

Conservation of fishery resources and protection of marine ecosystems through technical measures

2016/0074(COD) - 16/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 571 votes to 60, with 20 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the conservation of fishery resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 1224/2009 and Regulations (EU) No 1343/2011 and (EU) No 1380/2013 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005.

Parliament's position adopted in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Contributing to the objectives of the Common Fisheries Policy (CFP)

The amended text states that technical measures shall in particular contribute to achieving the following objectives of the CFP:

- optimise exploitation patterns to provide protection for juveniles and spawning aggregations of marine biological resources ;
- ensure that incidental catches of sensitive marine species are minimised and where possible eliminated;
- ensure, including by using appropriate incentives, that the negative environmental impacts of fishing on marine habitats are minimised;
- have in place fisheries management measures, in particular with a view to achieving good environmental status.

Where appropriate, technical measures shall also apply to recreational fishing where this has a significant impact in a particular region.

Fishing gear and methods

Certain destructive fishing gear or methods which use explosives, poison, stupefying substances, electric current, pneumatic hammers or other percussive instruments, towed devices and grabs for harvesting red coral or other type of corals and coral-like species and certain spear-guns, are prohibited. It will not be allowed to sell, display or offer for sale any marine species caught using such gear or methods where they are prohibited under the Regulation.

Fishing with electric pulse trawl shall be prohibited in all Union waters as of 1 July 2021. Such fishing will, however, remain possible during a transition period up to 30 June 2021 under strict conditions.

The amended text also introduces specific rules regarding:

- general restrictions on the use of static nets and driftnets;

- prohibited fish and shellfish species;
- catches of marine mammals, seabirds and marine reptiles;
- minimum conservation reference sizes;
- the conditions related to mesh specifications.

Pilot projects

The amended text provides for:

- a possibility for Member States to carry out pilot projects with the aim of exploring ways to avoid, minimise and eliminate unwanted catches. Where the results of those projects or scientific advice indicate that there are significant unwanted catches, Member States should endeavour to establish technical measures to reduce such catches;
- a possibility to carry out pilot projects on full documentation of catches and discards. Such projects could involve derogations from the rules on mesh sizes laid down in the Regulation insofar as they contribute to achieving the objectives and targets of the Regulation. Where Member States submit joint recommendations for the establishment of pilot projects, they shall provide scientific evidence to support their adoption. The Scientific, Technical and Economic Committee for Fisheries (STECF) shall assess those joint recommendations and shall make that assessment public.

Scientific research

It is specified that fishing operations conducted by commercial vessels for the purpose of scientific investigation shall be limited in time. When the fishing operations conducted by commercial vessels for a specific research involve more than six commercial vessels, the Commission shall be informed by the flag Member State at least three months in advance and shall seek, where appropriate, the advice of STECF to confirm that this level of participation is justified on scientific grounds

In the case of electric pulse trawl, vessels conducting scientific research must follow a specific scientific protocol as part of a scientific research plan that has been reviewed or validated by ICES or STECF, as well as a system for monitoring, control and evaluation.

Report and review

The Commission report on the implementation of the Regulation shall refer to advice from ICES on the progress that has been made, or impact arising from innovative gear. It shall draw conclusions about the benefits for, or negative effects on, marine ecosystems, sensitive habitats and selectivity.

For the purpose of that report, adequate selectivity indicators, such as the scientific concept of length of optimal selectivity (L_{opt}), could be used as a reference tool to monitor progress over time towards the CFP objective of minimising unwanted catches. The Commission could include those indicators in the report on the implementation of this Regulation. The list of the key indicator stocks should include demersal species that are managed by catch limits, taking into account the relative importance of landings, discards and relevance of the fishery for each sea basin.

tenant compte de l'importance relative des débarquements, des rejets et de l'importance de la pêche pour chaque bassin maritime.