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THE EUROPEAN UNION**

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COVER NOTE

From:	Secretariat General
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 302/2009 concerning a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and Mediterranean

Delegations will find attached the draft report and amendments to be voted by the Fisheries Committee of the European Parliament on 11th February 2014.

The amendments will be examined by the Fisheries Working Party once the voting result is known.

A copy of ICCAT recommendation 12-03 can be found in doc. 5137/13 PECHE 5.

A copy of ICCAT recommendation 13-08 can be found in doc. 5145/14 PECHE 5.



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Fisheries

2013/0133(COD)

14.10.2013

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 302/2009 concerning a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and Mediterranean (COM(2013)0250 – C7-0117/2013 – 2013/0133(COD))

Committee on Fisheries

Rapporteur: Raül Romeva i Rueda

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, e.g. 'A'. 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 amending Council Regulation (EC) No 302/2009 concerning a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and Mediterranean (COM(2013)0250 – C7-0117/2013 – 2013/0133(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0250),
 - 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 (C7-0117/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A7-0000/2013),
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.

Amendment 1

Proposal for a regulation

Article 1

Regulation (EC) No 302/2009

Article 7 – paragraph 6

Text proposed by the Commission

Amendment

6. Fishing for Bluefin tuna by ***other gears than those mentioned in paragraphs 1 to 5*** shall be permitted throughout the year.

6. Fishing for Bluefin tuna by ***traps, small longliners (< 24-m) and hand lines*** shall be permitted throughout the year.

Or. en

EXPLANATORY STATEMENT

The proposal by the Commission concerns an amendment to the recovery plan that was first adopted for bluefin tuna in 2006. At that time, the species was widely recognized to be over-exploited and depleted, but the Contracting Parties to the International Commission for the Conservation of Atlantic Tunas (ICCAT - the regional management body responsible for the fishery) were loath to reduce catches and profits. Eventually, though, after years of political battles and a number of amendments to the recovery plan, the most recent scientific analysis of bluefin (2012) suggested that recent trends in several indicators indicate that stock recovery may have begun, although scientists are still extremely cautious and state that *“in 2012, the Committee had too few information about the catch composition, effort and spatial distribution of the main Mediterranean fisheries to derive any conclusive statement.”*

In addition, no new assessment of bluefin has been conducted for 2013, and the scientific committee (SCRS) states that it cannot scientifically justify a substantial change in the TAC. More specifically, it states *“Nonetheless, the Committee notes that maintaining catches at around recent TACs under the current management scheme will likely allow the stock to increase during that period and is consistent with the goal of achieving F_{MSY} and B_{MSY} through 2022 with at least 60% of probability, given the quantified uncertainties.”*

Nonetheless, bluefin being such a profitable fishery, there will be pressure at the upcoming ICCAT meeting in Cape Town in November 2013 to increase the TAC.

It is your rapporteur's firm belief that it would be foolish and economically counter-productive to increase the TAC. The stock is still well below levels capable of producing MSY and the SCRS continues to stress that significant uncertainties remain about the status of the stock. The new objective of fisheries management in the CFP requires stocks to be restored to and maintained at levels above MSY - so the EU's policy dictates that we must be cautious about this fishery. Economics point in the same way, since if the stock were allowed to increase, so as to ensure recovery to more abundant levels, catches and profits could both increase. The most economically productive stocks are those which are well above levels that can produce MSY, and bluefin is still a long way from there.

Coming to the substance of the Commission's proposal, it is to amend one article of Regulation 301/2009, the current recovery plan. It is proposed, based on ICCAT Recommendation 12-03, to amend the fishing season. First, it changes from a closed season to an open season. It also changes the dates for purse seines, bait boats and trolling boats by a few days. Since these are from an ICCAT Recommendation, they must be transposed into EU law.

However, there is a third provision, which adds a new sentence to the EU Regulation - *“Fishing for bluefin tuna by other gears than those mentioned in paragraphs 1 to 5 shall be permitted throughout the year”*.

Your rapporteur finds this too loose a phrase, even if it comes from ICCAT language. The Commission confirms that only three gears would be involved in the targeted fishery - traps, small longliners (< 24-m) and hand lines. So, given that management of this fishery has been problematic and complicated for many years, in order to avoid all possible confusion over which gears are able to fish all year round, it is proposed to specify that the year-round season applies to these gears only. It is true that this differs from the ICCAT language but it serves simply to clarify it, in order to ensure that there are no unintended consequences later.



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Fisheries

2013/0133(COD)

16.01.2014

AMENDMENTS

2 - 6

Draft report
Raül Romeva i Rueda
(PE519.821v01-00)

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and Mediterranean

Proposal for a regulation
(COM(2013)0250 – C7-0117/2013 – 2013/0133(COD))

Amendment 2

Maria do Céu Patrão Neves, Nuno Teixeira

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) At its 23rd Regular Meeting in November 2013, ICCAT adopted Recommendation 13-08 complementing Recommendation 12-03, in order to allow modifications of the fishing seasons in the eastern Atlantic that do not affect the protection of the bluefin tuna spawning grounds. This ICCAT recommendation states that the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) may specify a different starting date for the fishing seasons for their bait boats and trolling boats operating in the eastern Atlantic, while keeping the total duration of the open season for these fisheries.

Or. en

Amendment 3

Sergio Paolo Francesco Silvestris

Proposal for a regulation

Recital 5

Text proposed by the Commission

Amendment

(5) Pending the entry into force of ICCAT Recommendation 12-03 and its comprehensive implementation, in order to ensure effective conservation of the bluefin tuna stock, to provide legal certainty as to the fishing seasons concerned and, finally, to allow Member States to properly define their fishing, capacity and inspection plans and other reporting obligations, it is necessary to modify the provisions on fishing seasons in Regulation (EC) No 302/2009 as soon as possible and to apply those modifications from the beginning of 2013.

(5) Pending the entry into force of ICCAT Recommendation 12-03 and its comprehensive implementation, ***which provides for a plan to monitor the phenomenon of incidental catches, possibly considering the use of observers on vessels;*** in order to ensure effective conservation of the bluefin tuna stock, to provide legal certainty as to the fishing seasons concerned and, finally, to allow Member States to properly define their fishing, capacity and inspection plans and other reporting obligations, it is necessary to modify the provisions on fishing seasons in Regulation (EC) No 302/2009 as soon as possible and to apply those modifications from the beginning of 2013.

Or. it

Justification

Such a plan could help to point out to the institutions that the problem really exists and that it genuinely is a question of incidental catches, which are therefore unforeseeable and unavoidable.

Amendment 4 **Sergio Paolo Francesco Silvestris**

Proposal for a regulation **Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) Considering the possibility of providing for an increase in the quota for incidental catches of bluefin tuna and the exceeding of the quota for each year, in which any excess quantity should be deducted the following year, in addition to the development of an appropriate system for the marketing of any bluefin tuna caught accidentally.

Amendment 5

Raül Romeva i Rueda, Carmen Fraga Estévez, Maria do Céu Patrão Neves, Kriton Arsenis

Proposal for a regulation

Article 1 – paragraph 1

Regulation 302/2009

Article 7 paragraph 3

Text proposed by the Commission

Bluefin tuna fishing by bait boats and trolling boats shall be permitted in the eastern Atlantic and Mediterranean during the period from 1 July to 31 October.

Amendment

Bluefin tuna fishing by bait boats and trolling boats shall be permitted in the eastern Atlantic and Mediterranean during the period from 1 July to 31 October.

Notwithstanding the previous subparagraph, for the years 2014 and 2015, and since it does not affect the protection of the spawning grounds, Member States may specify, in their annual national fishing plans, a different starting date for baitboats and trolling boats flying their flag and operating in the eastern Atlantic, while keeping the total duration of the open season for these fisheries in line with the provisions of the previous subparagraph.

Or. en

Justification

This reflects the change made at the 2013 ICCAT meeting while maintaining flexibility for the Member States in the affected areas.

Amendment 6

Raül Romeva i Rueda, Carmen Fraga Estévez, Kriton Arsenis

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) The following article shall be inserted:

Article 24a

Use of stereoscopic cameras during caging operations

The use of stereoscopic cameras systems in the context of caging operations shall be conducted in accordance with the following:

- 1. The sampling intensity of live fish shall not be below 20% of the amount of fish being caged. When technically possible, the sampling of live fish shall be sequential, by measuring one in every five specimens. Such a sample should be made up of fish measured at a distance between 2 and 8 meters from the camera.***
- 2. The dimensions of the transfer gate connecting the donor cage and the receiving cage shall be set at maximum width of 10 meters and maximum height of 10 meters.***
- 3. When the length measurements of the fish present a multi-modal distribution (two or more cohorts of distinct sizes), it shall be possible to use more than one conversion algorithm for the same caging operation. The most up to date algorithm(s) established by SCRS shall be used to convert fork lengths into total weights, according to the size category of the fish measured during the caging operation.***
- 4. Validation of the stereoscopical length measurements shall be undertaken prior to each caging operation using a scale bar at a distance of 2 and 8 m.***
- 5. When the results of the stereoscopical program are communicated, the***

information shall indicate the margin of error inherent to the technical specifications of the stereoscopic camera system, which shall not exceed +/- 5 percent.

6. All the technical specifications above, including the sampling intensity, the way of sampling, the distance from the camera, the dimensions of the transfer gate, algorithms (length-weight relationship) shall be reviewed by the SCRS at its 2014 meeting, and if necessary modified based on SCRS recommendations at the 2014 ICCAT Commission annual meeting.

Or. en
