



2018/0193(COD)

11.2.2020

DRAFT OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Fisheries

on the Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control
(COM(2018)0368 – C8-0238/2018 – 2018/0193(COD))

Rapporteur for opinion: Pascal Canfin

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SHORT JUSTIFICATION

According to the latest findings by the European Environment Agency (EEA) on the Status of marine fish and shellfish stocks in Europe¹, the 2020 objective of having healthy fish and shellfish populations is unlikely to be met in Europe's seas. The EEA reports a marked difference in stocks recovery: in the North-East Atlantic Ocean and Baltic Sea the objectives are likely to be met, whilst for stocks in the Mediterranean and Black Seas the situation remains critical.

Without decisive action at EU, national and local level, climate change is only going to worsen the health of fish and fish stocks in European seas. The Special Report of the Intergovernmental Panel on Climate Change (IPCC) on "The Ocean and Cryosphere in a Changing Climate" of 24 September 2019 underlines how strengthening precautionary approaches, such as rebuilding overexploited or depleted fisheries, and responsiveness of existing fisheries management strategies reduces negative climate change impacts on fisheries, with benefits for regional economies and livelihoods. Fisheries management that regularly assesses and updates measures over time, informed by assessments of future ecosystem trends, reduces risks for fisheries. Confronting the challenge of climate change is thus directly in the interest of the fisheries sector and its medium and long-term economic perspectives.

Furthermore, Sustainable Development Goal 14 determines that by 2020, overfishing, illegal, unreported and unregulated fishing and destructive fishing practices should end. Science-based management plans should be implemented, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics.

A sustainable fishing policy is first and foremost in the interest of fishermen and it also stems from the Union and Member States' international obligations. The Common Fishery Policy (CFP) is nevertheless set to fail if not supported by an effective, transparent, fair and simplified enforcement system.

The rapporteur for opinion broadly welcomes the Commission's proposal as it recognizes that the existing enforcement framework for EU fisheries policy is marred by loopholes, uneven application, insufficient resources and staffing and weak deterrents. The rapporteur for opinion regrets that the legislative proposal could not be adopted in the previous legislature. The proposal was originally presented by the Commission in May 2018 and the impasse on the file means that the Common Fisheries Policies continues to be handicapped by an outdated framework which should be adapted as a matter of priority, strengthening further the ambition of the Commission's proposal.

The rapporteur for opinion introduces a number of amendments aimed at reinforcing sustainability and environmental provisions throughout the proposal: notably clarifying and strengthening the provisions for the oversight and collection of end-of-life fishing equipment to ensure that they do not contribute to marine pollution in line with the Single Use Plastics Directive; ensuring proportionality in the use of CCTV equipment on fishing vessels; a more

¹ EEA, Indicator Assessment on the Status of marine fish and shellfish stocks in Europe, published on 10 October 2019

stringent percentage for Member States to alert the Commission in case of approaching the exhaustion of fishing opportunities; strengthening the provisions on traceability to the benefit of consumers; introducing minimum EU training requirements for Union Control observers; strengthening the Commission's reporting obligations and finally the possibility for the newly created European Public Prosecutor's Office to investigate crimes against the EU budget also with respect to IUU.

Furthermore the rapporteur is of the opinion that a strengthened enforcement system would increase the level playing field for law-abiding fishermen within the Union and would equally provide further clarity for third country fishing vessels operating in Union waters – an issue which may have a particular bearing for example with respect to future EU-UK relations with respect to fisheries.

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Fisheries, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council²⁸. The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on *the* effective and up-to-date control and enforcement system.

²⁸ 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.

Amendment

(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council²⁸. The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on *a simplified, effective, transparent* and up-to-date control and enforcement system *which applies consistently in all Member States*.

²⁸ 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).

22).

Or. en

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Regulation (EC) No 1224/2009 was, however, designed prior to the adoption of the new common fisheries policy. It should therefore be amended in order to better address the requirements for the control and enforcement of the common fisheries policy in accordance with Regulation (EU) No 1380/2013 *and* to take advantage of modern and more cost-effective control technologies.

Amendment

(3) Regulation (EC) No 1224/2009 was, however, designed prior to the adoption of the new common fisheries policy. It should therefore be amended in order to better address the requirements for the control and enforcement of the common fisheries policy in accordance with Regulation (EU) No 1380/2013, to take advantage of modern and more cost-effective control technologies *and take into account the latest scientific findings with respect to the environmental sustainability of fishing and aquaculture activities.*

Or. en

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Special Report of the Intergovernmental Panel on Climate Change on “The Ocean and Cryosphere in a Changing Climate” of 24 September 2019 underlines how strengthening precautionary approaches, such as rebuilding overexploited or depleted fisheries, and the responsiveness of existing fisheries management strategies reduces negative climate change impacts

on fisheries, with benefits for regional economies and livelihoods. Fisheries management that regularly assesses and updates measures over time, informed by assessments of future ecosystem trends, reduces risks for fisheries even if it has limited ability to address ecosystem change.

Or. en

Amendment 4

Proposal for a regulation Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) Sustainable Development Goal 14 determines that by 2020, overfishing, illegal, unreported and unregulated fishing and destructive fishing practices should end. Science-based management plans should be implemented, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce the maximum sustainable yield as determined by their biological characteristics. By 2020, at least 10 % of coastal and marine areas should be conserved, consistent with national and international law and based on the best available scientific information.

Or. en

Amendment 5

Proposal for a regulation Recital 4 c (new)

Text proposed by the Commission

Amendment

(4c) A coherent, clear, transparent, fair and robust enforcement of the Common

Fisheries Policy will not just help to foster a dynamic fishing industry and ensure a fair standard of living for fishing communities, but it will also contribute to the achievement of sustainability in the fisheries sector and the attainment of biodiversity objectives.

Or. en

Amendment 6

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) Regulation (EC) No 1224/2009 has been amended by Regulation (EU) 2015/812 of the Parliament and Council³¹ in order to align certain of its provisions to the landing obligation set in Article 15 of Regulation (EU) No 1380/2013. In order to allow the proper control of the landing obligation, it is necessary to equip, on the basis of a risk assessment, a certain percentage of fishing vessels ***should be equipped*** with continuous recording electronic monitoring devices including Close Circuit Televisions (CCTV). CCTV data may be supplemented by data from other electronic monitoring devices. Data from these devices, including from CCTV, will provide Member State officials with means to control compliance with the landing obligation at sea. The CCTV footage should only concern the gears and the parts of the vessels where fishery products are brought on board, handled and stored. Footage from CCTVs should be recorded locally and should be made available exclusively to Member States officials or Union inspectors upon requests in particular in the context of inspections, investigations or audits.

Amendment

(14) Regulation (EC) No 1224/2009 has been amended by Regulation (EU) 2015/812 of the Parliament and Council³¹ in order to align certain of its provisions to the landing obligation set in Article 15 of Regulation (EU) No 1380/2013. In order to allow the proper control of the landing obligation, it is necessary to equip, on the basis of a risk assessment ***performed by European Fisheries Control Agency***, a certain percentage of fishing vessels with continuous recording electronic monitoring devices including Close Circuit Televisions (CCTV). CCTV data may be supplemented by data from other electronic monitoring devices ***such as fishing activity sensors or catch-mass estimation systems***. Data from these devices, including from CCTV, will provide Member State officials with means to control compliance with the landing obligation at sea. The CCTV footage should only concern the gears and the parts of the vessels where fishery products are brought on board, handled and stored. Footage from CCTVs should be recorded locally and should be made available exclusively to Member States officials or Union inspectors upon requests in particular in the context of inspections, investigations or audits. ***Such CCTV***

equipment should not contain audio recording.

³¹ Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 254/2002, (EC) No 2347/2002 and (EC) No 1224/2009, and Regulations (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98 (OJ L 133, 29.5.2015, p. 1).

³¹ Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 254/2002, (EC) No 2347/2002 and (EC) No 1224/2009, and Regulations (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98 (OJ L 133, 29.5.2015, p. 1).

Or. en

Amendment 7

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The submission of catch registration data on paper formats has led to incomplete and unreliable reporting and ultimately to inadequate catch reporting by operators to Member States and by Member States to the Commission, and has hampered the exchange of information between Member States. It is therefore considered necessary that masters record data concerning catches in a digital way and submit them electronically, in particular the logbooks, transshipment declarations and landing declarations.

Amendment

(16) The submission of catch registration data on paper formats has led to incomplete and unreliable reporting and ultimately to inadequate catch reporting by operators to Member States and by Member States to the Commission, and has hampered the exchange of information between Member States ***and the transfer of information to the recognised scientific bodies responsible for issuing the opinions that are used to determine fishing opportunities***. It is therefore considered necessary that masters record data concerning catches in a digital way and submit them ***on a regular basis*** electronically, in particular the logbooks, transshipment declarations and landing declarations.

Or. en

Amendment 8

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) When a fishing vessel departs, it should immediately start an electronic logbook and a unique fishing trip identifier number is assigned for that trip. The logbook, transshipment declarations and landing declarations should include a reference to this unique fishing trip identifier number to allow enhanced controls and to improve the validation of the data by Member States and the traceability of fishery products in the supply chain. In order to improve and simplify the transmission of information on fishing gear losses to Member State competent authorities, the logbook format should include information on lost gears.

Amendment

(20) When a fishing vessel departs, it should immediately start an electronic logbook and a unique fishing trip identifier number is assigned for that trip, ***unless the trip is intended for non-fishing activities.*** The logbook, transshipment declarations and landing declarations should include a reference to this unique fishing trip identifier number to allow enhanced controls and to improve the validation of the data by Member States and the traceability of fishery products in the supply chain. In order to improve and simplify the transmission of information on fishing gear losses to Member State competent authorities, the logbook format should include ***precise*** information on lost gears ***covering the date of the loss and the size and type of gear.***

Or. en

Amendment 9

Proposal for a regulation Recital 24

Text proposed by the Commission

(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions.

Amendment

(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions. ***Such data should also be disseminated and made available to the public subject to the removal of sensitive data and in anonymised form.***

Amendment 10

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) Fishing restricted areas are established under Union legislation, national legislation and international agreements. Therefore the provisions on the control of fishing restricted areas by Member States should apply to fishing restricted areas wherever they are located. Also recreational vessels fishing in restricted areas should be controlled, where appropriate.

Amendment

(29) ***Networks of protected areas help maintain ecosystem services, including carbon uptake and storage, and enable future ecosystem-based adaptation options by facilitating the movements of species, populations, and ecosystems that occur in response to warming and sea level rise.*** Fishing restricted areas are established under Union legislation, national legislation and international agreements. Therefore the provisions on the control of fishing restricted areas by Member States should apply to fishing restricted areas wherever they are located. Also recreational vessels fishing in restricted areas should be controlled, where appropriate.

Amendment 11

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) Provisions on the controls in the supply chain should be clarified in order to allow Member States to perform controls and inspections at all stages of marketing of fishery and aquaculture products, from the first sale to the retail sale, including transport.

Amendment

(32) Provisions on the controls in the supply chain should be clarified in order to allow Member States to perform controls and inspections at all stages of marketing of fishery and aquaculture products, from the first sale ***at auction or on the digital market***, to the retail sale, including transport.

Amendment 12

Proposal for a regulation Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) Within six months of the date of entry into force of this Regulation, the Commission and Member States should prepare and launch a communication campaign targeted to fishermen and operators in the recreational fisheries sector to properly communicate the new provisions of this Regulation.

Or. en

Amendment 13

Proposal for a regulation Recital 34

Text proposed by the Commission

Amendment

(34) In line with the traceability requirements set out in Article 18 of Regulation (EC) No 178/2002 of the European Parliament and Council³², Commission Implementing Regulation (EU) No 931/2011³³ lays down certain traceability rules for the specific sector of food of animal origin, namely a specific set of information must be kept on record by operators, be made available to competent authorities upon request, and transferred to the operator to which the fishery product is supplied. In the fisheries sector, traceability is important not only for food safety purposes but also to allow controls ***and*** ensure the protection of consumers' interests.

(34) In line with the traceability requirements set out in Article 18 of Regulation (EC) No 178/2002 of the European Parliament and Council³², Commission Implementing Regulation (EU) No 931/2011³³ lays down certain traceability rules for the specific sector of food of animal origin, namely a specific set of information must be kept on record by operators, be made available to competent authorities upon request, and transferred to the operator to which the fishery product is supplied. In the fisheries sector, traceability is important not only for food safety purposes but also to allow controls, ensure the protection of consumers' interests, ***combat IUU fishing and protect law-abiding fishermen from unfair***

competition.

³² Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

³³ Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (OJ L 242, 20.9.2011, p. 2).

³² Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

³³ Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (OJ L 242, 20.9.2011, p. 2).

Or. en

Amendment 14

Proposal for a regulation Recital 37

Text proposed by the Commission

(37) The same rules should apply to fishery and aquaculture products imported from third countries. In the case of imported products, the mandatory traceability information should include a reference to the catch certificate provided for by Regulation (EC) No 1005/2008³⁴.

³⁴ 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

Amendment

(37) The same rules should apply to fishery and aquaculture products imported from third countries ***with the aim of maintaining high food safety standards and promoting sustainable fishing practices in those countries.*** In the case of imported products, the mandatory traceability information should include a reference to the catch certificate provided for by Regulation (EC) No 1005/2008³⁴.

³⁴ 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 1447/1999 (OJ L 286, 29.10.2008, p. 1).

Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

Or. en

Amendment 15

Proposal for a regulation Recital 49

Text proposed by the Commission

(49) In order to ensure a level playing field in the Member States as regards the judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced.

Amendment

(49) In order to ensure a level playing field in the Member States as regards the judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced ***to ensure their full and consistent application in all Member States.***

Or. en

Amendment 16

Proposal for a regulation Article 1 – paragraph 1 – point 3 Regulation (EC) No 1224/2009 Article 6 – paragraph 3

Text proposed by the Commission

3. The flag Member State shall suspend temporarily the fishing licence of a vessel which is subject to temporary immobilisation decided by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b.

Amendment

3. The flag Member State shall suspend temporarily the fishing licence ***of the owner or operator*** of a vessel which is subject to temporary immobilisation decided by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b.

Or. en

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1224/2009

Article 6 – paragraph 4

Text proposed by the Commission

4. The flag Member State shall withdraw permanently the fishing licence of a vessel which is the subject of a capacity adjustment measure referred to in Article 22 of Regulation (EU) No 1380/2013 or which has had its fishing authorisation withdrawn in accordance with Article 91b.

Amendment

4. The flag Member State shall withdraw permanently the fishing licence ***of the owner or operator*** of a vessel which is the subject of a capacity adjustment measure referred to in Article 22 of Regulation (EU) No 1380/2013 or which has had its fishing authorisation withdrawn in accordance with Article 91b.

Or. en

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point b

Regulation (EC) No 1224/2009

Article 8 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) procedures for the notification of the end of use of crafts and fishing aggregating devices, fishing gears, gears, buoys and cords.

Or. en

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EC) No 1224/2009

Article 9a – paragraph 1

Text proposed by the Commission

1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State.

Amendment

1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State. ***Fisheries monitoring centres shall also report on the number of abandoned, lost or otherwise discarded fishing gear (ALDFG) and actions to prevent and mitigate the presence of ALDFG.***

Or. en

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EC) No 1224/2009

Article 9a – paragraph 4 – point d a (new)

Text proposed by the Commission

Amendment

(da) measures to be taken to prevent, mitigate and cure the presence of ALDFG.”

Or. en

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EC) No 1224/2009
Article 14 – paragraph 2 – point k a (new)

Text proposed by the Commission

Amendment

(ka) *the estimated weight of marine litter retrieved through the fishing operations.*

Or. en

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 19

Regulation (EC) No 1224/2009

Article 20 – paragraph 2b – introductory part

Text proposed by the Commission

Amendment

2b. In order to apply for an authorisation to tranship under paragraph 2a, the masters of Union vessels shall submit electronically to their flag Member State, at least **3** days before the planned transhipment operation, the following information:

2b. In order to apply for an authorisation to tranship under paragraph 2a, the masters of Union vessels shall submit electronically to their flag Member State, at least **two** days before the planned transhipment operation, the following information:

Or. en

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 21

Regulation (EC) No 1224/2009

Article 23 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) *the quantity in kilograms of marine litter retrieved through the fishing operations;*

Or. en

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 23

Regulation (EC) No 1224/2009

Article 25a – paragraph 1

Text proposed by the Commission

1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation and flying their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.

Amendment

1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation and flying their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage. ***Those CCTV systems shall not be required to record audio signal and audio signal shall not be used for monitoring purposes.***

Or. en

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (EC) No 1224/2009

Article 34

Text proposed by the Commission

The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that **80** % of a quota for a stock or group of stocks is deemed to be exhausted.

Amendment

The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that **70** % of a quota for a stock or group of stocks is deemed to be exhausted.

Or. en

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 31 – point a

Regulation (EC) No 1224/2009

Article 37 – paragraph 2

Text proposed by the Commission

2. If the prejudice suffered by the Member State for which fishing has been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall adopt measures with the aim of remedying in an appropriate manner the prejudice caused, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished and allocating the quantities so deducted appropriately to the Member States whose fishing activities were prohibited before their fishing opportunities were exhausted.

Amendment

2. If the prejudice suffered by the Member State for which fishing has been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall adopt measures with the aim of remedying in an appropriate manner the prejudice caused, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished and ***a fine proportionate to the value of the overfished stock and*** allocating the quantities so deducted appropriately to the Member States whose fishing activities were prohibited before their fishing opportunities were exhausted.

Or. en

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 31 – point b

Regulation (EC) No 1224/2009

Article 37 – paragraph 4 – point g

Text proposed by the Commission

(g) where appropriate, any other necessary measure on how to remedy the prejudice suffered.

Amendment

(g) where appropriate, any other necessary measure on how to remedy the prejudice suffered ***such as fines or financial compensation for the prejudiced Member State.***

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – paragraph 3 – point b

Text proposed by the Commission

(b) the speed during transit is not less than six knots except in case of force majeure or adverse conditions. In such cases, the master shall immediately inform the fisheries monitoring centre of its flag Member State which shall then inform the competent authorities of the coastal Member State.

Amendment

(b) ***no stops are allowed during the transit and*** the speed during transit is not less than six knots except in case of force majeure or adverse conditions. In such cases, the master shall immediately inform the fisheries monitoring centre of its flag Member State which shall then inform the competent authorities of the coastal Member State.

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

Article 56a – paragraph 5 – introductory part

Text proposed by the Commission

5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with ***another*** lot or split, if the lot created by merging or the lots created by splitting meet the following conditions:

Amendment

5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with ***one more*** lot or split, if the lot created by merging or the lots created by splitting meet the following conditions:

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

Article 58 – paragraph 3

Text proposed by the Commission

3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.

Amendment

3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot ***and to allow consumers to clearly identify the origin of the fish.***

Or. en

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

Article 58 – paragraph 8 – point a

Text proposed by the Commission

(a) digitalisation of the traceability information and its electronic transmission;

Amendment

(a) digitalisation of the traceability information and its electronic transmission, ***including access to such information for consumers;***

Or. en

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 47

Regulation (EC) No 1224/2009

Article 59 – paragraph 3

Text proposed by the Commission

3. Consumers acquiring up to an amount of **5kg** of fishery product per day which are not thereafter placed on the market but used only for private consumption shall be exempted from this Article.

Amendment

3. Consumers acquiring up to an amount of **4kg** of fishery product per day which are not thereafter placed on the market but used only for private consumption shall be exempted from this Article.

Or. en

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 59 – point b a (new)

Regulation (EC) No 1224/2009

Article 73 – paragraph 7

Present text

7. Masters of **Community** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of **Community** fishing vessels shall also provide control observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.

Amendment

(ba) paragraph 7 is replaced by the following:

“7. Masters of **Union** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of **Union** fishing vessels shall also provide control observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.”;

Or. en

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 59 – point c

Regulation (EC) No 1224/2009

Article 73 – paragraph 9 – point f a (new)

Text proposed by the Commission

Amendment

(fa) minimum Union training requirements for Union control observers.

Or. en

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 74 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy, and in particular:

3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy **and Union environmental policy**, and in particular:

Or. en

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 74 – paragraph 6 – point b

Text proposed by the Commission

Amendment

(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;

(b) the adoption by Member States of a risk-based approach for the selection of inspection targets **and minimum frequency of inspections**;

Or. en

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 79 – paragraph 7 – point f a (new)

Text proposed by the Commission

Amendment

(fa) minimum training requirements for Union inspectors, covering in-depth knowledge of the CFP as well as relevant Union environment legislation.

Or. en

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 89 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall, by **[24 months from]** date of entry into force of **the present** Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.

2. Member States shall, by ... **[18 months after the]** date of entry into force of **this** Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.

Or. en

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – point q a (new)

Text proposed by the Commission

Amendment

(qa) disposing of fishing gears and

marine litter at sea from fishing vessels.

Or. en

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 92 – paragraph 12

Text proposed by the Commission

12. **Member States** shall ensure that the application of national proceedings does not render the point system ineffective.

Amendment

12. **The Commission** shall ensure that the application of national proceedings **by Member States** does not render the point system ineffective.

Or. en

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 93 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The information contained in the national register shall be provided in open source format and rendered anonymous by Member States and the Commission for the purpose of allowing analysis inter alia by the scientific community on the impact of this Regulation on the attainment of the objectives of the fisheries control and the sustainability of fish stocks in the Union.

Or. en

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 70

Regulation (EC) No 1224/2009

Article 93a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By 1 September every year, the Commission shall compile a report on the findings of the reports referred to in paragraph 2. That report shall also analyse the application of this Regulation by fishing vessels registered in third countries fishing in Union waters and especially in the Union's neighbouring countries.

Or. en

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 73 – point b

Regulation (EC) No 1224/2009

Article 104 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall, by means of implementing acts, lift the closure after the Member State has demonstrated ***in writing*** to the satisfaction of the Commission that the fisheries can be safely exploited.

4. The Commission shall, by means of implementing acts, lift the closure after the Member State has demonstrated to the satisfaction of the Commission that the fisheries can be safely exploited. ***The Commission may require demonstration of compliance of a Member State with its obligations under a multiannual plan in writing or may task the European Fisheries Control Agency to carry out an inspection.***

Or. en

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 – point 73 – point b

Regulation (EC) No 1224/2009

Article 104 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Every year in the first trimester, the Commission shall report to the European Parliament and Council on the application of Article 104 during the preceding year, unless no closures of fisheries have occurred in the Union."

Or. en

Amendment 45

Proposal for a regulation

Article 1 – paragraph 1 – point 76 – point a

Regulation (EC) No 1224/2009

Article 107 – paragraph 1

Text proposed by the Commission

Amendment

1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission may, **by means of implementing acts**, operate deductions in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks.

1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission may operate deductions **or bans** in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks.

Or. en

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 76 – point b

Regulation (EC) No 1224/2009

Article 107 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the quantities to be deducted by taking into account:

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the quantities to be deducted **or bans** by taking into account:

Or. en

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 78

Regulation (EC) No 1224/2009

Article 110 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat.

Amendment

Data listed in paragraph 1(a)(ii) and (iii) may be provided **in anonymised and open-source format to the public and specifically sent** to scientific bodies of Member States, scientific bodies of the Union and Eurostat.

Or. en

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 82

Regulation (EC) No 1224/2009

Article 115 – point h

Text proposed by the Commission

(h) a list of the fishing restricted areas and corresponding restrictions

Amendment

(h) a list of the fishing restricted areas and corresponding restrictions ***and a calendar for future planned restricted areas;***

Or. en

Amendment 49

Proposal for a regulation

Article 2 – point 2 point a

Regulation (EC) No 768/2005

Article 3 – point e

Text proposed by the Commission

(e) to assist Member States and the Commission in harmonising the application of the common fisheries policy;

Amendment

(e) to assist Member States and the Commission in harmonising the application ***and ensuring the sustainability*** of the common fisheries policy ***including its external dimension;***

Or. en

Amendment 50

Proposal for a regulation

Article 2 – point 5 a (new)

Regulation (EC) No 768/2005

Article 24 – paragraph 1

Present text

1. The Administrative Board shall *elect a Chairperson from among the Commission* representatives. *The Administrative Board shall elect a Deputy Chairperson from among its members. The Deputy Chairperson shall automatically take the place of the Chairperson if he/she is*

Amendment

(5a) in Article 24, paragraph 1 is replaced by the following:

“1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission and two representatives of the European Parliament. Each Member State shall be entitled to appoint one member. The Member States, the

prevented from attending to his/her duties.

Commission and the Parliament shall appoint one alternate to each member who will represent the member in his/her absence.”

Or. en

Amendment 51

Proposal for a regulation

Article 4 – paragraph 1 – point 14

Regulation (EC) No 1005/2008

Article 43 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The European Public Prosecutor’s Office may investigate, prosecute and bring to judgment crimes against the Union budget, such as fraud, corruption or serious cross-border VAT fraud including with respect to IUU fishing.

Or. en