Conservation of fishery resources through technical measures for the protection of juveniles of marine organisms; herring for industrial purposes

2012/0158(COD) - 06/02/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 644 votes to 4, with 9 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 concerning the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and repealing Council Regulation (EC) No 1288/2009.

Parliament's position at first reading was adopted following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise reached between Parliament and the Council. The vote on the legislative resolution had been postponed at the session of 22 November 2012. The vote had been postponed at the session of 16 January 2013.

The main amendments adopted by Parliament were as follows:

- Parliament clarifies that the new proposed framework for technical conservation measures is drawn up pending the reform of the Common Fisheries Policy (CFP) which is under way. T**he likelihood that this new framework will not be in place by the end of 2012 justifies the extension of the application of those transitional technical measures**.

- In order to ensure the continuation of **proper conservation and management of marine biological resources in the Black Sea,** Members propose that minimum landing and mesh sizes for the turbot fishery as previously established in Union law should be incorporated into Regulation (EC) No 850/98.

- An amendment also proposes that, on the basis of consultations held in 2009 between the Union, Norway and the Faroe Islands, with a view to reducing unwanted catches, a prohibition on the releasing or slipping of certain species as well as a requirement to move fishing grounds when 10 % of the catch contains undersized fish should be introduced.

- **In the light of advice from the Scientific, Technical and Economic Committee for Fisheries (STECF),** the amendments provide for, among other things:

- to maintain the restrictions on landing or retaining on board herring caught in ICES Division IIa;
- repeal of an area closure for the protection of spawning herring in ICES Division VIa;
- to maintain certain technical conservation measures in the waters west of Scotland (ICES Division VIa) to protect cod, haddock and whiting stocks to contribute to the conservation of fish stocks;
- to allow the use of handlines and automated jigging equipment for saithe in ICES Division VIa;
- to allow the use of gillnets for lesser spotted dogfish in ICES Division VIa;
- to introduce an area closure to protect juvenile cod in ICES Division VIa;
- to maintain measures to protect cod stocks in the Celtic Sea (ICES Divisions VIIf, g);
- to allow the use of trammel nets in ICES Subarea IX in waters with a charted depth more than 200m but less than 600m.

Parliament also underlined the need:

- to periodically review, in the light of scientific advice, the appropriateness of the characteristics of gears in the derogation to fish with trawls, demersal seines or similar gears with a view to their amendment or repeal;
- to periodically review, in the light of scientific advice, the appropriateness of the prohibition on fishing for cod, haddock and whiting in ICES Subarea VI, with a view to its amendment or repeal;
- to clarify the interaction between the different regimes applicable to fishing with gillnets, especially in ICES Subarea VII.
- to introduce an equivalent measure to the minimum landing size for anchovy in terms of the number of fish per kg, as this would simplify work on board vessels targeting this species and facilitate control measures ashore.

Parliament declares that the provisions of this Regulation regarding implementing acts are the result of a delicate compromise. In order to achieve a first reading agreement before the expiry of Regulation (EC) No 850/98 by the end of 2012, it has accepted the possibility of using implementing acts in certain specific cases in Regulation (EC) No 850/98. It stresses, however, that those provisions are not to be taken or used as a precedent in any regulation adopted in accordance with the ordinary legislative procedure, in particular the Commission proposal for a Regulation amending Council Regulation (EC) No 850/98.