

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

2021/0058(COD) - 04/10/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 596 votes to 4, with 22 abstentions, a legislative resolution 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 European Parliament's position at first reading under the ordinary legislative procedure amends the proposal as follows.

Subject matter

The Regulation **transposes into Union law** the management, conservation and control measures established by the Indian Ocean Tuna Commission (IOTC) which are binding on the Union.

The Regulation contains provisions on:

- conservation and management measures (CMMs), including provisions on fishing for tropical tunas (e.g. yellowfin and bigeye), swordfish, bluefin, fishing using aircraft and artificial lights, deployment and design of fish aggregating devices, prohibition of fishing on oceanographic buoys and transhipment in port;
- measures to protect certain marine species (elasmobranchs, including sharks and rays) and to ensure the conservation of cetaceans, sea turtles and seabirds;
- control measures, fishing authorisations, a regional observer mechanism and requirements for fishing vessel registers, communication, vessel monitoring system, management standards and vessel marking and chartering of fishing vessels;
- controls on catch and effort data, obligations relating to access agreements, reporting obligations under the statistical document programme and requirements relating to the statistical document programme for bigeye tuna;
- inspection and port state measures, as well as enforcement, infringement and illegal fishing (IUU) provisions;
- data reporting, confidentiality of reports and electronic messages.

European Fisheries Control Agency (EFCA)

The amended text recalled that the EFCA should, at the request of the Commission, 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.

Where necessary for the implementation of the Union's obligations, the EFCA should, at the request of the Commission, coordinate the control and inspection activities carried out by the Member States, on the basis of international control and inspection programmes, which may include programmes implemented in IOTC CMMs.

Therefore, there are provisions to include the EFCA, when designated by the Commission, as the body designated by the Commission that receives from Member States and transmits to the IOTC Secretariat information relating to control and inspection, such as at sea inspection reports and notifications of the control observers scheme.

Fishing with fish aggregating devices (FADs)

Union fishing vessels should use non-entangling design and materials for the construction of FADs. Union 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. Operators shall endeavour to conduct trials using biodegradable materials to facilitate the transition to the use of only biodegradable material for drifting FADs construction by their fleets.

Transshipment declaration

In order to permit operators to effectively carry out their activities falling within the scope of this Regulation and to avoid obstacles in communication with the competent port authorities, the transshipment declaration should be submitted in one of the official languages of the IOTC.

Impact of climate change

When conducting research on certain species in the IOTC area, such as oceanic sharks, thresher sharks and blue sharks, Member States and the Commission should also consider the impact of climate change on the abundance of these species.

Register of active vessels fishing for yellowfin tuna

Member States with vessels fishing for yellowfin tuna should submit to the Commission by 1 February each year 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 will have to inform their general population of the fishing activities of tuna longline vessels operating under flags of convenience, which reduce the effectiveness of IOTC conservation and management measures urge their general public not to purchase fish harvested by such vessels.

Authorisation of entry, landing and transshipment in ports

Port Member States will have to refuse access to their ports to fishing vessels on the IOTC IUU vessel list, on the IUU vessel list of another Regional Fisheries Management Organisation (RFMO) or on the EU IUU list.

The Regulation provides for delegated powers to the Commission to provide for amendments to the IOTC measures and to ensure that EU fishing vessels are treated on an equal footing with those of other contracting parties.