



2023/0206(COD)

8.11.2023

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## **DRAFT 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 2023<sup>1</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A9-0000/2023),
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 Article 1 – paragraph 2**

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

*Text proposed by the Commission*

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) 2017/2403<sup>42</sup>, and Council Regulations (EC) No 1005/2008<sup>43</sup> and (EC) No 1224/2009.

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<sup>42</sup> 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).

<sup>43</sup> 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).

*Amendment*

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) 2017/2403<sup>42</sup>, and Council Regulations (EC) No 1005/2008<sup>43</sup> and (EC) No 1224/2009.

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<sup>42</sup> 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).

<sup>43</sup> 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).

Or. en

**Amendment 2**

**Proposal for a regulation**  
**Article 11 – title**

*Text proposed by the Commission*

**Garbage** at sea and retrieval of lost gear

*Amendment*

**Waste** at sea and retrieval of lost gear

Or. en

**Amendment 3**

**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 Council<sup>48</sup> into the sea, in accordance with MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships.

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<sup>48</sup> 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*

1. Masters of Union fishing vessels are ***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 Council<sup>48</sup> into the sea, in accordance with MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships.

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<sup>48</sup> 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).

Or. en

#### **Amendment 4**

##### **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 where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed. ***Those measures shall apply to landings exceeding 10 tonnes of those species.***

Or. en

#### **Amendment 5**

##### **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 Article 55 concerning measures adopted by NEAFC *concerning*:

*Amendment*

1. The Commission is empowered to adopt delegated acts in accordance with Article 55 concerning measures adopted by NEAFC *with regard to*:

Or. en



## 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.