Laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA)

2022/0348(COD) - 04/11/2022 - Legislative proposal

PURPOSE: to implement the conservation, management and control measures adopted under the Southern Indian Ocean Fisheries Agreement (SIOFA) in EU law.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the annual Meeting of the Parties to the SIOFA has a mandate to adopt conservation and management measures (CMMs) for the fisheries within its purview. These CMMs are binding on the SIOFA's Contracting Parties, Participating Fishing Entities and Cooperating non-Contracting Parties (together CCPs). The EU has been a Contracting Party to the SIOFA since 2008. It currently has one active fishing vessel in the SIOFA's Area of Application. That vessel must comply with the SIOFA's CMMs

The proposed Regulation implements into Union law the CMMs adopted between 2016 and 2022. This proposal will ensure that EU law is in line with international obligations adopted by the Meeting of the Parties. This proposal will also ensure that the EU complies with decisions taken by the SIOFA to which it is a Contracting Party.

CONTENT: this proposal covers the measures that the Meeting of the Parties has adopted since 2016, as amended (in some cases) at its annual meetings. As soon as they enter into force, the EU must ensure compliance with these measures, as international obligations. This proposal is designed to **implement current SIOFA measures and to set up a mechanism for implementing future measures**.

The proposal:

- sets out definitions as well as provisions for vessel authorisations and the issuing of fishing authorisations;

- deals with bottom-fishing measures, including: (i) effort limitations and general measures; (ii) measures designed to protect vulnerable marine ecosystems in the SIOFA's Area of Application; and (iii) scientific observer coverage. It also includes specific measures for the toothfish fishery in the Del Cano Rise and Williams Ridge areas;

- lays down measures to protect marine species, including on: (i) prohibiting largescale pelagic driftnets and deepwater gillnets; (ii) targeting deep-sea sharks; and (iii) mitigating seabird bycatch;

- sets out monitoring and control measures including rules for : (i) a vessel monitoring system (VMS); (ii) entry-exit reports; (iii) fishing-vessel documents and marking; (iv) the retrieval of abandoned, lost or otherwise discarded fishing gear; (v) discharge of plastics; and (vi) at sea transhipments and transfers,

their monitoring in port, and related reporting. The proposal also includes labelling rules for frozen products of fishery resources, and requirements for scientific observer programmes;

- sets out rules on control of third country vessels in Member State ports and in the high seas: (i) sightings and identifications of vessels that are not of the SIOFA Contracting Parties, Participating Fishing Entities or Cooperating Non-Contracting Parties (non-CCP) vessels; and (ii) port measures and inspections;

- deals with enforcement, including : (i) high seas boarding and inspection, including the definition of serious violations and related enforcement; and (ii) illegal, unreported and unregulated fishing;

- covers data collection and reporting, provision of scientific observer data, and other reporting.

In order to swiftly implement SIOFA rules, this proposal first provides for delegated powers to be granted to the Commission to cater for amendments to SIOFA measures and ensure that EU fishing vessels are on an equal footing with those of other Contracting Parties.