Conservation of fish stocks: measures in relation to countries allowing non-sustainable fishing

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The Committee on Fisheries adopted the report by Thomas BAJADA (S&D, MT) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1026/2012 concerning certain measures for the conservation of fish stocks with regard to countries authorising unsustainable fishing.

As a reminder, the proposal constitutes a targeted amendment to Regulation (EU) No 1026/2012 and aims primarily to clarify, with the aim of increasing legal certainty, certain elements of the conditions for identifying a country as a country that authorises unsustainable fishing.

The committee recommended that the European Parliament adopt its position at first reading by amending the Commission's proposal as follows:

Regional Fisheries Management Organizations (RFMOs)

Members believe it is essential to strengthen the role of monitoring bodies within RFMOs. The proposed amendments aim to make RFMOs a genuine compliance tool in the EU's international fisheries governance strategy, harnessing their full potential to combat unsustainable fishing practices.

Failure to cooperate

Members clarified the concept of ‘failure to cooperate’: the failure of a third country to engage in good faith and have meaningful consultations with all the relevant coastal States and/or fishing parties, including within RFMOs, with a view to reaching an agreement on the adoption of necessary fishery management measures.

Examples of failure to cooperate include, but are not limited to:

- undue delays in replying to requests or engaging in consultations;

- unreasonable requests for information or actions to be taken, including unreasonable deadlines to reply or act;

- consistently maintaining their own positions over an extended period, regardless of the flexibilities and concessions offered by other parties during the consultations;

- adopting unreasonable and unjustified unilateral measures or quotas which are not in line with the measures or quotas agreed bilaterally or multilaterally;

- implementing discriminatory measures that impact the fleets of third countries, while granting a partial or full exemption from those measures for their own fleet, leading to stocks being in an unsustainable state;

- lack of transparency in the consultations with all the relevant coastal States or fishing parties, including within RFMOs.

Countries allowing unsustainable fishing

A country may be identified as a country allowing non-sustainable fishing where:

- it fails to adopt, implement, comply with or enforce relevant fishery management measures, or those agreed bilaterally or multilaterally, including control measures ensuring the effective conservation and management of stocks of common interest or associated species, including measures adopted in the framework of an RFMO;

- it systematically fails to comply with bilateral or multilateral agreements, by failing to take effective or timely action against its nationals or flagged vessels, which were deemed to have carried out illegal, unreported and unregulated fishing or acted contrary to the fishery management measures established by such agreements, leading to stocks being in an unsustainable state.

Procedures prior to the adoption of measures in respect to countries allowing non-sustainable fishing

The Commission should respond within **90** days of receiving a request, from a Member State or the European Parliament, to identify a country as a country allowing non-sustainable fishing and outline what action it intends to take, if any.

When the stock of common interest falls under the scope of an RFMO and the non-compliance by a third country results in that country being identified as a country allowing non-sustainable fishing, the Commission should raise the matter of a third country allowing non-compliance within the relevant body, to seek timely rectification of the non-compliance.

The Commission should give to the country concerned a maximum of 90 days to reply to the notification and a further maximum of 90 days from the date of that reply to remedy the situation.

Best available scientific advice

Members introduced a clear definition of 'best available scientific advice', meaning publicly available scientific advice that is supported by the most up-to-date scientific data and methods and that has either been issued or reviewed by an independent scientific body that is recognised at Union or international level.