Basic information

2015/0096(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean Repealing Regulation (EC) No 302/2009 2009/0029(CNS) Repealed by 2019/0272(COD) **Subject** 3.15.01 Fish stocks, conservation of fishery resources 3.15.04 Management of fisheries, fisheries, fishing grounds 3.15.05 Fish catches, import tariff quotas 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 3.15.15 Fisheries agreements and cooperation **Geographical area** Atlantic Ocean area Mediterranean Sea area	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	MATO Gabriel (PPE)	06/05/2015
	Shadow rapporteur BRIANO Renata (S&D) TOMAŠIĆ Ruža (ECR) BILBAO BARANDICA Izaskun (ALDE) HAZEKAMP Anja (GUE/NGL) AFFRONTE Marco (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3481	2016-07-18

European Commission	Commission DG	Commissioner
	Maritime Affairs and Fisheries	VELLA Karmenu

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
24/04/2015	Legislative proposal published	COM(2015)0180	Summary
30/04/2015	Committee referral announced in Parliament, 1st reading		
10/12/2015	Vote in committee, 1st reading		
15/12/2015	Committee report tabled for plenary, 1st reading	A8-0367/2015	Summary
18/01/2016	Debate in Parliament		
19/01/2016	Decision by Parliament, 1st reading	T8-0003/2016	Summary
19/01/2016	Results of vote in Parliament		
19/01/2016	Matter referred back to the committee responsible		
19/04/2016	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
23/06/2016	Decision by Parliament, 1st reading	T8-0286/2016	Summary
18/07/2016	Act adopted by Council after Parliament's 1st reading		
14/09/2016	Final act signed		
14/09/2016	End of procedure in Parliament		
16/09/2016	Final act published in Official Journal		

Technical information

Procedure reference	2015/0096(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 302/2009 2009/0029(CNS) Repealed by 2019/0272(COD)
Legal basis	Rules of Procedure EP 61 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/8/03356

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE567.746	15/10/2015	
Amendments tabled in committee		PE569.853	17/11/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0367/2015	15/12/2015	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T8-0003/2016	19/01/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0286/2016	23/06/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00014/2016/LEX	14/09/2016	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2015)0180	24/04/2015	Summary
Commission response to text adopted in plenary	SP(2016)487	14/07/2016	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES2994/2015	01/07/2015	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2016/1627
OJ L 252 16.09.2016, p. 0001 Summary

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean

2015/0096(COD) - 15/12/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Gabriel MATO (EPP, ES) on the proposal for a regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean repealing Regulation (EC) No 302/2009.

The committee recommended that the European Parliament's position adopted at first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Subject matter and scope: the amended text seeks to enhance the scope of the Regulation by giving support and particular attention to long-established **traditional and artisanal fishing gear** such as **traps ('almadrabas')** which have a low impact on marine ecosystems thanks to their low energy consumption and high degree of selectivity. In addition, Member States shall ensure safeguards as regards the socio-economic viability of its traps.

Fishing plans: in a new article, the committee proposed that the annual fishing plan submitted by each Member State shall provide for an **even breakdown of quotas** among the gear groups in order to help ensure compliance with individual quotas and by-catch allowances. Member States shall use transparent and objective criteria for the national allocation of the quotas, giving special consideration to the preservation and prosperity of small-scale, artisanal and traditional fishermen using traps and other selective fishing methods, and to the encouragement of such methods.

Minimum conservation reference size, incidental catch, by catch: the Common Fisheries Policy basic Regulation introduces a landing obligation, in which the concept of minimum size, linked to the discard obligation applied up to the last reform, has no longer sense. Therefore, the amended text replaces the concept of 'minimum size' with that of minimum conservation reference size'. To recall, the minimum conservation reference size for Bluefin tuna caught in the eastern Atlantic and in the Mediterranean shall be 30 kg or 115 cm fork length.

Recreational and sport fishery: the committee report stipulated that any Bluefin tuna landed shall be whole, gilled and gutted. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, the release of Bluefin tuna caught alive, especially juveniles, in the framework of recreational and sport fishing.

Fishing authorisations for vessels: the fishing authorisation for Bluefin tuna and shall require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

The flag Member State shall withdraw the fishing authorisation for Bluefin tuna and **may** require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted

Landings: the amended text specified that the estimated quantities of Bluefin tuna retained on board may be notified at the agreed time of notification prior to arrival. If the fishing grounds are l**ess than four hours from the port**, the estimated quantities of Bluefin tuna retained on board may be modified at any time prior to arrival.

ICCAT Regional Observer Programme: Member States shall also ensure that an ICCAT regional observer is present during all transfers from one farm to another. ICCAT regional observers shall also be tasked to observe and monitor fishing and farming operations in compliance with the relevant ICCAT conservation and management measures.

Entry into force: the committee proposed to change the entry into force to the twentieth day following that of its publication in the Official Journal of the European Union (as opposed to the third as proposed by the Commission).

Delegated acts: references to the exercise of the delegation for future amendments of the recovery plan have been deleted throughout the text. Members stressed that the transposition of the Regional Fisheries Management Organisations' (RFMO) Recommendations has to remain a joint European Parliament and Council competence under the ordinary procedure (co-decision).

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean

2015/0096(COD) - 19/01/2016 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted **amendments** to the proposal for a regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean repealing Regulation (EC) No 302/2009.

The matter was **sent back for revision to the committee responsible** and the vote on the resolution was postponed until a subsequent plenary sitting.

The main amendments adopted in plenary are as follows:

Subject matter and scope: Parliament sought to improve the scope of the Regulation by paying particular attention to non-industrial fishing activities and to the most artisanal and sustainable gear types, such as traditional traps ("almadrabas", "tonnare"), which contribute very positively to the rebuilding of tuna stocks, due to their high level of selectivity and low environmental impact in marine ecosystems, and which are valuable in scientific terms.

Fishing plans: in a new article, Parliament proposed that the annual fishing plan submitted by each Member State shall provide for an **even breakdown of quotas** among the gear groups in order to help ensure compliance with individual quotas and by-catch allowances. Member States shall use transparent and objective criteria for the national allocation of the quotas, giving special consideration to the preservation and prosperity of small-scale, artisanal and traditional fishermen using traps and other selective fishing methods, and to the encouragement of such methods.

Fishing capacity management plans: Members introduced a reference to the " tonnage corresponding gross tonnage" and stipulated that by way of derogation from the provisions in the Regulation, Member States shall **review the Bluefin tuna fishing quota system**, which penalises small-scale fishermen, for the purpose of removing the monopoly currently exercised by large vessel owners and encouraging more sustainable fishing systems such as those used for small-scale fishing.

Minimum conservation reference size, incidental catch, by catch: the Common Fisheries Policy basic Regulation introduces a landing obligation, in which the concept of minimum size, linked to the discard obligation applied up to the last reform, has no longer sense. Therefore, Members replaced the concept of 'minimum size' with that of **'minimum conservation reference size'**. To recall, the minimum conservation reference size for Bluefin tuna caught in the eastern Atlantic and in the Mediterranean shall be 30 kg or 115 cm fork length.

Recreational and sport fishery: Parliament stipulated that any Bluefin tuna landed shall be **whole, gilled and gutted**. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, the release of Bluefin tuna caught alive, especially juveniles, in the framework of recreational and sport fishing.

Fishing authorisations for vessels: an amendment specified that the fishing authorisation for Bluefin tuna and **may** require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

Landings: the proposal provides that the estimated quantities of Bluefin tuna retained on board may be notified at the agreed time of notification prior to arrival. If the fishing grounds are le**ss than four hours from the port**, the estimated quantities of Bluefin tuna retained on board may be modified at any time prior to arrival.

ICCAT Regional Observer Programme: Member States shall also ensure that an ICCAT regional observer is present during all transfers from one farm to another. ICCAT regional observers shall also be tasked to observe and monitor fishing and farming operations in compliance with the relevant ICCAT conservation and management measures.

Delegated acts: references to the exercise of the delegation for future amendments of the recovery plan have been deleted throughout the text. Parliament stressed that the transposition of the Regional Fisheries Management Organisations' (RFMO) Recommendations has to remain a joint European Parliament and Council competence under the ordinary procedure (co-decision).

Entry into force: Parliament proposed to change the entry into force to the twentieth day following that of its publication in the Official Journal of the European Union (as opposed to the third as proposed by the Commission).

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean

2015/0096(COD) - 24/04/2015 - Legislative proposal

PURPOSE: to transpose into Union law measures of the multiannual Bluefin Tuna (BFT) recovery plan in the Eastern Atlantic and the Mediterranean adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

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 objective of the Common Fisheries Policy, as set out in Regulation (EU) No 1380/2013 is to ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions.

The Union is Party to the ICCAT, the Regional Fisheries Management Organisation (RFMO) responsible for the management of tuna and tuna-like species in the Atlantic Ocean and adjoining seas to which the Union is a Contracting Party.

The ICCAT has the authority to adopt decisions ("recommendations") for fisheries conservation and management in its area of competence; these acts are binding.

Certain ICCAT BFT measures were transposed through Regulation (EU) No 544/2014 which amended Council Regulation (EC) No 302/2009. The purpose of that amendment was to transpose the measures on fishing seasons adopted by ICCAT in 2012 and 2013.

With a view to ensure uniform and effective application throughout the European Union of all measures of the Recovery plan adopted between 2012 and 2014, the current proposal will incorporate them into a Regulation concerning a multiannual recovery plan for BFT in the eastern Atlantic and the Mediterranean. This Regulation will repeal Council Regulation (EC) No 302/2009.

CONTENT: the objective of the proposed Regulation, in line with the Recovery plan, is to achieve a biomass corresponding to the maximum sustainable yield by 2022 with at least 60% probability.

The proposal aims at **transposing into Union law measures of the multiannual Bluefin Tuna (BFT) recovery plan in the Eastern Atlantic and the Mediterranean** adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) at its annual meetings between 2012 and 2014. It contains technical measures such as those on transfer and caging operations of live BFT, including also measures on the use of stereoscopic cameras to estimate the quantities of BFT and releases, catch reporting requirements, and the implementation of the ICCAT Regional Observer Programme.

The new Regulation on the CFP introduced a **landing obligation** which applies as of 1 January 2015 to Bluefin tuna. Under that Regulation, the Commission is empowered to adopt delegated acts, for the purpose of implementing such international obligations into Union law, including, in particular, derogations from the landing obligation.

Accordingly, the discard of bluefin tuna will be allowed in some situations laid down in Commission Delegated Regulation (EU) No 2015/98. This Regulation d**oes therefore not need to cover such discard obligations**.

DELEGATED ACT: the proposal contains provisions to empower the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean

2015/0096(COD) - 23/06/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 524 votes to 25 with 37 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean repealing Regulation (EC) No 302/2009.

The matter had been sent back to the competent committee for re-examination at the sitting of 19.1.2016.

Parliament's position adopted in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Allocation of fishing opportunities: Parliament stipulated that the recovery plan must take into account the specificities of the different types of gear and fishing techniques. When allocating the fishing opportunities available to them, Member States shall use **transparent and objective criteria,** including those of an **environmental, social and economic nature**. They shall also endeavour to:

- distribute national quotas fairly among the various fleet segments giving consideration to traditional and artisanal fisheries, and
- provide incentives to Union fishing vessels deploying **selective fishing gear** or using fishing techniques with reduced environmental impact.

Conditions associated with management measures: the proposal stated that each Member State shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the Bluefin tuna fishing opportunities available to that Member State in the eastern Atlantic and the Mediterranean. Members stressed that **the carrying -over of any unused quota shall be prohibited.**

Minimum conservation reference size and incidental catches: the International Commission for the Conservation of Atlantic Tunas: (ICCAT) concept of minimum sizes should be transposed into Union law as **minimum conservation reference sizes**. Parliament replaced the concept of minimum sizes of Bluefin tuna by references to minimum conservation reference sizes. To recall, the minimum conservation reference size for Bluefin tuna caught in the eastern Atlantic and the Mediterranean is 30 kg or 115 cm fork length.

Incidental catches of a maximum 5 % of Bluefin tuna weighing between 8 and 30 kg or with a fork length between 75 and 115 cm shall be allowed for all catching vessels and traps fishing actively for Bluefin tuna.

By-catch: each Member State shall make provision for by-catch of Bluefin tuna within its quota and shall inform the Commission thereof when transmitting its fishing plan. This provision shall ensure that **all dead fish are deducted from the quota**. Each Member State shall deduct all dead fish within the by-catch from its quota. Members also stated that dead Bluefin tuna shall be landed whole and unprocessed.

Use of aerial means: the use of any aerial means, including aircraft, helicopters or any types of unmanned aerial vehicles for searching for Bluefin tuna shall be prohibited.

Sport and recreational fisheries: the amended text stipulates that any Bluefin tuna landed shall be **whole, gilled and/or gutted. Each** Member State shall take the necessary measures to ensure, to the greatest extent possible, **the release of Bluefin tuna, especially juveniles, caught alive** in the framework of sport and recreational fishing.

Fishing authorisations for vessels: the flag Member State shall withdraw the fishing authorisation for Bluefin tuna and **may require** the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

Landings: where Member States are authorised under applicable Union legislation to apply a shorter notification period than that referred to in the regulation, the estimated quantities of Bluefin tuna retained on board may be notified at the thus applicable time of notification prior to arrival. If the fishing grounds are **less than four hours from the port,** the estimated quantities of Bluefin tuna retained on board may be modified at any time prior to arrival.

Transhipment: transhipment at sea of Bluefin tuna in the Convention area shall be prohibited in all circumstances.

ICCAT regional observer programme: Member States shall ensure that an ICCAT regional observer is present during all transfers from one farm to another. ICCAT regional observers shall also observe that fishing and farming operations are in compliance with the relevant ICCAT conservation and management measures.

Entry into force: the Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean

2015/0096(COD) - 14/09/2016 - Final act

PURPOSE: to update the multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean.

LEGISLATIVE ACT: Regulation (EU) 2016/1627 of the European Parliament and of the Council on a multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean, and repealing Council Regulation (EC) No 302/2009

CONTENT: the new Regulation **improves the multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean** currently in force.

The recovery plan applies from **2007 to 2022**. It was recommended by the International Commission for the Conservation of Atlantic Tunas ('ICCAT'), an inter-governmental fishery organisation responsible for the conservation of tunas and tuna-like species in the Atlantic Ocean and its adjacent seas. The EU is a contracting party to ICCAT.

The objective of the Regulation is to achieve a biomass of bluefin tuna corresponding to the maximum sustainable yield by 2022 **with at least a 60 % probability** of achieving that objective.

Implementation of the plan: the Regulation **transposes into Union law** measures adopted by ICCAT in 2012, 2013 and 2014, these being:

- **Recommendation 12-03** which sets up: (i) technical measures concerning the transfer and caging operations of live bluefin tuna; (ii) new catch reporting requirements; (iii) the implementation of the ICCAT regional observer programme and (iv) changes of the fishing seasons;
- **Recommendation 13-07 and 13-08** which (i) introduces small changes on fishing seasons which do not affect the Union fleet; (ii) sets up a common procedure for the use of stereoscopical camera systems to estimate the quantities of bluefin tuna at the point of caging and (iii) introduces a flexible starting date for the fishing season of baitboats and trolling boats in the eastern Atlantic;
- **Recommendation 14-04**, which (i) rationalises some of the existing control provisions; (ii) specifies the procedures for the use of stereoscopic camera at the point of caging; (iii) introduces measures specific to release operations and the treatment of dead fish in the recovery plan.

Gear and fishing techniques: the recovery plan takes into account the specificities of the different types of gear and fishing techniques. When implementing the recovery plan, the Union and Member States will endeavour to promote coastal fishing activities and the use of fishing gear and techniques which are **selective** and have a **reduced environmental impact**, including gear and techniques used in traditional and artisanal fisheries, thereby contributing to a fair standard of living for local economies.

Sport and recreational fishing: for these activities, no more than one bluefin tuna shall be caught per vessel per day.

Any bluefin tuna landed shall be **whole, gilled and/or gutted**. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, **the release of bluefin tuna, especially juveniles**, caught alive in the framework of sport and recreational fishing.

The marketing of bluefin tuna caught during sport and recreational fishing is prohibited.

ENTRY INTO FORCE: 06.10.2016.