

Fishing in the North-East Atlantic: specific conditions for fishing for deep-sea stocks, provisions for fishing in international waters

2012/0179(COD) - 10/12/2013 - Text adopted by Parliament, 1st reading/single reading

*Note: Following the first reading and since the beginning of the 8th legislative term **Isabelle THOMAS, S&D**, has been appointed rapporteur.*

The European Parliament adopted by 567 votes to 91 with 32 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing specific conditions to fishing for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic and repealing Regulation (EC) No 2347/2002.

The European Parliament's position adopted at first reading, following the ordinary legislative procedure, amends the Commission proposal as follows:

Purpose of the Regulation: the Regulation must have the following aims:

- to **prevent significant adverse impacts on vulnerable marine ecosystems** and ensure the long-term conservation of deep sea fish stocks;
- to minimise and where possible prevent by-catches;
- to **apply the precautionary and ecosystem approaches** to fisheries management and to ensure that the Union measures aimed at the sustainable management of deep-sea fish stocks are consistent with Resolutions adopted by the General Assembly of the United Nations.

Transparency, public participation and access to justice: all data-handling and decision-making under the Regulation must be conducted in full compliance with the Convention of the United Nations Economic Commission for Europe on access to information, public participation in decision-making and access to justice in environmental matters ('the Aarhus Convention', approved on behalf of the Union).

Identification of deep-sea species and most vulnerable species: Parliament called on the Commission to **review (every two years) the list of deep-sea species**, including the designation of most vulnerable species, in order to incorporate new scientific information and make sure that measures taken are up to date and tailored towards ensuring the sustainability of these species.

Types of fishing authorisations: fishing activities targeting deep-sea species carried out by a fishing vessel, shall be subject to a fishing authorisation, **issued by the flag Member State**.

Fishing activities will indicate deep-sea species as the target species where the vessel master:

- deploys bottom gears at **depths of or below 600 meters**;
- records in the logbook a percentage of the deep-sea species which is **equal or superior to one of the following thresholds** : (i) 15% of the overall catch weight in the fishing day concerned, or (ii) 8% of the overall catch weight in the fishing trip concerned.

Obligation to record and report all catches of deep-sea species: Parliament introduced an obligation to report all catches of deep-sea species, in terms of species composition, weight and sizes, whether subject to a special fishing authorisation or not.

Identification and protection of vulnerable marine ecosystems: Members stated that Member States should use the best scientific and technical information available, including biogeographic information, to identify where vulnerable marine ecosystems are known to occur or are likely to occur. Based on the assessments and identifications carried out by Member States and the scientific advisory body, the Commission shall establish a list of these areas.

Fishing with bottom gears **shall be prohibited in the areas identified**. Closures **will be reopened to fishing activities** if the scientific advisory body provides evidence that vulnerable marine ecosystems are not in the area or the Commission determines that measures have been adopted to ensure that significant adverse impacts on vulnerable marine ecosystems will be prevented.

Impact assessment prior to the issuance or renewal of fishing authorisations for bottom gears targeting deep-sea species:

- Each application for a fishing authorisation that allows the use of bottom gears in Union waters or in international waters shall be accompanied by a **detailed fishing plan**, which shall be made publicly available, specifying the types of fishing gears and the depth at which they will be deployed, a list of the species to be targeted and the technical measures to be put in place.
- Prior to granting an application Member States **shall verify** through the Vessel Monitoring Systems (VMS) record of such vessels that the information submitted is accurate. If the information does not match that in the VMS record the application shall not be granted. Failure to comply with the fishing plan shall result in the withdrawal by the flag Member State of the fishing authorisation from the fishing vessel concerned.

Parliament included a phased introduction, 2 years after this Regulation enters into force, of an **obligation for Member States to assess that fishing activities do not have a significant adverse impact on the marine ecosystem** before a fishing authorisation is issued or renewed.

Fishing opportunities: Members stipulated that fishing opportunities should be fixed at a rate of exploitation of the deep-sea species concerned that ensures that populations of deep sea species are maintained or restored above levels which can produce maximum sustainable yield.

This exploitation rate shall contribute to **achieving and maintaining a good environmental status in the Union's marine environment by 2020** and shall be based on the best scientific information available.

Member States shall apply the **precautionary and ecosystem approaches** to their fisheries management and shall adopt measures to ensure the long-term conservation and sustainable management of deep-sea fish stocks and non-target species.

Obligation to land all catches: Parliament noted that a high number of species are caught in deep sea fisheries, but only nine out of fifty three included in the Commission proposal are subject to catch limits.

Members suggested that it was necessary to ensure that the obligation to land all catches in deep sea fisheries **covers species not subject to catch limits** and that *de minimis* provisions are not applied to these fisheries.

Programme for coverage: Member States shall establish a programme for observer coverage to ensure the collection of relevant, timely and accurate data on the catch and by-catch of deep-sea species, encounters with vulnerable marine ecosystems Vessels using bottom trawls or bottom-set gillnets with a fishing authorisation to target deep-sea species shall be subject to 100 % observer coverage. All other vessels with an authorisation to catch deep-sea species shall be subject to 10 % observer coverage.

Financial Assistance for changing of fishing gear: Parliament introduced an amendment according to which fishing vessels using bottom trawls or bottom-set gillnets in the deep-sea gillnets should be eligible to receive financial assistance from the European Maritime and Fisheries Fund (EMFF) for the changing of fishing gears and related vessel modifications, and for necessary know-how and training, provided that the new gear has (i) demonstrably better size and species selectivity, (ii) a lower and limited impact on the marine environment and (iii) vulnerable marine ecosystems and does not increase the fishing capacity of the vessel.