

Fishing in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area: technical measures

2014/0213(COD) - 28/10/2015 - Final act

PURPOSE: to transpose in Union law a number of measures adopted by the General Fisheries Commission for the Mediterranean (GFCM) at its annual sessions between 2011 and 2014.

LEGISLATIVE ACT: Regulation (EU) 2015/2102 of the European Parliament and of the Council amending Regulation (EU) No 1343/2011 on certain provisions for fishing in the GFCM.

CONTEN: to recall, the Agreement for the establishment of **the General Fisheries Commission for the Mediterranean** ('the GFCM Agreement') provides an appropriate framework for multilateral cooperation to promote the development, conservation, rational management and best utilisation of living marine resources in the Mediterranean and the Black Sea at levels which are considered sustainable and at low risk of collapse. The Union, as well as Bulgaria, Greece, Spain, France, Croatia, Italy, Cyprus, Malta, Romania and Slovenia are contracting parties to the GFCM Agreement.

[Regulation \(EU\) No 1343/2011](#) of the European Parliament and of the Council lays down certain provisions for fishing in the GFCM Agreement area. It is the appropriate legislative act for the implementation of those GFCM recommendations the content of which is not yet covered by Union law.

Main amendments introduced: the Regulation seeks to update Regulation (EU) No 1343/2011 by transposing in Union law a number of measures adopted by the General Fisheries Commission for the Mediterranean (GFCM) at its annual sessions between 2011 and 2014. These measures concern:

- the sustainable exploitation of red coral in its area of competence, which need to be implemented in Union law. One of those measures concerns the use of Remotely Operated underwater Vehicles (ROVs). The GFCM decided that the further use of ROVs which had already been authorised to engage in observation and prospection operations in respect of red coral, is to be allowed only under certain conditions and for a limited period of time, unless scientific advice states otherwise. Consequently, such use of ROVs in Union waters should no longer be allowed after 31 December 2015, unless justified by scientific advice;
- the mitigation of **incidental catches** of seabirds, sea turtles, monk seals and cetaceans in fishing activities as well as the shark and ray species listed as endangered or threatened under Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean;
- the management of fisheries exploiting **small pelagic stocks** in the Adriatic Sea.

Use of trawl nets and gill-nets fisheries in the Black Sea: the new Regulation amended the ban on coastal trawling in the Black Sea in order to allow specific derogations justified by particular circumstances that are listed in the relevant GFCM Recommendation. The Commission scrutinises the Member States' derogations and may request a modification to these derogations if it considers that they do not comply with the conditions set out in the Regulation.

Recording and reporting obligations: the Regulation stipulated that fishing vessels authorised to harvest red coral shall have on board a logbook in which the daily catches of red coral and fishing activity by area and depths are recorded, including the number of fishing days and dives.

In order to improve data gathering with a view to scientific monitoring of certain marine species that are incidentally caught in fishing gears, masters of fishing vessels should be obliged to **record incidental catches** of the marine species concerned.

ENTRY INTO FORCE: 28.11.2015.

DELEGATED ACTS: the power to adopt acts should be delegated to the Commission in respect of authorisations to derogate from the prohibition on the harvesting of red coral at depths of less than 50 metres and to depart from the minimum basal diameter of red coral colonies. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.