transshipment notification report at least 24 hours in advance of the transshipment. The master of a Union receiver fishing vessel shall make a receiver transshipment declaration report no later than 1 hour after transshipment. The reports shall include the date, time, geographical position of the planned transshipment and total round weight by species to be off-loaded or which have been on-loaded in kilograms and the identification of vessels transhipped to or from, respectively;

fishing vessels shall transmit a donor transshipment notification report at least 24 hours in advance of the ***starting time of the*** transshipment. The master of a Union receiver fishing vessel shall make a receiver transshipment declaration report no later than 1 hour after ***the end time of the*** transshipment. The reports shall include the date, time, geographical position of the planned transshipment and total round weight by species to be off-loaded or which have been on-loaded in kilograms and the identification of vessels transhipped to or from, respectively;

Amendment 27

Proposal for a regulation

Article 15 – paragraph 1 – point b

Text proposed by the Commission

(b) transshipment operations may only commence after the authorisations have been given by the flag Contracting Party of the receiving vessel. In the case of EU receiver vessels, the flag Member State shall transmit the authorisation to tranship without delay to the NEAFC Secretariat with the Commission and EFCA in copy; and

Amendment

(b) transshipment operations may only commence after the authorisations have been given by the flag ***Member State or*** Contracting Party of the receiving vessel. In the case of EU receiver vessels, the flag Member State shall transmit the authorisation to tranship without delay to the NEAFC Secretariat with the Commission and EFCA in copy; and

Amendment 28

Proposal for a regulation

Article 15 – paragraph 1 – point c

Text proposed by the Commission

(c) without prejudice to the provisions in Section 5, subsequent to having been involved in a transshipment operation at sea involving fishery resources caught in the Regulatory Area, the master of a Union receiver fishing vessel shall send a port of landing notification report in the format set out in Annex VII, indicating the total catch

Amendment

(c) without prejudice to the provisions in Section 5, subsequent to having been involved in a transshipment operation at sea involving fishery resources caught in the Regulatory Area, the master of a Union receiver fishing vessel shall send a port of landing notification report in the format set out in Annex VII, indicating the total catch

onboard, total weight to be landed, the name of port and the date and time of landing, at least 24 hours in advance of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area.

onboard, total weight to be landed, the name of port and the date and time of landing, at least 24 hours in advance **of the start** of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Amendment 29

Proposal for a regulation Article 15 – paragraph 3

Text proposed by the Commission

3. It shall be prohibited to correct the port of landing notification report, but such a report may be cancelled. If a port of landing notification is cancelled and a new one is sent, the time limits specified in paragraph **1** shall apply.

Amendment

3. It shall be prohibited to correct the port of landing notification report, but such a report may be cancelled. If a port of landing notification is cancelled and a new one is sent, the time limits specified in paragraph **1, point (c)**, shall apply.

Amendment 30

Proposal for a regulation Article 16 – paragraph 1 – point a

Text proposed by the Commission

(a) establish and operate an FMC **to monitor the fishing activities of vessels flying their flag, which shall be equipped with computer hardware and software enabling automatic data processing and electronic data transmission and provide for back-up and recovery procedures in case of system failures;**

Amendment

(a) establish and operate an FMC **in accordance with Articles 9 and 9a of Regulation (EC) 1224/2009;**

Amendment 31

Proposal for a regulation Article 16 – paragraph 1 – point d – point i

Text proposed by the Commission

i. the vessel identification;

Amendment

deleted

Amendment 32

Proposal for a regulation

Article 16 – paragraph 1 – point d – point iv

Text proposed by the Commission

Amendment

iv. the speed and course at the time of fixing of said position of the vessel. *deleted*

Amendment 33

Proposal for a regulation

Article 16 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) transmit to the NEAFC Secretariat the position reports *in real time* for vessels flying their flag upon entering into or exiting from the Regulatory Area and at least once every hour when operating in the Regulatory Area;

(e) transmit to the NEAFC Secretariat the position reports *as soon as they are received* for vessels flying their flag upon entering into or exiting from the Regulatory Area and at least once every hour when operating in the Regulatory Area;

Amendment 34

Proposal for a regulation

Article 16 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) ensure that the data received from its fishing vessels *to which VMS requirements apply* are recorded in a computer readable form and stored for at least three years; and

(g) ensure that the data received from its fishing vessels *VMS* are recorded in a computer readable form and stored for at least three years; and

Amendment 35

Proposal for a regulation

Article 16 – paragraph 1 – point h – point ii

Text proposed by the Commission

- ii. ensure that delimitations of closed bottom fishing areas are installed in their VMS.

Amendment

- ii. ensure that delimitations of closed bottom fishing areas are installed **and up to date** in their VMS.

Amendment 36

**Proposal for a regulation
Article 17 – paragraph 4**

Text proposed by the Commission

4. ***The master of a Union fishing vessel who has not received a positive acknowledgment on a fishing activity report from the NEAFC Secretariat shall immediately make appropriate amendments and resubmit the fishing activity report to the flag FMC. If the master still does not receive a positive acknowledgment, or if it is no longer possible to amend or resubmit fishing activity reports due to time limits, the master shall contact the flag Member State FMC to receive the necessary guidance on follow-up procedures, to ensure that the data referred to in Articles 14 and 15 is submitted.***

Amendment

4. ***If the flag Member State FMC does not receive from the NEAFC Secretariat a positive acknowledgement of a fishing activity report, it shall request to the master of the Union fishing vessel to submit an amended report. If it again does not receive a positive acknowledgment, or if it is no longer possible to amend or resubmit the fishing activity reports due to time limits, the flag Member State FMC shall provide the master with the necessary guidance on follow-up procedures, to ensure that the data referred to in Articles 14 and 15 is submitted.***

Amendment 37

**Proposal for a regulation
Article 20 – paragraph 1**

Text proposed by the Commission

1. Member States whose fishing vessels are authorised to fish in the Regulatory Area shall assign inspectors to the NEAFC Scheme to carry out inspection and surveillance activities (NEAFC inspectors).

Amendment

1. Member States whose fishing vessels are authorised to fish in the Regulatory Area shall assign **their** inspectors to the NEAFC Scheme to carry out inspection and surveillance activities (NEAFC inspectors).

Amendment 38

Proposal for a regulation Article 20 – paragraph 2

Text proposed by the Commission

2. Member State shall issue a special identity document to each NEAFC **inspector** in accordance with the format set out in Annex XII.

Amendment

2. Member State shall issue a special identity document to each **of their** NEAFC **inspectors** in accordance with the format set out in Annex XII.

Amendment 39

Proposal for a regulation Article 21 – paragraph 2 – point a

Text proposed by the Commission

(a) the names and unique numbers of the NEAFC inspectors, including their e-mail address; and

Amendment

(a) the names and unique numbers of the **their** NEAFC inspectors, including their e-mail address; and

Amendment 40

Proposal for a regulation Article 22 – paragraph 3

Text proposed by the Commission

3. The inspecting Member State and EFCA shall forward without delay the data from each surveillance report by electronic transmission in a sighting report with a format in accordance with Part 2 of Annex XVI to the Contracting Party of the fishing vessel concerned and to the NEAFC Secretariat, **with EFCA in copy**. Any images captured during the surveillance shall be forwarded upon request to the Contracting Party of the fishing vessel concerned.

Amendment

3. The inspecting Member State and EFCA shall forward without delay the data from each surveillance report by electronic transmission in a sighting report with a format in accordance with Part 2 of Annex XVI to the **flag Member State or** Contracting Party of the fishing vessel concerned and to the NEAFC Secretariat. Any images captured during the surveillance shall be forwarded upon request to the **flag Member State or** Contracting Party of the fishing vessel concerned.

Amendment 41

Proposal for a regulation
Article 23 – paragraph 12

Text proposed by the Commission

12. NEAFC inspectors shall transmit without delay a copy of each inspection report to EFCA and promptly upload the information of the inspection report into the secure part of the NEAFC website. The original or a certified copy of each inspection report shall be forwarded upon request to the Contracting Party of the inspected vessel.

Amendment

12. NEAFC inspectors shall transmit without delay a copy of each inspection report to EFCA and promptly upload the information of the inspection report into the secure part of the NEAFC website. The original or a certified copy of each inspection report shall be forwarded upon request to the ***flag Member State or*** Contracting Party of the inspected vessel.

Amendment 42

Proposal for a regulation
Article 24 – paragraph 1 – point d

Text proposed by the Commission

(d) cooperate with and assist in the inspection of the fishing vessel conducted pursuant to this Regulation and not obstruct, intimidate or interfere with the NEAFC inspectors in the performance of their duties and ensure their safety;

Amendment

deleted

Amendment 43

Proposal for a regulation
Article 24 – paragraph 1 – point f

Text proposed by the Commission

(f) provide access to any areas, decks and rooms of the fishing vessel, catch (whether processed or not), nets or other gears, equipment and any information or documents which the inspector deems necessary in accordance with Article 23(2);

Amendment

deleted

Amendment 44

Proposal for a regulation
Article 29 – paragraph 4

Text proposed by the Commission

4. Landing, transshipment and other use of port services shall not be authorised if the port Member State receives clear evidence that the catch on board was taken in contravention of applicable requirements of a Contracting Party in respect of areas under its national jurisdiction.

Amendment

4. Landing, transshipment and other use of port services shall not be authorised if the port Member State receives clear evidence that the catch on board was taken in contravention of applicable requirements of ***the flag Member State or*** a Contracting Party in respect of areas under its national jurisdiction.

Amendment 45

Proposal for a regulation
Article 30 – paragraph 5

Text proposed by the Commission

5. Member States shall notify any changes in the lists referred to in paragraph 3 to EFCA, which in turn shall forward them without delay to the NEAFC Secretariat with the Commission in copy.

Amendment

5. Member States shall notify, ***15 days prior to be effective***, any changes in the lists referred to in paragraph 3 to EFCA, which in turn shall forward them without delay to the NEAFC Secretariat with the Commission in copy.

Amendment 46

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. This Article applies in addition to the general obligations established in Article ***113 of Implementing*** Regulation (EU) 404/2011.

Amendment

1. This Article applies in addition to the general obligations established in Article ***75 of*** Regulation (EC) 1224/2009.

Amendment 47

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

2. The master of a fishing vessel which is being inspected or, where relevant, the representative of the master, shall comply with the obligations established in Article **114 of Implementing Regulation (EU) 404/2011** and, as applicable, with the obligations established in Article 24 of this Regulation.

Amendment 48

**Proposal for a regulation
Article 37 – paragraph 1**

Text proposed by the Commission

1. If an inspector considers that there are clear grounds for believing that the master or the operator of a fishing vessel has committed a serious infringement, that inspector shall promptly notify that infringement to the competent authorities of the inspecting Member State, the Commission and EFCA. The inspecting Member State or EFCA, in case the inspection was carried out by the latter, shall forward the information without delay to the NEAFC Secretariat, the competent authorities of the flag State of the vessel and, where appropriate, to the flag State or States of the donor vessels when the inspected vessel has engaged in transshipment operations.

Amendment 49

**Proposal for a regulation
Article 37 – paragraph 2**

Text proposed by the Commission

2. In order to preserve the evidence, the inspector shall take all necessary measures to ensure the security and

Amendment

2. The master of a fishing vessel which is being inspected or, where relevant, the representative of the master, shall comply with the obligations established in Article **75 of Regulation (EC) 1224/2009** and, as applicable, with the obligations established in Article 24 of this Regulation.

Amendment

1. If an **NEAFC** inspector considers that there are clear grounds for believing that the master or the operator of a fishing vessel has committed a serious infringement, that **NEAFC** inspector shall promptly notify that infringement to the competent authorities of the inspecting Member State, the Commission and EFCA. The inspecting Member State or EFCA, in case the inspection was carried out by the latter, shall forward the information without delay to the NEAFC Secretariat, the competent authorities of the flag State of the vessel and, where appropriate, to the flag State or States of the donor vessels when the inspected vessel has engaged in transshipment operations.

Amendment

2. In order to preserve the evidence, the **NEAFC** inspector shall take all necessary measures to ensure the security and

continuity thereof whilst minimising inconvenience to the vessel and interference with its operations.

and continuity thereof whilst minimising inconvenience to the vessel and interference with its operations.

Amendment 50

Proposal for a regulation Article 37 – paragraph 3

Text proposed by the Commission

3. In the case of an inspection at sea in the Regulatory Area, the inspector is entitled to remain on board the fishing vessel for the period necessary to provide information to **an** inspector duly authorised by the flag Contracting Party or until the response of the flag Contracting Party requires the inspector to leave the fishing vessel.

Amendment

3. In the case of an inspection at sea in the Regulatory Area, the **NEAFC** inspector is entitled to remain on board the fishing vessel for the period necessary to provide information to **a NEAFC** inspector duly authorised by the **flag Member State or** flag Contracting Party or until the response of the **flag Member State or** flag Contracting Party requires the inspector to leave the fishing vessel.

Amendment 51

Proposal for a regulation Article 38 – paragraph 1

Text proposed by the Commission

1. Flag Member State shall respond to a notification of serious infringement without delay and shall ensure that the Union fishing vessel concerned is inspected within 72 hours by **an** inspector duly authorised in relation to the infringement.

Amendment

1. Flag Member State shall respond to a notification of serious infringement without delay and shall ensure that the Union fishing vessel concerned is inspected within 72 hours by **a NEAFC** inspector duly authorised in relation to the infringement.

Amendment 52

Proposal for a regulation Article 39 – paragraph 1

Text proposed by the Commission

Member State shall ensure that appropriate measures are systematically taken,

Amendment

Member State shall ensure that appropriate measures are systematically taken,

including administrative action or criminal proceedings in conformity with their national law, against the natural or legal persons responsible for a breach of the conservation and management measures *adopted by NEAFC*.

including administrative action or criminal proceedings in conformity with their national law, against the natural or legal persons responsible for a breach of the conservation and management measures *set out in this Regulation*.

Amendment 53

Proposal for a regulation Article 52 – paragraph 1

Text proposed by the Commission

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities where more than **3,000** tonnes per year of the species referred to in Article 48 are weighed.

Amendment

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities *for landings exceeding 10 tonnes and* where more than **3 000** tonnes per year, *in total*, of the species referred to in Article 48 are weighed. *For that purpose, Member States shall make publicly available a list of their ports that meet those thresholds and where those requirements are to apply.*

Amendment 54

Proposal for a regulation Article 52 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. This Article shall apply from 1 January 2026.

Amendment 55

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

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with

Article 55 concerning measures adopted by NEAFC *concerning*:

Article 55 concerning measures adopted by NEAFC *with regard to*:

Amendment 56

Proposal for a regulation

Article 54 – paragraph 1 – point o a (new)

Text proposed by the Commission

Amendment

(oa) list of codes of product from or presentation, preservation state of the resource, type of packing or container to be used in production logbook set out in Annex VIa;

Amendment 57

Proposal for a regulation

Article 54 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the restrictions for pelagic vessels on catch handling and discharge set out in Article 49;

deleted

Amendment 58

Proposal for a regulation

Article 54 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the derogations on the prohibition to use automatic grading equipment set out in Article 50(2); and

deleted

Amendment 59

Proposal for a regulation

Annex VI – paragraph 1

Text proposed by the Commission

Amendment

The relevant code lists shall be in accordance with the *NEAFC Master Data Register available at <https://www.neafc.org/mdr>*.

The relevant code lists shall be in accordance with the *Annex VIa*.

Amendment 60

Proposal for a regulation Annex VI a (new)

Text proposed by the Commission

Amendment

ANNEX VIa

LIST OF CODES OF PRODUCT FROM OR PRESENTATION, PRESERVATION STATE OF THE RESOURCE, TYPE OF PACKING OR CONTAINER TO BE USED IN PRODUCTION LOGBOOK

1. The form or presentation of a processed resource's cut or part.

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
<i>CBF</i>	<i>Cod butterfly (escalado)</i>	<i>HEA with skin on, spine on, tail on</i>
<i>CLA</i>	<i>Claws</i>	<i>Claws only</i>
<i>DWT</i>	<i>ICCAT code</i>	<i>Gilled, gutted, part of head off, fins off</i>
<i>FIA</i>	<i>Filletted without skin, without belly</i>	<i>FIS without belly</i>
<i>FIL</i>	<i>Filletted</i>	<i>HEA + GUT + TLD + bones off Each fish originates two fillets</i>
<i>FIS</i>	<i>Filletted and skinned fillets</i>	<i>FIL+SKI Each fish originates two fillets not joined by any</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
		<i>part</i>
<i>FMF</i>	<i>Fish meal</i>	<i>Fish meal from whole fish</i>
<i>FSB</i>	<i>Filletted with skin and bones</i>	<i>Filletted with skin and bones on</i>
<i>FSP</i>	<i>Filletted skinned with pinbone</i>	<i>Filletted with skin removed and pinbone on</i>
<i>GHT</i>	<i>Gutted headed and tailed</i>	<i>GUH+TLD</i>
<i>GUG</i>	<i>Gutted and gilled</i>	<i>Guts and gills removed</i>
<i>GUH</i>	<i>Gutted and headed</i>	<i>Guts and head removed</i>
<i>GUL</i>	<i>Gutted liver in</i>	<i>GUT without removing liver parts</i>
<i>GUS</i>	<i>Gutted headed and skinned</i>	<i>GUH+SKI</i>
<i>GUT</i>	<i>Gutted</i>	<i>All guts removed</i>
<i>HEA</i>	<i>Headed</i>	<i>Heads off</i>
<i>HED</i>	<i>Heads</i>	<i>Heads only</i>
<i>HET</i>	<i>Headed and tailed</i>	<i>Heads and tails off</i>
<i>JAP</i>	<i>Japanese cut</i>	<i>Transversal cut removing all parts from head to belly</i>
<i>JAT</i>	<i>Tailed Japanese cut</i>	<i>Japanese cut with tail removed</i>
<i>LAP</i>	<i>Lappen</i>	<i>Double fillet, HEA, skin + tails + fins ON</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
<i>LGS</i>	<i>Leg section</i>	<i>Legs in section (crab)</i>
<i>LVR</i>	<i>Liver</i>	<i>Liver only.</i> <i>In case of collective presentation* use code LVR-C</i>
<i>OTH</i>	<i>Other</i>	<i>Any other presentation</i>
<i>ROE</i>	<i>Roe (s)</i>	<i>Roe(s) only.</i> <i>In case of collective presentation* use code ROE-C</i>
<i>SAD</i>	<i>Salted dry</i>	<i>Headed with skin on, spine on, tail on and salted dry</i>
<i>SAL</i>	<i>Salted wet light</i>	<i>CBF + salted</i>
<i>SGH</i>	<i>Salted, gutted and headed</i>	<i>GUH + salted</i>
<i>SGT</i>	<i>Salted gutted</i>	<i>GUT+salted</i>
<i>SKI</i>	<i>Skinned</i>	<i>Skin off</i>
<i>SUR</i>	<i>Surimi</i>	<i>Surimi</i>
<i>TAL</i>	<i>Tail</i>	<i>Tails only</i>
<i>TLD</i>	<i>Tailed</i>	<i>Tail off</i>
<i>TNG</i>	<i>Tongue</i>	<i>Tongue only.</i> <i>In case of collective presentation* use code TNG-C</i>
<i>TUB</i>	<i>Tube only</i>	<i>Tube only (Squid)</i>
<i>WHL</i>	<i>Whole</i>	<i>No processing</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
WNG	Wings	Wings only

2. The preservation state of the resource

<i>Code</i>	<i>Description</i>
FRE	Fresh
FRZ	Frozen
OTH	Any other processing

3. The type of packaging or container in where the resource is

<i>Code</i>	<i>Name</i>	<i>Type</i>	<i>Description</i>
BGS	Bags	Packaging	Catch delivered in bags
BLC	Blocks	Packaging	Catch delivered in blocks
BOX	Boxes	Packaging	Catch delivered in boxes
BUL	Bulk Fish	Packaging	Catch delivered in bulk
CRT	Cartons	Packaging	Catch delivered in cartons
CNT	Containers	Container	Catch delivered in containers
CSW	Chilled Sea Water Tanks	Container	Catch delivered in sea water tank cooled by adding ice (fixed or portable)
FOO	Fish Oil Other	Container	Fish oil delivered in any other container

<i>Code</i>	<i>Name</i>	<i>Type</i>	<i>Description</i>
<i>FOT</i>	<i>Fish Oil Tank</i>	<i>Container</i>	<i>Fish oil delivered in tanks specifically for oil</i>
<i>RSW</i>	<i>Refrigerated Sea Water Tanks</i>	<i>Container</i>	<i>Catch delivered in mechanically refrigerated sea water tank (fixed or portable)</i>
<i>TNK</i>	<i>Tank</i>	<i>Container</i>	<i>Catch delivered in tanks not covered by other descriptions</i>

EXPLANATORY STATEMENT

The rapporteur welcomes the proposed Regulation that compiles and implements into Union law the conservation, management and control measures adopted by the North East Atlantic Fisheries Commission (NEAFC). In order to ensure a sustainable exploitation of marine biological resources together with a level playing field in the NEAFC Convention area, the transposition of all recommendations into European Union (EU) law should be completed expeditiously.

NEAFC plays a significant role in regulating and conserving marine resources, overseeing fishing activities, and safeguarding the fragile ecosystems in this area. By incorporating NEAFC recommendations into Union law, EU vessels can ensure that their fishing practices align with international agreements and commitments, promoting responsible and environmentally friendly fisheries management. This transposition facilitates cooperation between EU member states and international partners, reinforcing our common dedication to combat overfishing, protect vulnerable species as well as ecosystems, and maintain the long-term viability of fisheries in the North East Atlantic.

The rapporteur would also like to highlight the importance of the objectives of the Common Fisheries Policy (CFP), in particular the policy's environmental commitments pertaining to when EU vessels are active in non-EU waters, and the adherence to respective Regional fisheries management organisation (RMFO) rules. The rules of the CFP, if implemented properly, provide an ambitious and sustainable approach to fisheries management.

In 2022, the Union had 301 fishing vessels authorised to operate in the NEAFC Regulatory Area, that is, beyond the waters under the fisheries jurisdiction of Contracting Parties. However, the actual Union fishing operations have been rather limited, with Lithuania, Latvia and Estonia currently having the most significant fishing activity in international waters of the Barents Sea. Some Union vessels from Portugal, Spain, France and the Netherlands operate in other areas as well, to a lesser extent. The vast majority of fishing activity is thus concentrated in Union waters.

The rapporteur notes that Title III of the proposed Regulation implements the agreed record of conclusions of fisheries consultations, between Norway, the EU, the Faroe Islands, Greenland, Iceland and the United Kingdom on control measures for pelagic stocks in the North East Atlantic, of November 2022. Five out of the six NEAFC Contracting Parties have agreed to support the surveillance by camera and sensor technologies of landings at a limited number of landing and processing facilities, where more than 3,000 tonnes per year of certain species are weighed. It is therefore coherent to incorporate these provisions in the present Regulation as well, in order to avoid any delays and to ensure that port Member States have sufficient time to prepare for the implementation of those already agreed measures before their date of applicability, i.e. 1 January 2026. Furthermore, it not only fosters a level playing field but also serves as a testament to the EU's commitment to fulfilling its international obligations to our global partners.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
Europêche
Deep Sea Conservation Coalition
OCEANA
The Pew Charitable Trusts

The list above is drawn up under the exclusive responsibility of the rapporteur.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Laying down conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amending Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) No 1224/2009, and repealing Council Regulation (EEC) No 1899/85 and Regulation (EU) No 1236/2010
References	COM(2023)0362 – C9-0221/2023 – 2023/0206(COD)
Date submitted to Parliament	30.6.2023
Committee responsible Date announced in plenary	PECH 11.9.2023
Committees asked for opinions Date announced in plenary	ENVI 11.9.2023
Not delivering opinions Date of decision	ENVI 12.10.2023
Rapporteurs Date appointed	Francisco Guerreiro 20.9.2023
Discussed in committee	21.9.2023 29.11.2023
Date adopted	23.1.2024
Result of final vote	+: 15 –: 9 0: 2
Members present for the final vote	Clara Aguilera, João Albuquerque, Pietro Bartolo, Izaskun Bilbao Barandica, Isabel Carvalhais, Maria da Graça Carvalho, Asger Christensen, Rosanna Conte, Rosa D’Amato, Francisco Guerreiro, Anja Haga, Anja Hazekamp, Jan Huitema, Ladislav Ilčić, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, João Pimenta Lopes, Caroline Roose, Bert-Jan Ruissen, Marc Tarabella, Theodoros Zagorakis
Substitutes present for the final vote	Gabriel Mato, Cláudia Monteiro de Aguiar, Grace O’Sullivan
Substitutes under Rule 209(7) present for the final vote	Christian Doleschal
Date tabled	24.1.2024

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

15	+
NI	Marc Tarabella
Renew	Izaskun Bilbao Barandica, Asger Christensen, Jan Huitema, Pierre Karleskind
S&D	Clara Aguilera, João Albuquerque, Pietro Bartolo, Isabel Carvalhais, Predrag Fred Matić
The Left	Anja Hazekamp
Verts/ALE	Rosa D'Amato, Francisco Guerreiro, Grace O'Sullivan, Caroline Roose

9	-
ECR	Ladislav Ilčić, Bert-Jan Ruissen
PPE	Maria da Graça Carvalho, Christian Doleschal, Anja Haga, Gabriel Mato, Francisco José Millán Mon, Cláudia Monteiro de Aguiar, Theodoros Zagorakis

2	0
ID	Rosanna Conte
The Left	João Pimenta Lopes

Key to symbols:

+ : in favour

- : against

0 : abstention