

Management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence

2021/0058(COD) - 04/11/2021 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Gabriel MATO (EPP, ES) on the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007.

The proposal aims to transpose the measures that the Indian Ocean Tuna Commission (IOTC) has adopted since 2008, as amended (in some cases) at its annual meetings. The EU must ensure compliance with these measures, as international obligations, as soon as they enter into force.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

European Fisheries Control Agency (EFCA)

Members recalled the Agency's mission, namely: (i) to assist Member States in providing the Commission and third parties with information on fishing activities and control and inspection activities; and (ii) at the request of the Commission, to assist the Union and the Member States in their relations with third countries and with international regional fisheries organisations of which the Union is a member.

Therefore, Members consider that the **EFCA should be the body that receives information from Member States** on inspection and control and the fight against illegal, unreported and unregulated (IUU) fishing, such as inspection reports and observer programme notifications for control purposes and transmits this information to the IOTC Secretariat.

Fishing with fish aggregating devices (FADs)

As from 1 January 2022, EU fishing vessels should endeavour to use **biodegradable FADs** with a view to transitioning to the use of biodegradable FADs, with the exception of materials used for instrumented buoys. Member States should endeavour to conduct trials using biodegradable materials to facilitate the transition to the exclusive use of only biodegradable material for drifting FADs construction by their fleets.

EU fishing vessels should also endeavour to adopt FADs designed to reduce marine turtle entanglement in accordance with international standards.

Oceanic sharks

EU fishing vessels should not retain on board, tranship, land, store, sell or offer for sale any part or whole carcass of oceanic whitetip sharks.

Members stressed that, where possible, Member States and the Commission should endeavour to conduct research on oceanic whitetip sharks taken in the Area, to identify potential nursery areas and the **impact of climate change on their abundance**.

This provision should not apply to **artisanal fisheries** operating exclusively in their respective Exclusive Economic Zones (EEZs) for local consumption.

Mobulid rays

Members introduced an amendment stipulating that in the case of mobulid rays that are unintentionally caught by artisanal fishing, the vessel should report the information on the accidental catch to the responsible governmental authorities, or other competent authority, at the point of

landing. Mobulid rays unintentionally caught may only be used for purposes of local consumption. This derogation should expire on 1 January 2022.

Register of active vessels fishing for yellowfin tuna

This year, at its annual meeting, the IOTC adopted a measure for the yellowfin tuna, adding a reporting duty to the Union and the contracting parties that is not part of the Commission's proposal. Members therefore called on Member States with vessels fishing for yellowfin tuna to submit to the Commission, by 1 February each year at the latest, a list of all fishing vessels flying their flag that have fished for yellowfin tuna in the area during the previous year.

Fishing vessels operating under flags of convenience

With regard to large-scale tuna longline vessels flying flags of convenience, Member States should inform the general public of the fishing activities of tuna longline vessels operating under flags of convenience, which reduce the effectiveness of IOTC conservation and management measures and urge them not to purchase fish harvested by such vessels.

Authorisation of entry, landing and transshipment in ports

Port Member States should deny entry to fishing vessels included in the IOTC list of IUU vessels, Community IUU vessel list or in any other IUU vessel list of other regional fisheries management organisation.

Annexes to the Regulation

The Commission does not include any of the relevant IOTC annexes in its proposal. For reasons of legal certainty, the operators concerned must be able to know exactly the extent of the obligations imposed on them. Therefore, without changing the content of the annexes as such, Members proposed a solution so that the relevant **IOTC annexes form part of the EU legislation**.