Basic information

2011/0144(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean Amending Regulation (EC) No 302/2009 2009/0029(CNS) **Subject** 3.15.01 Fish stocks, conservation of fishery resources **Geographical area** Atlantic Ocean area Mediterranean Sea area	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	ROMEVA I RUEDA Raül (Verts/ALE)	15/06/2011
	Shadow rapporteur FRAGA ESTÉVEZ Carmen (PPE) ARSENIS Kriton (S&D) DAVIES Chris (ALDE) STEVENSON Struan (ECR) FERREIRA João (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	SÂRBU Daciana Octavia (S&D)	15/06/2011

Council of the European Union

Council configuration	Meetings	Date
Environment	3173	2012-06-11

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

European Economic and Social Committee	

Key events

Date	Event	Reference	Summary
08/06/2011	Legislative proposal published	COM(2011)0330	Summary
09/06/2011	Committee referral announced in Parliament, 1st reading		
20/12/2011	Vote in committee, 1st reading		
21/12/2011	Committee report tabled for plenary, 1st reading	A7-0449/2011	Summary
22/05/2012	Debate in Parliament		
23/05/2012	Decision by Parliament, 1st reading	T7-0214/2012	Summary
23/05/2012	Results of vote in Parliament		
11/06/2012	Act adopted by Council after Parliament's 1st reading		
12/06/2012	End of procedure in Parliament		
13/06/2012	Final act signed		
16/06/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0144(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 302/2009 2009/0029(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/06257

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	ENVI	PE469.863	06/10/2011	
Committee draft report		PE474.078	27/10/2011	
Amendments tabled in committee		PE476.094	28/11/2011	

Committee report tabled for plenary, 1st reading/single reading		A7-0449/2011	21/12/2011	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0214/2012	23/05/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00016/2012/LEX	13/06/2012	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2011)0330	08/06/2011	Summary
Commission response to text adopted in plenary	SP(2012)488	27/06/2012	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1603/2011	26/10/2011	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2012/0500
OJ L 157 16.06.2012, p. 0001 Summary

Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

2011/0144(COD) - 08/06/2011 - Legislative proposal

PURPOSE: to amend Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

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

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: at its Annual Meeting in 2010, ICCAT adopted a Recommendation amending the recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean. In order to rebuild the stock, the ICCAT recovery plan was modified to provide for a further reduction of the TAC, to strengthen measures to reduce the fishing capacity and to reinforce the control measures, particularly as regards the transfer and the caging operations.

The Community has been a Party to ICCAT since 1997 and the Recommendations become binding on Contracting Parties which do not object to them. As a Contracting Party to this organisation, the European Union has a responsibility to apply Recommendations adopted to which it has raised no objections.

The purpose of this proposal is to transpose into Union law the ICCAT recommend modifying the recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean.

The European Parliament and the Council are hereby requested to adopt this proposal as soon as possible.

BUDGETARY IMPLICATIONS: this proposal has no implications for the Union budget.

Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

2011/0144(COD) - 21/12/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report drafted by Raül ROMEVA i RUEDA (Greens/EFA, ES) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

The committee recommends that the European Parliament’s position, adopted at first reading under the ordinary legislative procedure, should amend the Commission proposal as follows:

- the International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendation 10-04 highlights the need to **properly identify spawning grounds as a matter of urgency**. Members consider that the protection of spawning grounds will be central to the ultimate success of the recovery plan and this should be borne in mind by all Contracting Parties (CPCs). This is why they call for the ICCAT Recommendation to foresee additional advice on the identification of spawning grounds and on the creation of sanctuaries to be developed by 2012;

- in addition, Members consider that the **specific references to number and weight in excess** used throughout the Article concerning caging operations should not be changed. This is also the wording used in the ICCAT recommendation. The word 'quantities' in excess used by the Commission in its proposal is considered less precise by the Members.

Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

2011/0144(COD) - 23/05/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted 635 votes to 16 with 11 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise between Parliament and Council. They amend the Commission proposal as follows:

Spawning grounds: a recital recalls that in order to rebuild the stock, Recommendation 10-04 provides for a further reduction of the total allowable catch, for the strengthening of measures to reduce the fishing capacity and for the reinforcement of the control measures, in particular concerning the transfer and the caging operations, and provides additional advice by the Standing Committee on Research and Statistics (SCRS) in 2012 on the **identification of spawning grounds** and on the creation of sanctuaries.

Objective of the plan: the amended text states that the objective of the recovery plan that is in force from 2007 to the end of 2022 shall be to achieve a biomass corresponding to the maximum sustainable yield with at least 60 % probability.

Transmission of provisional annual fishing plan: no later than 30 September each year, Member States shall transmit to the Commission the provisional annual fishing plan relating to the following year. The Commission shall compile the provisional annual national fishing plans and integrate them into the Union fishing plan that is to be transmitted to the ICCAT Secretariat for endorsement by ICCAT.
No later than 31 January each year, Member States shall transmit the final annual fishing plan to the Commission. The Commission shall compile the **final annual national fishing plans** and integrate them into the Union fishing plan that is to be transmitted to the ICCAT Secretariat by 1 March of each year.

It will also compile the **national inspection plans** and integrate them into the Union inspection plan that is to be transmitted to the ICCAT Secretariat for endorsement by ICCAT.

Calculation of the fishing capacity reduction: this shall be based on the catch rates for categories of vessels in accordance with the methodology approved at the 2009 ICCAT annual meeting.
Retroactive submissions: no retroactive submissions shall be accepted. Subsequent changes to the lists referred to in the text during a calendar year shall only be accepted if the notified fishing vessel is prevented from participating due to legitimate operational reasons or force majeure.

Transfer operations: the amended text states that the transfer shall be authorised or not authorised by the Member State responsible for the catching vessel, towing vessel, farm or tuna trap, as appropriate, within 48 hours following the submission of the prior notification of transfer.

Caging operations: where the estimation of catch by the regional observer is at least 10 % higher by number and/or average weight than declared by the master of the catching vessel, the Member State responsible for the catching vessel shall initiate an investigation which shall be concluded prior to the time of caging at the farm.

The amended text states that if the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number or the average weight of bluefin tuna is more than 10 % higher than that declared by the farm operator, the flag CPC or Member State responsible for the catching vessel shall issue a release order in respect of the number or weight in excess.

Inspection: if, at any time, more than 15 fishing vessels of a Member State are engaged in bluefin tuna fishing activities in the Convention area, that Member State shall **deploy an inspection vessel for the purposes of inspection and control** at sea in the Convention area throughout the period that those vessels are there. This obligation shall be deemed to have been complied with where Member States cooperate to deploy an inspection vessel or where an EU inspection vessel is deployed in the Convention area.

Implementing powers: in order to provide for uniform conditions pertaining to transfer operations, caging operations and recording and reporting of tuna trap activities, implementing powers are conferred on the Commission. Those powers must be exercised in accordance with Regulation (EU) No 182 /2011 of laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

Fish stock conservation: multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

2011/0144(COD) - 13/06/2012 - Final act

PURPOSE: to transpose into EU law the International Commission for the Conservation of Atlantic Tunas (ICCAT) 2010 recommendation modifying the recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

LEGISLATIVE ACT: Regulation (EU) No 500/2012 of the European Parliament and of the Council amending Council Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

CONTENT: the Council adopted an amendment to regulation 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean following a first reading agreement with the European Parliament.

At its 17th Special Meeting in 2010, ICCAT adopted Recommendation 10-04 amending the multiannual recovery plan for bluefin tuna. In order to rebuild the stock, Recommendation 10-04 provides for :

- a further reduction of the total allowable catch, for the strengthening of measures to reduce the fishing capacity and for the reinforcement of the control measures, in particular concerning the transfer and the caging operations;
- additional advice by the Standing Committee on Research and Statistics (SCRS) in 2012 on the **identification of spawning grounds** and on the creation of sanctuaries.

The Community has been a party to ICCAT since 1997 and the recommendations become binding on contracting parties which do not object to them. The EU has a responsibility to apply recommendations adopted.

The purpose of this regulation is to **transpose into EU law the ICCAT recommendation modifying the recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean**.

The main elements are as follows:

Objective of the plan: the objective of the recovery plan that is in force from 2007 to the end of 2022 shall be to achieve a biomass corresponding to the maximum sustainable yield with **at least 60 % probability**.

Transmission of the provisional annual fishing plans: no later than 30 September each year, Member States shall transmit to the Commission the provisional annual fishing plan relating to the following year.

Retroactive submissions: no retroactive submissions shall be accepted. Subsequent changes to the lists referred to in the Regulation during a calendar year shall only be accepted if the notified fishing vessel is prevented from participating due to legitimate operational reasons or force majeure.

Transfer operations: before any transfer operation, the master of a catching or towing vessel or the operator of the farm or tuna trap where the transfer in question originates shall send to the competent authorities of the respective responsible Member State a prior nnotification of transfer indicating a certain number of specifics laid down in the Regulation.

The transfer shall be authorised or not authorised by the Member State responsible for the catching vessel, towing vessel, farm or tuna trap, as appropriate, within 48 hours following the submission of the prior notification of transfer.

Caging operations: within one week of the completion of the caging operation, the Member State responsible for the farm shall submit to the Member State or CPC whose flag vessels have fished the tuna, and to the Commission, a caging report that has been validated by an observer.

Where there is a difference of more than 10%, by average weight or by number, between the estimate by the regional observer and the farm operator, the Member State responsible for the farm shall, in cooperation with the flag State of the catching vessel, initiate an investigation.

Under the amended Regulation, if the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number or the average weight of bluefin tuna is more than 10% higher than that declared by the farm operator, the flag CPC or Member State responsible for the catching vessel shall issue a release order in respect of the **number or weight in excess**.

Inspection: if, at any time, more than 15 fishing vessels of a Member State are engaged in bluefin tuna fishing activities in the Convention area, that Member State shall deploy an inspection vessel for the purposes of inspection and control at sea in the Convention area throughout the period that those vessels are there.

No later than 30 September each year, Member States shall transmit to the Commission their inspection plan for the following year.

Recording and reporting of tuna trap activities: within 48 hours of the end of every fishing operation using tuna traps, catches shall be recorded and the data transmitted, by electronic or other means, to the competent authority of the Member State responsible for the tuna trap concerned. This record shall include details of the estimated quantities remaining in the tuna trap.

Each Member State shall, upon receipt of the record, forward it by electronic means to the Commission. In turn, the Commission shall promptly forward the information to the ICCAT Secretariat.

Implementing powers: in order to provide for uniform conditions pertaining to transfer operations, caging operations and recording and reporting of tuna trap activities, implementing powers should be conferred on the Commission.

ENTRY INTO FORCE: 23/06/2012.