Fishery resources: technical and control measures in the Skagerrak

2012/0232(COD) - 16/04/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 647 votes to13 with 45 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on certain technical and control measures in the Skagerrak and amending Regulation (EC) No 850/98 and Regulation (EC) No 1342/2008.

Parliament adopted its position in first reading following the ordinary legislative procedure. It amended the Commission proposal as follows:

Entry into force: the Commission proposed that the landing obligation should take effect on the 1 January 2013. Parliament considers that it would place too great a burden on the fisheries sector if any changes to the current rules were applied during an existing quota year. Such changes should therefore be applied from the beginning of the next complete quota year. The rules introduced by the Regulation should consequently apply **from 1 January 2014**.

Geographical scope: it is clarified that the Regulation establishes new technical and control measures in those areas of the Skagerrak that **fall within the jurisdiction of a Member State**. The latter shall apply to all fishing vessels operating in those areas of the Skagerrak that fall within the jurisdiction of a Member State.

Obligation to minimise catches of unwanted species and juveniles: Parliament introduced new provisions stipulating that anyone carrying out fishing activities in the Skagerrak shall avoid catches of unwanted species and catches below the minimum conservation reference size, inter alia, by selecting fishing gear and where and when the fishing effort takes place. The Member States concerned shall take all necessary measures to this end by making available **more selective gear**.

Members also introduced **an obligation to register and report all catches**. All catches registered shall be reported to the Commission or to the authorities of the flag Member State.

The obligation to land all catches: the proposal sets out an obligation to land fish of in total 25 species named in Annex 1 to the Regulation. Members specify that notwithstanding the obligation to register all catches, the obligation to land all catches shall not apply to a species in a specific fishery **where it has been established that it has a high survival rate, provided that it can be separated from the main catch**. The Commission should also be empowered to adopt delegated acts to support the decision of the fishermen to release or not their catch.

Quota management: Member States shall ensure that fishing vessels flying their flag retaining on board fish for which the Member State has no quota **shall cease fishing immediately and return to port.**

Juvenile fish: Parliament considers that where a minimum conservation reference size is set, such stock may not be sold **for charitable purposes**. In addition, the Commission shall be empowered to adopt delegated acts amending Annex II on the basis of advances of scientific information in order to ensure, after consultations with all parties involved in fisheries in the Skagerrak, that minimum conservation reference sizes are in line with the size at maturity of the species concerned, and review mesh sizes accordingly. When adopting such delegated acts, the Commission shall strive to establish joint minimum conservation reference sizes with Norway in order to create a level-playing field.

Fishing gear specifications: Parliament wishes to clarify that **trawls** having a mesh size equal to or less than 32 mm may only be used in fisheries for pelagic and industrial species. It proposes raising to **80%** the threshold applicable to catches of pelagic and industrial species.

Remote electronic monitoring (REM): the amendments provide that a fishing vessel of 12 metres overall length or more fishing in the part of the Skagerrak that is in Union waters must have on board a fully functioning system comprising closed circuit television (CCTV), a global positioning system GPS, and sensors and transmitting devices before it is allowed to leave port.

This measure should apply according to the following timeline: (a) **from 1 January 2015** for Union fishing vessels of 15 metres' length overall or more; (b) **from 1 July 2016** for Union fishing vessels of 12 metres' length overall or more.

Data recorded by the CCTV cameras shall be **automated** using image recognition software and shall be treated in conformity with the applicable **data protection** rules and principles.