Basic information

2019/0272(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean Repealing Regulation 2016/1627 2015/0096(COD) Amending Regulation 2001/1936 2000/0253(CNS) Amending Regulation 2017/2107 2016/0187(COD) Amending Regulation 2019/833 2018/0304(COD) Amended by 2022/0111(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	AGUILERA Clara (S&D)	15/11/2022
	Shadow rapporteur MATO Gabriel (EPP) BILBAO BARANDICA Izaskun (Renew) ROOSE Caroline (Greens/EFA) STANCANELLI Raffaele (ECR) TARDINO Annalisa (ID) HAZEKAMP Anja (GUE/NGL)	

Former committee responsible	Former rapporteur	Appointed
PECH Fisheries	FERRANDINO Giuseppe (Renew)	22/01/2020

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

Council of the European Union

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	SINKEVIČIUS Virginijus

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
28/11/2019	Legislative proposal published	COM(2019)0619	Summary
16/12/2019	Committee referral announced in Parliament, 1st reading		
03/09/2020	Vote in committee, 1st reading		
03/09/2020	Committee decision to open interinstitutional negotiations with report adopted in committee		
08/09/2020	Committee report tabled for plenary, 1st reading	A9-0149/2020	Summary
14/09/2020	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
16/09/2020	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
26/04/2021	Debate in Parliament		
28/04/2021	Decision by Parliament, 1st reading	T9-0142/2021	Summary
01/03/2023	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
13/03/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 73)		
26/04/2023	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE746.911	
30/06/2023	Council position published	08143/1/2023	Summary
13/07/2023	Committee referral announced in Parliament, 2nd reading		
18/07/2023	Vote in committee, 2nd reading		
24/07/2023	Committee recommendation tabled for plenary, 2nd reading	A9-0243/2023	Summary
12/09/2023	Decision by Parliament, 2nd reading	T9-0297/2023	Summary
12/09/2023	Results of vote in Parliament		
13/09/2023	Final act signed		

27/09/2023	Final act published in Official Journal		

Technical information

Procedure reference	2019/0272(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation 2016/1627 2015/0096(COD) Amending Regulation 2001/1936 2000/0253(CNS) Amending Regulation 2017/2107 2016/0187(COD) Amending Regulation 2019/833 2018/0304(COD) Amended by 2022/0111(COD)
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/9/11248

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE647.097	14/04/2020	
Amendments tabled in committee		PE652.493	27/05/2020	
Committee report tabled for plenary, 1st reading/single reading		A9-0149/2020	08/09/2020	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0142/2021	28/04/2021	Summary
Text agreed during interinstitutional negotiations		PE746.911	26/04/2023	
Committee draft report		PE750.257	04/07/2023	
Committee recommendation tabled for plenary, 2nd reading		A9-0243/2023	24/07/2023	Summary
Text adopted by Parliament, 2nd reading		T9-0297/2023	12/09/2023	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	08143/1/2023	30/06/2023	Summary
Draft final act	00052/2023/LEX	13/09/2023	

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2019)0619	28/11/2019	Summary
Commission response to text adopted in plenary	SP(2021)359	18/06/2021	
Commission communication on Council's position	COM(2023)0358	29/06/2023	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_CHAMBER	COM(2019)0619	06/08/2020	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2023/2053
OJ L 238 27.09.2023, p. 0001

Delegated acts

Reference	Subject
2025/2560(DEA)	Examination of delegated act
2026/2644(DEA)	Examination of delegated act

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 29/06/2023 - Commission communication on Council's position

The Commission **supports the results of the inter-institutional negotiations** and can therefore accept the Council's position at first reading.

The Commission considers that the Council's position ensures the effective implementation of Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the Eastern Atlantic and Mediterranean Sea, adopted in 2018 by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The Council’s position at first reading also includes two provisions related to bluefin tuna taken from the Commission proposal for a regulation laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The Commission can support that inclusion.

The Commission **supports the Council's position** as it is in line with the objectives of the Commission's proposal and the basic principles of sustainable fisheries under the Common Fisheries Policy. In addition, the Commission welcomes the Council's position on the following two concrete elements:

- the obligation for Member States to take into consideration small-scale vessels when allocating internally bluefin tuna quotas;

- the obligation for a flag Member State to launch an investigation in case the number of bluefin tuna caged is different from the reported number caught by the master of the purse seiner or trap operator who has caught the fish.

Furthermore, the different responsibilities of the flag Member State and the farming Member State, as well as the duty of cooperation between the two when an investigation is launched, is in line with the most recent ICCAT recommendation adopted on bluefin tuna.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 24/07/2023 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Fisheries adopted the recommendation for second reading contained in the report by Clara AGUILERA (S&D, ES) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627.

The committee responsible recommended that the European Parliament approve the Council position at first reading as it stands.

The Council's first reading proposal seeks to implement International Commission for the Conservation of Atlantic Tunas (ICCAT) Recommendation 18-02 and parts of ICCAT Recommendation 22-04 into European law. Union in order to enable the Union to fulfil its international obligations and to provide operators with legal certainty in terms of rules and obligations.

The Council's position at first reading reflects the agreement reached between the Parliament and the Council during the interinstitutional negotiations at the stage of the second advance reading.

The main elements of the agreement reached with the European Parliament concern, *inter alia*:

- the conditions for the carry-over of non-harvested live bluefin tuna from previous years' catches;

- the provisions concerning the allocation by the Member States of sectoral quotas within the framework of their annual fishing plans, including for small-scale fishing;

- the provisions concerning the allocation of fishing opportunities;

- the rules on the caging of bluefin tuna;

- the responsibility to launch investigations into irregularities concerning catches of bluefin tuna.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 28/11/2019 - Legislative proposal

PURPOSE: establish a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean Sea in accordance with a recommendation of 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 Union has been a contracting party to the International Convention for the Conservation of Atlantic Tunas since 14 November 1997. The Convention provides a framework for regional cooperation in the conservation and management of tunas and tuna-like species in the Atlantic Ocean and adjoining seas through the establishment of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

ICCAT has the authority to adopt decisions (recommendations) on the conservation and management of the fisheries under its jurisdiction, which are binding on the Contracting Parties.

At its 21st extraordinary meeting in 2018, ICCAT adopted Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and Mediterranean Sea. The management plan follows the advice of the ICCAT Standing Committee on Research and Statistics (SCRS) that ICCAT should establish a multi-annual management plan for the stock in 2018 as the current state of the stock no longer appears to require the emergency measures provided for in the bluefin tuna recovery plan (established by Recommendation 17-17 amending Recommendation 14-04).

ICCAT Recommendation 18 02 should be implemented in EU law in order to enable the Union to fulfil its international obligations and to provide operators with legal certainty as regards rules and obligations.

CONTENT: the proposed Regulation lays down general rules for the uniform and effective implementation by the Union of the multiannual management plan for bluefin tuna (*Thunnus thynnus*) in the eastern Atlantic Ocean and the Mediterranean Sea, as adopted by the International Commission for the Conservation of Atlantic Tunas.

The objective of this Regulation is to maintain a biomass of bluefin tuna above levels capable of producing maximum sustainable yield.

New rules for the management plan

ICCAT Recommendation 18-02, being transposed by this Regulation, provide for a Management plan, that is more flexible than the existing rules for the recovery, while some measures are more precise or restrictive, such as the control in farms. The main differences could be summarised as follows:

- this Regulation provides for 10 days longer open season for purse seiners than in the Regulation (EU) 2016/1627, unless Member States establish otherwise in their annual fishing plans;

- by-catch limit increases to 20% in this Regulation, in comparison to a 5% in Regulation (EU) 2016/1627;

- up to 20% more purse seiners (reference period 2018) are allowed to fish under this Regulation, in comparison with the Regulation (EU) 2016/1627 and a new sectorial quota for small-scale fisheries in Azores, Madeira and Canaries is recognised;

- with this Regulation there could potentially be a 7% more fish in farms;

- the control system for bluefin tuna is reinforced, concerning live fish monitoring at farms. This is done through random controls based on risk analysis and estimation of carry-over by using stereoscopical cameras.

The Management plan requires discarding and releasing bluefin tuna in certain circumstances. It obliges to discard quantities of bluefin tuna from fishing vessels, including recreational ones that exceed the allocated quota of the vessel, and/or the maximum level of permitted bycatches. Bluefin tuna caught on board vessels that are below the minimum conservation reference size will also have to be discarded, with the exception of a given limit of tolerance established by Member States in their annual fishing plans.

The Management plan takes into account the specificities of the different types of gear and fishing techniques. When implementing the Management plan, the Union and Member States should endeavour to promote coastal fishing activities and the use of fishing gear and techniques which are selective and have a reduced environmental impact, gear and techniques used in traditional and artisanal fisheries.

Implementation of the Regulation

In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards detailed rules for the carry-over of live bluefin tuna, transfer operations and caging operations. The proposed Regulation establishes a detailed list of cases where delegated powers are requested in order to address frequent changes on the recommendations adopted by ICCAT.

As the bluefin tuna management plan pursues an interim management objective that should be revised by ICCAT from 2020, delegated powers are introduced to rapidly transpose the plan into EU law and to implement timely future changes to the bluefin tuna recovery plan, putting the EU fleet in a situation of even level playing field visa-vis third country fleets.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 08/09/2020 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Giuseppe FERRANDINO (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627.

The aim of the proposal is to transpose into EU law Recommendation 18-02 of the International Commission for the Conservation of Atlantic Tunas (ICCAT) establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and Mediterranean Sea. This recommendation was adopted at ICCAT's 21st special meeting, which was held in Dubrovnik from 12 to 19 November 2018.

The transposition covers all control measures that concern the catch and farming of bluefin tuna in EU waters and/or by EU vessels in the Convention Area.

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

Strict transposition of ICCAT Recommendation 18-02

Members proposed specific amendments to bring the proposal more in line with the ICCAT recommendation with regard to the following provisions:

- sport fishery, which shall be included in the proposal, and its definition;

- the definition of 'caging'; it is also suggested to change the terminology of the caging declaration and caging report;

- the possibility to provide for derogations as regards fishing seasons for the eastern Mediterranean and the Adriatic;

- as regards the transmission of VMS data, the possibility of providing for an exception for operations where there is a system of hailing in and out of port;

- the fixing of a limit of the percentage of the quota that may be allocated for farming purposes in the Adriatic Sea (Annex I);

- the possibility of providing for a timeframe for the provision of reports between the Member States authorities (Annex XI).

Alignment with ICCAT Recommendation 19-04

At its 26th ordinary meeting, held in Palma de Mallorca in November 2019, ICCAT adopted recommendation 19-04, which makes minor modifications to recommendation 18-02. Members proposed amendments to further align the text with ICCAT recommendation 19-04. These amendments concern, *inter alia*:

- the definition of a stereoscopic camera, which should also help to refine the number and weight of bluefin tuna;

- the possibility for Member States to request the transfer of up to 5% of their unused bluefin tuna quota from 2019 to 2020;

- the annual farming management plans of fishing capacity;

- reporting on quantities;

- the ICCAT regional observer programme;

- measures and programmes to estimate the number and weight of bluefin tuna to be caged;

- caging declaration and report;

- marketing measures;

- minimum standards for video recording procedures

Prolongation of the fishing season

The amended text provides that if a Member State demonstrates that, due to extraordinary weather conditions or a public health crisis, some of its purse seiners fishing for bluefin tuna in the eastern Atlantic and Mediterranean Sea were unable to use the fishing days allocated to them for the fishing season, that Member State may prolong the fishing season by an equivalent number of fishing days lost for the vessels concerned, up to a maximum of 10 days lost.

Small-scale fisheries

When allocating the fishing opportunities available to them, Member States shall distribute national quotas among the different fleet segments in a transparent and fair manner, aiming to redistribute part of the quota to traditional and small-scale fisheries. Member States shall also ensure that enough of their quota provides for bluefin tuna by-catches, particularly by traditional and artisanal fisheries.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 28/04/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted par 643 votes to 11, with 47 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107 and (EU) 2019/833 and repealing Regulation (EU) 2016/162.

The European Parliament adopted its position at first reading under the ordinary legislative procedure.

The purpose of the proposal is to transpose into Union law the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

ICCAT has the authority to adopt binding recommendations on the conservation and management of fisheries under its competence. ICCAT recommendations enter into force six months after their adoption and must be implemented in EU law as soon as possible.

ICCAT Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the Eastern Atlantic and Mediterranean Sea was adopted at the 21st Extraordinary Meeting of ICCAT, held in Dubrovnik from 12 to 19 November 2018.

At its 26th regular meeting in 2019, ICCAT adopted Recommendation 19-04 amending the multi-annual management plan established by Recommendation 18-02. ICCAT Recommendation 19-04 repeals and replaces Recommendation 18-02. This Regulation should implement Recommendation 19-04 in Union law.

The objective of this Regulation is to implement the multiannual management plan for bluefin tuna, as adopted by ICCAT, which aims to maintain a biomass of bluefin tuna above levels capable of producing maximum sustainable yield. The transposition concerns all control measures relating to the catch and farming of bluefin tuna in EU waters and/or by EU vessels in the Convention area.

This Regulation should apply to:

- Union fishing vessels, and Union vessels engaged in recreational fisheries, which catch bluefin tuna in the Convention Area; and tranship or carry on board, also outside the Convention Area, bluefin tuna caught in the Convention Area;

- Union farms;

- Third country fishing vessels, and third country vessels engaged in recreational fisheries that operate in Union waters and catch bluefin tuna in the Convention Area;

- Third country vessels which are inspected in Member State ports and which carry on board bluefin tuna caught in the Convention Area, or fishery products originating from bluefin tuna caught in Union waters that have not been previously landed or transhipped at ports.

The management plan should take account of the specific characteristics and needs of small-scale and artisanal fisheries. In addition to relevant provisions of ICCAT Recommendation 19-04 that remove obstacles to the participation of small-scale coastal vessels in the bluefin tuna fishery, Member States should make further efforts to ensure a fair and transparent distribution of fishing opportunities between small-scale, artisanal and larger fleets, consistent with their obligations under Regulation (EU) No 1380/2013 on the Common Fisheries Policy.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 12/09/2023 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **approving** the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017/2107, and (EU) 2019/833 and repealing Regulation (EU) 2016/1627.

The Council's position ensures the effective implementation of Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the Eastern Atlantic and Mediterranean Sea, adopted in 2018 by the International Commission for the Conservation of Atlantic Tunas (ICCAT). The aim is to enable the EU to meet its international obligations and to provide operators with legal certainty in terms of rules and obligations.

Multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean

2019/0272(COD) - 30/06/2023 - Council position

The Council adopted its position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council establishing a multi-annual management plan for bluefin tuna in the Eastern Atlantic and Mediterranean, amending Regulations (EC) No 1936/2001, (EU) 2017 /2107 and (EU) 2019/833 and repealing Regulation (EU) 2016/1627.

The objective of the regulation is to implement the multi-annual bluefin tuna management plan adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT), which aims to maintain a biomass of bluefin tuna above levels capable of producing maximum sustainable yield.

The Council's position at first reading aims to implement ICCAT Recommendation 18-02 and certain parts of ICCAT Recommendation 22-04 into EU law in order to enable the EU to fulfil its international obligations and to provide operators with legal certainty as regards rules and obligations.

The main issues agreed with the European Parliament include:

- the conditions for the carry-over of non-harvested live bluefin tuna from previous years’ catches within a farm may be permitted only if a reinforced system of control is developed and reported by the Member State to the Commission. If carry-over is permitted, Member States responsible for farms must submit an annual carry-over declaration to the Commission by 25 May each year. The quantities carried over will be placed in separate cages or series of cages on the farm, on the basis of the catch year;

- provisions concerning the allocation by Member States of sectoral quotas within their annual fishing plans, including for artisanal fisheries: Member States with small-scale coastal vessels authorised to fish for bluefin tuna will allocate a specific sectorial quota for those vessels and shall include such allocation in their fishing plans. They will also include additional measures to closely monitor the quota consumption by that fleet in their monitoring, control and inspection plans;

- the provisions on the allocation of fishing opportunities: Member States will have to make further efforts to ensure a fair and transparent distribution of fishing opportunities between small-scale, artisanal and larger fleets;

- rules on the caging of bluefin tuna;

- the responsibility to launch investigations into irregularities concerning catches of bluefin tuna: where there is a difference of more than 10 % in number between the estimates made by either the ICCAT regional observer, relevant Member States control authorities and/or the farm operator, the Member State responsible for the farm shall initiate an investigation in cooperation with the Member State or CPC responsible for the catching vessel and/or trap.