Baltic salmon stock and the fisheries exploiting that stock


(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2011)0470),
– 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 (C7-0220/2011),
– 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 18 January 2012¹,
– having regard to Rule 55 of its Rules of Procedure,
– having regard to the report of the Committee on Fisheries and the opinion of the Committee on the Environment, Public Health and Food Safety (A7-0239/2012),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 68, 6.3.2012, p. 47.

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure¹,

Whereas:

(1) The Salmon Action Plan, adopted through the International Baltic Sea Fisheries Commission in 1997, expired in 2010. Contracting parties to the Baltic Marine Environment Protection Commission (HELCOM) have urged the Union to develop a long term plan for the management of Baltic salmon.

(2) Recent scientific advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee on Fisheries (STECF) state that some Baltic salmon river stocks are outside safe biological limits and that a multiannual plan should be developed at European level.

(3) In accordance with Article 3(1)(d) of the Treaty on the Functioning of the European Union (TFEU), the Union has exclusive competence for the conservation of marine biological resources under the common fisheries policy. Since salmon is an anadromous species, conservation of the marine Baltic salmon stocks cannot be achieved if measures have not been taken to protect such stocks during their river life. Therefore, such measures are also covered by the Union's exclusive competence

¹ OJ C 68, 6.3.2012, p. 47.
to ensure effective conservation of marine species throughout their whole migratory cycle and should be addressed in the multiannual plan.

(4) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora\(^2\) lists salmon as a species of Union interest and measures taken pursuant to that Directive should be designed to ensure that their exploitation is compatible with a favourable conservation status. There is therefore a need to ensure that measures to protect salmon taken under this Regulation are consistent with those taken under the mentioned directive and coordinated with one another. *Prohibiting fishing with drifting longlines is also an important way of improving salmon stocks, as it reduces discards of under-sized salmon.* [Am. 1]

(5) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy\(^3\), is intended to protect, conserve and enhance the aquatic environment where salmon spend part of their life cycle. The multiannual plan for Baltic salmon stock should contribute to the achievement of the objectives of Directive 2000/60/EC. Measures already requested in that Directive, such as river basin management plans, should not be duplicated in this Regulation. There is, however, a need to ensure coordination of and consistency between measures taken under this Regulation and those under the mentioned Directive for the protection and enhancement of salmon habitats in inland waters.

(6) The Implementation Plan agreed by the World Summit on Sustainable Development at Johannesburg in 2002 states that all commercial stocks should be restored to levels that can produce maximum sustainable yield by 2015. *This has been a legal requirement under the UN Convention on the Law of the Sea since 1994.* ICES HELCOM deems that, for the Baltic salmon river stocks, this level corresponds to a smolt production level between \(60\%\) and \(75\%\) of \(80\%\) of the potential smolt production capacity for the different wild salmon rivers. Such scientific advice should constitute the basis for setting the objectives and targets of the multiannual plan. [Am. 2]

---

Smolt production capacity is a rough indicator of the health of the salmon stock in any given river. It requires a series of assumptions to be in place before it is possible to use smolt production as an indicator. Moreover, the level of smolt production is affected by a number of factors rendering the correlation between smolt production and the health of the salmon stock difficult to isolate. The level of returning female salmon to rivers should therefore be used as a viable second indicator of the health of the salmon stock. [Am. 3]

Scientific advice indicates that genetic pollution of the Baltic salmon stocks may result in a decline in the survival rate and in the abundance of indigenous populations and in the erosion of the genetic capability to face diseases and changing local environmental conditions. Therefore, preserving the genetic integrity and diversity of the Baltic salmon stocks pays a crucial role in their conservation and should be included as an objective of the multiannual plan.

The fishing mortality rate at sea and in rivers should result in a wild salmon stock size that produces the maximum sustainable yield in accordance with the targets and timeframes set. The fishing mortality rate at sea should be established on the basis of STECF advice.

For a more effective implementation of the plan and in order to allow for a more targeted response to the special characteristics of each salmon river stock, Member States concerned should be empowered to lay down the level of the salmon fishing mortality rate, the total allowable catches and certain technical conservation measures in their rivers in accordance with Article 2(1) TFEU.

When adopting measures in the framework of this Regulation, Member States should fully respect their international obligations, in particular those deriving from Article 66 of United Nations Convention of 10 December 1982 on the Law of the Sea¹ which requires inter alia that the state of origin of anadromous stocks and other states concerned should cooperate with regard to conservation and management of these stocks.

Provisions should be made for the periodical assessment by the Commission of the adequacy and effectiveness of Member States measures on the basis of the targets and objectives set out in the multiannual plan.

Scientific advice states that inappropriate stocking procedures may have significant implications on the genetic diversity of the Baltic salmon stock and that there. There is also a risk that the large number of reared fish released into the Baltic Sea every year is affecting could affect the genetic integrity of the wild salmon and should be phased out. Therefore the condition of releases—populations. In view of this, stocking should be subject to tighter controls. Furthermore, the conditions governing the sourcing of genetic material for the breeding and rearing of salmon stocking material, as well as the conditions governing stocking procedures, should be established in this multiannual plan, in order to ensure that stocking does not have an adverse effect on genetic diversity. [Am. 4]

The direct restocking of potential salmon rivers is considered under specific conditions to be a conservation measure; since it offers the possibility of re-establishing self-sustaining salmon populations, it has a positive effect on the overall number of salmon and on the fishery. Provisions should be made to explicitly allow direct restocking which fulfils these conditions to be eligible for funding in accordance with Article 38(2) of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund1.

However, since releases of salmon may be at present mandatory in certain Member States and in order to give Member States time to adjust to these requirements, releases of salmon other than stocking and direct restocking should remain not continue to be allowed during a transitional period of seven years following the entry into force of this Regulation after a ten-year period if, by the end of that period, wild smolt production has reached 80 % of the potential smolt production capacity in a given river. If that target is not reached, releases of salmon other than stocking and direct restocking may continue for a further 10 years once the Member State concerned has analysed and removed the causes of the failure to reach that target. It is possible that releases of salmon are at present mandatory in certain Member States and it is, therefore, necessary for Member States to be given time to adjust to these requirements. [Am. 5]

With a view to ensuring compliance with the measures laid down in this Regulation, specific control measures should be adopted in addition to those provided for in Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a

---

Community control system for ensuring compliance with the rules of the common fisheries policy\(^1\).

(15a) *In order to achieve sustainable fisheries, the trust between the stakeholders and the methods they use for communicating with one another should be improved.* [Am. 6]

(16) A substantial number of coastal vessels fishing for salmon are below 10 m in length. For this reason the use of fishing logbook, as required by Article 14 and prior notification as required by Article 17 of Regulation (EC) No 1224/2009 should be extended to cover all *commercial fishing* vessels and service vessels. [Am. 7]

(17) To ensure that salmon catches are not misreported as sea trout and therefore escape proper control, it is necessary to extend the obligation to submit prior notifications in accordance with Article 17 of Regulation (EC) No 1224/2009 also to all vessels retaining on board sea trout.

(17a) *Member States should strengthen their control and prior notification systems for recreational vessels used for angling and other types of fishing, in order to ensure a simple and effective system and to promote sustainable fishing.* [Am. 8]

(17b) *A minimum landing size should be established for both sea trout (Salmo trutta) and salmon (Salmo salar), in ICES subdivisions 22-32, by way of derogation from Article 14 of and Annex IV to Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound\(^2\).* [Am. 9]

(18) To provide better and more scientific data on the salmon stock, electrofishing should be permitted.

(19) Recent scientific advice indicates that recreational salmon fisheries at sea have a significant impact on salmon stocks, even though the data available in this regard are not very precise. In particular, recreational fisheries carried out from vessels operated by undertakings offering their services for profit can potentially account for an important part of catches of Baltic salmon. To ensure that the multiannual plan

---

functions well, it is appropriate, therefore, to introduce certain specific management measures to control such recreational fishing activities. [Am. 10]

(19a) Establishing Internet-based reporting systems in or between Member States should be encouraged and supported in order to make reporting even easier. The information about reported catches should be publicly available. However, the specific fishing ground of the catch should not be disclosed, in order to avoid incentives for fishermen targeting this specific fishing ground. [Am. 11]

(20) In order to achieve in an efficient way the targets set in this Regulation and to be able to react swiftly to changes in stock conditions, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of certain non-essential elements of this Regulation as provided for in its Articles 6, 7, 11 and 25. Those powers should include the possibility to amend the fishing mortality rate at sea, to amend the list of wild salmon rivers and certain technical information contained in the Annexes to this Regulation and to adopt measures for the Baltic river stocks, where Member States measures under the empowerment mentioned in recital 9 are not adopted or are considered ineffective.

(20a) The Commission should ensure that Member States take the administrative or criminal measures needed to tackle the issue of illegal, unreported and unregulated fishing. [Am. 12]

(21) The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

(22) In order to ensure uniform conditions for the implementation of the provisions on stocking of salmon established in Article 12 of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers¹.

HAVE ADOPTED THIS REGULATION:

CHAPTER I
SUBJECT-MATTER, SCOPE AND DEFINITIONS

Article 1
Subject-matter

This Regulation establishes a multiannual plan for the conservation and management of the Baltic salmon stock ("the plan").

Article 2
Scope

1. The plan shall apply to: (a) commercial and recreational fisheries in the Baltic Sea and in rivers connected with it on the territory of Member States ("the Member States concerned"). [Am. 13]

(b) recreational fisheries of salmon in the Baltic Sea where such fisheries are conducted by service vessels. [Am. 14]

Article 3
Definitions

1. For the purposes of this Regulation, the definitions laid down in Article 3 of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy¹, Article 2 of Directive 2000/60/EC and Article 4 of Regulation (EC) No 1224/2009 shall apply.

2. The following definitions shall also apply:

(a) "Baltic Sea" means ICES Subdivisions 22-32;

(b) "Baltic rivers" means the rivers connected to the Baltic Sea on the territory of Member States;

(c) "Baltic salmon stock" means all salmon stocks in the Baltic Sea and in Baltic rivers, both wild and reared;

(d) "wild salmon river" means a river with self sustaining wild salmon populations with no or limited releases of reared salmon as listed in Annex I;

(e) "potential salmon river" means a river with historical wild salmon population(s) and currently no or little natural reproduction and with the potential for re-establishment of a self sustaining wild salmon population;

(f) "potential smolt production capacity" means the production capacity of smolts calculated for each river on the basis of relevant river-specific parameters;

(g) "technical conservation measures" means measures that regulate the species composition and size composition of catches as well as the impacts on components of the ecosystems resulting from fishing activities, through conditioning the use and structure of fishing gear and restrictions of access to fishing areas;

(h) "stocking" means the deliberate release of smolt or earlier life stages of reared salmon into wild salmon rivers;

(ha) "recreational fisheries" means, notwithstanding Article 4(28) of Regulation (EC) No 1224/2009, forms of fishing other than commercial fishing using any type of fishing vessel and gear for commercial and non-commercial purposes; [Am. 15]

(i) "direct restocking" means the release of smolt or earlier life stages of reared salmon into potential salmon rivers;

(j) "service vessel" means a vessel, that is operated by an undertaking offering services, including providing fishing equipment, transport and/or guidance, for the purpose of recreational fishing targeting salmon in the Baltic Sea;

(k) "total allowable catches" (TAC) means the quantity of Baltic salmon that can be taken and landed from the stock each year.
CHAPTER II
OBJECTIVES

Article 4
Objectives

The plan shall aim at ensuring that:

(a) the Baltic salmon stock is exploited in a sustainable way according to the principle of maximum sustainable yield;

(b) the genetic integrity and diversity of the Baltic salmon stock is safeguarded.

CHAPTER III
TARGETS

Article 5
Targets for wild salmon river stocks

1. For wild salmon rivers which have reached 50 % of the potential smolt production capacity by ...*, the wild smolt production shall reach \(75\%-80\%\) of the potential smolt production capacity for each river by ...**. [Am. 16]

2. For wild salmon rivers which have not reached 50 % of the potential smolt production capacity by ...*, the wild smolt production shall reach 50 % of the potential smolt production capacity for each river by ...** and \(75\%-80\%\) by ...***. [Am. 17]

3. After ...***, the wild salmon smolt production shall be maintained at a level of at least \(75\%-80\%\) of the potential smolt production capacity in each wild salmon river. [Am. 18]

4. Member States concerned may set, for each wild salmon river, other more stringent targets, such as those based on the number of returning spawners. [Am. 19]

---

* Date of entry into force of this Regulation.
** Seven years after the date of entry into force of this Regulation.
* Date of entry into force of this Regulation.
** Five years after the date of entry into force of this Regulation.
*** Twelve years after the date of entry into force of this Regulation.
Member States concerned shall provide and publish data accounts of returning female salmon to their rivers. [Am. 20]

CHAPTER IV
HARVESTING RULES

Article 6
Determining TAC in rivers

1. The annual TAC for salmon stocks in wild salmon rivers shall not exceed the level corresponding to the fishing mortality rate referred to in paragraph 2.

2. The fishing mortality rate for salmon stocks in wild salmon rivers shall be specified by each Member State in accordance with the targets set out in Article 5 and with the expert opinions from STECF and ICES and re-assessed regularly by those bodies when more information becomes available or the characteristics of the river are changed. For that purpose the Member States shall take account of potential smolt production capacity as calculated for each river by ICES on the basis of relevant river-specific parameters and re-assessed regularly by this body when more information becomes available or when the characteristics of the river change.

3. Member States concerned shall publish the fishing mortality rate in wild salmon rivers and the corresponding salmon TAC on the publicly accessible part of their official website set up in accordance with Article 114 of Regulation (EC) No 1224/2009 by …* and shall revise them annually.

4. The Commission shall assess every three years the compatibility and effectiveness of measures taken by Member States pursuant to this Article on the basis of the objectives and targets set out in Articles 4 and 5. [Am. 21]

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 26 specifying the fishing mortality rate and/or the corresponding TAC in wild salmon rivers and/or the closure of the fishery concerned measures, if the Member States concerned do not publish such measures in accordance with paragraphs 1, 2 and 3 by the respective deadlines set.

* One year from the date of entry into force of this Regulation.
6. The Commission shall be empowered to adopt delegated acts in accordance with Article 26 specifying the fishing mortality rate and/or the corresponding TAC in wild salmon rivers and/or the closure of the fishery concerned, if, on the basis of an assessment carried out pursuant to paragraph 4, measures adopted by Member States are deemed not to be compatible with the objectives and targets set out in Articles 4 and 5 or are deemed to be inadequate for the attainment of those objectives and targets.

7. The measures adopted by the Commission shall aim to ensure that the objectives and targets set out in Articles 4 and 5 are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

Article 7
Determining TAC at sea

1. The annual TAC for the salmon stocks at sea shall not exceed the level corresponding to a fishing mortality rate of 0,1.

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending the value of the fishing mortality rate at sea referred to in paragraph 1 when there are clear indications that stock conditions have changed and/or that the existing fishing mortality rate is not appropriate to reach the objectives set out in Article 4.

3. In case of sudden outburst of diseases, critically low post smolt survival rates or other unforeseen developments, the Council shall decide on a TAC that is lower than the TAC which would result from the fishing mortality rate referred to in paragraph 1.

Article 8
Use of the national quota by service vessels in recreational fisheries [Am. 22]

Salmon caught at sea from service vessels in recreational fisheries and from recreational coastal and river fisheries shall be counted against the national quota. [Am. 23]

CHAPTER IVA
MINIMUM LANDING SIZE FOR SALMON AND SEA TROUT

Article 8a
By way of derogation from Article 14 of Regulation (EC) No 2187/2005, the minimum landing size for salmon shall be 60 cm and the minimum landing size for sea trout shall be 50 cm, in each of the ICES subdivisions referred to in Article 3(2)(a) of this Regulation.

[Am. 26]

CHAPTER V
TECHNICAL CONSERVATION MEASURES

Article 9
Member States measures to protect weak salmon river stocks

1. For wild salmon rivers which have not reached 50 % of the potential smolt production capacity by ...*, Member States concerned shall establish not later than two years after the entry into force of this Regulation national technical conservation measures, maintain and, if necessary, improve existing national technical conservation measures by ...*.[Am. 24]

2. Technical conservation measures referred to in paragraph 1 shall be based on river specific requirements to adequately contribute to achieving the objectives and targets set out in Articles 4 and 5. The location of such measures shall be based on best available information on salmon migration routes at sea.

Article 10
Measures to protect other salmon rivers stocks

Member States may establish national technical conservation measures in their Baltic rivers for salmon river stocks not covered by Article 9. Those measures shall contribute to achieving the objectives and targets set out in Articles 4 and 5.

The Commission shall review the State aid guidelines with a view to making it easier for Member States to compensate for damage caused by seals and cormorants. [Am. 25]

Article 11
Commission measures

1. The Commission shall assess every three years the compatibility and effectiveness of measures taken by Member States pursuant to Articles 9 and 10, in

* Date of entry into force of this Regulation.
particular where wild salmon rivers run through several Member States, on the basis of the targets and objectives set out in Articles 4 and 5. [Am. 27]

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 26 laying down such technical conservation measures as are needed, if the Member States concerned do not adopt such measures in accordance with Articles 9 within the set deadline after the date of entry into force of this Regulation.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 26 laying down such technical conservation measures as are needed, if, on the basis of an assessment carried out pursuant to paragraph 1, Member State measures are deemed not to be compatible with the objectives and targets set out in Articles 4 and 5 or are deemed to be inadequate for the attainment of these objectives and targets.

4. The measures adopted by the Commission shall aim at ensuring that the objectives and targets set out in Articles 4 and 5 are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

CHAPTER VI
RELEASES

Article 12
Stocking

1. Stocking of salmon may only be conducted in wild salmon river. The number of released smolts in each river shall not exceed the estimated potential smolt production capacity <i>rivers when this is required to prevent the extermination</i> of the <i>river local stock</i>. [Am. 28]

2. Stocking shall be conducted in a way that safeguards the genetic diversity <i>and variability</i> of the different salmon river stocks taking into account existing fish communities in the stocked river and in neighbouring rivers while maximising the effect of stocking. <i>Smolt shall come from the nearest possible wild salmon river</i>. [Am. 29]

2a. <i>Smolts for stocking shall be marked by clipping their adipose fins</i>. [Am. 30]

---

** Two years after the entry into force of this Regulation.
The Commission may establish **shall adopt implementing acts by …** implementing detailed rules for the application of this Article by means of. **Those** implementing acts **shall be** adopted in accordance with the examination procedure referred to in Article 28(2). [Am. 31]

Article 13
Direct restocking

Direct restocking of potential salmon rivers shall only be made, provided that:

(a) the river **has or its tributaries have** free migratory waterways, appropriate water quality and habitat suitable for reproduction and growth of salmon; [Am. 32]

(b) the purpose of direct restocking is to establish or enhance a viable self sustaining wild salmon population;

c) there is a pre- and post-release monitoring program with evaluation in place;

d) there are suitable and adequate conservation and management measures in place to facilitate the re-establishment of a self-sustaining salmon population in the river;

(da) **stocking shall be conducted in a way that safeguards the genetic diversity of the different salmon river stocks, taking into account existing fish communities in the stocked river and in neighbouring rivers, while maximising the effect of stocking;** [Am. 34]

(db) **smolts for stocking shall be marked by clipping their adipose fins.** [Am. 35]

The Polluter Pays principle shall be the guiding principle when rehabilitating waterways. Direct restocking in accordance with paragraph 1 shall also be deemed to be a conservation measure for the purposes of Article 38(2) of Regulation (EC) No 1198/2006. [Am. 36]

Article 13a
Origin of mature fish and smolt

**Mature fish and smolt shall originate from the same wild salmon river if possible or failing that from the nearest possible wild salmon river basin.** [Am. 33]

* Three years after the entry into force of this Regulation.
Article 14
Transitional period

Releases of salmon other than those made in accordance with Articles 12 and 13 may continue until 7 years after the entry into force of this Regulation, and shall be carefully evaluated. A river-by-river approach shall be used for the gradual phasing out. It shall be administered by Member States' local, regional and/or national agencies and shall also involve local stakeholders and make use of their competence with regards to habitat restoration and other measures. Legally binding national decisions on the use of economic resources currently used for restocking shall be redirected to support fishermen potentially adversely affected by the negative effects of a phasing-out. [Am. 37]

CHAPTER VII
CONTROL AND ENFORCEMENT

Article 15
Relationship with Regulation (EC) No 1224/2009

The control measures provided for in this Chapter shall apply in addition to those prescribed in Regulation (EC) No 1224/2009, safe where otherwise provided for in the Articles of this Chapter.

*In addition, Article 55(3) of Regulation (EC) No 1224/2009, as well as Articles 64 and 65 of Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009, shall apply mutatis mutandis to all recreational fisheries for salmon in the Baltic Sea. [Am. 38]*

Article 16
Logbooks

By way of derogation from Article 14 of Regulation (EC) No 1224/2009 masters of Union fishing vessels of all length holding a fishing authorisation for salmon, as well as masters of service vessels used for angling and other types of fishing, shall keep a logbook of their operations in accordance with the rules set in Article 14 of Regulation (EC) No 1224/2009. [Am. 39]

* 10 years after the entry into force of this Regulation.

Article 17
Prior notifications

By way of derogation from the introductory sentence of Article 17(1) of Regulation (EC) No 1224/2009, masters of Union fishing vessels of all lengths, as well as masters of service vessels, retaining salmon and/or sea trout on board shall notify the competent authorities of their flag Member State immediately after the completion of the fishing operation of the information listed in Article 17(1) of Regulation (EC) No 1224/2009. [Am. 40]

Article 18
Special activity authorisations

1. Service vessels shall hold a special activity authorisation for salmon fishing, issued in accordance with Annex II of this Regulation.

2. Member States concerned shall include special activity authorisations in the list of fishing authorisations contained in the electronic database established in accordance with Article 116(1)(d) of Regulation (EC) No 1224/2009. Furthermore, they shall include the data with regard to special activity authorisations in the computerized validation system referred to in Article 109 of Regulation (EC) No 1224/2009.

Article 19
Catch declaration declarations for recreational fisheries [Am. 41]

1. The master All types of service vessel recreational fisheries vessels shall complete a catch declaration in accordance with Annex III and submit it report to the competent authority of the flag Member State of the service vessel by the last day of every month. [Am. 42]

2. By the fifteenth day of each month Member States concerned shall register the information recorded in the catch declarations for the previous month in their electronic database established in accordance with Article 116(1)(f) of Regulation (EC) No 1224/2009 and in their computerised validation system referred to in Article 109 of Regulation (EC) No 1224/2009. The electronic data and the catch declarations shall be kept for 3 years.
Article 20

Landing inspections

Member States concerned shall verify the accuracy of the information recorded in the catch declarations by landing inspections. Such landing inspections shall cover a minimum of 20% inspection of the total number of landings. The European Fisheries Control Agency shall carry out effective checks and shall encourage Member States to undertake more focused and targeted inspections in areas where IUU-fishing is suspected or reported to take place. [Am. 43]

Article 20a

Control of recreational fisheries

The arrangements for the control of recreational fisheries for the purposes of this Regulation shall be based in particular on Article 55 of Regulation (EC) No 1224/2009 and on Articles 64 and 65 of Regulation (EU) No 404/2011. [Am. 44]

Article 21

National control action programmes

The national control action programmes as prescribed in Article 46 of Regulation (EC) No 1224/2009 shall also contain as a minimum:

(a) the application of technical conservation measures established in accordance with Chapter V of this Regulation;

(b) compliance with the rules on quota uptake, activity authorisation and catch declaration by service vessels, and recreational fisheries using all types of gear; [Am. 45]

(c) the monitoring of rules on stocking and direct restocking.

CHAPTER VIII
DATA COLLECTION

Article 22

For the purposes of data collection each juvenile salmon cohort in all wild salmon rivers may be surveyed with electrofishing before smoltification.
The Commission may adopt implementing acts laying down detailed conditions for conducting electrofishing based on the latest scientific information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). [Am. 46]

Article 22a

No later than ..., the Commission shall forward to Parliament and the Council the findings of scientific research conducted into the impact of predators, in particular seals and cormorants, on the Baltic salmon stock. On the basis of those research findings the Commission shall draw up a plan for managing populations of predators that have an impact on the Baltic salmon stock, which shall be brought into force no later than in 2016. [Am. 47]

Article 22b

No later than ..., the Commission shall forward to Parliament and the Council the findings of the scientific research conducted in respect of the discards and by-catch of salmon in all relevant Baltic Sea fisheries. [Am. 48]

CHAPTER IX
FOLLOW-UP

Article 23
Member States reporting

1. Member States concerned shall report to the Commission on the technical conservation measures adopted in accordance with Chapter V and their fulfilment of the objectives set out in Article 5 in the third year after the entry into force of this Regulation and then every third year on ...” and every year thereafter. [Am. 49]

2. Member States concerned shall report to the Commission on the implementation of this Regulation and on the fulfilment of the objectives set out in Article 5 in …" and then every sixth third year. The Member State report shall in particular provide information on the following:

* Three years after the entry into force of this Regulation.
* Three years after the date of entry into force of this Regulation.
** One year after the entry into force of this Regulation.
* Three years after the date of entry into force of this Regulation.
(a) the development of the national fishery including the share of catches between offshore waters, coastal waters and rivers and between commercial fishermen, undertakings of service vessels and other recreational fishermen;

(b) for each wild salmon river, the production of parr and smolt and the best available estimate of the potential smolt production capacity;

(c) for each wild salmon river stock, the available genetic information;

(d) the activity of stocking and direct restocking of salmon;

(e) the implementation of the national control action programme referred to in Article 46 of Regulation (EC) No 1224/2009.

Article 24
Evaluation of the plan

The Commission shall, on the basis of the reporting by Member States as referred to in Article 23 of this Regulation and on the basis of scientific advice, evaluate the impact of the management measures on the Baltic salmon stock and on the fisheries exploiting that stock in the year following that in which it receives the Member States reports.

CHAPTER X
AMENDMENTS TO ANNEXES

Article 25
Amendments to Annexes

1. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending the list of wild salmon rivers listed in Annex I in order to keep it up to date with recent scientific information.

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending Annexes II and III to ensure that control is effective.
CHAPTER XI
PROCEDURAL PROVISIONS

Article 26
Exercise of delegated powers

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 6, 7, 11 and 25 shall be conferred on the Commission for an indeterminate period of time.

3. The delegation of power referred to in Articles 6, 7, 11 and 25 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Articles 6, 7, 11 and 25 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 27
Revocation of empowerment

Where a Member States concerned have not established or published, by the set deadline, the measures set out in Articles 6 or 11, or where such measures are deemed inadequate and/or ineffective following the assessment carried out in accordance with Article 6(4) or 11(1), the empowerment of the Member State concerned referred to in Articles 6 or 11 shall be revoked by the Commission. A decision to revoke shall put an end to the delegation of the power
specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. [Am. 51]

**Article 28**

Committee procedure

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 30 of Regulation (EC) No 2371/2002. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

**CHAPTER XII**

**FINAL PROVISIONS**

**Article 29**

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall apply from ....

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ....,

*For the European Parliament*  
*For the Council*

*The President*  
*The President*
ANNEX I

Wild Salmon Rivers in the Baltic Sea

Finland

– Simojoki

Finland/Sweden

– Tornionjoki/Torneälven

Sweden

– Kalixälven, Råneälven, Piteälven, Åbyälven, Byskeälven, Rickleån, Sävarån, Ume/Vindelälven, Öreälven, Lögdeälven, Emån, Mörrumsån, Ljungan

Estonia

– Pärnu, Kunda, Keila, Vasalemma

Latvia

– Salaca, Vitrupe, Peterupe, Irbe, Uzava, Saka

Latvia/Lithuania

– Barta/Bartuva

Lithuania

– Nemunas river basin (Zeimena)

ANNEX II

MINIMUM INFORMATION FOR THE SPECIAL ACTIVITY AUTHORISATIONS

1. VESSEL DETAILS
Name of vessel

Flag state

Port of registration (Name and national code)

External marking

International radio call sign (IRCS)

2. AUTHORISATION HOLDER, VESSEL OWNER AND MASTER

Name and address of natural or legal person

3. VESSEL CHARACTERISTICS

Engine power (kW)

Tonnage (GT)

Length overall

4. FISHING CONDITIONS

1. Date of issue:

2. Period of validity:

3. Conditions of authorisation including, where appropriate, species, zone and fishing gear:

ANNEX III

CATCH DECLARATIONS

Each Member State concerned shall issue for its service vessels an official form to be completed as catch declaration. This form shall contain, as a minimum, the following information:

(a) Reference number of special activity authorisation issued in accordance with Article 18;

---

1 For vessels having a name.
2 For vessels requested to have an IRCS.
3 Indicate for each person applicable.
(b) Name of the natural or legal person holding the special activity authorisation issued in accordance with Article 18;

(c) Name and signature of the master of the service vessel;

(d) Date and time of departure and arrival to port and duration of fishing trip;

(e) Place and time of landing by fishing trips;

(f) Gear used by fishing operations;

(g) Quantities of fish landed by species and by fishing trips;

(h) Quantities of fish discarded by species and by fishing trips;

(i) Area of catches by fishing trips expressed as ICES statistical rectangles.