General Fisheries Commission for the Mediterranean (GFCM): fishing in the GFCM Agreement Area

2009/0129(COD) - 25/01/2011

The Committee on Fisheries adopted the report by Crescenzio RIVELLINI (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement Area.

It recommended that the European Parliament's position at first reading under the ordinary legislative procedure should be to amend the Commission proposal.

The main amendments are as follows:

Delegated and implementing acts: Members clarified that the Commission is empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the incorporation into EU law of future amendments to those GFCM measures for conservation, control or enforcement, as already transposed into EU law, which form the subject matter of certain explicitly defined non-essential elements of the Regulation and which become binding upon the European Union and its Member States in accordance with the terms of the General Fisheries Commission for the Mediterranean (GFCM). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission may amend the provisions of the Regulation, by means of delegated acts concerning the following, as set out in the text:

- the fisheries restricted area in the Gulf of Lions;
- the fisheries restricted areas in order to protect deep-sea sensitive habitats;
- the establishment of a closed season for the dolphinfish fisheries using fish aggregating devices (FADs);
- the provision of information to the Executive Secretary of GFCM;
- the register of authorised vessels;
- cooperation, information and reporting;
- table, map and geographical coordinates of GFCM Geographical Sub-Areas (GSAs);
- GFCM statistical matrixes.

The committee specifies according to Article 291 TFEU, rules and general principles concerning mechanisms for the control by Member States of the Commission's exercise of its GFCM statistical matrixes implementing powers shall be laid down in advance by a regulation adopted in accordance with the ordinary legislative procedure. Pending the adoption of that new regulation, Council Decision 1999 /468/EC (comitology) continues to apply.

Amendments to Regulation (EC) No 1967/2006: Members want Article 9 of this Regulation on minimum mesh sizes to be amended, so that for relevant towed nets the minimum mesh size shall be at least: (a) a square-meshed net of 40 mm at the cod-end, or (b) at the duly justified request of the ship owner, a diamond-meshed net of 50mm of an acknowledged size selectivity that is equivalent to or higher than that of nets of 40mm referred to above.

Fishing vessels shall be authorised to use and keep on board only one of the two types of nets.

The Commission shall submit a report on the implementation of this paragraph to the European Parliament and the Council by 30 June 2012, on the basis of which, as well as on the basis of the information supplied by Member States before 31 December 2011, it shall propose suitable amendments where appropriate

The Commission's proposal had stated that the diamond mesh nets used in the in the Mediterranean Sea in accordance with Regulation (EC) No 1967/2006 for trawling activities exploiting demersal stocks must have an acknowledged size selectivity equivalent to or higher than that of square-meshed nets of 40 mm at the cod-end. By way of derogation from Regulation (EC) No 1967/2006, until 31 May 2010 Member States might continue to authorise fishing vessels flying their flag to use a codend mesh size smaller than 40 mm diamond in certain local and seasonal demersal trawl fisheries exploiting fish stocks that are not shared with third countries.