

Conservation and control measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)

2018/0304(COD) - 17/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 577 votes to 20 with 8 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down conservation and control measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation and repealing Council Regulation (EC) No 2115/2005 and Council Regulation (EC) No 1386/2007.

On 7 August 2018, the Commission presented a proposal for a regulation seeking to transpose into EU law the conservation and enforcement measures (CEMs) adopted by the Northwest Atlantic Fisheries Organisation (NAFO), to which the European Union (EU) has been a contracting party since 1979.

The proposal relates to the measures adopted by NAFO since 2008 and to the entry into force on 18 May 2017 of the amended NAFO Convention.

The position of the European Parliament adopted at first reading in the framework of the ordinary legislative procedure amends the Commission proposal as follows:

Scope

The Regulation applies to Union fishing vessels used or intended for use for the purposes of commercial fishing activities conducted on fishery resources in the NAFO Regulatory Area, as defined in Annex I to the Convention, as well as activities by third country vessels under the Convention in Union waters or territory. It lays down the rules for the application by the Union of the CEM for their uniform and effective implementation within the Union.

In order to ensure a level playing field between Union fishing vessels and other fleets fishing for bluefin tuna, the ICCAT measures laid down in Recommendation 18-02 relating to by-catches, farming and fishing capacity and open seasons are included in Regulation (EU) 2016/1627.

Conservation and management measures

Not less than ten days prior to the commencement of a fishery research period, the flag Member State shall, by electronic transmission, notify the Commission of all research vessels flying its flag it has authorised to conduct research activities in the Regulatory Area. It shall immediately notify the Commission of the termination of research activities by any vessel temporarily engaged in research.

Member States may permit fishing vessels flying their flag to fish for stocks in which it has not been allocated a quota in accordance with the fishing opportunities in force (the 'Others' quota), if such quota exists and notification of closure has not been given by the NAFO Executive Secretary.

With respect to the conservation and management of sharks, the proposed regulation prohibits the removal of shark fins on board vessels and retaining on board, transshipping or landing shark fins fully detached from a carcass.

The master of the vessel fishing in the Regulatory Area shall have equipment on board the fishing vessel to retrieve lost gear, make every reasonable effort to retrieve lost gear as soon as possible and not deliberately abandon fishing gear, except for safety reasons.

Protection of vulnerable marine ecosystems (VME)

The master of the vessel shall start exploratory bottom fishing activities only after being authorised in accordance with the conservation and management measures adopted by the NAFO Commission to prevent significant adverse impacts of the exploratory fishing activities on VMEs. He shall have a scientific observer on board for the duration of the exploratory bottom fishing activity.

Observer programme

Each fishing vessel, while conducting fishing activities in the Regulatory Area, shall carry at all times at least one observer. A fishing vessel shall not commence fishing until the observer is deployed on the fishing vessel. The failure to carry an observer if required shall be considered a serious infringement.

A Member State may allow fishing vessels flying its flag to carry an observer for less than 100 %, but not less than 25 % of the fishing trips conducted by its fleet, or of the days the fishing vessels are present in the Regulatory Area during the year, on the condition that the flag Member State, for the vessels not carrying an observer fulfil a certain number of requirements.

Observers shall be independent and impartial, and have the training, knowledge, skills and abilities to perform all of the duties, functions and requirements as specified in the regulation. They shall execute their duties and functions in an unbiased manner regardless of nationality and of which flag the vessel is flying, and shall be free from undue influence or benefit linked to the fishing activity of any vessel fishing in the Regulatory Area.

Procedure for amendments

Six months after the date of entry into force of this Regulation, the Commission shall adopt a delegated act supplementing the Regulation with the provisions of and Annexes to the CEM referred to in the Annex to the Regulation. The Commission is empowered to adopt delegated acts to subsequently amend that delegated act.