New CFP: structure for technical measures and multiannual plans

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The European Parliament adopted by 571 votes to 6 with 65 abstentions, a legislative resolution on a new CFP: structure for technical measures and multiannual plans.

Weakness and complexity of current rules: the resolution notes that since 2009, legislative proposals regarding technical measures and multiannual plans have made little headway. This is partly on account of **tensions arising between the European institutions** concerning their respective decision-making powers under Article 43 TFEU with regard to Commission proposals in the case of the multinational plans and partly because of **difficulties in bringing legislation on technical measures** into line with the Lisbon Treaty.

The complexity and diversity of technical measures as well as the fact that they are spread across many different regulations, have contributed to **making implementation difficult for fishermen,** which risks making fishermen mistrustful. Furthermore, the multiannual plans adopted between 2002 and 2009 were not all equally effective. New multiannual plans will be adopted under the new rules of the CFP.

Simplify technical measures: Parliament considered that, in order to ensure the implementation of the CFP objectives, future technical measures should be simplified in a **clearly structured legal framework** and based on solid scientific data reviewed by peers. It recommended:

- compiling a **comprehensive list** summarising all technical measures currently in force, in order to obtain a better overview of possible simplifications and deletions in relation to future technical measures;
- **reviewing technical measures** in a bid to implement the objectives of the CFP, improve selectivity, minimise discards and the impact of fishing on the environment, simplify current rules, and increase the scientific base ;
- **adapting technical measures** to the specific needs of each fishery and each region, thus helping to improve compliance by the industry concerned.

The simplification and regionalisation of technical measures should always be **consistent with the real purpose of the technical measures regulation, which is the minimisation of unwanted catches and impacts on the marine environment**.

Furthermore, in order to facilitate the implementation of the CFP rules and to make CFP rules more acceptable to the fisheries sector, Parliament felt that **fishermen must be more involved in decision-making**, in particular within the Advisory Councils. **Innovation and research** will need to be promoted, in particular as regards the landing of discards, in order to increase selectivity and modernise fishing and monitoring techniques.

A clear framework for technical measures: Parliament felt it necessary to maintain the **ordinary legislative procedure** for the adoption of rules common to all sea basins, or for technical measures not likely to be amended within the foreseeable future. Whilst the judicious use of delegated acts can meet this need for flexibility and responsiveness, Parliament retained the **right to object to any delegated acts**. Members felt that Parliament should give particularly close scrutiny to delegated acts regarding discard plans and reserve the right to object to any if it deems it necessary.

Members recommended that a **clear, general European framework** for technical measures should be defined, setting out a limited number of major cross-cutting principles; all rules not applicable to the vast majority of European waters should not be included in this general framework but should instead come under regionalisation.

Furthermore, Parliament suggested that technical measures:

- **assess the suitability, effectiveness and socio-economic implications** for EU fleets and for the local communities;
- **include specific provisions on the use of certain fishing gear** in order to protect vulnerable habitats and marine species;
- **ensure that destructive and non-selective fishing gear is not used**, and that the general use of explosive and poisonous substances should be prohibited.

Members believed that there is an urgent need to establish a coherent set of technical measures **for each of the three main basins**, taking account of the specific nature of each, where Union decisions may have a significant impact on the recovery of fish stocks and the protection of ecosystems and on the sustainable management of shared fish stocks.

Landing obligation: notwithstanding the landing obligation, in force since 1 January 2015 and to be progressively applied to all fish stocks by 2019, Parliament felt that provisions regarding technical measures must be **sufficiently flexible** to adapt in real time to progress in the fisheries and to provide more opportunities for the fisheries sector to put innovations regarding selective fishing methods into practice.

In order to adapt the technical measures so as to allow them to implement and facilitate more selective fishing, Members recommended the **following three measures**: (i) substantially modifying, or even revoking, the rules governing the composition of catches; (ii) affording greater flexibility as regards mesh sizes, (iii) making it possible to hold several types of gear on board.

Multiannual plans: stressing the vital role that multiannual plans play in the conservation of fisheries resources under the CFP, Parliament insisted that:

- the co-legislators must continue to **seek agreement on multiannual plans** with regard to institutional competences under the Treaty on the Functioning of the European Union and on the basis of the relevant case law;
- multiannual plans should form **a robust and lasting framework** for fisheries management, be based on best and most recent scientific and socio-economic findings recognised by peers, and be adapted to the evolution of stocks, as well as providing flexibility for annual Council decisions on fishing opportunities;
- progress must be made on future multiannual plans for restoring and maintaining stocks at levels above those that can produce the maximum sustainable yield, including **an advance timetable**, a conservation safeguard trigger, a mechanism for adapting to changes in scientific thinking and a review clause;

Lastly, Parliament reaffirmed the need to **increase the involvement of stakeholders** through the Advisory Councils in the formulation and implementation of multiannual plans and in all decisions concerning regionalisation.