Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

2011/0144(COD) - 13/06/2012 - Final act

PURPOSE: to transpose into EU law the International Commission for the Conservation of Atlantic Tunas (ICCAT) 2010 recommendation modifying the recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

LEGISLATIVE ACT: Regulation (EU) No 500/2012 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.

CONTENT: the Council adopted an amendment to regulation 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean following a first reading agreement with the European Parliament.

At its 17th Special Meeting in 2010, ICCAT adopted Recommendation 10-04 amending the multiannual recovery plan for bluefin tuna. In order to rebuild the stock, Recommendation 10-04 provides for :

- a further reduction of the total allowable catch, for the strengthening of measures to reduce the fishing capacity and for the reinforcement of the control measures, in particular concerning the transfer and the caging operations;
- additional advice by the Standing Committee on Research and Statistics (SCRS) in 2012 on the **identification of spawning grounds** and on the creation of sanctuaries.

The Community has been a party to ICCAT since 1997 and the recommendations become binding on contracting parties which do not object to them. The EU has a responsibility to apply recommendations adopted.

The purpose of this regulation is to **transpose into EU law the ICCAT recommendation modifying the recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean**.

The main elements are as follows:

Objective of the plan: the objective of the recovery plan that is in force from 2007 to the end of 2022 shall be to achieve a biomass corresponding to the maximum sustainable yield with **at least 60 % probability**.

Transmission of the provisional annual fishing plans: no later than 30 September each year, Member States shall transmit to the Commission the provisional annual fishing plan relating to the following year.

Retroactive submissions: no retroactive submissions shall be accepted. Subsequent changes to the lists referred to in the Regulation during a calendar year shall only be accepted if the notified fishing vessel is prevented from participating due to legitimate operational reasons or force majeure.

Transfer operations: before any transfer operation, the master of a catching or towing vessel or the operator of the farm or tuna trap where the transfer in question originates shall send to the competent

authorities of the respective responsible Member State a prior nnotification of transfer indicating a certain number of specifics laid down in the Regulation.

The transfer shall be authorised or not authorised by the Member State responsible for the catching vessel, towing vessel, farm or tuna trap, as appropriate, within 48 hours following the submission of the prior notification of transfer.

Caging operations: within one week of the completion of the caging operation, the Member State responsible for the farm shall submit to the Member State or CPC whose flag vessels have fished the tuna, and to the Commission, a caging report that has been validated by an observer.

Where there is a difference of more than 10%, by average weight or by number, between the estimate by the regional observer and the farm operator, the Member State responsible for the farm shall, in cooperation with the flag State of the catching vessel, initiate an investigation.

Under the amended Regulation, if the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number or the average weight of bluefin tuna is more than 10% higher than that declared by the farm operator, the flag CPC or Member State responsible for the catching vessel shall issue a release order in respect of the **number or weight in excess**.

Inspection: if, at any time, more than 15 fishing vessels of a Member State are engaged in bluefin tuna fishing activities in the Convention area, that Member State shall deploy an inspection vessel for the purposes of inspection and control at sea in the Convention area throughout the period that those vessels are there.

No later than 30 September each year, Member States shall transmit to the Commission their inspection plan for the following year.

Recording and reporting of tuna trap activities: within 48 hours of the end of every fishing operation using tuna traps, catches shall be recorded and the data transmitted, by electronic or other means, to the competent authority of the Member State responsible for the tuna trap concerned. This record shall include details of the estimated quantities remaining in the tuna trap.

Each Member State shall, upon receipt of the record, forward it by electronic means to the Commission. In turn, the Commission shall promptly forward the information to the ICCAT Secretariat.

Implementing powers: in order to provide for uniform conditions pertaining to transfer operations, caging operations and recording and reporting of tuna trap activities, implementing powers should be conferred on the Commission.

ENTRY INTO FORCE: 23/06/2012.