Basic information

2018/0050(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea **Subject** 3.15.04 Management of fisheries, fisheries, fishing grounds **Geographical area** Mediterranean Sea area	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	AGUILERA Clara (S&D)	22/03/2018
	Shadow rapporteur ITURGAIZ Carlos (PPE) TOMAŠIĆ Ruža (ECR) BILBAO BARANDICA Izaskun (ALDE) FERREIRA João (GUE/NGL) AFFRONTE Marco (Verts/ALE) D'AMATO Rosa (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	Chair on behalf of committee VĂLEAN Adina (PPE)	10/04/2018
REGI Regional Development	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
08/03/2018	Legislative proposal published	COM(2018)0115	Summary
15/03/2018	Committee referral announced in Parliament, 1st reading		
10/01/2019	Vote in committee, 1st reading		
10/01/2019	Committee report tabled for plenary, 1st reading	A8-0005/2019	Summary
10/01/2019	Committee decision to open interinstitutional negotiations with report adopted in committee		
14/01/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
17/01/2019	Results of vote in Parliament		
17/01/2019	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72 - vote)		
19/02/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE634.760 GEDA/A/(2019)001626	
03/04/2019	Debate in Parliament		
04/04/2019	Decision by Parliament, 1st reading	T8-0344/2019	Summary
04/04/2019	Results of vote in Parliament		
06/06/2019	Act adopted by Council after Parliament's 1st reading		
20/06/2019	Final act signed		
20/06/2019	End of procedure in Parliament		
26/06/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0050(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/12491

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE622.269	19/07/2018	
Committee opinion	ENVI	PE627.827	19/09/2018	
Amendments tabled in committee		PE628.507	04/10/2018	
Amendments tabled in committee		PE626.661	16/10/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0005/2019	10/01/2019	Summary
Text agreed during interinstitutional negotiations		PE634.760	14/02/2019	
Text adopted by Parliament, 1st reading/single reading		T8-0344/2019	04/04/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2019)001626	14/02/2019	
Draft final act	00032/2019/LEX	20/06/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2018)0115	08/03/2018	Summary
Document attached to the procedure	SWD(2018)0059	08/03/2018	
Document attached to the procedure	SWD(2018)0060	08/03/2018	
Commission response to text adopted in plenary	SP(2019)443	12/06/2019	
Follow-up document	COM(2024)0322	29/07/2024	
Follow-up document	SWD(2024)0195	29/07/2024	

Additional information

Source	Document	Date
European Parliament	Briefing	
European Commission	EUR-Lex	

Final act

Regulation 2019/1022
OJ L 172 26.06.2019, p. 0001 Summary

Delegated acts	
Reference	**Subject**
2021/2855(DEA)	Examination of delegated act
2022/2804(DEA)	Examination of delegated act
2023/2826(DEA)	Examination of delegated act

Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea

2018/0050(COD) - 04/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 461 votes to 62 with 101 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea.

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

Objectives of the plan

The Regulation establishes a multiannual plan for the conservation and sustainable exploitation of demersal stocks in the western Mediterranean Sea. It applies to hake, red mullet, deep-water rose shrimp, Norway lobster, blue and red shrimp and giant red shrimp.

The plan will:

- be based on a fishing effort regime and aim to contribute to the achievement of the objectives of the common fisheries policy (CFP), in particular by applying the precautionary approach to fisheries management;

- ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce maximum sustainable yield (MSY);

- contribute to the elimination of discards and to the implementation of the landing obligation;

- implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem and on vulnerable habitats and protected species are minimised.

The target fishing mortality to achieve MSY shall be achieved on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest, for the stocks concerned, and shall be maintained thereafter.

Fishing effort regime

For the first year of implementation of the plan, except for geographical sub-areas in which the fishing effort has already been reduced by more than 20 % during the baseline period (2012-2017), the maximum allowable fishing effort shall be reduced by 10 % compared to the baseline. For the second to the fifth year of the implementation of the plan, the maximum allowable fishing effort shall be reduced by a maximum of 30 %.

Where the best available scientific advice shows significant catches of a particular stock with fishing gear other than trawls, maximum allowable fishing effort may be set for such particular gear on the basis of such scientific advice.

Where a Member State allows vessels flying its flag to fish with trawls, it shall ensure that such fishing is limited to a maximum of 15 hours per fishing day, five fishing days per week or equivalent. Member States may grant a derogation of up to 18 hours per fishing day to take into account the transit time between port and the fishing ground.

Recreational fisheries

Where scientific advice indicates that recreational fishing is having a significant impact on the fishing mortality of a particular stock, the Council may set non-discriminatory limits for recreational fishermen.

When setting the limits, the Council shall refer to transparent and objective criteria, including those of an environmental, social and economic nature. The criteria used may include, in particular, the impact of recreational fishing on the environment, the societal importance of that activity and its contribution to the economy in coastal areas.

Closure areas

The amended text states that the use of trawls in the western Mediterranean Sea shall be prohibited within six nautical miles from the coast except in areas deeper than the 100 m isobath during three months each year and, where appropriate, consecutively, on the basis of the best available scientific advice. Member States may establish other closure areas, provided that a reduction of at least 20 % of catches of juvenile hake in each geographical subarea is achieved.

Permanent cessation

The amended text provides that the Regulation on the European Maritime and Fisheries Fund (EMFF) should be amended so that fleet segments covered by the new rules can benefit from compensation in case of permanent cessation of activities fishing.

Participative management

In accordance with the principles of good, Member States may promote participative management systems at local level in order to achieve the objectives of the plan. No later than five years after the entry into force of the Regulation and every three years thereafter, the Commission should report to the European Parliament and the Council on the results and the impact of the plan on the stocks concerned and on the fisheries exploiting these stocks.

Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea

2018/0050(COD) - 08/03/2018 - Legislative proposal

PURPOSE: to establish a multiannual plan for fisheries exploiting demersal stocks in the western Mediterranean Sea.

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

BACKGROUND: the western Mediterranean is one of the most developed sub-regions in terms of fisheries in the Mediterranean. It accounts for around 31 % of its total landing (EUR 1.35 billion out of a total of EUR 4.76 billion) and around 19 % of the officially reported Mediterranean fishing fleet.

Demersal fisheries are highly sought after by fishermen due to their high commercial value. Demersal fisheries in the Mediterranean are **highly complex and involve many species of fish and crustaceans**. The main demersal species caught in the western Mediterranean are hake, red mullet, giant red shrimp, deep-water rose shrimp, blue and red shrimp and Norway lobster.

The main gear used for demersal species are trawl nets, which have the largest catch and fleet power, but passive gears such as trammel nets, gillnets, traps and longlines are also important.

Demersal fisheries in the western Mediterranean are currently managed through national management plans adopted under Council Regulation (EC) No 1967/2006 (the 'MedReg'). Spain, France and Italy have adopted plans in accordance with this Regulation. These plans have proved **ineffective in achieving the objectives** set by the Common Fisheries Policy (CFP).

The Scientific, Technical and Economic Committee for Fisheries ("STECF") has shown that the exploitation of most demersal stocks in the western Mediterranean **far exceeds the levels required to reach maximum sustainable yield** (MSY): more than 80% assessed stocks are overfished in this sub-region. In addition, the biomass of some of these stocks is close to the limit reference point, indicating that there is a high probability of collapse.

The Commission therefore considers it appropriate to establish a multiannual plan for the conservation and sustainable exploitation of demersal stocks in the western Mediterranean.

IMPACT ASSESSMENT: taking into account all the evidence collected and analysed through the impact assessment process, the preferred option is a multi-annual plan at EU level. The reasons for this are as follows:

- the multi-annual plan would have more positive environmental impacts. In particular, the probability of achieving fishing mortality targets for all stocks would be around 36 %;
- around 70 % of the assessed stocks would recover to spawning stock biomass (SSB) levels above the precautionary reference point;
- socio-economic performance is expected to improve across all fleets by 2025;
- a multi-annual plan would be streamlined (a single regulatory framework), stable (it considers the long-term perspective) and transparent (the three Member States concerned would jointly bring fishing mortalities to sustainable levels).

CONTENT: the proposal for a Regulation aims to address the high levels of overfishing and the ineffective regulatory framework by introducing for the first time a multi-annual plan at EU level. Its aim is to achieve the objectives of the CFP Regulation in western Mediterranean demersal fisheries, namely with regards to ensure that fishing activities are environmentally sustainable in the long term and managed in a way that secure economic, social and employment benefits.

The plan will also facilitate implementation of the **landing obligation** and enable a regionalised approach, whereby the Member States concerned would be involved in the design of management measures.

The proposal applies to the stocks driving demersal fisheries (i.e. hake, red mullet, deep-water rose shrimp, blue and red shrimp, giant red shrimp and Norway lobster), by-catch stocks and other demersal stocks for which sufficient data are not available. It also applies to commercial and recreational fisheries exploiting those stocks in the western Mediterranean.

The proposal:

- lays down quantifiable targets for fishing mortality which should be achieved by 2020 at the latest. The ranges would allow for MSY-based management of the stocks concerned, while providing some flexibility in the context of mixed fisheries;
- introduces, for each stock, a **limit reference point** (or biomass limit, BLIM) at which the stock would be in serious danger of collapse and a precautionary reference point (or biomass precautionary, BPA) as a safety margin;
- introduces **safeguard measures** to allow a stock to recover in the event of the precautionary or limit reference points being exceeded;
- introduces a **fishing effort regime** at EU level for all trawls in the areas and vessels length categories in Annex I;
- sets a spatio-temporal closure prohibiting trawls from operating within the 100 m isobath from 1 May to 31 July each year. This would reserve the coastal zone for more **selective gears** in order to protect nursery areas and sensitive habitats, and enhance the social sustainability of small-scale fisheries;
- introduces **regionalisation provisions** as required to extend and/or amend exemptions for species with demonstrated high survival rates and *de minimis* exemptions;
- establishes **regional cooperation** among Member States with a view to adopting provisions for the landing obligation and specific conservation measures, including technical measures, for certain stocks;
- introduces **scientific monitoring** to assess progress towards maximum sustainable yield for the stocks driving demersal fisheries and, where possible, by-catch stocks.

BUDGETARY IMPLICATION: the proposal has no impact on the Union budget.

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

Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea

2018/0050(COD) - 10/01/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Clara Eugenia AGUILERA GARCÍA (S&D, ES) on the proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea.

The committee recommended that the position of the European Parliament adopted at first reading in the framework of the ordinary legislative procedure amend the Commission proposal as follows.

Economic, social and environmental sustainability

The objectives of the Common Fisheries Policy are, amongst others:

- to ensure exploitation of marine living biological resources that provide long-term sustainable economic, environmental and social conditions;

- to contribute to (i) supplying the Union market with food of high nutritional value; (iii) reducing the Union market's dependence on food imports; (iii) encouraging the creation of employment and economic development in coastal areas, and (iv) ensuring a fair standard of living for the fisheries sector, including the artisanal and small-scale fisheries sector.

Objectives of the plan

The plan should contribute to the achievement of the objectives of the CFP, and in particular restoring and maintaining fish stocks above levels of biomass capable of producing maximum sustainable yield (MSY) for the target stocks, ensuring a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects.

The maximum sustainable yield exploitation rates shall be achieved as soon as possible and on a progressive, incremental basis by 2020 for all stocks to which the Regulation applies, and maintained thereafter.

The plan should:

- be based on a fishing effort management regime aimed at contributing to the achievement of the objectives of the CFP;

- implement the ecosystem-based approach to fisheries management to ensure that the negative impacts of fishing activities on the marine ecosystem and, in particular, on vulnerable habitats and protected species are minimised.

Closed areas

Members took the view that the Commission's proposal to establish fishing closure for trawls operating below the 100 m isobath from 1 May to 31 July could, in certain cases, constitute a disproportionate and unjustified measure, if it is not based on scientific evidence. They believed that the plan

provided for should establish a closure for trawls operating within the 100 m isobath for three months each year on a case-by-case basis, when necessary and justified by science, through regionalisation.

Fishing effort regime

Members believed that fishing efforts would be better managed jointly in each geographical sub-area.

While the Commission's proposal provided for a "substantial" reduction in fishing effort in the first year of implementation of the plan, without further details, Members proposed a 10% reduction in fishing effort in the first year, except in geographical areas where a reduction of more than 20% in fishing effort has already been achieved.

Where the best available scientific advice shows an increase of more than 10 % in catches of a particular stock with fishing gears other than trawls, fishing effort levels shall be set for such particular gear or gears on the basis of such scientific advice.

Where the best available scientific advice shows that recreational fisheries have a significant impact on the fishing mortality of a particular stock, the Council shall limit recreational fisheries when setting fishing effort in order to avoid exceeding the total target of fishing mortality, without reducing the fishing opportunities of professional fishers.

Members emphasised the need for recreational fishing data to be able to assess impacts on populations. They also proposed to delete the provisions establishing a common system of allowable catches (TACs) and quotas in the Mediterranean.

Permanent cessation

The European Maritime and Fisheries Fund shall make provision for support measures for permanent cessation measures, provided that a Member State can prove that the fleet segment’s activities are not in line with the fishing opportunities available to that segment.

Co-management

With the aim of improving the state of stocks, Member States may establish a co-management regime in order to achieve the objectives of the plan, in accordance with the local specificities of a fishery.

Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea

2018/0050(COD) - 26/06/2019 - Final act

PURPOSE: to establish a multiannual fisheries management plan for the western Mediterranean Sea.

LEGISLATIVE ACT: Regulation (EU) 2019/1022 of the European Parliament and of the Council establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014.

CONTENT: the Regulation establishes a multi-annual management plan for demersal stocks (i.e. fish living on the seabed) in the western Mediterranean, in an area mainly covering French, Italian and Spanish waters.

Scope

The plan shall take account of the mixed nature of the fisheries and the dynamics between the stocks driving them, i.e. hake, red mullet, deep-water rose shrimp, Norway lobster (Nephrops norvegicus), blue and red shrimp and giant red shrimp. It shall also take account of by-catch species caught in demersal fisheries and demersal stocks for which sufficient data are not available. It should apply to the demersal fisheries (in particular, trawl nets, bottom-set nets, traps and longlines) carried out in Union waters or by Union fishing vessels outside the Union waters of the western Mediterranean Sea.

Objectives of the plan

The plan shall:

- be based on a fishing effort regime and aim to contribute to the achievement of the objectives of the common fisheries policy (CFP), in particular by applying the precautionary approach to fisheries management;

- ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce maximum sustainable yield (MSY);

- contribute to the elimination of discards and to the implementation of the landing obligation;

- implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem and on vulnerable habitats and protected species are minimised.

Measures under the plan shall be taken on the basis of the best available scientific advice.

Fishing effort regime

The Regulation shall ensure that the Council establishes maximum allowable fishing effort, expressed as numbers of fishing days, on an annual basis.

For the first year of implementation of the plan, except for geographical sub-areas in which the fishing effort has already been reduced by more than 20 % during the baseline period (2012-2017), the maximum allowable fishing effort shall be reduced by 10 % compared to the baseline. For the second to the fifth year of the implementation of the plan, the maximum allowable fishing effort shall be reduced by a maximum of 30 %.

Where the best available scientific advice shows significant catches of a particular stock with fishing gear other than trawls, maximum allowable fishing effort may be set for such particular gear on the basis of such scientific advice.

Technical conservation measures

The Regulation provides for specific technical conservation measures, which cover all stocks and include recreational fishing, through regionalisation, in accordance with the western Mediterranean Sea.

Where the best available scientific advice shows that recreational fishing has a significant impact on the fishing mortality of a particular stock, the Council may set non-discriminatory limits for recreational fishermen.

When setting such limits, the Council shall refer to transparent and objective criteria, including those of an environmental, social and economic nature.

Closure areas

The use of trawls in the western Mediterranean Sea shall be prohibited within six nautical miles from the coast except in areas deeper than the 100 m isobath during three months each year and, where appropriate, consecutively, on the basis of the best available scientific advice. Other closed areas shall be possible where they ensure a reduction of at least 20% in catches of juvenile hake.

Permanent cessation

It is foreseen that the Regulation on the European Maritime and Fisheries Fund (EMFF) should be amended so that fleet segments covered by the new rules can benefit from compensation in case of permanent cessation of activities fishing.

Regional cooperation and co-management

The Regulation makes it possible to establish regional cooperation between France, Italy and Spain with a view to submitting joint recommendations for certain measures to be taken by the Commission on issues such as landing requirements and technical conservation.

In order to contribute to the effective achievement of the objectives of the plan, and in accordance with the principles of good governance, Member States shall be allowed to promote participative management systems at local level.

ENTRY INTO FORCE: 16.7.2019. Article 7 on the fishing effort regime shall apply from 1.1.2020.