

Fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters

2007/0114(CNS) - 10/04/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 492 votes to 107 with 44 abstentions, a legislative resolution amending the proposal for a Council regulation concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters. The report had been tabled for plenary by Philippe **MORILLON** (ADLE, FR) on behalf of the Committee on Fisheries.

The amendments – adopted under the consultation procedure – aimed to clarify the scope of the regulation, the definitions of serious infringements and the IUU list. The main amendments were as follows:

- it was clarified that the Regulation does not apply to overseas territories of EU Member States;
- an infringement must be confirmed by a successful prosecution in accordance with the relevant national legislation;
- an IUU list means the list of fishing vessels identified in the framework of a RFMO or by the Commission under the proposed Council Regulation establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, as having been involved in illegal, unreported and unregulated fishing;
- only Community fishing vessels for which a fishing authorisation has been issued in accordance with this Regulation shall be entitled to engage in fishing activities outside Community waters;
- the Commission may seek expressions of interest from the Member States before negotiations start on an agreement, subject to confirmation once negotiations are complete and allocations made. When an agreement has been concluded by the third country and approved by Council, the Commission shall inform the Member States thereof;
- it should be possible to apply for authorisation for vessels which, for suitably justified reasons, have not been included in the list of vessels notified in accordance with Article 4;
- fishing vessels are ineligible, inter alia, where during the previous 12 months of fishing activities under the agreement concerned or, in case of a new agreement, of fishing activities of the agreement that preceded that agreement, have committed a serious infringement, or, where appropriate, have not yet fulfilled the conditions under that agreement for that period except where a penalty has already been imposed on the vessel concerned, where there is evidence that the infringement was not serious, and/or where the owner of the vessel has changed and the new owner provides guarantees that the conditions will be fulfilled;
- prior to any decision not to transmit applications Member States should have the opportunity to submit their observations, particularly in cases where action is needed to remedy omissions or resolve problems;

-Community fishing vessels for which a fishing authorisation has been issued under Section II or Section III shall transmit to their competent national authority the data concerning their catches and fishing effort with a frequency appropriate to each agreement and fishery concerned (rather than on a daily basis, as proposed by the Commission.) The transmission requirements shall be compatible with those contained in the e-logbook regulation (Council Regulation (EC) No 1966/2006);

-when a Member State considers that the fishing opportunities which have been allocated to it have been exhausted, it shall immediately prohibit fishing activities for the respective area, stock or group of stocks, and suspend those authorisations which have already been granted;

-where fishing authorisations have been issued for mixed fisheries and one of the stocks or group of stocks concerned is deemed to be exhausted, the Member State shall prohibit the specific activities which threaten endangered stocks (rather than prohibit all fishing activities that are part of the mixed fisheries.)