

Technical Measures proposal of regulation COM(2016) 134

**The first reading of European
Parliament**



The Roadmap

EP First reading, January 16, 2018

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Trilogues probably start next week

Final compromise?

By the end of Bulgarian presidency? (Then Austrian Presidency)

Is the Regulation good for fishermen and environment in the Mediterranean sea?

Amendments approved in EP

Article 2:

The regulation shall apply to all fishing activities (recreational and commercial)

Article 4 – Performance indicators

In order to assess whether technical measures contribute to achieving the objectives referred to in Article 3, the following performance indicators shall be used:

- * **(a) the extent to which catches of marine species below minimum conservation reference sizes are progressively reduced to specific levels for key fisheries;**
- * **(b) the extent to which incidental catches of marine mammals, marine reptiles, seabirds and other non-commercially exploited species are progressively reduced and, where possible, eliminated;**
- * **(c) the extent to which the negative environmental impacts of fishing activities on marine habitats, including sensitive seabed habitats are minimised and maintained below the levels needed to achieve good environmental status, in particular for each of the habitat types assessed in the framework of Directive 2008/56/EC, in each marine region or subregion in relation to both habitat quality and the spatial extent over which the required levels need to be achieved.**

Amendments approved in EP

Article 4 – paragraph 1 a (new)

- * 1a. The Commission is empowered to adopt delegated acts in accordance with Article 32 of this Regulation and Article 18 of Regulation (EU) No 1380/2013 supplementing this Regulation by defining:
 - * (a) the key fisheries;
 - * (b) the levels of current catches of marine species below minimum conservation reference sizes for each of those key fisheries, based on data supplied by Member States for the reference years 2013-2015;
 - * (c) the specific levels to which catches of marine species below minimum conservation reference sizes for each of those key fisheries are to be reduced in order to achieve the objective of ensuring sustainable exploitation patterns and to provide protection for juveniles.
- * When establishing the specific levels referred to in point (c) of the first subparagraph, account shall be taken of the best available scientific advice, including by STECF, as well as of existing and future technical possibilities in relation to the avoidance of catches of marine species below minimum conservation reference size.

Amendments approved in EP

1b. For the purpose of the delegated acts referred to in paragraph 1a, the Member States may submit a joint recommendation in accordance with Article 18(1) of Regulation (EU) No 1380/2013 by ... [12 months after the date of entry into force of this Regulation].

- * Where no joint recommendation has been submitted by 12 months, or if a joint recommendation submitted by Member States is deemed not to be compatible with the objectives of this Regulation, the Commission shall by ... [18 months after the date of entry into force of this Regulation], and by way of derogation from Article 18(6) of Regulation (EU) No 1380/2013, adopt delegated acts supplementing this Regulation by defining the elements referred to in the first subparagraph of paragraph 1a of this Article, in accordance with Article 32 of this Regulation.
- * In order to achieve a progressive reduction of catches of marine species below minimum conservation reference sizes to levels which ensure sustainable exploitation patterns, the specific levels referred to in point (c) of the first subparagraph of paragraph 1a shall be reviewed every three years, using the procedure set out in paragraphs 1a, 1b and 1c, and they shall be further reduced, where appropriate, in accordance with the best available scientific advice and existing and future technical possibilities in relation to the avoidance of such catches.

Amendments approved in EP

- * Article 4 a (new)

- * **Socio-economic objectives**

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- * In order to take into account the socio-economic objectives set out in points (c), (f) and (i) of Article 2(5) of Regulation (EU) No 1380/2013, when adopting and implementing technical and conservation measures, Member States shall make extensive use of the measures set out in Articles 38, 39 and 40 of Regulation (EU) No 508/2014.

Amendments approved in EP

* Art. 6 - parag. 1 - Definitions

- * COM Definition (4) 'directed fishing' means fishing for a defined species or combination of species where the total catch of that/those species makes up more than 50% of the economic value of the catch;
- * EP Definition (4) 'directed fishing' means fishing effort targeted towards a specific species or group of species, where the exact composition varies across fisheries and the specific rules governing the minimum technical specifications of mesh sizes and selective devices by fishery is established at regional level;
- * Council Definition (4) 'directed fishing' means fishing for a defined species or combination of species the exact composition of which varies across regions. The specific details for each fishery and the specific technical measures that apply are contained in annexes V to XI;

Amendments approved in EP

Problems with some gear definitions (see Art.6)

Art. 7. Prohibited fishing gears and uses: Ban the use of pulse fishing.

Art. 9 - General restrictions on the use of towed gears

1.No part of any towed gear shall be of a mesh size smaller than the codend mesh size. This provision shall not apply to netting devices used for the attachment of gear monitoring sensors or to selectivity devices to improve size **or species selectivity for marine species.**

Amendments approved in EP

Art. 10.

5. It shall be prohibited to deploy any bottom set gillnet, entangling net and trammel nets at any position where the charted depth is greater than ~~600~~ 200 metres

5a. Notwithstanding paragraph 5:

(a) specific derogations as specified in Annex V Part C point 6, Annex VI Part C points 6 and 9 and Annex VII Part C point 4 shall apply where the charted depth is between 200 and 600 metres;

(b) the deployment of bottom set gillnets, entangling nets and trammel nets at any position where the charted depth is greater than 200 metres shall be allowed in the fishing zone defined in point (e) of Article 5. (MEDITERRANEAN)

5b. It shall be prohibited to deploy any bottom set gillnet, entangling net or trammel net in sites designated in accordance with Directives 92/43/EEC (Habitat), 2009/147/EC (Birds) and 2008/56/EC (marine strategy) where this has an adverse effect on the conservation status of the sensitive species and habitats.

Amendments approved in EP

Art. 16 Prohibition of high grading and slipping

1. The practice of high grading ~~and slipping~~ shall be prohibited
Paragraph 1 shall not apply to fishing activities in the Mediterranean Sea or catches of species which are exempted from the application of the landing obligation in accordance with Article 15(4) of Regulation (EU) No 1380/2013.

Amendments approved in EP

Art.18 Regional technical measures

- * Technical measures established at the regional level are set out in the following Annexes:
 - * (a) in Annex V for the North Sea;
 - * (b) in Annex VI for North Western Waters;
 - * (c) in Annex VII for South Western Waters;
 - * (d) in Annex VIII for the Baltic Sea;
 - * **(e) in Annex IX for the Mediterranean;**
 - * (f) in Annex X for the Black Sea;
 - * (g) in Annex XI for the Union waters in the Indian Ocean and the West Atlantic.

- * **Regionalization procedure (see art.18 as modified by EP)**

Amendments approved in EP

Annex IX Mediterranean sea

5. Restrictions on the use of pots and creels

COM: It shall be prohibited to have on board or set more than 250 pots or creels per vessel to catch deepwater crustacean (including *Plesionika* spp., *Pasiphaea* spp. or similar species).

EP: It shall be prohibited to have on board or set more than 250 pots or creels per vessel to catch deep-water crustacean

Annex IX – Part C – para. 5 – subparagraph 1 a (new)

Highly localised fleets using artisanal gear shall be authorised to catch deep-water crustacean (including *Plesionika* spp., *Pasiphaea* spp. or similar species).

Amendments approved in EP

Measures to reduce incidental catches of ~~cetaceans~~ marine mammals

2.1. Scientific research programmes shall be established in the Mediterranean to identify the overlap of sensitive species with fishing gear and fishing effort and determine technical solutions for fishing gears.

2.2. Spatial measures shall be applied in the Mediterranean where scientific research has identified areas where sensitive seabirds are known to be incidentally caught until these can be replaced with other technical measures.

2.3. Member States shall monitor and assess the effectiveness of the mitigation measures that have been established, including in relation to the fishing catch and fishing effort.

**THANKS FOR YOUR
ATTENTION**



QUESTIONS ON POST-2020 EU FUNDING FOR FISHERIES AND MARITIME SECTORS

1. POLICY OBJECTIVES

- a) *What should be the priority areas of intervention?*
- b) *What should no longer be eligible for support?*

QUESTIONS ON POST-2020 EU FUNDING FOR FISHERIES AND MARITIME SECTORS

2. REGIONAL SOLUTIONS TO TACKLE REGIONAL CHALLENGES

- c) *What are the main challenges encountered by your sea basin?*
- d) *Which EMFF instrument should be adapted on a regional basis to tackle these challenges?*
- e) *What kind of flexibility should be granted to Member States demonstrating a good management of their fisheries?*
- f) *How can future funding be even more closely aligned with CFP implementation, for example fisheries management measures*

QUESTIONS ON POST-2020 EU FUNDING FOR FISHERIES AND MARITIME SECTORS

3. SUPPORT FOR SMALL SCALE COASTAL FISHERIES (SSCF)

g) How can EU public support tackle more efficiently these three challenges (lack of investment, lack of quota, lack of innovation)?

h) Which kind of preferential financial support would be relevant for SSCF?