

General Fisheries Commission for the Mediterranean (GFCM): fishing in the GFCM Agreement area

2024/0098(COD) - 30/04/2024 - Legislative proposal

PURPOSE: to amend Regulation (EU) No 2023/2124 of the European Parliament and of the Council on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area.

PROPOSED ACT: Council Decision.

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 Agreement for the establishment of the General Fisheries Commission for the Mediterranean (the GFCM Agreement) provides an appropriate framework for multilateral cooperation to promote the development, conservation, rational management and best utilisation of living marine resources in the Mediterranean and the Black Sea at levels which are considered sustainable and at low risk of collapse. Its main objectives are to promote: (i) the development, conservation, rational management, and best utilisation of living marine resources in the Mediterranean and Black Sea; and (ii) the sustainable development of aquaculture in the Mediterranean, Black Sea. The EU and 10 of its Member States (Bulgaria, Croatia, Cyprus, France, Greece, Italy, Malta, Slovenia, Spain, and Romania) are contracting parties to the GFCM Agreement.

The GFCM has the authority to adopt compulsory decisions ('recommendations') for fisheries conservation and management in its area of competence. Those recommendations are binding on the Union and should therefore be implemented into Union law unless their content is already covered thereby. The Union is to ensure that Union fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law, while promoting fair competition between Union operators and third-country operators.

The first implementation of GFCM measures was done through Regulation (EU) 1343/2011, which was amended by Regulation (EU) 2015/2102 and Regulation (EU) 2019/982. Because Regulation (EU) 1343/2011 has been substantially amended several times and further amendments are to be made, it was recast in the interest of clarity, simplification and legal certainty in 2023, through Regulation (EU) 2023/2124.

For those reasons and since the permanent character of recommendations requires also a permanent legal instrument for their implementation into Union law, it is appropriate to implement those recommendations by means of a legislative act, ensuring legal clarity and predictability for Union operators in waters covered by the GFCM.

CONTENT: the purpose of this Commission proposal is therefore to implement into EU law the fisheries conservation and management measures adopted in 2021 and 2022 by the General Fisheries Commission for the Mediterranean (GFCM), to which the Union has been a contracting party since 1998.

The current proposal will insert further amendments into Regulation (EU) 2023/2124. These further amendments transpose additional GFCM measures.

More specifically, the proposal will address issues related to: (i) the sustainable conservation and management of fisheries; and (ii) the impact of fishing activities on certain marine species in the Mediterranean and Black Sea areas. In addition, this proposal contains technical measures for: (i) the sustainable exploitation of European eel and, red coral in the GFCM Agreement area; (ii), the mitigation of incidental captures of seabirds, sea turtles and cetaceans in the GFCM Agreement area; and (iii) the conservation of monk seals, sharks and rays in the GFCM Agreement area.

The proposal also:

- implements in Union law certain measures for fisheries for small pelagic stocks in the Adriatic Sea;
- introduces new provisions on spart and piked dogfish in the Black Sea; and
- introduces two new chapters on transshipments and recreational fisheries in the GFCM area.

Lastly, this proposal provides for delegated powers granted to the Commission under Article 290 of the Treaty on the Functioning of the European Union (TFEU), to ensure that the Union continues to fulfil its obligations under the GFCM Agreement.