

Sustainable management of external fishing fleets

2015/0289(COD) - 09/12/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Linnéa ENGSTRÖM (Greens/EFA, SE) on the proposal for a regulation of the European Parliament and of the Council on the sustainable management of external fishing fleets, repealing Council Regulation (EC) No 1006/2008.

The committee recommended that Parliament's position adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Fishing authorisations: the Commission proposes to give itself the authority to withdraw an authorisation to a vessel in case of "overriding policy reasons". Members stated that such a withdrawal must be **duly justified by the Commission** in cases of imperative grounds of urgency related to a serious threat to the sustainable exploitation, management and conservation of marine biological resources, or in cases of serious infringements, in the framework of illegal, unreported or unregulated (IUU) fishing.

The Commission's duly justified request shall be supported by relevant and appropriate information and it shall immediately inform the operator and the flag Member State when it makes such a duly justified request.

Sustainable fisheries partnership agreements (SFPAs): the Union may allocate a proportion of sectoral **support funding** to third countries with which it has SFPAs, in order to help those third countries join regional fisheries management organisations (RFMOs). Furthermore, the EU should not be able to negotiate derogations to the rules of the regulation in new agreements or protocols.

The Member State should only grant fishing licences **once the third country has authorised fishing** by vessels in its waters and not the other way around, in order to ensure legal certainty.

In its proposal, the Commission gave itself an unlimited time to forward requests for authorisations to third countries under SFPAs. Members proposed a clear time limit: within a period of **10 calendar days** from receipt of the application, or, in the event that additional information was requested, **within 15 calendar days** from receipt of the application, the Commission shall conduct a preliminary examination to determine whether the conditions necessary are met.

Members also proposed a **simplification of procedures** for the annual renewal of existing fishing authorisations during the period in which the protocol to a sustainable fisheries partnership agreement in force applies.

With regard to allocation of fishing opportunities, an amendment offers a better system whereby Member States are guaranteed to keep their percentage share of the monthly catch limits.

Conditions for fishing authorisations by the flag Member States: Members specified that a flag Member State may only issue a fishing authorisation for fishing activities carried out in third country waters outside the framework of a sustainable fisheries partnership agreement if the operator has provided each of the **following**:

- a copy of the applicable fisheries legislation as provided to the operator by the coastal State;
- a valid fishing authorisation provided by the third country for the proposed fishing activities which contains the terms of access to the fishing resources;

- evidence of the sustainability of the planned fishing activities: in the case of an evaluation by the third country, an examination of the latter by the flag Member State on the basis of the assessment of its national scientific institute or, as appropriate, the scientific institute of a Member State with competence in the relevant fishery.

Once it has established **compliance** with the requirements, a flag Member State shall send the Commission the relevant information. The Commission shall **conduct a preliminary examination of the information** and may request further information or justification within a period of 15 days.

Regional fisheries management organisations (RFMOs): Members considered that if an EU vessel wishes to participate in a fishery managed by an RFMO, then the Union is required to adhere to that RFMO. The timeline proposed by the Commission for forwarding to an RFMO the list of EU vessels authorised to fish is undefined. A clear deadline for the Commission to act is proposed.

Fishing on the high seas: the Commission expects a scientific evaluation demonstrating the sustainability of activities proposed under private agreements, and a similar requirement should exist for **vessels wishing to fish on the high seas** outside the scope of an RFMO.

A flag Member State may only issue a fishing authorisation for fishing activities on the high seas if the planned fishing activities are (i) **based on an ecosystem-based approach** to fisheries management; (ii) **in accordance with a scientific evaluation**, taking into account the conservation of living marine resources and marine ecosystems, provided by the national scientific institute of the flag Member State.

Reporting obligations: a vessel operating in the waters of a third country, under either an SFPA or a private agreement, should be required to send its catch and other appropriate data directly to **both the flag Member State and the coastal State**.

Fishing authorisation register: to improve transparency, a few additional pieces of information should be included in the public part of the register. To make a Union fishing authorisation register operational and to enable Member States to meet the technical transmission requirements, the Commission shall provide **technical assistance** to the Member States concerned.