Basic information

2022/0348(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Awaiting Council's 1st reading position
Laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA) **Subject** 3.15.15.03 Fisheries agreements with Indian Ocean countries	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	PIMENTA LOPES João (The Left)	14/12/2022
	Shadow rapporteur MONTEIRO DE AGUIAR Cláudia (EPP) CARVALHAIS Isabel (S&D) BILBAO BARANDICA Izaskun (Renew) KELLER Ska (Greens/EFA) ILČIĆ Ladislav (ECR)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
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
04/11/2022	Legislative proposal published	COM(2022)0563	Summary
09/11/2022	Committee referral announced in Parliament, 1st reading		
24/05/2023	Vote in committee, 1st reading		
24/05/2023	Committee report tabled for plenary, 1st reading	A9-0192/2023	Summary
10/07/2023	Debate in Parliament		
11/07/2023	Decision by Parliament, 1st reading	T9-0265/2023	Summary
11/07/2023	Results of vote in Parliament		

Technical information

Procedure reference	2022/0348(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	Awaiting Council's 1st reading position
Committee dossier	PECH/9/10529

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE745.274	09/03/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0192/2023	24/05/2023	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0265/2023	11/07/2023	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2022)0563	04/11/2022	Summary
Commission response to text adopted in plenary	SP(2023)459	30/10/2023	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES6024/2022	14/12/2022	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA)

2022/0348(COD) - 04/11/2022 - Legislative proposal

PURPOSE: to implement the conservation, management and control measures adopted under the Southern Indian Ocean Fisheries Agreement (SIOFA) in EU law.

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 annual Meeting of the Parties to the SIOFA has a mandate to adopt conservation and management measures (CMMs) for the fisheries within its purview. These CMMs are binding on the SIOFA's Contracting Parties, Participating Fishing Entities and Cooperating non-Contracting Parties (together CCPs). The EU has been a Contracting Party to the SIOFA since 2008. It currently has one active fishing vessel in the SIOFA's Area of Application. That vessel must comply with the SIOFA's CMMs

The proposed Regulation implements into Union law the CMMs adopted between 2016 and 2022. This proposal will ensure that EU law is in line with international obligations adopted by the Meeting of the Parties. This proposal will also ensure that the EU complies with decisions taken by the SIOFA to which it is a Contracting Party.

CONTENT: this proposal covers the measures that the Meeting of the Parties has adopted since 2016, as amended (in some cases) at its annual meetings. As soon as they enter into force, the EU must ensure compliance with these measures, as international obligations. This proposal is designed to **implement current SIOFA measures and to set up a mechanism for implementing future measures**.

The proposal:

- sets out definitions as well as provisions for vessel authorisations and the issuing of fishing authorisations;

- deals with bottom-fishing measures, including: (i) effort limitations and general measures; (ii) measures designed to protect vulnerable marine ecosystems in the SIOFA's Area of Application; and (iii) scientific observer coverage. It also includes specific measures for the toothfish fishery in the Del Cano Rise and Williams Ridge areas;

- lays down measures to protect marine species, including on: (i) prohibiting largescale pelagic driftnets and deepwater gillnets; (ii) targeting deep-sea sharks; and (iii) mitigating seabird bycatch;

- sets out monitoring and control measures including rules for : (i) a vessel monitoring system (VMS); (ii) entry-exit reports; (iii) fishing-vessel documents and marking; (iv) the retrieval of abandoned, lost or otherwise discarded fishing gear; (v) discharge of plastics; and (vi) at sea transhipments and transfers, their monitoring in port, and related reporting. The proposal also includes labelling rules for frozen products of fishery resources, and requirements for scientific observer programmes;

- sets out rules on control of third country vessels in Member State ports and in the high seas: (i) sightings and identifications of vessels that are not of the SIOFA Contracting Parties, Participating Fishing Entities or Cooperating Non-Contracting Parties (non-CCP) vessels; and (ii) port measures and inspections;

- deals with enforcement, including : (i) high seas boarding and inspection, including the definition of serious violations and related enforcement; and (ii) illegal, unreported and unregulated fishing;

- covers data collection and reporting, provision of scientific observer data, and other reporting.

In order to swiftly implement SIOFA rules, this proposal first provides for delegated powers to be granted to the Commission to cater for amendments to SIOFA measures and ensure that EU fishing vessels are on an equal footing with those of other Contracting Parties.

Laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA)

2022/0348(COD) - 24/05/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by João PIMENTA LOPES (GUE/NGL, PT) on the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA).

The Commission's proposal aims to implement the conservation, management and control measures of the Southern Indian Ocean Fisheries Agreement (SIOFA) adopted since 2016 and to establish a mechanism for implementing future measures.

The committee responsible proposed the rejection of this legislative proposal and called on the Commission to withdraw it.

In the explanatory memorandum accompanying the draft legislative resolution, the rapporteur noted that the Commission proposal introduces dynamic references into EU law as a tool for swift implementation of SIOFA rules. The many instances where the proposal makes use of dynamic references impair the right of EU citizens and operators to acquaint themselves of the full scope and content of those obligations in their own language. The rapporteur recalled that for obligations to be applicable they need to be published in the Official Journal.

In the spirit of preserving consistency with other instruments transposing RFMO rules, the rapporteur emphasised that amendments adopted by SIOFA to CMMs should be given effect into EU law at least through delegated empowerments permitting the Commission to update the obligations in accordance with Union law, making them available for the operators in their latest version. SIOFA rules - as any other transposition of RFMO decisions - should remain conditional to delegated powers of the European Commission.

The rapporteur further noted the proposal of the European Commission in many cases goes beyond the requirements of SIOFA CCMs and invites the Commission to respect the original wording of SIOFA provisions.

Laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA)

2022/0348(COD) - 11/07/2023 - Text adopted by Parliament, 1st reading/single reading

At its first reading under the ordinary legislative procedure, the European Parliament **rejected** by 48 votes to 585, with 6 abstentions, the proposal for a Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Southern Indian Ocean Fisheries Agreement (SIOFA). It invited the Commission to withdraw its proposal.