Basic information

2020/0095(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO) Amending Regulation 2019/833 2018/0304(COD) **Subject** 3.15.01 Fish stocks, conservation of fishery resources 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 3.15.15 Fisheries agreements and cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	CARVALHAIS Isabel (S&D)	16/06/2020
	Shadow rapporteur MONTEIRO DE AGUIAR Cláudia (EPP) GADE Søren (Renew) O'SULLIVAN Grace (Greens/EFA) TOMAŠIĆ Ruža (ECR) FERREIRA João (GUE/NGL)	

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
29/05/2020	Legislative proposal published	COM(2020)0215	Summary
17/06/2020	Committee referral announced in Parliament, 1st reading		

16/11/2020	Vote in committee, 1st reading		
16/11/2020	Committee decision to open interinstitutional negotiations with report adopted in committee		
17/11/2020	Committee report tabled for plenary, 1st reading	A9-0220/2020	Summary
23/11/2020	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
25/11/2020	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
25/05/2021	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2021)001804 PE693.832	
23/06/2021	Decision by Parliament, 1st reading	T9-0301/2021	Summary
13/07/2021	Act adopted by Council after Parliament's 1st reading		
14/07/2021	Final act signed		
30/07/2021	Final act published in Official Journal		

Technical information

Procedure reference	2020/0095(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2019/833 2018/0304(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/9/03131

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE657.419	06/10/2020	
Committee report tabled for plenary, 1st reading/single reading		A9-0220/2020	17/11/2020	Summary
Text agreed during interinstitutional negotiations		PE693.832	12/05/2021	
Text adopted by Parliament, 1st reading/single reading		T9-0301/2021	23/06/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2021)001804	12/05/2021	

Draft final act	00036/2021/LEX	14/07/2021	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2020)0215	29/05/2020	Summary
Commission response to text adopted in plenary	SP(2021)514	09/08/2021	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES2842/2020	18/09/2020	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2021/1231
OJ L 274 30.07.2021, p. 0032

Conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)

2020/0095(COD) - 29/05/2020 - Legislative proposal

PURPOSE: to transpose into Union law the amendments to the conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (NAFO) at its last annual meeting in 2019.

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 on an equal footing with the Council.

BACKGROUND: since the adoption of Regulation (EU) 2019/833 of the European Parliament and of the Council, the Northwest Atlantic Fisheries Organisation (NAFO) has adopted, at its 41st annual meeting, a number of legally binding decisions for the conservation of the fishery resources under its purview. The EU has been a Contracting Party to NAFO since 1979.

The NAFO Convention states that the conservation measures adopted by the NAFO Commission are binding and that the contracting parties are required to implement them. Regulation (EU) 2019/833 turned into Union law the NAFO conservation and enforcement measures. This proposal covers most the recent amendments adopted by NAFO. These amendments entered into force for the Union on 2 December 2019 and apply from that date. As far as the Union is concerned, they are to be incorporated into Union law to the extent that they are not already covered by Union law.

CONTENT: this proposal aims to amend Regulation (EU) 2019/833 by including the most recent amendments to the Conservation and Enforcement Measures adopted at the NAFO annual meeting in September 2019. These amendments are binding on the Contracting Parties.

The proposal:

- adapts Regulation (EU) 2019/833 in order to apply the NAFO mesh size measurement standards, to introduce the definition of fishing vessel used by NAFO to allow EU control and enforcement authorities to work in agreement with other NAFO Contracting Parties;

- includes NAFO's editorial changes to a few provisions concerning Greenland halibut, production logbook, cross-references to infringements and infringement procedures. It introduces definitions and reference to the NAFO monitoring, control and surveillance website together with the relevant protocol for granting access to this website;

- improves the information flow between the Member States fisheries authorities, the Commission and the NAFO Secretariat and acknowledges the role of the European Fisheries Control Agency in coordinating the inspection means deployed within the NAFO Joint Inspection and Surveillance Scheme;

- introduces provisions to protect the Greenland shark;

- clarifies the need for the consent of the port State Contracting Party to be given to inspectors of another Contracting Party as well as the chartering arrangements that should apply at NAFO level;

- delegates to the Commission powers to amend the NAFO conservation and enforcement provisions on mesh sizes, sorting grids or grates and toggle chains in the Northern prawn fishing, and area restrictions for the bottom fishing activities.

Conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)

2020/0095(COD) - 23/06/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 674 votes to 2, with 17 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending the Regulation (EU) 2019/833 of the European Parliament and of the Council of 20 May 2019 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

As a reminder, the proposal aims to transpose into EU law the amendments to the conservation and enforcement measures (CEMs) adopted by the Northwest Atlantic Fisheries Organisation (NAFO) at its 41st and 42nd annual meetings held in 2019 and 2020 respectively. These new ECMs are binding on all NAFO Contracting Parties.

The European Parliament's position adopted at first reading under the ordinary legislative procedure:

- specifies the control measures that will apply to vessels with more than 1250 kg of cod catches from Division 3M on board. Each Member State will inspect vessels with less than 1250 kg of cod of division 3M on board according to a risk management approach;

- stipulates that fishing vessels conducting a directed trawl fishery for cod in Division 3M shall use a sorting grid for the purpose of reducing the catches of smaller individuals of cod with a minimum bar spacing of 55 mm. The sorting grid shall be placed in the top side panel of the trawl preceding the codend;

- introduces area restrictions for bottom fishing activities applicable until 31 December 2021.

The Commission may adopt delegated acts as regards the regulation of mesh sizes, sorting grids and toggle chains for the Northern prawn fishery, and as regards area restrictions for the bottom fishing activities.

Conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)

2020/0095(COD) - 17/11/2020 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Isabel CARVALHAIS (S&D, PT) on the proposal for a regulation of the European Parliament and of the Council amending the Regulation (EU) 2019/833 of the European Parliament and of the Council of 20 May 2019 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation.

As a reminder, the proposal seeks to transpose into EU law the amendments to the conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (NAFO) at its last annual meeting in 2019.

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

Cod in Division 3M

According to Members, the following control measures should apply to vessels with more than 1 250 kg of cod catches from Division 3M on board:

- vessels should land or tranship their cod catches from Division 3M only in designated ports;

- at least 48 hours before its estimated time of arrival in port, a vessel or its representative on its behalf shall advise the competent port authority of its estimated time of arrival, the estimated quantity of cod catches from Division 3M retained on board, and information on the Division or Divisions where any other cod catches retained on board were taken;

- each Member State should inspect each landing or transhipment of cod catches from Division 3M in its ports and prepare an inspection report, and send it to the Commission, with EFCA in copy, within 12 working days from the date on which the inspection was completed. That report should identify and provide details of any infringement of this Regulation detected during the port inspection. It should include all relevant information available in reference to infringements detected at sea during the current trip of the inspected fishing vessel.

Each Member State should inspect vessels with less than 1 250 kg of cod catches from Division 3M on board on a risk management basis.

The Commission or a body designated by it should ensure that all relevant information is transmitted to the NAFO Executive Secretary without delay, for posting on the NAFO MCS website.

Use of attachments and marking of gear

The committee proposed a new article stating that trawler vessels conducting a directed fishery for cod in Division 3M should use a sorting grid for the purpose of reducing the catches of smaller individuals of cod with a minimum bar spacing of 55 mm. The sorting grid should be placed in the top side panel of the trawl preceding the codend.

Transposition

As regards the transposition of the conservation and enforcement measures (CEM) amendments into EU law, Members proposed a number of amendments directly arising from the decisions of the 42th NAFO Annual Meeting in September 2020. Provisions halting Division 3M cod catches between 1 January and 31 March 2021 were introduced as well as the introduction of specific technical and control measures for cod catches in that Division for the remainder of the year.