

ЕВРОПЕЙСКИ ПАРЛАМЕНТ

2004



2009

Комисия по рибно стопанство

НЕОКОНЧАТЕЛЕН
2006/0134(CNS)

13.3.2007

ПРОЕКТОДОКЛАД

относно предложението за регламент на Съвета за приемане на
многогодишен план за запасите от треска в Балтийско море и рибните
стопанства, които експлоатират тези запаси
(COM(2006)0411 – C6-0281/2006 – 2006/0134(CNS))

Комисия по рибно стопанство

Докладчик: Zdzisław Kazimierz Chmielewski

Легенда на използваните знаци

- * Процедура на консултация
мнозинство от подадените гласове
- **I Процедура на сътрудничество (първо четене)
мнозинство от подадените гласове
- **II Процедура на сътрудничество (второ четене)
мнозинство от подадените гласове за одобряване на общата позиция
мнозинство от всички членове на Парламента за отхвърляне или изменение на общата позиция
- *** Одобрение
мнозинство от всички членове на Парламента, освен в случаите по членове 105, 107, 161 и 300 от Договора за ЕО и член 7 от Договора за ЕС
- ***I Процедура на съвместно вземане на решение (първо четене)
мнозинство от подадените гласове
- ***II Процедура на съвместно вземане на решение (второ четене)
мнозинство от подадените гласове за одобряване на общата позиция
мнозинство от всички членове на Парламента за отхвърляне или изменение на общата позиция
- ***III Процедура на съвместно вземане на решение (трето четене)
мнозинство от подадените гласове за одобрение на съвместния проект

(Посочената процедура се базира на правната основа, предложена от Комисията.)

Изменения на законодателен текст

Измененията, внесени от Парламента, са отбелязани с ***потъмняване и курсив***. Отбелязването с ***курсив без потъмняване*** е предназначено за техническите служби и се отнася до частите от законодателния текст, за които е предложена поправка с оглед изготвяне на окончателния текст (например очевидни грешни или липсващи части в дадена езикова версия). Предложенията за поправка подлежат на съгласуване със засегнатите технически служби.

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ЗАКОНОДАТЕЛНА ПРОЕКТОРЕЗОЛЮЦИЯ НА ЕВРОПЕЙСКИЯ ПАРЛАМЕНТ

относно предложението за регламент на Съвета за приемане на многогодишен план за запасите от треска в Балтийско море и рибните стопанства, които експлоатират тези запаси
(COM(2006)0411 – C6-0281/2006 – 2006/0134(CNS))

(Процедура на консултация)

Европейският парламент,

- като взе предвид предложението на Комисията до Съвета (COM(2006)0411)¹,
 - като взе предвид член 37 от Договора за ЕО, съгласно който Съветът се е допитал до него (C6-0281/2006),
 - като взе предвид член 51 от своя правилник,
 - като взе предвид доклада на комисията по рибно стопанство и становището на комисия по околна среда, обществено здраве и безопасност на храните (A6-0000/2007),
1. одобрява предложението на Комисията във вида, в който е изменено;
 2. приканва Комисията да внесе съответните промени в предложението си, съгласно член 250, параграф 2, от Договора за ЕО;
 3. приканва Съвета, в случай че възнамерява да се разграничи от текста, одобрен от Парламента, да информира последния за това;
 4. призовава Съвета да се допита отново до него, в случай че възнамерява да внесе съществени промени по предложението на Комисията;
 5. възлага на своя председател да предаде позицията на Парламента на Съвета и на Комисията.

Текст, предложен от Комисията

Изменения, внесени от Парламента

Изменение 1 Член 7

By way of derogation from Article 6, the Council may, where it considers this appropriate, adopt a TAC *that is below* the TAC that follows from applying Article 6.

По дерогация от член 6 Съветът може по целесъобразност да приеме допустими количества улов, *различни от* допустимите количества улов, които

¹ Все още непубликувано в ОВ.

произтичат от прилагането на член 6.

Обосновка

To made the procedure for setting the size of the TAC more flexible.

Изменение 2

Член 8, заглавие

Procedure for setting periods when fishing with gear of a mesh size equal to or larger than 90 mm **or with bottom set lines** is allowed

Процедура за определяне на периоди, през които се разрешава **улов на треска** с принадлежности с мрежи с размер на отворите от или над 90 мм

Обосновка

It needs to be made clear that the restrictions set out in Article 8 apply only to cod fishing. Furthermore, it is inadvisable to restrict the use of bottom set lines. This gear is used by fishermen to fish other species as well (flatfish, turbot, salmon, sea trout, pikeperch and plaice).

Изменение 3

Член 8, параграф 1

1. It shall be prohibited to fish with trawls, Danish seines or similar gear of a mesh size equal to or larger than 90 mm, with gillnets, entangling nets or trammel nets of a mesh size equal to or larger than 90 mm, **or with bottom set lines**:

1. Забранява се риболовът с тралове, датски грибове или подобни принадлежности с мрежи с отвори с размер от или над 90 мм, с хрилни, заплитаци или тройни риболовни мрежи с размер от или над 90 мм:

Обосновка

Bottom set lines are used by fishermen to fish other species as well (flatfish, turbot, salmon, sea trout, pikeperch and plaice).

Изменение 4

Член 8, параграф 3

3. Where the fishing mortality rate for one of the cod stocks concerned has been estimated by the STECF to be at least 10% higher than the minimum fishing mortality rate defined in Article 4, the total number

3. В случаите, в които риболовната смъртност за един от съответните запаси от треска се изчислява от Научния, технически и икономически комитет по риболов (НТИКР), че е най-

of days when fishing with the gear referred to in paragraph 1 is allowed shall be reduced by **10%** compared to the total number of days allowed in the current year.

малко с 10% по-висока, отколкото минималната риболовна смъртност, определена в член 4, общият брой дни, през които се разрешава риболов с принадлежности, посочени в член 1, се намалява с 8% в сравнение с общия брой дни, за които има разрешение през текущата година.

Justification

In the opinion of the fishing industry, as expressed within the Baltic Sea Regional Advisory Council, a 10% reduction in the number of fishing days appears excessive.

Изменение 5 Член 12, параграф 1

1. By way of derogation from Article 6(4) of Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy, the masters of all Community vessels of an overall length equal to or greater than eight metres shall keep a logbook of their operations in accordance with Article 6 of that Regulation.

1. По дерогация от член 6, параграф 4 от Регламент (ЕИО) № 2847/93 относно установяването на система за контрол, приложима към общата политика в областта на рибарството, капитаните на всички плавателни съдове на Общността с пълна дължина, равняваща се или надхвърляща 8 метра, **извършващи риболов по силата на специално разрешение за улов на треска в Балтийско море, издадено съгласно член 11 от настоящия регламент**, водят бордов дневник за своята дейност в съответствие с член 6 от настоящия регламент.

Обосновка

This amendment takes account of the specific characteristics of fishing Subdivisions 29-32, in which there are virtually no cod; vessels fishing in that area can notify their catches on the basis of Article 6(4) of Regulation (EEC) No 2847/93.

Изменение 6 Член 13

Article 13
Electronic Recording and Transmission
of Catch Data
1. By way of derogation from Article 1 of

заличава се

Commission Regulation (EEC) No 2807/83 of 22 September 1983, laying down detailed rules for recording information on Member States catches of fish, vessels equipped with VMS may have installed on board operational computerised means, approved by the competent authorities of the flag Member State, for electronic recording and reporting of information relating to fishing activities which is required to be recorded in a logbook.

2. The vessels referred to in paragraph 1 shall transmit all the information recorded relating to fishing activities which is required to be recorded in a logbook to the Fisheries Monitoring Centre (FMC) of the flag Member State. The FMCs of the flag Member States shall ensure that such data are recorded in a computer readable form and kept for a period of three years.

3. Member States shall ensure that its FMC receives the information referred to in paragraph 2 at least on a daily basis or, if the FMC requires so on a shorter time intervals.

4. The flag Member States shall transmit the information received in accordance with paragraph 2 to the FMC of the Coastal State on a daily basis during the time their fishing vessels are in the waters of that Coastal State. The FMC of the Coastal State may decide to require the information at shorter time intervals.

Обосновка

The proposed measures require further consultation of the fishing industry, particularly on the issues of the target group (with reference to vessel length) and the cost of introducing measures of this kind. Those consultations should result in a separate regulation governing electronic recording and transmission of catch data.

Изменение 7 Член 16

By way of derogation from Article 5(2) of

По дерогация от член 5, параграф 2 от

Regulation (EEC) No 2807/83, the permitted margin of tolerance in estimating quantities, in kilograms, of fish subject to a TAC that are retained on board vessels shall be **8%** of the logbook figure.

For catches which are landed unsorted the permitted margin of tolerance in estimating quantities shall be **8%** of the total quantity that are retained on board.

Регламент (ЕИО) № 2807/83, разрешените допустими отклонения при приблизително оценяване в килограми на количествата риба, предмет на ТАС, съхранявани на борда, се равняват на **10%** от цифрата в бордовия дневник. За улов, който е разтоварен без да се сортира, разрешените допустими отклонения при приблизително оценяване на количествата риба се равняват на **10%** от общото количество, съхранявано на борда.

Обосновка

Both the Baltic Sea Regional Advisory Council and Member States recommend increasing the margin of tolerance to 10%.

Amendment 8 Article 17, paragraph 2

2. When a fishing vessel exits from either Area A, B or Subdivision 28-32 (Area C) with more than 100 kg of cod on board, ***it shall:***

***(a) go directly to port within the Area it has been fishing and land the fish, or
(b) go directly to port outside the Area where it has been fishing and land the fish.***

(c) When leaving the Area where the vessel has been fishing, the nets shall be stowed in accordance with the following conditions so that they may not readily be used:

(i) nets, weights and similar gear shall be disconnected from their trawl boards and towing and hauling wires and ropes,

(ii) nets which are on or above deck shall be securely lashed to some part of the superstructure.

2. Когато риболовен кораб напуска зони А, Б или подучастък 28-32 (зона В) с над 100 кг треска на борда, ***капитанът на кораба незабавно уведомява съответния риболовен инспекторат относно размера на улова в зоната, която корабът е напуснал.***

Обосновка

The complicated provisions set out by the Commission would be extremely difficult to implement and would unnecessarily complicate fishing on the boundaries of the areas concerned.

Изменение 9 Член 20, параграф 1

1. Fishing vessels with more than **100** kg of cod on board shall not commence discharging until authorised by the competent authorities of the place of discharge.

1. Риболовни кораби с над **300** кг треска на борда не могат да започват да разтоварват докато не получат разрешение от компетентните органи на мястото на разтоварване.

Обосновка

Both the Baltic Sea Regional Advisory Council and Member States take the view that the cod weight limit in respect of which notification is required should be raised to 300 kg.

Изменение 10 Член 22, параграф 1

1. Transit within areas closed for cod fishing is prohibited unless fishing gear on board is securely lashed and stowed ***in accordance with Article 17, paragraph 2, and subparagraph c.***

1. Транзитът през зони, в които не се допуска лов на треска, се забранява, освен ако риболовните принадлежности на борда не са надеждно завързани и прибрани, ***така че да не могат да бъдат лесно използвани; съответно:***
а) мрежи, тежести и подобни принадлежности се разкачват от техните тралови бордове, теглеци и влачеци въжета и корди,
б) мрежи, които са на или над палубата се завързват надеждно към някоя част на надстройката.

Обосновка

Following the deletion of Article 17, to which Article 22 refers, the relevant provisions of Article 17 need to be incorporated into Article 22.

Изменение 11 Член 27, параграф 1

1. The Commission shall, on the basis of advice from STECF and the Baltic Regional Advisory Council (RAC), evaluate the impact of the management measures on the stocks concerned and on the fisheries exploiting those stocks in the **third** year of application of this Regulation and in each of the following years.

1. Комисията, въз основа на изразените от НТИКР и Регионалния консултативен съвет за Балтийско море (РКС) становища, оценява въздействието на мерките за управление върху съответните запаси и рибните стопанства, които експлоатират тези запаси през **втората** година от прилагането на настоящия регламент и през всяка от последващите години.

Обосновка

Implementation of the regulation will have far-reaching consequences for both Baltic cod stocks and the fishing industry. Information on the management measures' impact on stocks should therefore be made available as soon as possible.

Изменение 12 Член 27, параграф 2

2. The Commission shall seek scientific advice from STECF on the rate of progress towards the targets specified in Article 4 in the **third** year of application of this Regulation and each **third** successive year of its application. Where the advice indicates that the targets are unlikely to be met, the Council shall decide by a qualified majority on a proposal from the Commission on additional and/or alternative measures required to ensure that the objectives are met.

2. Комисията се обръща към НТИКР за научно становище относно темповете на напредък към осъществяване на целите, посочени в член 4, през **втората** година от прилагането на настоящия регламент и през всяка **втора** от последващите години на неговото прилагане. В случаите, в които изразеното становище сочи, че е малко вероятно да се постигнат тези цели, Съветът взема решение чрез квалифицирано мнозинство по предложение на Комисията относно допълнителните и/или други възможни мерки, необходими за гарантиране на постигане на целите.

Justification

Implementation of the regulation will have far-reaching consequences for both Baltic cod stocks and the fishing industry. Information on the management measures' impact on stocks should therefore be made available as soon as possible.

Изменение 13 Член 27 а (нов)

Член 27а
Наблюдение на социоикономическото
въздействие на прилагането на
регламента

Комисията изготвя доклад за социоикономическото въздействие на прилагането на настоящия регламент върху рибарския сектор, по-специално върху заетостта и икономическото положение на рибарите, собствениците на кораби и предприятия, участващи в улов и преработка на треска. Комисията изготвя този доклад през втората година от прилагането на настоящия регламент и през всяка последваща година от неговото прилагане, и го предоставя на Европейския парламент в срок до 30 април от съответната година.

Justification

Given the regulation's far-reaching consequences for the fishing industry, ongoing monitoring of its implementation and of any adverse socio-economic effects is essential.

EXPLANATORY STATEMENT

The Council regulation before us is an important, long-awaited, legislative proposal seeking to find solutions to long-standing, vital needs in one of Europe's most distinctive fisheries. In this respect, the authors deserve our sincere congratulations for taking on the truly difficult task of framing a long-term programme for the restocking and fishing of Baltic cod, the most important fish species in that sea. The formulation of an appropriate plan guaranteed to achieve the desired effects called for the collection of comprehensive initial (scientific) data and careful consideration of the likely socio-economic effects. As an essential corollary to this, truly open and broad-based consultations with stakeholders – fishermen, researchers and politicians – needed to be held. The question remains whether this requirement has been adequately met.

The primary focus of this regulation is the cod themselves, and this is reflected in the way in which the proposal is written. The drafting is so hermetic as to shroud this fundamental legislative proposal in a protective layer intended to shield it against 'unwarranted' insertions. Given that we are talking about cod here – i.e. a fish on which many families' livelihoods depend – any such insertions could not fail to concern the socio-economic impact of the proposed fishing restrictions. Restrictions of this kind are causing serious concern among the thousands of people whose livelihoods are linked to the Baltic. The fishing industry is made all the more keenly aware of this issue by the fact that the proposal's explanatory statement makes no reference to any funding being made available under the European Fisheries Fund to compensate for any adverse economic effects caused by the proposed plan. Furthermore, it is difficult to see any sign of biological data on the Baltic in the regulation itself. The plan appears to treat the Baltic cod fishery as a uniform area, taking no account of its specific inshore fisheries.

The rapporteur has the following specific remarks to make:

1. The very title of the regulation may be called into question. The following change has been put forward: 'Council Regulation (EC) establishing a multi-annual plan for management of the cod stocks in the Baltic Sea and the fisheries exploiting those stocks'. It should be noted in passing that the proposal is based on the traditional three-pronged approach taken to fisheries management to date, namely lower quotas, less fisheries expenditure and more inspections.
2. The proposal was drafted in 2006 and needs to be brought up to date, with, for example a reference to the Johannesburg Declaration, which requires that, as far as is possible, stocks be rebuilt and fished at MSY levels by 2015. Furthermore, following the decisions taken by the Council in Luxembourg, Article 16 of Chapter V should be updated: the margin of tolerance in the logbook has been changed from 8% to 10%, which is something that the majority of Member States have been seeking for a long time. This issue is dealt with in Amendment 7 above.
3. Given the proposal's importance and its factual soundness, the following statement appearing on page 2 of the explanatory statement is dismaying. It reads: 'Because of uncertainty in the assessment of the size of the stocks ICES is not in the position to produce catch forecasts with the accuracy required to implement the plan'. It was precisely the ICES data that were supposed to provide the decisive scientific evidence justifying the drafting of

the regulation in its current form.

4. It is difficult to avoid the impression that the belief that the Baltic fleet's cod fishing capacity is, as things currently stand, unquestionably too high in relation to the fishing quotas available had a significant influence on the recovery programme set out in the proposal. However, no one at EU or Member State level has yet put forward a systemic solution to this problem. It is increasingly being argued that one should be extremely wary of automatic decisions on fleet scrapping. Efforts should instead be made to find means of maintaining a given fishing capacity until such time as stocks are replenished, since we will need to have something to fish with when that time comes.

5. As regards his amendments to the regulation, the rapporteur has not taken a final decision on whether to address the issue of the length of summer closed periods. It should be noted that in the Member States that are looking for a means of further restricting fishing effort by introducing additional days on which cod fishing is prohibited, a tendency in favour of a 'days-at-sea' approach and against the closed-period approach followed to date is emerging. There can be no doubt that this issue will sooner or later be included in the discussions on the plan.

6. Among the other issues not covered in the amendments, attention should be drawn to the following:

(a) on page 3 of the proposal's explanatory statement, it is stressed that use of the Bacoma trawl has led to a significant reduction in catches of undersized cod. It is a pity that no mention was made of the equally effective T90 net, which we have also discussed at great length during our committee meetings;

(b) consideration should be given to the problem arising in Articles 15 and 17 of the regulation. With regard to the former article, Latvia and Lithuania are recommending, for example, that the final sentence in paragraph 2 and all of paragraph 3 be deleted on the grounds of the excessively high and unwarranted administrative costs to which they would give rise. The Baltic Sea Regional Advisory Council is, on the other hand, recommending that consideration be given to applying Article 17 also to Subdivision 28-2 (Latvia) in Area A;

(c) the following issues have been raised by fishermen in the southern Baltic:

- the extremely serious threat posed to the safety of cod stocks by the use of stow nets and hooks;
- the unfair playing down of the threat that anglers pose to cod stocks;
- the pressing need for the actual powers of Regional Advisory Councils to be increased; this view is also being voiced in other countries;
- the need to take due account of the limited access fishermen have to communications systems, owing to technical problems.

7. The rapporteur has taken advantage of the opportunity afforded by the rules on the drafting of reports to table 13 amendments to the proposal for a regulation. He wishes to win his fellow Members' support for these amendments, the aim of which is to rationalise Community policy on cod and attempt to maintain an appropriate balance between the need to rebuild

stocks and the need to maintain the basic conditions required for fishing communities to continue fishing, and thus to survive. This is why the rapporteur is proposing, among other things, to bring the reduction in fishing days down from 10% to 8% and increase the notification threshold from 100 kg to 300 kg, and is putting forward a means of simplifying fishing on the boundaries of the areas concerned. He is proposing that Article 13 be put out to further consultation and has inserted a final article requiring the Commission continuously to monitor any adverse socio-economic effects.

To wind up, the rapporteur would point out that the intention of the earlier Council Regulation (EC) No 2371/2002, which is referred to in the proposal before us, was to maintain a precautionary approach during the introduction of fundamental changes to fisheries policy; a precautionary approach to both stock management and the assessment of the socio-economic impact of the changes made. Following the accession of the four Baltic countries, that principle should continue to remain applicable.