Fishery resources: technical and control measures in the Skagerrak

2012/0232(COD) - 29/08/2012 - Legislative proposal

PURPOSE: to establish new technical and control measures in the Skagerrak.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

CONTEXT: during the fisheries consultations in 2010 between EU and Norway it was agreed to set up a Working Group to improve the control and enforcement measures in the fisheries in the Skagerrak, and to recommend ways to harmonise EU and Norwegian technical and control measures regulations in the area outside 4 nautical miles from the baselines. This Working Group on Technical Measures and Control in Skagerrak met during 2011 and reported in October 2011. In April 2012 the recommendations were included in the agreed record signed by EU and Norway.

Against this background and in order to follow the objective of the CFP to ensure sustainable use of living aquatic resources and to eradicate discarding as unsustainable practice it is desirable to enact the recommendations listed in the Agreed Records in Union legislation. The provisions laid down in the present proposal are specific to the Skagerrak and the fisheries therein and hence do not form any precedent for the debate on the reform of the CFP.

IMPACT ASSESSMENT: the rules to be adopted will be applicable only in the Skagerrak, and are in the context of an EU-Norway international agreement.

The EU-Norway agreement was based on the recommendations made by the technical Working Group, with stakeholder participation, that examined in detail the various options available in order to allow the continuation of the traditional fisheries in the Skagerrak following the expiry of the Skagerrak neighbourhood agreement. This Working Group is deemed to represent a sufficient alternative to the impact assessment.

LEGAL BASE: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENTS: the provisions of the proposal relate to **changes to the technical measures in place in the Skagerrak in order to reduce the level of unwanted catches and discards** where they negatively affect the sustainable exploitation of marine biological resources.

The proposed changes aim, in particular:

- to establish an obligation to land all catches of stocks subject to catch limits;
- to introduce the obligation to land progressively;
- to ensure that the handling of juvenile fish is limited to fish meal, pet food or other non-human consumption products, or for charitable purposes;
- to improve the selectivity of the fishing gears by increasing the general minimum mesh size requirement for demersal fisheries but with derogations;

- to restrict the use of fishing gears in the Skagerrak;

- to establish certain measures to govern issues when on a given fishing trip fishing vessels combine their fishing activities in the Skagerrak with fishing in areas where the new technical measures adopted for the Skagerrak are not to be applied;

- to adopt specific control measures in addition to those provided for in Council Regulation (EC) No 1224/2009;

- to extend the use of prior notification as requested by Regulation (EC) 1224/2009 to cover all vessels with an overall length of 10 m or more and the prior notifications should be submitted two hours in advance to adapt to the fisheries;

- to operate a Remote Electronic Monitoring (REM) system on vessels operating in the Skagerrak;

- to oblige Member States concerned to define a control and inspection measures for the Skagerrak and to incorporate these measures into their respective national control action programmes;

- to provide rules for vessels transiting the Skagerrak in order to ensure that the new technical measures are respected.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.

DELEGATED ACTS: the proposal contains provisions allowing the Commission the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.