



2017/0348(COD)

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1139 as regards fishing mortality ranges and safeguard levels for certain herring stocks in the Baltic Sea (COM(2017)0774 – C8-0446/2017 – 2017/0348(COD))

Committee on Fisheries

Rapporteur: Alain Cadec

(Simplified procedure - Rule 50(1) of the Rules of Procedure)

### ***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.

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	6



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1139 as regards fishing mortality ranges and safeguard levels for certain herring stocks in the Baltic Sea (COM(2017)0774 – C8-0446/2017 – 2017/0348(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0774),
  - 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 (C8-0446/2017),
  - 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 14 February 2018<sup>1</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A8-0000/2018),
1. Adopts its position at first reading, taking over the Commission proposal;
  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.

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<sup>1</sup> Not yet published in the Official Journal.

## EXPLANATORY STATEMENT

### Substance of the proposal

One of the central objectives of the reform of the current Common Fisheries Policy (CFP)<sup>1</sup> is reaching the maximum sustainable yield (MSY) exploitation rate for all stocks in order to restore and maintain populations of fish stocks at sustainable levels. The sustainable exploitation of marine biological resources can be better achieved through a multiannual approach to fisheries management by adopting the multiannual fisheries management plans which according to the current CFP should reflect the specificities of the different fisheries and of the stocks. The multiannual management plans should provide the framework for the sustainable exploitation of stocks defining clearly the time frame and safeguard mechanisms for unforeseen development in fish stock status.

The target which corresponds to the MSY objective, should be expressed as a range of  $F_{MSY}$  values provided by scientists, which would then be fixed by the co-legislators and established in the plan. The Council would adopt measures on the fixing and allocation of fishing opportunities on an annual basis, based on scientific advice and in such a way as to achieve the objectives of the plan<sup>2</sup>.

The first multiannual management plan after the reform of the CFP was adopted for the Baltic Sea region. Regulation (EU) No 2016/1139 established a multiannual plan for the stocks of cod, herring and sprat (stocks concerned) in the Baltic Sea (the plan). The objective of the plan is to ensure that the exploitation of the stocks concerned restores and maintains populations of those stocks above levels which can produce MSY. The plan sets the quantifiable targets, i.e. fishing mortality ranges, as well as, conservation reference points expressed in terms of  $MSY B_{trigger}$  and  $B_{lim}$ . The numerical values of the mentioned parameters were taken from the scientific advice provided by International Council for the Exploration of the Sea (ICES) in 2015<sup>3</sup>. The scientific assessment conducted in 2017 shows that the respective MSY values for the stocks of the Bothnian Sea herring and of the Bothnian Bay herring have changed.

Article 5(6) of Regulation (EU) No 2016/1139 provides that where, on the basis of scientific advice, the Commission considers that the conservation reference points set out in Annex II to that Regulation no longer correctly express the objectives of the plan, those points, as a matter of urgency, may be submitted for the revision to the European Parliament and the Council.

The Commission has therefore proposed an amendment of the Regulation (EU) No 2016/1139 in light of the most recent and the best scientific advice.

### Results of consultations with interested parties and impact assessments

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<sup>1</sup> OJ L 354, 28.12.2013, p. 22

<sup>2</sup> Task Force on multiannual plans. Final report April 2014  
[http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/pech/dv/taskfor/taskforce.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/pech/dv/taskfor/taskforce.pdf)

<sup>3</sup> ICES special request advice. ICES advice 2015, Book 6. EU request to ICES to provide  $F_{MSY}$  ranges for selected North Sea and Baltic Sea stocks.

The scientific background for the amendment was provided by ICES. In 2017 ICES conducted an evaluation of the herring stocks in the Bothnian Sea and the Bothnian Bay<sup>1</sup>. A key issue considered by scientists was stock identification, i.e. whether to combine the two areas in one assessment unit, or continue assessing them separately. It was decided to combine the stock based on the following considerations:

- a) there is no strong biological evidence either for combining or separating the stocks;
- b) data availability does not support a good quality assessment for the Bothnian Bay herring and this is unlikely to be possible to improve in the future;
- c) there is no concern for overexploitation of the smaller stock component in the Bothnian Bay when merged together with a larger component of herring in the Bothnian Sea.

As a result of merging the two stocks, the new MSY reference values were estimated by ICES. The resulting  $F_{MSY}$  point value is 0.21. The corresponding  $F_{MSY}$  ranges were calculated and resulted in  $F_{MSY}$  lower equal to 0.15 and  $F_{MSY}$  upper to 0.21. Due to the probability of stock biomass falling below the safeguard levels, the  $F_{MSY}$  upper is therefore limited to and equal to  $F_{MSY}$  point value of 0.21. The corresponding biomass levels of MSY  $B_{trigger}$  and  $B_{lim}$  were calculated to be 283 180 and 202 272 tonnes respectively.

No specific impact assessment has been carried out as the impacts of applying the MSY concept to fisheries management have already been assessed under the impact assessment supporting the reform of the CFP. As part of that impact assessment<sup>2</sup>, the impacts of reaching MSY were quantified. A further impact assessment would not add to the information already available from the previous assessment carried out. The changes to the existing regulation are in accordance of its Article 5(6) and triggered by a scientific advice. They are essential to set or revise, where appropriate, the annual fishing opportunities for the Baltic Sea and the proper functioning of the new CFP.

### **The Rapporteur's position:**

The rapporteur welcomes this legislative proposal for a technical amendment of the management plan for the Baltic Sea, specifically for herring in the Gulf of Bothnia.

The Commission proposal should be adopted by means of the simplified procedure under Rule 50 of Parliament's Rules of Procedure.

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<sup>1</sup> ICES, 2017. Report of the Benchmark Workshop on Baltic Stocks (WKBALT), 7–10 February 2017, Copenhagen, Denmark. ICES CM 2017/ACOM:30, p. 108

<sup>2</sup> SEC(2011) 891.