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INFORMATION NOTE

from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy - Outcome of the European Parliament's first reading (Strasbourg, 4 to 7 February 2013)

I. INTRODUCTION

The Rapporteur, Mrs Ulrike Rodust (S&D, DE), presented a report consisting of 211 amendments (amendments 1-211) to the Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy, on behalf of the Committee on Fisheries.

In addition, the Greens/EFA political group tabled 19 amendments (amendments 220-222; 227; 228; 230-243), the EUL/NGL political group tabled 17 amendments (amendments 274-280; 282-292), the S&D political group tabled 21 amendments (amendments 244-253; 258-262; 265-270), the EPP political group tabled 5 amendments (amendments 294-298), the ALDE political group tabled 3 amendments (amendments 299, 300 and 302), the EFD political group tabled 7 amendments (amendments 212-214; 216-219), and the ECR political group tabled 4 amendments (amendments 223-226).

The S&D and Greens/EFA political groups together tabled 3 amendments (amendments 257; 271 and 272), the S&D, Greens/EFA and ALDE political groups together tabled 2 amendments (amendments 264 and 273), the EFD and EUL/NGL political groups together tabled 2 amendments (amendments 215 and 281), and the EUL/NGL and ALDE political groups together tabled 2 identical amendments (amendments 293 and 301). A group consisting of at least 40 Members tabled 3 amendments (amendments 303; 304 and 305). The S&D political group also tabled an oral amendment to the first part of Amendment 119.

II. DEBATE

The Rapporteur, Mrs Ulrike Rodust (S&D, DE), opened the debate and:

- stressed the need to put an end to overfishing;
- declared that the Common Fisheries Policy (CFP) in force should be turned down;
- called for cooperation in order to help fishermen;
- thanked the Commission for its preliminary work;
- acknowledged the presence of a Minister on the Council benches and declared herself pleased;
- concluded that the CFP reform would only be possible if the Council accepted codecision in all relevant areas, especially plans.

Simon Coveney, Irish Minister for Agriculture, Food and the Marine, President-in-Office of the Council:

- declared it was a real honour for him to be in the European Parliament, as he formerly seated as an MEP, and was now speaking as an Irish Minister during Ireland's seventh Presidency on the 40th anniversary of Ireland's membership of the European Union;
- stressed that it was the first time that the European Parliament would be fundamentally a partner in the decision-making process around the CFP reform, and that the Presidency of the Council understands the codecision process and the consequences of the Lisbon Treaty, which implies that the Presidency is determined to work with the European Parliament as an equal partner in bringing about a real, fundamental and ambitious reform of the CFP;

- indicated that the joint objective is to see fishing activity in the EU, and outside the EU where EU fleets have a relationship, sustainable and conducted to maximum sustainable yield (MSY) levels, as well as the end of the discarding of fish, which is indefensible;
- stressed that the way should be realistic and pragmatic in order to bring the industry on board, as well as satisfying all others that are watching and concerned that the EU has a sustainable management of fish stocks that can protect fish in the sea but also rural, coastal and fishing communities that rely for their living and their income on a fishing industry;
- declared that there was a window of opportunity during the Irish Presidency, as the Presidency wanted to bring the Council to a final position on the key Regulation by the end of the month of February in order to open a trilogue process with the Commissioner, so that the codecision process is concluded by the end of June, because failure to grasp the opportunity for momentum and change now could lead to not achieving a common fisheries policy reform in the lifetime of this Parliament and potentially in the lifetime of this Commission;
- declared that Institutions had been debating these issues for more than two years, that the key rapporteurs and coordinators understand these issues, as well as the Ministers in the Council;
- stressed that he wanted to help to solve the ongoing dispute around interinstitutional issues in the context of the Lisbon Treaty and also in the context of CFP reform;
- congratulated the Parliament for the committees work so far, as the 3000 amendments had been turned into compromise amendments, and repeated the intention to finalise a deal over the next four or five months.

Maria Damanaki, Member of the Commission:

- thanked the MEPs for their great and dedicated work, the Rapporteur and her team, as well as the shadow rapporteurs and their teams;
- considered that codecision on fisheries policy was a great step forward in the whole process of democratisation of European institutions, and that a better relationship between the three institutions should be built;
- hoped to put an end to the deadlock on long-term management plans and the decisions about them;

- pleaded for a way forward for EU fishermen, coastal communities, stocks and citizens, in particular by stopping over-fishing in order to bring the stocks back to sustainability;
- declared that fish stocks managed sustainably had increased from 5 to 27 since she took office;
- stressed the need to stop discarding, which represents an average of 23% of the fish caught, as it is no longer justifiable to EU citizens;
- called for unlocking the potential of aquaculture businesses in Europe so that land-locked countries can also practise aquaculture;
- considered that the Committee on Fisheries had put forward a very good deal, as then by 2020 EU would have increased the amount of fish in EU seas by 15 million tonnes and the fish landed by fishermen by half a million tonnes, and because it would also increase the income of EU fishermen by 25% and create 38% more jobs by 2022;
- concluded that she would be open to all proposals and all ideas from the European Parliament during trilogues.

Isabella Lövin, rapporteur for the opinion of the Committee on Development:

- stressed that the EU was importing 65% of all the fish that consumed, that it was the world's largest fish market, and that it is not sustainable. Failure to radically reforming the CFP now, only eight out of all the commercially exploited fish stocks will be at sustainable levels in 2022;
- considered that the report, as adopted in the Committee on Fisheries, was a real step towards ending over-fishing;
- pleaded for imposing the obligation to rebuild fish stocks, and not just to minimum levels where they possibly could produce a steady yield but to a level exceeding this, as Norway and Russia have proved that this was possible including by aiming at rebuilding the stock above MSY levels;
- insisted that it is not only environmentally sound to rebuild fish stocks above minimum MSY levels, but it also means good business as aiming only at MSY levels condemns fishermen to continue to struggle where stocks are balancing at the point of MSY and could at any time be deemed over-fished, which would mean that limits would have to be imposed on fishing;

- considered that the position of the Council was quite shocking since in the general approach it commits to rebuilding fish stocks, but with the addition of the words ‘where possible’ and without defining ‘where possible’;
- concluded that the EU should show leadership on sustainable fisheries to the rest of the world.

The Rapporteur for the opinion of the Committee on Budgets was not present.

Chris Davies, Rapporteur for the opinion of the Committee on the Environment, Public Health and Food Safety:

- considered that without doubt the common fisheries policy had not been an ornament to the EU, that it had been criticised enormously, and not least by the Commissioner, who described it as a failure;
- considered that the policy had been wrong by setting TACs on a yearly basis by Ministers ignoring scientific advice and listening to the fishermen, as fishermen looked only to the short term rather than planning for the long term, and urged ministers to exceed quotas even if it reduces fish stocks in the long term;
- welcomed the long-term management plans for every fishery which the Commission has put forward, and thanked the Irish Fisheries Minister for its efforts in freeing the logjam and ensuring that discussions take place between Parliament and Council;
- considered that discards were a moral disgrace;
- concluded that there are going to be problems in managing mixed fisheries to achieve MSY, and in ending discards, but that the goal is to rebuild fish stocks and recreate the abundance that once existed.

Younous Omarjee, Rapporteur for the opinion of the Committee on Regional Development:

- considered that, should there be no change, by 2050 there would be no more fish available for commercial fisheries;
- pleaded for an effort beyond MSY levels as from 2017, while acknowledging that accompanying measures and compensating measures would be needed;

- expressed its fear that the decisions to come by the European Council on the budget might not reflect the level of ambition of the European Parliament.

Speaking on behalf of the EPP Group, Carmen Fraga Estévez:

- stressed that the narrow result of the vote within the Committee on fisheries demonstrates that the Report is not satisfactory;
- considered that discards should be brought to an end, but that they are a consequence of the system and therefore very difficult to stop in practice;
- explained that the EPP political group has tabled an amendment (amendment 297) providing for the obligation to land all catches, while rationalizing the way forward and proposing a transition.

Speaking on behalf of the S&D Group, Guido Milana:

- expressed its full support to the Report tabled by the Rapporteur;
- considered it urgent to go back to sustainable yields;
- called on the end of discards as fishermen should stop fishing for fish nobody needs.

Speaking on behalf of the ALDE Group, Pat the Cope Gallagher:

- declared that the Irish seafood sector employs some 11 000 people and contributes up to EUR 700 million annually in national income, and that the fishing, processing and aquaculture sectors create and maintain jobs in rural, coastal and small island communities, where there is often no source of alternative employment;
- stressed that in Ireland, over 80% of vessels in the fleet are below 15 metres in length, and they fish mainly inshore and from coastal islands. These islands off the coast of Ireland are characterised by their dependence on small vessels at the mercy of adverse weather conditions on the Atlantic seaboard. This is a unique, dramatic and harsh aspect of the common fisheries policy, and indeed of our European heritage, which we lose at our peril. I am pleased by the support I have received for my amendment on small coastal islands at committee stage;

- declared that the Hague Resolution of 1976 reinforces the right to protect, sustain and develop island communities, and he would like this commitment enshrined in the new CFP as it is already recognised in the recitals;
- called for simplified decision-making procedures, including through an amendment which recommends the introduction of a standardised control and enforcement regime as it is difficult to understand how something can be a criminal offence in one Member State and be dealt with by an administrative sanction in another Member State;
- considered that a move to regional structures is absolutely essential;
- stressed that discards are a complex issue, and that in the context of trilogues he would emphasise that a solution to discards must be based on avoidance and minimisation in the first instance, and appropriate incentives to encourage compliance and stakeholder support;
- concluded by mentioning the unsustainable fishing being carried out in the North-East Atlantic in relation to mackerel.

Speaking on behalf of the Greens/EFA Group, Ian Hudghton:

- recalled that he previously took the floor in February 1999 and January 2001 in order to stress the need for reforming the CFP, and considered that there was now a significant improvement in the general situation since everybody (including the Commissioner) now accepts that the CFP has been a failure;
- expressed its support to measures which are designed to eliminate discards;
- considered that the EU should be building on the few successes in recent years, such as the 12-mile zone, where management by the fishing nations themselves has been relatively successful, Scotland's own efforts through its selectivity measures, through real-time closures decided upon by locals and moved around as required by the situation, CCTV observation and conservation credits, in order to provide the incentive that was mentioned;
- concluded that decentralisation was still the number one objective, and therefore opposed amendments like amendment 253, which would centrally impose the closure of 10 % of waters, rather than leaving these matters to be decided on the basis of real circumstances.

Speaking on behalf of the ECR Group, Marek Józef Gróbarczyk

- stressed that the Lisbon Treaty has some flaws since it doesn't allow for a total regionalization, which is a pillar of the CFP;
- considered that quotas on fishing opportunities would be detrimental to fishermen;
- stressed that small scale fishing should be protected, as it employs a great number of people and therefore must be sustainable;
- considered that aquaculture is a crucial aspect of the CFP;
- supported the Report tabled by the Rapporteur.

Speaking on behalf of the EFD Group, Nikolaos SALAVRAKOS:

- considered the Report highly satisfactory;
- stressed that overfishing is present on 75% of stocks, and 60% of fishing is above MSY levels;
- concluded that the EU can't manage its policies.

Speaking on behalf of the GUE/NGL Group, Mikael Gustafsson:

- emphasized that discarding should be banned, and that all catches should be landed;
- stressed that as regards MSY, 2 out of 3 fish species are overexploited, and that aiming at sustainability would enable reaching a satisfactory situation by 2020.

Speaking on behalf of the NI, Diane Dodds:

- considered that the European Parliament is right to support a ban on the discarding of fish, which is morally indefensible and should end, but that it is the very rules of the CFP that have contributed to such a situation;
- considered that Regional advisory councils are central to the policy, but need to have the appropriate remit and resources to allow them to deliver a regional policy where decisions are based at regional level;

- recalled that on 3 November 1976 the Council agreed a resolution that extended the fishing zones of Member States in the North Sea and North Atlantic to 200 miles, that its Annex 7 recognised the so-called ‘Hague preference’ in order to take account of the needs of certain local communities particularly dependent upon fishing, and that while Greenland, the Irish Republic and the northern part of the United Kingdom were defined as ‘Hague preference’ regions, Northern Ireland, as part of the United Kingdom, should benefit from the Hague resolution, but does not.

The following intervened as individual speakers.

Antonello Antinoro (EPP):

- praised the report tabled by the Rapporteur but indicated that the EPP political group, as it disagrees on the issue of discards, tabled an amendment (amendment 297 by MEP Carmen Fraga Estévez);
- declared that should the EU give the impression of working for the fishermen instead of against, the CFP would be better understood.

Iliana Malinova Iotova (S&D) stressed the importance of coastal fishing and insisted on the key role played by Regional fisheries management organisations (RFMOs).

Nils Torvalds (ALDE) described the CFP as one of EU's biggest failings and called for changes as regards MSY and discards.

Raül Romeva i Rueda (Greens/EFA) pleaded for a historical change and in favour of sustainable fishing activities.

Struan Stevenson (ECR):

- congratulated the Rapporteur and, whilst calling for the need to end discards, considered that fishermen were forced to discard fish because of the Commission regulations, which implies that regionalisation is an important part of the reform, devolving day-to-day management back to the Member States, as micro-management from the centre has failed;

- considered that more and better science on all of EU fish stocks is needed;
- trusted Simon Coveney, Irish Minister for Agriculture, Food and the Marine, President-in-Office of the Council, as a Minister willing to tackle the interinstitutional dispute and get the multiannual plans back on track.

John Stuart Agnew (EFD):

- described the EU in a negative way in relation to the British fleet, UK fish stocks, local jobs and coastal towns;
- declared that the British people and Parliament and Her Majesty the Queen would be alarmed to discover that Amendment 63 would create a new power, sovereignty over the sea bed as opposed to merely controlling the fish in the water above it, without a word of objection by Her Majesty's Government or the Tories, whilst any new power should mean a UK referendum.

João Ferreira (GUE/NGL):

- described the CFP as a social, environmental and economical disaster;
- rejected the Report despite the improvements it could bring to the Commission proposal, such as the deletion of any reference to transferable fishing concessions;
- pleaded for more local management of fisheries, despite the exclusive competence created in this area by the Lisbon Treaty;
- concluded that CFP should not be only about conservation of species, however important it is, but also about fishermen.

Andrew Henry William Brons (NI):

- declared that whilst British withdrawal from the EU and the recovery of exclusive use of waters would solve the problem, in the meantime any attempt to improve the CFP must be welcomed;

- called for the end of discards;
- considered that enabling Member States to enact their own conservation measures within a 12-nautical-mile zone is clearly desirable, but that the Member State should be able to enforce that against other Member States;
- considered that the Rapporteur's proposal that fishing concessions should cease to be freely transferable is particularly good as it would stop concessions from being bought and sold, and the concessions would remain the property of each Member State.

Alain Cadec (EPP):

- pleaded for Multiannual plans, and environmental, social and economical sustainability;
- called for support for the EPP political group amendment on the obligation to land all catches.

Dolores García-Hierro Caraballo (S&D):

- considered that the failure of the previous CFP reforms originate in Member States lack of determination in applying scientific criteria and effective control measures as regards overfishing;
- declared that the lack of consensus around the CFP reform could not be attributed to the Rapporteur or the S&D political group.

Gesine Meissner (ALDE) explained, as regards overfishing, which amounts to up to 80% in the Mediterranean, that experience has proven strict quotas to allow for bigger catches, and then called to support the Report.

Julie Girling (ECR):

- paid tribute to the Commissioner, the rapporteur, the shadows and to the Committee on Fisheries;
- spoke against the EPP political group amendment for a 10 % allowance on discards, which is promoted as pragmatic whilst it is unambitious and dangerous.

Bastiaan Belder (EFD) referred to the example of Norway as regards the end of discards started 25 years ago in a pragmatic way.

Gabriel Mato Adrover (EPP) considered that the negotiations have put environmental considerations at the heart of the reform of the CFP.

Isabelle Thomas (S&D) considered that overfishing should be avoided and fishing activities should be protected, and welcomed the suppression of transferable fishing concessions.

Gerben-Jan Gerbrandy (ALDE) described the experience of the North Sea fisheries.

Maria do Céu Patrão Neves (EPP) stressed that fisheries had three dimensions, environmental, economical and social, and that the environmental dimension should not be prioritized, as it would lead to non-realistic reforms, and that therefore the EPP political group amendment on discards (amendment 297) should be supported.

Kriton Arsenis (S&D):

- supported the Commissioner's proposal on MSY and the discard ban;
- regretted that the establishment of fish stock recovery areas was not provided for in the proposal, as this would to restore levels of fish and increase the income of fishermen throughout the EU by increasing both the quantity and the size of fish caught;
- expressly called to vote for Amendment 253.

Luis Manuel Capoulas Santos (S&D) considered that the current CFP reform was not perfect, but constituted a positive step, and welcomed the report.

Rareș-Lucian Niculescu (EPP) underlined the importance and potential of aquaculture, whilst it is in decline.

Jens Nilsson (S&D) pleaded for sustainable fisheries, including as regards aquaculture, as well as for leisure fishing.

Lambert van Nistelrooij (EPP):

- declared that sustainability is important, but no less than regionalization, innovation and modernization;
- transferable fishing concessions are an interesting tool.

Antolín Sánchez Presedo (S&D) considered that the proposed reform is responsible, sustainable and competitive, and that the Rapporteur has reinforced its socio-economical dimension.

Agnès Le Brun (EPP) regretted that the report created an imbalance as it focuses more on environmental considerations than on socio-economical ones, and thus called for support to amendment 15.

Mario Pirillo (S&D) hoped that this reform would constitute the legislative foundations for sustainability.

Salvatore Iacolino (EPP) regretted the proposed solution on discards, described as a serious question, and stressed that more attention should be paid to aquaculture, including because it is linked to tourism.

Ole Christensen (S&D) described the CFP in force as a failure, and insisted on regionalization, the end of discards and sustainability.

Speaking under the "Catch the eye procedure".

Seán Kelly (EPP):

- considered that multiannual plans are absolutely vital and will make a big difference and declared, as regards sport fishing, that it is something that should be developed far more in terms of tourism both for coastal and for rural communities;

- declared, as regards discards, that it is a failed policy, but that it must be addressed in a proportionate and sensible manner so that small-scale fishermen are not discriminated against in the short term, and that the issue of big factory ships which have mincers on board, catch fish, mince it and dispose of it should be tackled.

Luís Paulo Alves (S&D):

- pleaded for local management, in order to promote sustainability;
- insisted that maritime zones considered as biogeographically sensitive be protected;
- stressed that reciprocity be ensured in trade with third states in order to guarantee equal treatment and fair competition for EU fishermen, as proposed by the Committee on fisheries.

Ana Miranda (Greens/EFA) called for support to small coastal fisheries, and thanked the Rapporteur for taking into account the social dimension of fisheries.

Peter van Dalen (ECR) supported the EPP amendment on catches (amendment 297 by MEP Carmen Fraga Estévez, EPP).

Paul Murphy (GUE/NGL):

- described the CFP in a negative way;
- supported the opposition in the report to the Commission's proposals for individual transferable quotas, which would have amounted to a de facto privatisation of the seas;
- considered that small and medium-sized fishermen in coastal communities are in real danger of losing their jobs and way of life, especially because the Commission's own projections show employment in the sector is set to decline by 60% over the next 10 years, with the heaviest losses falling on those small and medium-sized fishermen;
- concluded that with planning and democratic management of quotas, small fishermen, workers in the industry and coastal communities could be assured of a fair income and sustainable use of this vital resource.

John Bufton (EFD):

- described the CFP in a negative way;
- declared that in the UK fishing fleets have been destroyed, fishing ports left derelict and coastal waters diminished to little more than a bit part of EU common waters, that the UK provides the EU with 70% of its fishing but is allowed only 13% by value of the quota species catch which means that the UK is giving away to EU interests about GBP 2 billion a year in fish plus the value-added cost of boat building and repair, fish processing employment and ancillary services; in total about GBP 5 billion.

Maria Damanaki, Member of the Commission:

- declared that the Commission tabled the initial proposal a year and a half ago, that very hard work took place between the Rapporteur, the shadow rapporteurs, the Council and the Commission to go for a good deal, and that she was very proud to support both the general approach taken by the Council in June 2012 and the deal with the Committee on Fisheries;
- declared that after an intense dialogue with the industry and thousands of citizens all around Europe there is now a more flexible approach to discards; a step by step approach, a more realistic approach, a fishery by fishery approach, an approach that first and foremost concerns having better and more selective gears;
- considered that there could be greater regionalisation, as far as it can be achieved, in order to give the Member States, the industry itself and citizens the possibility to decide upon their own issues;
- considered that social sustainability could be achieved since for the first time there could be a special treatment for small-scale fisheries, and that sustainability of the stocks by 2022 could mean 30% more jobs and 25% additional income for EU fisheries;
- concluded by reiterating the Commission's willingness to discuss during the trilogues.

Simon Coveney, Irish Minister for Agriculture, Food and the Marine, President-in-Office of the Council:

- stressed the need for a fundamental reform of the CFP, as 70% of the fish consumed in the EU is imported whilst EU waters have the capacity to produce a lot more fish;
- declared that the EU can continue neither to discard an average of 23% of the fish caught nor to allow over-fishing which is preventable through modernisation, improved selectivity and better management of stocks;
- considered not appropriate for the President of the Council to give advice or support to individual amendments;
- concluded that the European Parliament was facing the same challenges as the Council when debating, deciding and voting on final positions, namely to try and put in place a new CFP that not only makes sense to policymakers, but that can actually be implemented, and can fundamentally change the way in which EU fishing industry operates, the way in which decisions are made, preferably at a regional basis in the future, and the way in which EU stocks are managed.

The Rapporteur, Mrs Ulrike Rodust (S&D, DE) concluded the debate by:

- regretting that some EPP Members, such as Fraga, couldn't support the Report;
- indicating that pilot projects would be launched as regards discards;
- highlighting, as regards the Mediterranean, that many problems had nothing to do with the CFP;
- concluded by indicating that the support of NGOs and the interest of many citizens was evidenced by the petitions signed in favour of a new CFP.

The President then closed the debate. In addition, MEP Robert Dušek (S&D, CZ), submitted a written statement in accordance with rule 149 of the European Parliament's Rules of Procedure.

III. VOTE

When it voted in plenary on 6 February 2013, the European Parliament adopted amendments 2, 3, 6, amendment 5 (first part), amendment 7 (first part), 8-10, 12-15, 17-68, 70-93, 95-102-103, the corresponding part of amendment 104, amendments 105-109, 111, 114-116, 118, amendment 119 (1st part as amendment by oral amendment, and 2nd, 3rd, 5th, 6th, 7th, 9th and 10th part), 120-181, 183-197, 199-211, 220, 224-227, 229-230, 232, 234-235, 237, 239, 241-243, 245, 251, 257-258, 260, 262, 264, 270, 273, 285, 293, 295, 296, 301 and 302. Amendments 229, 254, 255, 256, 263, 277, 278 and 286 had been withdrawn.

The text of the amendments adopted and the European Parliament's legislative resolution are annexed to this note.

Common fisheries policy *I**

European Parliament legislative resolution of 6 February 2013 on the proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy (COM(2011)0425 – C7-0198/2011 – 2011/0195(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0425),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0198/2011),
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 28 March 2012¹,
 - having regard to the opinion of the Committee of the Regions of 4 May 2012²,
 - having regard to Rules 55 and 37 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinions of the Committee on Development, the Committee on Budgets, the Committee on the Environment, Public Health and Food Safety and the Committee on Regional Development (A7-0008/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Recalls its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe³; reiterates that sufficient additional resources are needed in the next MFF in order to enable the Union to fulfil its existing policy priorities and the new tasks provided for in the Treaty of Lisbon, as well as to respond to unforeseen events; challenges the Council, if it does not share this approach, to clearly identify which of its political priorities or projects could be dropped altogether, despite their proven European added value;
 3. Points out that the estimated financial impact of the proposal constitutes only an indication to

¹ OJ C 181, 21.6.2012, p. 183.

² OJ C 225, 27.7.2012, p. 20.

³ Texts adopted, P7_TA(2011)0266.

the legislative authority and cannot be fixed pending agreement on the proposal for a Regulation laying down the multiannual financial framework for the years 2014-2020;

4. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 2

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The scope of the Common Fisheries Policy extends to conservation, **management and exploitation** of marine biological resources. In addition, the Common Fisheries **Policy's scope** extends in relation to market measures and financial measures in support of its objectives, to **fresh water biological resources and** aquaculture, as well as to the processing and marketing of fishery and aquaculture products, where such activities take place on the territory of Member States, or in Union waters, including by fishing vessels flying the flag of, and registered in, third countries, or by Union fishing vessels, or by nationals of Member States, without prejudice to the primary responsibility of the flag State, bearing in mind the provisions of Article 117 of the United Nations Convention on the Law of the Sea.

Amendment

(2) The scope of the Common Fisheries Policy extends to **the** conservation of marine biological resources **and the management of fisheries targeting them**. In addition, the **scope of the** Common Fisheries **Policy** extends, in relation to market measures and financial measures in support of its objectives, to aquaculture **activities**, as well as to the processing and marketing of fishery and aquaculture products, where such activities take place on the territory of Member States, or in Union waters, including by fishing vessels flying the flag of, and registered in, third countries, or by Union fishing vessels, or by nationals of Member States, without prejudice to the primary responsibility of the flag State, bearing in mind the provisions of Article 117 of the United Nations Convention on the Law of the Sea.

Amendment 3

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The Common Fisheries Policy should ensure that fishing and aquaculture activities contribute to long-term **sustainable** environmental, economic, and social **conditions**. It should **contribute moreover to increased productivity**, a fair standard of living for the fisheries sector, stable markets, ensure the availability of resources and that supplies reach consumers at reasonable prices.

Amendment

(3) The Common Fisheries Policy should ensure that fishing and aquaculture activities contribute to long-term environmental, economic, and social **sustainability**. It should **include rules regarding the traceability, security and quality of Union imported products**, a fair standard of living for the fisheries sector, **food security**, stable markets, ensure the availability of resources and that supplies reach consumers at reasonable prices.

Amendment 5

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) At the World Summit on Sustainable Development at Johannesburg in 2002, the Union and its Member States committed to act against the continued decline of many fish stocks. Therefore, the Union should improve its Common Fisheries Policy to ensure that as a matter of priority ***exploitation levels of marine biological resources stocks are restored and maintained at levels capable of producing maximum sustainable yields from the populations of harvested stocks by 2015.*** Where less scientific information is available, this may require applying proxies to maximum sustainable yield.

Amendment

(5) At the World Summit on Sustainable Development at Johannesburg in 2002, the Union and its Member States committed to act against the continued decline of many fish stocks. Therefore, the Union should improve its Common Fisheries Policy to ensure that, as a matter of priority, ***by 2015, fishing mortality rates are set at levels that should allow fish stocks to recover, by 2020 at the latest, above levels that are capable of producing the maximum sustainable yield and allow all recovered stocks to be maintained at these levels.*** Where less scientific information is available, this may require applying proxies to maximum sustainable yield.

Amendment 6

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The concept of maximum sustainable yield, as enshrined in UNCLOS, is a fisheries management target that has been legally binding on the Union since its ratification in 1998.

Amendment 232

Proposal for a regulation

Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Adopting fishing mortality rates below those necessary to maintain fish stocks at levels above those capable of producing the MSY is the only way of ensuring that the fishing industry

becomes economically viable in the long term without reliance upon public aid.

Amendment 7

Proposal for a regulation Recital 5 c (new)

Text proposed by the Commission

Amendment

(5c) Multiannual plans should be the main instrument to ensure that, by 2015, fishing mortality rates are set at levels that should allow fish stocks to recover, by 2020 at the latest, above levels that are capable of producing the maximum sustainable yield and allow all recovered stocks to be maintained at these levels. Only a clear and binding commitment to these dates is capable of ensuring that immediate action is taken and that the recovery process is not further delayed. For those stocks where no multiannual plan has yet been adopted, it is essential to ensure that, when setting fishing opportunities for these stocks, the Council fully adheres to the objectives of the Common Fisheries Policy.

Amendment 8

Proposal for a regulation Recital 5 d (new)

Text proposed by the Commission

Amendment

(5d) It should also be possible for multiannual plans to contain provisions that limit yearly fluctuations of the total allowable catch for recovered stocks in order to create more stable conditions for the fishing sector. The exact limits to these fluctuations should be stated in multiannual plans.

Amendment 9

Proposal for a regulation

Recital 5 e (new)

Text proposed by the Commission

Amendment

(5e) Management decisions relating to maximum sustainable yield (MSY) in mixed fisheries should take into account the difficulty of fishing all stocks in a mixed fishery at maximum sustainable yield at the same time, if scientific advice indicates that it is very difficult to avoid the phenomenon of "choke species" by increasing the selectivity of the fishing gears used. ICES and the Scientific, Technical and Economic Committee for Fisheries (STECF) should be requested to provide advice on the appropriate fishing mortality levels in such circumstances.

Amendment 10

Proposal for a regulation

Recital 5 f (new)

Text proposed by the Commission

Amendment

(5f) The Union and the Member States shall ensure that, if fishing opportunities have to be drastically reduced during a transitional period in order to achieve the maximum sustainable yield, adequate social and financial measures are applied to sustain sufficient businesses throughout the production chain to achieve a balance between fleet capacity and available resources when the maximum sustainable yield is reached.

Amendment 12

Proposal for a regulation

Recital 7

Text proposed by the Commission

Amendment

(7) Sustainable exploitation of marine biological resources should be based on the

(7) Sustainable exploitation of marine biological resources should ***always*** be

precautionary approach, which is to be derived from the precautionary principle referred to in the first subparagraph of Article 191(2) of the Treaty.

based on the precautionary approach, which is to be derived from the precautionary principle referred to in the first subparagraph of Article 191(2) of the Treaty, ***taking into account available scientific data.***

Amendment 13

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The Common Fisheries Policy should contribute to the protection of the marine environment and in particular to the achievement of good environmental status by 2020 the latest as set out in Article 1(1) of Directive 2008/56/EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

Amendment

(8) The Common Fisheries Policy should contribute to the protection of the marine environment, ***to the sustainable management of all commercially-exploited species,*** and in particular to the achievement of good environmental status by 2020 *at* the latest as set out in Article 1(1) of Directive 2008/56/EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

Amendment 14

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The Common Fisheries Policy should also contribute to the supplying of the Union market with highly nutritional food, reducing the internal market's food dependence, as well as to direct and indirect job creation and economic development in coastal areas.

Amendment 15

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) An ecosystem based approach to fisheries management needs to be implemented, ***environmental impacts of fishing activities should be limited and unwanted catches should be*** minimised and progressively eliminated.

Amendment

(9) An ecosystem based approach to fisheries management needs to be implemented, ***to help to ensure that the impact of human activities on the marine ecosystem is minimized and that unwanted catches are prevented,*** minimized and, ***where possible,*** eliminated, ***and that a situation is progressively achieved in which all catches are landed.***

Amendment 17

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Implementation of the Common Fisheries Policy should take into account interactions with other maritime affairs ***as addressed by the Integrated Maritime Policy***, recognizing that all matters related to Europe's oceans and seas are interlinked, including maritime spatial planning. Coherence and integration should be ensured in the management of different sectoral policies within the Baltic Sea, North Sea, Celtic Seas, Bay of Biscay and the Iberian Coast, Mediterranean and Black Sea sea basins.

Amendment

(12) Implementation of the Common Fisheries Policy should take into account interactions with other maritime affairs ***and should generally be consistent with other Union policies***, recognizing that all matters related to Europe's oceans and seas are interlinked, including maritime spatial planning. Coherence and integration should be ensured in the management of different sectoral policies within the Baltic Sea, North Sea, Celtic Seas, Bay of Biscay and the Iberian Coast, Mediterranean and Black Sea sea basins.

Amendment 18

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) Rules in place restricting access to resources within the 12 nautical mile zones of Member States have operated satisfactorily benefiting conservation by

Amendment

(14) Rules in place restricting access to resources within the 12 nautical mile zones of Member States have operated satisfactorily benefiting conservation by

restricting fishing effort in the most sensitive part of Union waters. Those rules have also preserved traditional fishing activities on which the social and economic development of certain coastal communities is highly dependent. Those rules should therefore continue to apply.

restricting fishing effort in the most sensitive part of Union waters. Those rules have also preserved traditional fishing activities on which the social and economic development of certain coastal communities is highly dependent. Those rules should therefore continue to apply ***and should, where possible, be strengthened to give preferential access for small scale, artisanal or coastal fishermen.***

Amendment 19

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The definition of small-scale fishing needs to be widened to take account of a range of criteria in addition to boat size, including, inter alia, the prevailing weather conditions, the impact of fishing techniques on the marine ecosystem, the time spent at sea and the characteristics of the economic unit exploiting the resource. Small offshore islands which are dependent on fishing should be especially recognised and supported both financially and through the allocation of additional resources, in order to enable them to survive and prosper in the future.

Amendment 20

Proposal for a regulation Recital 16

Text proposed by the Commission

Amendment

(16) The objective of sustainable exploitation of marine biological resources is more effectively achieved through a multi-annual approach to fisheries management, establishing as a priority multi-annual plans reflecting the specificities of different fisheries.

(16) The objective of sustainable exploitation of marine biological resources is more effectively achieved through a multi-annual approach to fisheries management. ***To that end, the Member States, cooperating closely with the public authorities and Advisory Councils, should create the conditions for sustainability, including at a local level,*** establishing as a

priority multi-annual plans reflecting the specificities of different fisheries. ***This could be achieved through common actions at the regional level and, in a more binding way, through decision-making procedures that lead to the drawing-up of multiannual plans.***

Amendment 21

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Multi-annual plans should where possible cover multiple stocks where those stocks are jointly exploited. The multiannual plans should establish the basis for fixing fishing opportunities and quantifiable targets for the sustainable exploitation of stocks and marine ecosystems concerned, defining clear timeframes and safeguard mechanisms for unforeseen developments.

Amendment

(17) Multiannual plans should where possible cover multiple stocks where those stocks are jointly exploited. The multiannual plans should establish the basis for fixing fishing opportunities and quantifiable targets for the sustainable exploitation of stocks and marine ecosystems concerned, defining clear timeframes and safeguard mechanisms for unforeseen developments. ***Multiannual plans should also be governed by precisely defined management objectives in order to contribute to the sustainable exploitation of the stocks and marine ecosystems concerned. When the management scenarios could have a socioeconomic impact on the regions concerned, these plans should be adopted in consultation with operators in the fishing industry, scientists and institutional partners.***

Amendment 22

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) Measures are needed to reduce ***and eliminate*** the current high levels of unwanted catches and discards. Indeed, ***unwanted catches and*** discards constitute a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine

Amendment

(18) Measures are needed to reduce the current high levels of unwanted catches and ***to gradually eliminate*** discards. ***Unfortunately, previous legislation has often obliged fishermen to discard valuable resources.*** Indeed, discards constitute a substantial waste and affect

ecosystems as well as the financial viability of fisheries. An obligation to land all catches of managed stocks caught during fishing activities in Union waters or by Union fishing vessels should be established and gradually implemented.

negatively the sustainable exploitation of marine biological resources and marine ecosystems as well as the financial viability of fisheries. An obligation to land all catches of managed stocks caught during fishing activities in Union waters or by Union fishing vessels should be established and gradually implemented.
Priority should be given to developing, promoting and encouraging measures and incentives aimed at avoiding unwanted catches in the first place.

Amendment 23

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The obligation to land all catches should be introduced on a fisheries-by-fisheries base. Fishermen should be allowed to continue discarding species which, according to the best available scientific advice, have a high survival rate when released into the sea under conditions defined for a given fishery.

Amendment 24

Proposal for a regulation Recital 18 b (new)

Text proposed by the Commission

Amendment

(18b) In order to make the obligation to land all catches workable and to mitigate the effect of varying yearly catch compositions, Member States should be allowed to transfer quotas between years, up to a certain percentage.

Amendment 25

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Landings of unwanted catches should not result in full economic advantages for the operator. For landings of catches of fish under the minimum conservation reference size, the destination of such catches should be limited and exclude sale for human consumption.

Amendment

(19) Landings of unwanted catches should not result in full economic advantages for the operator. For landings of catches of fish under the minimum conservation reference size, the destination of such catches should be limited and exclude sale for human consumption. ***Each Member State should be able to decide whether it wants to allow the free distribution of the fish landed for beneficial or charitable purposes.***

Amendment 26

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) For the sake of conservation of stocks clear objectives should be applied with respect to certain technical measures.

Amendment

(20) For the sake of conservation of stocks ***and the adaptability of fleets and fisheries,*** clear objectives should be applied with respect to certain technical measures, ***and scales of governance should be tailored to management requirements.***

Amendment 27

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) For stocks for which no multi-annual plan has been established, exploitation rates delivering maximum sustainable yield should be ensured by setting catch and/or fishing effort limits.

Amendment

(21) For stocks for which no multiannual plan has been established, exploitation rates delivering maximum sustainable yield should be ensured by setting catch and/or fishing effort limits. ***If there is insufficient data available, fisheries should be managed by using proxy standards.***

Amendment 28
Proposal for a regulation
Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) The Union should step up its efforts to achieve effective international cooperation and stock management in seas which are bordered by both Member States and third countries, providing for the creation, where appropriate, of regional fisheries management organisations for such areas. In particular, the Union should advocate the creation of a Regional Fisheries Management Organisation for the Black Sea.

Amendment 29

Proposal for a regulation
Recital 22

Text proposed by the Commission

Amendment

(22) In view of the precarious economic state of the fishing industry and the dependence of certain coastal communities on fishing activities, it is necessary to ensure the relative stability of fishing activities by allocating fishing opportunities among Member States, based on a predictable share of stocks for each Member State.

(22) In view of the precarious economic state of ***part of*** the fishing industry and the dependence of certain coastal communities on fishing activities, it is necessary to ensure the relative stability of fishing activities by allocating fishing opportunities among Member States, based on a predictable share of stocks for each Member State.

Amendment 30

Proposal for a regulation
Recital 25

Text proposed by the Commission

Amendment

(25) The Commission should be able to adopt temporary measures in the event of a serious threat, requiring immediate action, to the conservation of marine biological resources or to the marine ecosystem resulting from fishing activities.

(25) The Commission, ***after consulting the Advisory Councils and Member States concerned***, should be able to adopt temporary measures in the event of a serious threat, requiring immediate action, to the conservation of marine biological

resources or to the marine ecosystem resulting from fishing activities. ***These measures should be established within defined timescales and should be operational for a fixed period of time.***

Amendment 31

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) Member States should be able to adopt conservation measures and technical measures for the implementation of the Common Fisheries Policy to allow for the policy to better address the realities and specificities of individual fisheries and to increase the adherence to the policy.

Amendment

(26) Member States, ***after duly taking into account the views of relevant Advisory Councils and stakeholders***, should be able to adopt conservation measures and technical measures for the implementation of the Common Fisheries Policy to allow for the policy to better address the realities and specificities of ***the various sea basins and the*** individual fisheries and to increase the adherence to the policy.

Amendment 32

Proposal for a regulation Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Member States should be encouraged to cooperate with one another on a regional basis.

Amendment 234

Proposal for a regulation Recital 28 a (new)

Text proposed by the Commission

Amendment

(28a) Access to the fishery should be based on transparent and objective environmental and social criteria, as a means of promoting responsible fishing which would serve to ensure that those operators who fish in the least environmentally damaging way and

provide the greatest benefits for society are encouraged.

Amendment 33

Proposal for a regulation Recital 29

Text proposed by the Commission

Amendment

(29) A system of transferable fishing concessions for the majority of managed stocks under the Common Fisheries Policy should be implemented no later than 31 December 2013 for all vessels of 12 meters' length or over and all other vessels fishing with towed gears. Member States may exclude vessels up to 12 meters' length other than vessels using towed gear from transferable fishing concessions. Such a system should contribute to industry-induced fleet reductions and improved economic performance while at the same time creating legally secure and exclusive transferable fishing concession of a Member State's annual fishing opportunities. Since marine biological resources are a common good, transferable fishing concessions should only establish user entitlements to a Member State's part of annual fishing opportunities which may be recalled according to established rules.

deleted

Amendment 34

Proposal for a regulation Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) The Commission should undertake fleet assessments in order to obtain credible results concerning the precise level of overcapacity at Union level, thus making it possible to propose appropriate and targeted instruments for its reduction.

Amendment 35

Proposal for a regulation

Recital 30

Text proposed by the Commission

Amendment

(30) Fishing concessions should be transferable and leasable in order to decentralise management of fishing opportunities towards the fishing industry and ensuring that fishers leaving the industry will not need to rely on public financial assistance under the Common Fisheries Policy.

deleted

Amendment 36

Proposal for a regulation

Recital 31

Text proposed by the Commission

Amendment

(31) Specific characteristics and socio-economic vulnerability of some small-scale fleets justify the limitation of the mandatory system of transferable fishing concessions to large vessels. The system of transferable fishing concessions should apply to stocks for which fishing opportunities are allocated.

deleted

Amendment 37

Proposal for a regulation

Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) Each Member State should be allowed to choose its method of allocating the fishing opportunities assigned to it, in accordance with the subsidiarity principle, without an allocation system being imposed at Union level. In this way, Member States will remain free to establish – or not to establish – a system of transferable fishing concessions.

Amendment 38

Proposal for a regulation

Recital 31 b (new)

Text proposed by the Commission

Amendment

(31b) A binding system should be established to evaluate fleet registers and verify capacity ceilings in order to ensure that each Member State respects the capacity ceilings assigned to it and to step up the fisheries control system so that fishing capacity is aligned with the resources available.

Amendment 39

Proposal for a regulation

Recital 32

Text proposed by the Commission

Amendment

(32) For Union fishing vessels not operating under a system of transferable fishing concessions, specific measures may be taken to align the number of Union fishing vessels with available resources. Such measures should set compulsory maximum fleet capacity ceilings and establish national entry/exit schemes in relation to decommissioning funding granted under the European Fisheries Fund.

(32) In some cases, Member States still need to take specific measures to align their fishing capacity with the available resources. Therefore, capacity should be assessed for each stock and basin in the Union. This assessment should be based on common guidelines. Each Member State should be able to choose the measures and instruments which it wishes to adopt in order to reduce excessive fishing capacity.

Amendment 40

Proposal for a regulation

Recital 34

Text proposed by the Commission

Amendment

(34) Fisheries management based on the best available scientific advice requires harmonised, reliable and accurate data sets. Therefore Member states should collect data on fleets and their fishing activities, in particular biological data on catches, including discards, survey information on

(34) Fisheries management based on full and accurate scientific advice requires harmonised, reliable and accurate data sets. Therefore Member States should collect data on fleets and their fishing activities, in particular biological data on catches, including discards, survey information on

fish stocks and on the potential environmental impact of fishing activities on the marine ecosystem.

fish stocks and on the potential environmental impact of fishing activities on the marine ecosystem. ***The Commission should foster the necessary conditions for data harmonisation so as to promote an ecosystem-based interpretation of resources.***

Amendment 41

Proposal for a regulation Recital 35

Text proposed by the Commission

(35) Data collection should include data which facilitate the economic assessment of undertakings active in the fisheries sector, in aquaculture and in the processing of fisheries and aquaculture products and of employment trends in these industries.

Amendment

(35) Data collection should include data which facilitate the economic assessment of ***all*** undertakings active in the fisheries sector, in aquaculture and in the processing of fisheries and aquaculture products, ***regardless of their size***, and of employment trends in these industries, ***as well as data on the impact of such developments on fishing communities.***

Amendment 42

Proposal for a regulation Recital 36

Text proposed by the Commission

(36) Member States should manage and make available to end-users of scientific-data the collected data, on the basis of a multi-annual Union program. Member States should also cooperate with each other to coordinate data collection activities. Where relevant, Member States should also cooperate with third countries ***within the same sea basin*** regarding data collection.

Amendment

(36) Member States should manage and make available to end-users of scientific-data the collected data, on the basis of a multiannual Union program, ***supplying the relevant results to stakeholders. Regional authorities should be involved more actively in data collection activities.*** Member States should also cooperate with each other to coordinate data collection activities. Where relevant, Member States should also cooperate with third countries regarding data collection, ***if possible using a regional body established for this purpose, bearing in mind the provisions of international law, and in particular UNCLOS.***

Amendment 43

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) Policy-oriented fisheries science should be reinforced by means of nationally-adopted fisheries scientific data collection, research and innovation programs in coordination with other Member States as well as by Union research and innovation framework tools.

Amendment

(37) Policy-oriented fisheries science should be reinforced by means of nationally-adopted fisheries scientific data collection, ***independent*** research and innovation programs in coordination with other Member States as well as by Union research and innovation framework tools, ***and by the necessary data harmonisation and systematisation that is to be carried out by the Commission.***

Amendment 44

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) The Union should promote the objectives of the Common Fisheries Policy internationally. To this end, the Union should strive to improve the performance of regional and international organisations in conservation and management of international fish stocks, by promoting decision-making based on science ***and*** improved compliance, increased transparency ***and*** stakeholder participation, and by combating illegal, unreported and unregulated (IUU) fishing activities.

Amendment

(38) The Union should promote the objectives of the Common Fisheries Policy internationally. To this end, the Union should strive to improve the performance of regional and international organisations in conservation and ***sustainable*** management of international fish stocks, by promoting decision-making based on science, improved compliance, increased transparency, ***ensuring effective*** stakeholder participation, and by combating illegal, unreported and unregulated (IUU) fishing activities.

Amendment 45

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) Sustainable fisheries agreements concluded with third countries should ensure that Union fishing activities in third

Amendment

(39) Sustainable fisheries agreements concluded with third countries should ensure that Union fishing activities in third

country waters are based on the best available scientific advice, ensuring a sustainable exploitation of the marine biological resources. Those agreements, which provide for access rights in exchange for a financial contribution from the Union, should contribute to the establishment of a high quality governance framework to ensure in particular efficient monitoring, control and surveillance measures.

country waters are based on the best available scientific advice, ensuring a sustainable exploitation **and the conservation** of the marine biological resources, **while respecting the principle of surplus referred to in UNCLOS**. Those agreements, which provide for access rights in exchange for a financial contribution from the Union, should contribute to the establishment of a high quality **scientific data collection system and a high quality** governance framework to ensure in particular efficient monitoring, control and surveillance measures.

Amendment 46

Proposal for a regulation

Recital 41 a (new)

Text proposed by the Commission

Amendment

(41a) In view of the serious piracy problem affecting Union vessels fishing in third countries under bilateral or multilateral agreements and the particular vulnerability of such vessels to piracy, measures and operations should be strengthened in order to protect them.

Amendment 47

Proposal for a regulation

Recital 42

Text proposed by the Commission

Amendment

(42) Aquaculture should contribute to the preservation of the food production potential on a sustainable basis throughout the Union so as to guarantee long-term food security for European citizens and to contribute to the growing world aquatic food demand.

(42) Aquaculture should contribute to the preservation of the food production potential on a sustainable basis throughout the Union so as to guarantee long-term food security **and supplies, as well as growth and employment** for European citizens and to contribute to the growing world aquatic food demand.

Amendment 48

Proposal for a regulation
Recital 46 a (new)

Text proposed by the Commission

Amendment

(46a) In view of the special characteristics of the outermost regions, particularly their geographical remoteness and the importance of fishing to their economies, an Advisory Council for the outermost regions comprising three subcommittees (South-Western waters, South-West Indian Ocean waters, French West Indies and Antilles-Guiana Basin waters) should be set up. That Advisory Council should have as one of its aims to contribute to measures against illegal, undeclared and unmanaged fishing worldwide.

Amendment 49

Proposal for a regulation
Recital 47

Text proposed by the Commission

Amendment

(47) There is a need to strengthen the competitiveness of the Union fishery and aquaculture sector, and a call for simplification in support of better management of production and marketing activities of the sector; the Common Market Organisation for fishery and aquaculture products should ensure a level-playing field for all fishing and aquaculture products marketed in the Union, should enable consumers to make better informed choices **and** support responsible consumption, and should improve the economic knowledge and understanding of the Union markets along the supply chain.

(47) There is a need to strengthen the competitiveness of the Union fishery and aquaculture sector, and a call for simplification in support of better management of production and marketing activities of the sector, **ensuring reciprocity in trade with third countries so as to create a level playing field on the Union market, not just as regards the sustainability of fisheries, but also as regards health checks**; the Common Market Organisation for fishery and aquaculture products should ensure a level-playing field for all fishing and aquaculture products marketed, **whether these products originate in the Union or in third countries**, should enable consumers to make better informed choices **based on traceability, should** support responsible consumption and should improve the economic knowledge and understanding of Union markets along the supply chain. **In this Regulation, the Part concerning the Common Market Organisation should**

include provisions making imports of fisheries and aquaculture products subject to compliance with internationally recognised social and environmental standards.

Amendment 50

Proposal for a regulation Recital 48

Text proposed by the Commission

(48) The Common Market Organisation should be implemented in compliance with international commitments of the Union, in particular with regard to the provisions of the World Trade Organisation. The success of the common fisheries policy requires an effective system of control, inspection and enforcement, including the fight against IUU fishing activities. *A* Union system for control, inspection, and enforcement should be established so as to ensure compliance with the Common Fisheries Policy's rules.

Amendment

(48) The Common Market Organisation should be implemented in compliance with international commitments of the Union, in particular with regard to the provisions of the World Trade Organisation. The success of the common fisheries policy requires an effective system of control, inspection and enforcement, including the fight against IUU fishing activities. ***Existing legislation in this area should be implemented effectively and a*** Union system for control, inspection, and enforcement should be established so as to ensure compliance with the Common Fisheries Policy's rules.

Amendment 51

Proposal for a regulation Recital 49

Text proposed by the Commission

(49) The use of modern technologies should be promoted in the framework of the Union system for control, inspection, and enforcement. Member States or the Commission should have the possibility to conduct pilot projects on new control technologies and data management systems.

Amendment

(49) The use of modern ***and effective*** technologies should be promoted in the framework of the Union system for control, inspection, and enforcement. Member States or the Commission should have the possibility to conduct pilot projects on new control technologies and data management systems.

Amendment 52

Proposal for a regulation Recital 51

Text proposed by the Commission

(51) The objectives of the Common Fisheries Policy cannot be sufficiently achieved by Member States given the problems encountered in the development of the fishing industry and its management, and the limits on the financial resources of the Member States. Therefore, multiannual Union financial assistance focused on the priorities of the Common Fisheries Policy should be granted to contribute to the achievement of those objectives.

Amendment

(51) The objectives of the Common Fisheries Policy cannot be sufficiently achieved by Member States given the problems encountered in the development of the fishing industry and its management, and the limits on the financial resources of the Member States. Therefore, multiannual Union financial assistance, focused on the priorities of the Common Fisheries Policy ***and tailored to the specific features of the fishing industry in individual Member States***, should be granted to contribute to the achievement of those objectives.

Amendment 245

**Proposal for a regulation
Recital 51 a (new)**

Text proposed by the Commission

Amendment

(51a) Union financial assistance should facilitate the development of public goods and services in the fisheries sector, and in particular support control and monitoring measures, information gathering, research and the development of activities aimed at ensuring a healthy marine ecosystem.

Amendment 53

**Proposal for a regulation
Recital 52**

Text proposed by the Commission

Amendment

(52) Union financial assistance should be made conditional upon compliance by Member States and operators with the Common Fisheries Policy. Thus such financial assistance should be interrupted, suspended or corrected in cases of non-compliance with the rules of Common Fisheries Policy by Member States and serious infringements of those rules by

(52) Union financial assistance should be made conditional upon compliance by Member States and operators, ***including vessel owners***, with the Common Fisheries Policy. Thus such financial assistance should be interrupted, suspended or corrected in cases of non-compliance with the rules of the Common Fisheries Policy by Member States and serious

operators.

infringements of those rules by operators.

Amendment 54

Proposal for a regulation Recital 53

Text proposed by the Commission

(53) Dialogue with stakeholders has proven essential for the achievement of the objectives of the Common Fisheries Policy. Taking into account the diverse conditions throughout Union waters and increased regionalisation of the Common Fisheries Policy, Advisory Councils should enable the Common Fisheries Policy to benefit from the knowledge and experience of all stakeholders.

Amendment

(53) Dialogue with stakeholders has proven essential for the achievement of the objectives of the Common Fisheries Policy. Taking into account the diverse conditions throughout Union waters and increased regionalisation of the Common Fisheries Policy, Advisory Councils should enable the Common Fisheries Policy to benefit from the knowledge and experience of all stakeholders, ***particularly in the drafting of the multiannual plans.***

Amendment 55

Proposal for a regulation Recital 54

Text proposed by the Commission

(54) ***It appears appropriate that the Commission be empowered by delegated acts to create a new Advisory Council and to modify areas of competence of existing ones, in particular considering the specificities of the Black Sea.***

Amendment

(54) ***In view of the special characteristics of the outermost regions, of aquaculture and inland fishing and of the Black Sea, it is appropriate to establish a new Advisory Council for each of them.***

Amendment 56

Proposal for a regulation Recital 55

Text proposed by the Commission

(55) To achieve the objectives of the Common Fisheries Policy, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission for the purpose of ***specifying fishing related measures to alleviate the impact of fishing activities in special***

Amendment

(55) To achieve the objectives of the Common Fisheries Policy, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission for the purpose of ***alleviating, where imperative grounds of urgency so require, a serious threat to the***

areas of conservation, adaptation of the obligation to land all catches for the purpose of complying with the Union's international obligations, default conservation measures in the framework of multiannual plans or technical measures, ***the recalculation of fleet capacity ceilings***, definition of information on characteristics and activity for Union fishing vessels, rules for carrying out pilot projects on new control technologies and data management systems, ***amendments to Annex III in relation to the areas of competence for Advisory Councils*** and the *compositioning* and functioning of Advisory Councils.

conservation of marine biological resources, or to the marine eco-system, adaptation of the obligation to land all catches for the purpose of complying with the Union's international obligations, default conservation measures in the framework of multiannual plans or technical measures, definition of information on characteristics and activity for Union fishing vessels, rules for carrying out pilot projects on new control technologies and data management systems and the *composition* and functioning of Advisory Councils.

Amendment 57

Proposal for a regulation Recital 59

Text proposed by the Commission

(59) To achieve the basic objective of the Common Fisheries Policy, namely to provide long-term sustainable environmental, economic and social conditions for the fishing and aquaculture sectors, and to contribute to the availability of food supplies, it is necessary ***and appropriate*** to ***lay*** down rules on the conservation and exploitation of marine biological resources.

Amendment

(59) To achieve the basic objective of the Common Fisheries Policy, namely to provide long-term sustainable environmental, economic and social conditions for the fishing and aquaculture sectors, and to contribute to the availability of food supplies, it is necessary to ***lay*** down rules on the conservation and exploitation of marine biological resources ***and rules that ensure the economic and social sustainability of the Union fishing and shell-fishing sector, where appropriate, providing sufficient funding.***

Amendment 58

Proposal for a regulation Recital 62

Text proposed by the Commission

(62) Regulation (EC) 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support scientific advice regarding the common

Amendment

deleted

fisheries policy should be repealed, but should continue to apply to the national programmes adopted for the collection and management of data for the years 2011 – 2013.

Amendment 59

Proposal for a regulation

Part I – Article 1 – paragraph 1

Text proposed by the Commission

1. The Common Fisheries Policy shall cover:
- (a) conservation, management and exploitation of marine biological resources;
and
 - (b) fresh water biological resources, aquaculture, and the processing and marketing of fisheries and aquaculture products, in relation to measures on markets and financial measures in support of the Common Fisheries Policy.

Amendment

1. The Common Fisheries Policy shall cover:
- (a) **the** conservation of marine biological resources **and the sustainable** exploitation and management of **fisheries targeting such** resources;
 - (b) fresh water biological resources, aquaculture and the processing and marketing of fisheries and aquaculture products, in relation to measures on markets and financial measures in support of the Common Fisheries Policy, **structural measures and the management of the fleet capacity;**
 - (ba) the social and economic viability of fishing activities, the promotion of employment in, and the development of, coastal communities and the specific problems of small scale and artisanal fishing and aquaculture.**

Amendment 60

Proposal for a regulation

Part I – Article 2

Text proposed by the Commission

1. The Common Fisheries Policy shall ensure that fishing and aquaculture activities ***provide long-term sustainable environmental, economic and social conditions and contribute*** to the availability of food supplies.

2. The Common Fisheries Policy shall apply the precautionary approach to fisheries management, and shall ***aim to ensure, by 2015, that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.***

3. The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management to ensure that ***the impacts of*** fishing activities on the marine ecosystem ***are limited.***

4. The Common Fisheries Policy shall ***integrate*** the Union environmental

Amendment

1. The Common Fisheries Policy shall ensure that fishing and aquaculture activities ***are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, of contributing to the availability of food supplies and recreational fishing opportunities, and of allowing for processing industries and land-based activities directly linked to fishing activities, while taking into account the interests of both consumers and producers.***

2. The Common Fisheries policy shall apply the precautionary approach to fisheries management, and shall ensure ***that, by 2015, fishing mortality rates are set at levels that should allow fish stocks to recover, by 2020 at the latest, above levels that are capable of producing the maximum sustainable yield and allow all recovered stocks to be maintained at these levels.***

3. The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management ***and aquaculture*** to ensure that fishing ***and aquaculture contribute to the objective of minimising the impact of human*** activities on the marine ecosystem ***and that they do not contribute to the degradation of the marine environment and are effectively tailored to individual fisheries and regions.***

3a. The Common Fisheries Policy shall promote the sustainable development and the well-being of coastal communities, and the employment, working conditions, and safety of fishing operators.

4. The Common Fisheries policy shall ***be consistent with*** the Union's environmental

legislation *requirements*.

legislation *as well as with other Union policies*

4a. The Common Fisheries Policy shall ensure that the fishing capacity of the fleets is aligned with exploitation levels that comply with paragraph 2.

4b. The Common Fisheries Policy shall contribute to the collection of comprehensive and credible scientific data.

Amendments 61 and 235

Proposal for a regulation

Part I – Article 3

Text proposed by the Commission

For the purpose of achieving the general objectives set out in Article 2, the Common Fisheries Policy shall in particular:

(a) eliminate unwanted catches *of commercial stocks and gradually ensure that all catches of such stocks are landed*;

(b) provide conditions for efficient fishing activities *within* an economically viable and competitive fishing industry;

(c) promote the development of *Union* aquaculture activities to contribute to food security and employment in coastal and rural areas;

(d) contribute to a fair standard of living for those who depend on fishing activities;

Amendment

For the purpose of achieving the general objectives set out in Article 2, the Common Fisheries Policy shall in particular:

(a) *prevent, minimise and as far as possible* eliminate unwanted catches;

(aa) ensure that all catches of harvested and regulated stocks are landed, taking the best scientific advice into account, and avoiding the creation of new markets or expanding existing ones;

(b) provide conditions for efficient *environmentally sustainable* fishing activities *in the Union to restore* an economically viable and competitive fishing industry, *ensuring fair conditions within the internal market*;

(c) promote the development of aquaculture activities *and of the industries linked to them, ensuring that they are environmentally sustainable and that they* contribute to food security and employment in coastal and rural areas;

(d) *promote an equitable distribution of marine resources in order to* contribute to a fair standard of living and social standards for those who depend on fishing

- (e) take into account the interests of consumers;
- (f) ensure systematic **and** harmonised data collection and management.

activities;

- (e) take into account the interests of consumers;
- (f) ensure systematic, harmonised, **regular and reliable** data collection and **transparent data** management **and address the issues arising from data-poor stock management**;
- (fa) promote small-scale coastal fishing activities.**
- (fb) contribute to the achievement and maintenance of good environmental status as set out in Article 1(l) of Directive 2008/56EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive);**

Amendments 62 and 220

Proposal for a regulation Part I – Article 4

Text proposed by the Commission

The Common Fisheries Policy shall **be guided by** the following principles of good governance:

- (a) clear definition of responsibilities at the Union, national, **regional** and local levels;
- (b) establishment of measures in accordance with the best available scientific advice;
- (c) a long-term perspective;
- (d) **broad** involvement of stakeholders at all stages from conception to implementation of the measures;

Amendment

The Common Fisheries Policy shall **apply** the following principles of good governance:

- (a) clear definition of responsibilities at the Union, **regional**, national and local levels, **respecting the constitutional arrangements of each Member State**;
- (aa) the need to take a decentralised and regionalised approach to fisheries management**;
- (b) establishment of measures in accordance with the best available scientific advice;
- (c) a long-term perspective;
- (ca) the reduction of administrative costs**;
- (d) **the appropriate** involvement of stakeholders, **in particular of Advisory Councils and social partners**, at all stages

- (e) the primary responsibility of the flag State;
- (f) consistence with the integrated maritime policy, and with other Union policies.

- from conception to implementation - of the measures, ***that ensures that regional special characteristics are preserved, through a regionalised approach;***

- (e) the primary responsibility of the flag State;
- (f) consistence with the integrated maritime policy, and with other Union policies;

(fa) the need to carry out environmental and strategic impact assessments;

(fb) the parity between the internal and external dimension of the Common Fisheries Policy, such that standards and enforcement mechanisms applied within the Union are also applied externally, when applicable ;

(fc) transparent data-handling and decision-making in accordance with the Convention of the United Nations Economic Commission for Europe on access to information, public participation in decision-making and access to justice in environmental matters ('the Aarhus Convention'), approved on behalf of the Union by Council Decision 2005/370/EC of 17 February 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters¹.

¹ OJ L 124, 17.5.2005, p. 1.

Amendment 63

Proposal for a regulation Part I – Article 5 – indent 1

Text proposed by the Commission

– ‘Union waters’ means the waters under the sovereignty or jurisdiction of the Member States with the exception of ***the waters*** adjacent to the territories listed in Annex II to the Treaty;

Amendment

– ‘Union waters’ means the waters ***and the seabed*** under the sovereignty or jurisdiction of the Member States with the exception of ***those*** adjacent to the territories listed in Annex II to the Treaty;

Amendment 64

Proposal for a regulation

Part I – Article 5 – indent 5 a (new)

Text proposed by the Commission

Amendment

– '**fishermen**' means any person engaging in professional fishing, as recognised by a Member State, on board an operational fishing vessel or engaging in the professional harvesting of marine organisms, as recognised by the Member State, without a vessel;

Amendment 65

Proposal for a regulation

Part I – Article 5 – indent 5 b (new)

Text proposed by the Commission

Amendment

– '**entry to the fishing fleet**' means registration of a fishing vessel in the fishing vessel register of a Member State;

Amendment 66

Proposal for a regulation

Part I – Article 5 – indent 6

Text proposed by the Commission

Amendment

– 'maximum sustainable yield' means the **maximum catch** that **may** be taken from a **fish** stock **indefinitely**;

– 'maximum sustainable yield' means the **highest theoretical equilibrium yield** that **can** be **continuously** taken (**on average**) from a stock **under existing (average) environmental conditions without significantly affecting the reproduction process**;

Amendment 67

Proposal for a regulation

Part I – Article 5 – indent 6 a (new)

– ‘harvested species’ means species subject to fishing pressure/exploitation, including species that are not landed, but are caught as by-catch or impacted by a fishery;

Amendment 68

Proposal for a regulation

Part I – Article 5 – indent 7

Text proposed by the Commission

– ‘precautionary approach to fisheries management’ means an approach according to which the absence of adequate scientific information should not justify postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment;

Amendment

– ‘precautionary approach to fisheries management’, *as referred to in Article 6 of the UN Fish Stocks Agreement*, means an approach according to which the absence of adequate scientific information should not justify postponing or failing to take management measures to conserve target species, associated or dependent species and non target species and their environment;

Amendment 237

Proposal for a regulation

Part I – Article 5 – indent 8

Text proposed by the Commission

– ‘ecosystem-based approach to fisheries management’ means an approach ensuring that *benefits from living aquatic resources are high while the direct and indirect impacts of fishing operations on marine ecosystems are low and not detrimental to the future functioning, diversity and integrity of those ecosystems*;

Amendment

– ‘ecosystem-based approach to fisheries management’ means an approach ensuring that *decision-making considers the impacts of fishing, other human activities and environmental factors on target stocks and all other species belonging to the same ecosystem or associated with or dependent upon the target stocks, ensuring that the collective pressure of such activities is kept within levels compatible with the achievement of good environmental status*;

Amendment 70

Proposal for a regulation
Part I – Article 5 – indent 9

Text proposed by the Commission

– ‘fishing mortality rate’ means the ***catches of a stock over a given period as a proportion of the average stock available to the fishery in that period;***

Amendment

– ‘fishing mortality rate’ means the ***rate at which biomass and individuals of species are being removed from a stock by means of fishery activities;***

Amendment 71

Proposal for a regulation
Part I – Article 5 – indent 9 a (new)

Text proposed by the Commission

Amendment

– ‘***FMSY***’ means the ***fishing mortality rate that is consistent with achieving the maximum sustainable yield;***

Amendment 72

Proposal for a regulation
Part I – Article 5 – indent 10

Text proposed by the Commission

Amendment

– ‘stock’ means a marine biological resource ***with distinctive characteristics*** that occurs in a given management area;

– ‘stock’ means a marine biological resource that occurs in a given management area;

Amendment 73

Proposal for a regulation
Part I – Article 5 – indent 11

Text proposed by the Commission

Amendment

– ‘catch limit’ means a quantitative limit on ***landings*** of a fish stock or group of fish stocks over a given period;

– ‘catch limit’ means a quantitative limit on ***the catches*** of a fish stock or group of fish stocks over a given period;

Amendment 74

Proposal for a regulation

Part I – Article 5 – indent 11 a (new)

Text proposed by the Commission

Amendment

– '**unwanted catches**' means catches of species below minimum conservation reference size or minimum landing size, or catches of prohibited or protected species, or of non-marketable species or individuals of marketable species which do not meet the requirements specified in the provisions of Union fisheries legislation laying down technical, monitoring and conservation measures;

Amendment 75

Proposal for a regulation

Part I – Article 5 – indent 12

Text proposed by the Commission

Amendment

– 'conservation reference point' means values of fish stock population parameters (such as biomass or fishing mortality rate) used in fisheries management, for example **with respect to** an acceptable level of biological risk or a desired level of yield;

– 'conservation reference point' means values of fish stock population parameters (such as biomass **(B)**, **spawning stock biomass (SSB)** or fishing mortality rate **(F)**) used in fisheries management **to define**, for example, an acceptable level of biological risk or a desired level of yield;

Amendment 76

Proposal for a regulation

Part I – Article 5 – indent 12 a (new)

Text proposed by the Commission

Amendment

– '**limit reference point**' means values of fish stock population parameters (such as biomass or fishing mortality rate) used in fisheries management to indicate a threshold above or below which fisheries management is consistent with a management objective such as an acceptable level of biological risk or a desired level of yield;

Amendment 77

Proposal for a regulation

Part I – Article 5 – indent 12 b (new)

Text proposed by the Commission

Amendment

– '**stock within safe biological limits**' means a stock with a high probability that its estimated spawning biomass at the end of the previous year is higher than the limit biomass reference point (*Blim*) and its estimated fishing mortality rate for the previous year is less than the limit fishing mortality rate reference point (*Flim*);

Amendment 78

Proposal for a regulation

Part I – Article 5 – indent 13

Text proposed by the Commission

Amendment

– 'safeguard' means a precautionary measure designed to protect **or prevent** something undesirable occurring;

– 'safeguard' means a precautionary measure designed to protect **against** something undesirable occurring;

Amendment 79

Proposal for a regulation

Part I – Article 5 – indent 14

Text proposed by the Commission

Amendment

– 'technical measures' means the measures that regulate the species composition, size composition of catches and impacts on components of the ecosystems resulting from fishing activities **through** conditioning the use and **structure** of fishing gear and **restriction** of access to fishing areas;

– 'technical measures' means the measures that regulate the species composition, size composition of catches and impacts on components of the ecosystems **or their functioning** resulting from fishing activities **by** conditioning the use and **characteristics** of fishing gear and **through imposing time or space-related restrictions** of access to fishing areas;

Amendment 80

Proposal for a regulation

Part I – Article 5 – indent 14 a (new)

Text proposed by the Commission

Amendment

– '**essential fish habitats**' means **fragile marine habitats that need to be protected due to their vital role in meeting the ecological and biological needs of fish species, including spawning, nursery and feeding grounds;**

Amendment 81

Proposal for a regulation

Part I – Article 5 – indent 14 b (new)

Text proposed by the Commission

Amendment

– '**fishing protected area**' means **a geographically defined sea area in which all or certain fishing activities are temporarily or permanently banned or restricted in order to improve the exploitation and conservation of living aquatic resources or the protection of marine ecosystems;**

Amendment 82

Proposal for a regulation

Part I – Article 5 – indent 15

Text proposed by the Commission

Amendment

– 'fishing opportunity' means a quantified legal entitlement to fish, expressed in terms of catches **and/or** fishing effort **and conditions functionally linked thereto which are necessary to quantify them at a certain level;**

– 'fishing opportunity' means a quantified legal entitlement to fish **a certain fish stock**, expressed in terms of **maximum** catches **or maximum** fishing effort **for a given management area;**

Amendment 83

Proposal for a regulation

Part I – Article 5 – indent 17

Text proposed by the Commission

Amendment

– ‘**transferable fishing concessions**’ means **revocable user entitlements to a specific part of fishing opportunities allocated to a Member State or established in management plans adopted by a Member State in accordance with Article 19 of Regulation (EC) No 1967/2006³⁴, which the holder may transfer to other eligible holders of such transferable fishing concessions;**

deleted

Amendment 84

Proposal for a regulation

Part I – Article 5 – indent 18

Text proposed by the Commission

Amendment

– ‘**individual fishing opportunities**’ means **annual fishing opportunities allocated to holders of transferable fishing concessions in a Member State on the basis of the proportion of fishing opportunities pertaining to that Member State;**

deleted

Amendment 85

Proposal for a regulation

Part I – Article 5 – indent 19

Text proposed by the Commission

Amendment

– ‘fishing capacity’ means a vessel's tonnage in GT (Gross Tonnage) **and** its power in kW (Kilowatt) as defined in Articles 4 and 5 of Council Regulation (EEC) No 2930/86;

– ‘fishing capacity’ means **the ability of a vessel to catch fish, measured in terms of vessel characteristics, including** a vessel's tonnage in GT (Gross Tonnage), its power in kW (Kilowatt) as defined in Articles 4 and 5 of Council Regulation (EEC) No 2930/86, **as well as the character and size of its fishing gears and any other parameter that affects its ability to catch fish;**

Amendment 86

Proposal for a regulation
Part I – Article 5 – indent 19 a (new)

Text proposed by the Commission

Amendment

– ‘**living capacity**’ means the areas on board intended solely to provide a living and resting space for the crew;

Amendment 87

Proposal for a regulation
Part I – Article 5 – indent 20

Text proposed by the Commission

Amendment

– ‘aquaculture’ means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment, **where the organisms remain the property of a natural or legal person throughout the rearing and culture stage, up to and including harvesting;**

– ‘aquaculture’ means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment;

Amendment 88

Proposal for a regulation
Part I – Article 5 – indent 25

Text proposed by the Commission

Amendment

– ‘operator’ means the natural or legal person who operates or holds any enterprise carrying out any of the activities related to any stage of production, processing, marketing, distribution and retail chains of fisheries and aquaculture products;

– ‘operator’ means the natural or legal person who operates or holds any enterprise carrying out any of the activities related to any stage of production, processing, marketing, distribution and retail chains of fisheries and aquaculture products, **or any other organisation representing fisheries professionals which is legally recognised and is in charge of managing access to fisheries resources, professional fisheries activities and aquaculture;**

Amendment 89

Proposal for a regulation

Part I – Article 5 – indent 27

Text proposed by the Commission

– 'end-user of scientific data' means a body with **a research or management** interest in the scientific analysis of data in the fisheries sector;

Amendment

– 'end-user of scientific data' means a **research** body, **or a management body** **with an** interest in the scientific analysis of data in the fisheries sector;

Amendment 90

Proposal for a regulation

Part I – Article 5 – indent 28

Text proposed by the Commission

– 'surplus of allowable catch' means that part of the allowable catch which a coastal State does not have the capacity to **harvest**;

Amendment

– 'surplus of allowable catch' means that part of the allowable catch which a coastal State does not have the capacity to **fish during a given period of time, resulting in the overall exploitation rate for individual stocks remaining below levels that are capable of restoring themselves and maintaining populations of harvested species above levels which can produce the maximum sustainable yield**;

Amendment 91

Proposal for a regulation

Part I – Article 5 – indent 30

Text proposed by the Commission

– 'spawning stock biomass' means an estimate of the mass of the fish of a particular resource that **reproduces** at a defined time, **including both males and females and including fish that reproduce viviparously**;

Amendment

– 'spawning stock biomass' means an estimate of the mass of the fish of a particular resource that **is sufficiently mature to reproduce** at a defined time;

Amendment 92

Proposal for a regulation

Part I – Article 5 – indent 31

Text proposed by the Commission

– 'Mixed fisheries' means fisheries ***where*** more than one species ***are*** present in ***the area being fished*** and ***are vulnerable to being caught in the fishing gear.***

Amendment

– 'mixed fisheries' means fisheries ***in which*** more than one species ***is*** present in ***a given area*** and ***may be caught in the same catch;***

Amendment 93

Proposal for a regulation

Part I – Article 5 – indent 32

Text proposed by the Commission

– 'sustainable fisheries agreements' mean international agreements concluded with another state for the purpose of obtaining access to resources or waters in exchange for financial compensation from the Union.

Amendment

– 'sustainable fisheries agreements' mean international agreements concluded with another state for the purpose of obtaining access to resources or waters ***in order to sustainably exploit a share of the surplus of marine biological resources*** in exchange for financial compensation from the Union, ***which goes to support the local fishing sector, with a particular emphasis on scientific data collection, monitoring and control, or for the purpose of obtaining reciprocal access to resources or waters by way of exchange of fishing opportunities between the Union and the third country;***

Amendment 95

Proposal for a regulation

Part I – Article 5 – indent 32 a (new)

Text proposed by the Commission

Amendment

– ***'by-catch' means the capture of any non-target organism whether it is retained and landed or discarded;***

Amendment 96

Proposal for a regulation

Part I – Article 5 – indent 32 b (new)

Text proposed by the Commission

Amendment

– 'catch' means any marine biological resources that are captured by fishing;

Amendment 97

Proposal for a regulation

Part I – Article 5 – indent 32 c (new)

Text proposed by the Commission

Amendment

– 'low impact fishing' means utilising selective fishing techniques, which have a minimal detrimental impact on marine ecosystems and low fuel emissions;

Amendment 98

Proposal for a regulation

Part I – Article 5 – indent 32 d (new)

Text proposed by the Commission

Amendment

– 'selective fishing' means fishing with fishing methods or fishing gears that target and capture organisms by size and species during the fishing operation, allowing non-targets to be avoided or released unharmed;

Amendment 251

Proposal for a regulation

Part II – Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. In the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction, Member States shall be authorised from 1 January 2013 to 31 December 2022 to restrict fishing to fishing vessels that traditionally fish in those waters from ports on the adjacent coast, without prejudice to the arrangements for Union fishing vessels flying the flag of other Member States

2. In the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction, Member States shall be authorised from 1 January 2013 to 31 December 2022 to restrict fishing to fishing vessels that traditionally fish in those waters from ports on the adjacent coast, without prejudice to the arrangements for Union fishing vessels flying the flag of other Member States

under existing neighbourhood relations between Member States and the arrangements contained in Annex I, fixing for each Member State the geographical zones within the coastal bands of other Member States where fishing activities are pursued and the species concerned. Member States shall inform the Commission of the restrictions put in place under this paragraph.

under existing neighbourhood relations between Member States and the arrangements contained in Annex I, fixing for each Member State the geographical zones within the coastal bands of other Member States where fishing activities are pursued and the species concerned.
Member States shall envisage exclusive or preferential access for small scale, artisanal or coastal fishermen, taking into account social and environmental factors including the potential benefits to be derived from awarding exclusive or preferential access for local or micro businesses and for fishermen pursuing selective and low-impact fishing practices. Member States shall inform the Commission of the restrictions put in place under this paragraph.

Amendment 99

Proposal for a regulation

Part II – Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The status of the existing biologically sensitive area as defined in Council Regulation (EC) No 1954/2003¹ shall be maintained in its current form.

¹ OJ L 289, 7.11.2003, p. 1.

Amendment 100

Proposal for a regulation

Part III – title

Text proposed by the Commission

Amendment

MEASURES FOR THE
CONSERVATION OF MARINE
BIOLOGICAL RESOURCES

MEASURES FOR THE
CONSERVATION ***AND SUSTAINABLE
EXPLOITATION*** OF MARINE
BIOLOGICAL RESOURCES

Amendment 101

Proposal for a regulation Part III – Article -7 (new)

Text proposed by the Commission

Amendment

Article -7

General provisions on conservation measures

- 1. For the purpose of achieving the general objectives of the Common Fisheries Policy set out in Article 2, the Union shall adopt measures for the conservation and sustainable exploitation of marine biological resources as set out in Articles 7 and 8. They shall be adopted, in particular, in the form of multiannual plans in accordance with Articles 9, 10 and 11 of this Regulation.***
- 2. Such measures shall comply with the objectives set out in Articles 2 and 3 of this Regulation and shall be adopted taking into account the best available scientific advice and the opinions received from the Advisory Councils concerned***
- 3. Member States shall be empowered to adopt conservation measures in accordance with Articles 17 to 24 and other relevant provisions of this Regulation.***

Amendment 102

Proposal for a regulation Part III – Article 7

Text proposed by the Commission

Amendment

Measures for the conservation of marine biological resources may include the following:

- (a) adopting multiannual plans under Articles 9 - 11;
- (b) establishing targets for the sustainable exploitation of stocks;

Measures for the conservation ***and sustainable exploitation*** of marine biological resources may include the following:

- (a) adopting multiannual plans under Articles 9 - 11;
- (b) establishing targets for the sustainable exploitation ***and conservation*** of stocks

- (c) adopting measures for the purpose of adapting the number of fishing vessels and/or types of fishing vessels to available fishing opportunities;
- (d) establishing incentives, ***including those of an economic nature***, to promote more selective ***or low impact*** fishing;
- (e) fixing fishing opportunities;
- (f) adopting technical measures as referred to in ***Article 14***;
- (g) adopting measures ***concerning the obligation to land all catches***;
- (h) conducting pilot projects on alternative types of fishing management techniques.

and for the protection of the marine environment from the impact of fishing activities;

- (c) adopting measures for the purpose of adapting the number of fishing vessels and/or types of fishing vessels to available fishing opportunities;
- (d) establishing incentives to promote more selective fishing ***and fishing methods having a low impact on the marine ecosystem and fishery resources, including preferential access to national fishing opportunities and incentives of an economic nature***;
- (e) ***adopting measures on the*** fixing ***and the allocation of*** fishing opportunities, ***as defined in Article 16***;
- (f) adopting technical measures as referred to in ***Articles 8 and 14***;
- (g) adopting measures ***in pursuit of the objectives laid down in Article 15***;
- (h) conducting pilot projects on alternative types of fishing management techniques ***and gears that increase selectivity or minimise the impact of fishing activities on the marine environment***;
- (ha) ***adopting measures which help Member States to meet requirements under environmental legislation***;
- (hb) ***adopting other measures that contribute to achieving the objectives of Articles 2 and 3.***

Amendment 103

Proposal for a regulation Part III – Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

Establishment of fish stock recovery areas

1. In order to secure the conservation of living aquatic resources and marine

ecosystems, and as part of a precautionary approach, Member States shall establish a coherent network of fish stock recovery areas in which all fishing activities are prohibited, including, in particular, areas important for fish reproduction.

2. Member States shall identify and designate the areas that are necessary to establish a coherent network of fish stock recovery areas.

Amendments 104 and 295

Proposal for a regulation Part III – Article 8

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Technical measures may include the following:	Technical measures may include the following:
(a) mesh sizes and rules concerning the use of fishing gears ;	(a) definitions of the characteristics of fishing gears and rules concerning their use;
(b) restrictions on the construction of fishing gear, including	(b) specifications on the construction of fishing gear, including:
i) modifications or additional devices to improve selectivity or to reduce impact on the benthic zone ;	(i) modifications or additional devices to improve selectivity or to minimize the negative impact on the ecosystem ;
ii) modifications or additional devices to reduce the incidental capture of endangered, threatened and protected species;	(ii) modifications or additional devices to reduce the incidental capture of endangered, threatened and protected species, as well as other unwanted catches ;
(c) prohibitions of the use of certain fishing gears in certain areas or seasons ;	(c) prohibitions of or restrictions on the use of certain fishing gears or other technical equipment ;
(d) prohibition or restriction of fishing activities in certain zones and/or periods;	(d) prohibitions of , or restriction on , fishing activities in certain zones or periods;
(e) requirements for fishing vessels to cease operating in an area for a defined minimum period in order to protect a temporary aggregation of a vulnerable marine resource;	(e) requirements for fishing vessels to cease operating in a defined area for a defined minimum period in order to protect essential fish habitats , temporary aggregations of a vulnerable marine resource, endangered species, spawning fish or juveniles ;

(f) specific measures to **reduce** the impact of fishing activities on marine eco-systems **and non target species**;

(g) other technical measures aimed at protecting marine biodiversity.

(f) specific measures to **minimise** the **negative** impact of fishing activities on **marine biodiversity and** marine eco-systems, **particularly those identified as bio-geographically sensitive such as the seamounts around the outermost regions, the resources of which should be exploited by the local fleet operating selective and environmentally-friendly fishing gear, including measures to avoid, to reduce and, as far as possible, to eliminate unwanted catches**;

Amendment 105

Proposal for a regulation Part III – Article 9

Text proposed by the Commission

1. **Multiannual plans providing for** conservation measures to maintain or restore fish stocks above levels capable of producing maximum sustainable yield **shall be established as a priority.**

2. Multiannual plans shall provide for:

(a) the basis for fixing fishing opportunities for the fish stocks concerned on the basis of predefined conservation reference points; and

(b) measures capable of effectively preventing **conservation** reference points from being transgressed.

3. Multiannual plans shall, where possible, cover either fisheries exploiting single fish

Amendment

1. **The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall, as a priority and at the latest by... * establish multiannual plans that follow scientific advice from STECF and ICES and that include** conservation measures to maintain or restore fish stocks above levels capable of producing maximum sustainable yield **in accordance with Article 2(2). Multiannual plans shall also enable other objectives, set out in Articles 2 and 3 of this Regulation, to be achieved.**

2. Multiannual plans shall provide for:

(a) the basis for fixing fishing opportunities for the fish stocks concerned on the basis of predefined conservation reference points **and/or limit reference points consistent with the objectives set out in Article 2 and respecting scientific advice; and**

(b) measures capable of effectively preventing **limit** reference points from being transgressed **and aiming to reach conservation reference points.**

3. Multiannual plans shall cover, where possible, either fisheries exploiting single

stocks or fisheries exploiting a mixture of stocks, taking due account of interactions between stocks **and** fisheries.

4. Multiannual plans shall be based on the precautionary approach to fisheries management and shall take into account the limitations of the available data and assessment methods and all quantified sources of uncertainty in a scientifically valid manner.

fish stocks or fisheries exploiting a mixture of stocks, taking due account of interactions between stocks, fisheries **and the marine ecosystems**.

4. Multiannual plans shall be based on the precautionary approach to fisheries management and shall take into account the limitations of the available data and assessment methods, **including data-poor stock assessments** and all quantified sources of uncertainty in a scientifically valid manner.

*** OJ: please insert the date, four years after the date of entry into force of this Regulation**

Amendments 106 and 107

Proposal for a regulation Part III – Article 10

Text proposed by the Commission

1. Multiannual plans shall provide for **adaptations** of **the** fishing mortality **rate, resulting in a** fishing mortality **rate that restores and maintains all stocks** above levels capable of producing maximum sustainable yield **by 2015**.

2. In cases where the determination of a fishing mortality **rate that restores and maintains stocks above levels capable of producing maximum sustainable yield** is not possible, multiannual plans shall **provide for** precautionary measures **ensuring** a comparable degree of conservation of the relevant stocks.

Amendment

1. Multiannual plans shall provide for **the adaptation** of fishing mortality **rates, so that, by 2015, fishing mortality rates are set at levels that should allow fish stocks to recover, by 2020 at the latest,** above levels **that are** capable of producing **the** maximum sustainable yield **and allow all recovered stocks to be maintained at these levels**.

2. In cases where the determination of a fishing mortality, **as established in paragraph 1**, is not possible, multiannual plans shall **apply the** precautionary **approach to fisheries management and shall set out proxy standards and** measures **that ensure at least** a comparable degree of conservation of relevant stocks.

2a. Without prejudice to the provisions of paragraph 1 and 2, the measures to be included in multiannual plans, and the calendar for implementing them, shall be proportionate to the objectives and the targets pursued and the timeframe envisaged. Before measures are included

in the multiannual plans account shall be taken of their likely economic and social impact and, save in urgent cases, they shall be implemented gradually.

2b. Multiannual plans may contain provisions to address the specific problems of mixed fisheries in relation to the maintenance and restoration of stocks above levels capable of producing maximum sustainable yield, where scientific advice indicates that increases in selectivity to avoid the phenomenon of "choke species" cannot be achieved

Amendments 108 and 239

Proposal for a regulation Part III – Article 11

Text proposed by the Commission

A multiannual plan shall include:

- (a) the scope, in terms of stocks, **fishery** and the marine **ecosystem** to which the multiannual plan shall be applied;
- (b) objectives consistent with **the** objectives set out in Articles 2 and 3;

(c) quantifiable targets expressed in terms

Amendment

1. A multiannual plan shall include:

- (a) the scope, in terms of **geographical area**, stocks, **fisheries** and the marine **ecosystems** to which the multiannual plan shall be applied;
- (b) objectives **that are** consistent with objectives set out in Articles 2 and 3 **and with the relevant provisions of Articles - 7a, 9 and 10;**
 - (ba) an assessment of fleet capacity and, where there is no effective balance between fishing capacity and the available fishing opportunities, a capacity reduction plan including a timeline and the specific steps to be undertaken by each Member State concerned that will result in the alignment of such fishing capacity with the available fishing opportunities within a binding timetable; without prejudice to the obligations laid down in Article 34, such assessment should also include an evaluation of the socioeconomic dimension of the fleet under investigation;**
 - (bb) an assessment of the socio-economic impact of the measures taken in the multiannual plan;**

(c) quantifiable targets expressed in terms

of:

- i) fishing mortality rates, and/or
- ii) spawning stock biomass, and

iii) stability of catches.

(d) clear time frames to reach the quantifiable targets;

(e) technical measures **including measures concerning the elimination of** unwanted catches;

(f) quantifiable indicators for periodic monitoring and assessment of the progress related to achieving the targets of the multiannual plan;

(g) specific measures and objectives for the freshwater part of the life cycle of anadromous and catadromous species;

(h) **minimisation of impacts** of fishing on the eco-system;

(i) safeguards and criteria activating those safeguards;

(j) any other measures **suitable** to achieve the objectives of multiannual plans.

of:

- (i) fishing mortality rates, and/or
- (ii) spawning stock biomass, and

(iia) maximum percentages of unwanted and unauthorised catches,

(iib) maximum annual changes in fishing opportunities;

(d) clear time frames to reach **all** the quantifiable targets;

(da) provisions to systematically reduce fishing opportunities when the quality or quantity of data available from the fishery declines;

(e) **conservation and** technical measures **to be taken in view of achieving the targets set out in Article 15 and measures designed to avoid and as far as possible eliminate** unwanted catches;

(f) quantifiable indicators for periodic monitoring and assessment of the progress related to achieving the targets of the multiannual plan **and of its socio-economic impact;**

(g) specific measures and objectives for the freshwater part of the life cycle of anadromous and catadromous species, **where appropriate;**

(h) **measures for reducing the impact** of fishing on the eco-system;

(i) safeguards and criteria activating those safeguards;

(ia) measures to ensure compliance with provisions of the multiannual plan;

(j) any other **suitable and proportionate** measures to achieve the objectives of multiannual plans.

1a. Multiannual plans shall provide for their periodic review to assess progress made towards reaching their objectives. In particular, such periodic reviews shall take into account new elements, such as changes in the scientific advice in order to allow for any necessary

intermediate adjustments.

Amendment 109

Proposal for a regulation

Part III – Article 12 – title and paragraph 1

Text proposed by the Commission

Compliance with obligations under Union environmental legislation

1. ***In special areas of conservation within the meaning of Article 6 of Directive 92/43/EEC, of Article 4 of Directive 2009/147/EC and of Article 13(4) of Directive 2008/56/EC, fishing activities shall be conducted by Member States in such a way so as to alleviate the impact from fishing activities in such special areas of conservation.***

Amendment

Compliance with obligations under Union environmental legislation ***in relation to protected areas***

1. ***The Common Fisheries Policy and all subsequent measures adopted by Member States on special areas of conservation shall comply fully with Directive 92/43/EEC, Directive 2009/147/EC and Directive 2008/56/EC. Where a Member State has designated the areas mentioned in Article 6 of Directive 92/43/EEC, Article 4 of Directive 2009/147/EC and Article 13(4) of Directive 2008/56/EC, it shall, in consultation with the Commission, Advisory Councils and other relevant stakeholders, regulate fishing activities in a way that fully complies with the objectives of those Directives.***

Amendment 257

Proposal for a regulation

Part III – Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. All actions taken by the Union and by Member States under the CFP shall be in full compliance with the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, of 25 June 1998, Resolutions 61/105, 64/72 and 66/68 of the General Assembly of the United Nations, and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982.

Amendment 258

Proposal for a regulation

Part III – Article 12 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. For fisheries conducted entirely within waters under the sovereignty and jurisdiction of a single Member State, the Member State concerned shall be empowered to adopt measures that are necessary to comply with its obligations under Union environmental legislation in relation to protected areas. Such measures shall be compatible with the objectives set out in Article 2 and shall be no less stringent than the existing Union legislation.

Amendment 111

Proposal for a regulation

Part III – Article 12 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. Member States with a direct fishing interest in the areas to be affected by measures referred to in paragraph 1 shall cooperate with one another in accordance with Article 21(1a). Any such Member States may request that the Commission adopt the measures referred to in paragraph 1.

Amendment 260

Proposal for a regulation

Part III – Article 12 – paragraph 1 d (new)

Text proposed by the Commission

Amendment

1d. In order for the Commission to act upon a request referred to in paragraph 1c, the requesting Member State or States shall provide the Commission with all relevant information on the measures requested, including a justification for the

request, as well as scientific data and details concerning the practical implementation of the measures. In adopting the measures, the Commission shall take into account any relevant scientific advice available to it.

Amendment 114

Proposal for a regulation Part III – Article 12 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 55, to specify fishing related measures to alleviate the impact of fishing activities in special areas of conservation.

deleted

Amendment 262

Proposal for a regulation Part III – Article 12 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, on a proposal by the Commission, shall adopt measures to reduce the possible negative social and economic consequences resulting from compliance with obligations referred to in paragraph 1.

Amendment 115

Proposal for a regulation Part III – Article 13

Text proposed by the Commission

Amendment

1. *On the basis of* evidence of a serious threat to the conservation of marine biological resources, or to the marine eco-system *and* requiring immediate action, the Commission, *upon a reasoned request of a Member State or on its own initiative*, may

1. *Where there is* evidence, *based on reliable scientific data*, of a serious threat to the conservation of marine biological resources, or to the marine eco-system requiring immediate action, the Commission *shall be empowered to adopt*

decide on temporary measures to alleviate the threat.

2. The Member State shall communicate the reasoned request referred to in paragraph 1 simultaneously to the Commission, to the other Member States and to the Advisory Councils concerned.

delegated acts, in accordance with Article 55, to alleviate the threat.

Those delegated acts shall be adopted only where imperative grounds of urgency so require and the procedure provided for in Article 55a shall apply.

Amendment 116

Proposal for a regulation Part III – Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Member State emergency measures

1. If there is evidence of a serious and unforeseen threat to the conservation of living aquatic resources, or to the marine ecosystem resulting from fishing activities, in waters falling under the sovereignty or jurisdiction of a Member State and that any undue delay would result in damage that would be difficult to repair, that Member State may take emergency measures, the duration of which shall not exceed three months.

2. Member States intending to take emergency measures shall, before adopting them, notify their intention to the Commission, the other Member States and the Advisory Councils concerned by sending a draft of those measures, together with an explanatory memorandum.

3. The Member States and Advisory Councils concerned may submit their written comments to the Commission within five working days of the date of notification. The Commission shall adopt implementing acts confirming, cancelling or amending the measure. Those implementing acts shall be adopted in

accordance with the examination procedure referred to in Article 56(2).

On duly justified imperative grounds of urgency related to a serious and unforeseeable threat to the conservation of living aquatic resources, or to the marine ecosystem resulting from fishing activities, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 56(3).

Amendment 296

Proposal for a regulation

Part III – Article 14 – paragraph 1 – point d

Text proposed by the Commission

(d) **mitigate** the impact of fishing gear on the ecosystem and the environment, with particular regard to the protection of biologically sensitive stocks and habitats.

Amendment

(d) **minimise** the impact of fishing gear on the ecosystem and the **marine** environment, with particular regard to the protection of biologically sensitive stocks and **fragile** habitats, **especially those identified as bio-geographically sensitive such as the seamounts around the outermost regions, the resources of which should be exploited by the local fleet operating selective and environmentally-friendly fishing gear.**

Amendment 118

Proposal for a regulation

Part III – Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14a

Avoidance and minimisation of unwanted catches

1. Before the introduction of the obligation to land all catches in the respective fishery in accordance with Article 15, Member States shall, where necessary, conduct pilot projects, based on the best available scientific advice and

taking into account the opinions of the competent Advisory Councils, with the aim of fully exploring all practicable methods for the avoidance, minimisation and elimination of unwanted catches in a fishery. Those pilot projects shall, where appropriate, be conducted, by producer organisations. The results of those pilot projects shall be reflected in the long-term management plan of each fishery in the form of additional incentives to use the most selective gears and fishing methods available. Member States shall also produce a "discard atlas" showing the level of discards in each of the fisheries covered by Article 15(1). That atlas shall be based on objective and representative data.

2. The Union shall provide financial support for the design and implementation of pilot projects introduced in accordance with paragraph 1, as well as for the use of selective gears in order to reduce unwanted and unauthorised catches. When adopting financial support measures, special consideration shall be given to fishermen who are subject to the obligation to land all catches and who operate in a mixed fishery.

Amendment 119

Proposal for a regulation Part III – Article 15

Text proposed by the Commission

Obligation to land all catches

1. All catches of *the following fish stocks subject to catch limits caught* during fishing activities in Union waters or by Union fishing vessels outside Union waters shall be brought and retained on board the fishing vessels and recorded and landed, *except when used as live bait*, in accordance with the following timeframe:

Amendment

Obligation to land *and record* all catches *of harvested and regulated species*

1. All catches of *harvested and regulated species caught in the following fisheries* during fishing activities in Union waters or by Union fishing vessels outside Union waters shall be brought and retained on board the fishing vessels and recorded and landed, in accordance with the following timeframe:

(a) At the latest from 1 January 2014:

- mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, *sardinella*, *capelin*;
- bluefin tuna, swordfish, albacore tuna, bigeye tuna, other billfish.

(b) At the latest from *1 January 2015*: *cod*, *hake*, *sole*;

(a) At the latest from 1 January 2014

- *small pelagic fisheries i.e. fisheries for* mackerel, herring, horse mackerel, blue whiting, anchovy, argentine, *sardine*, *sprat*;
- *large pelagic fisheries i.e. fisheries for* bluefin tuna, swordfish, albacore tuna, bigeye tuna, other billfish;
- *fisheries for industrial purposes, inter alia fisheries for capelin, sandeel and Norway pout*;
- *salmon in the Baltic Sea*.

(b) At the latest from *1 January 2016*:

– *the following fisheries in Union waters of the Northern Atlantic:*

The North Sea

- *fisheries for cod, haddock, whiting, saithe*;
- *fisheries for Norway lobster*;
- *fisheries for common sole and plaice*;
- *fisheries for hake*;
- *fisheries for Northern prawn*;
- *other fisheries to be further analyzed*
- *fisheries in the Baltic Sea other than for salmon*;

North Western waters

- *fisheries for cod, haddock, whiting, saithe*;
- *fisheries for Norway lobster*;
- *fisheries for common sole and plaice*;
- *fisheries for hake*;
- *other fisheries to be further analyzed*

South Western waters

- *fisheries for cod, haddock, whiting, saithe*;
- *fisheries for Norway lobster*;
- *fisheries for common sole and plaice*;
- *fisheries for hake*;

(c) At the latest from *1 January 2016*: *haddock, whiting, megrim, anglerfish, plaice, ling, saithe, pollack, lemon sole, turbot, brill, blue ling, black scabbard, roundnose grenadier, orange roughy, Greenland halibut, tusk, redfish and Mediterranean demersal stocks.*

– *other fisheries to be further analyzed.*

(c) At the latest from *1 January 2017*, *fisheries not covered by paragraph 1(a) in Union waters and in non-Union waters.*

1a. Once an obligation to land all catches has been introduced in a fishery, all catches of species subject to that obligation shall be recorded and shall, where applicable be subtracted from the quota of the fishermen, producer organisation or collective management pool concerned, with the exception of species which may be released into the sea pursuant to paragraph 1b.

1b. The following species shall be excluded from the landing obligation laid down in paragraph 1:

– *species captured to be used as live bait;*
– *species which the available scientific information shows to have a high catch survival rate, bearing in mind the nature of the fishing gear, the fishing practices and the circumstances in the fishing area.*

1c. For the purpose of simplifying and harmonising the implementation of the obligation to land all catches and in order to avoid inappropriate disruptions of the target fisheries and to decrease the amount of unwanted catches, the multiannual plans referred to in Article 9 or specific Union regulations on the implementation of the landing obligation or other legislative acts adopted by the Union shall, where appropriate, lay down

(a) a list of non-target species of low natural abundance which may be counted against the quota of the target species of that fishery where:

– *the national yearly quota for this non-target species is completely utilised;*
– *the accumulated catches of the non-target species do not exceed a 3 % share*

2. **Minimum conservation reference sizes** based on the best available scientific advice shall be established for the fish stocks set out in paragraph 1. **The sale of catches of such fish *stocks* below the minimum conservation reference size shall be restricted *for reduction to fish meal or pet food only*.**

3. Marketing standards for catches of fish caught in excess of fixed fishing opportunities ***shall*** be established in accordance with Article 27 of [the Regulation on the common organisation of the markets in fishery and aquaculture products].

4. Member States shall ensure that Union fishing vessels flying their flag are equipped to ensure full documentation of all fishing and processing activities for the purpose of monitoring compliance with the obligation to land all catches.

of the overall catch of the target species; and

– the stock of the non-target species is within safe biological limits;

(b) rules on incentives to prevent the catching of juvenile fish, including higher quota shares that have to be deducted from a fisherman's quota in the event of catching juveniles.

2. Based on the best available ***accurate and up-to-date*** scientific advice ***and, where necessary, in order to protect juveniles by discouraging deliberate fishing for them, minimum conservation reference sizes, reflecting the age and size for first reproduction*** shall be established, for the fish stocks ***which are subject to the obligation to land all catches*** set out in paragraph 1. Catches of such fish below the minimum conservation reference size shall be restricted ***to uses other than human consumption, such as fish meal, fish oil, pet food or bait. The Member State concerned may also allow such fish to be donated for welfare or charitable purposes.***

3. ***For stocks subject to a landing obligation, Member States may make use of a year-to-year margin of flexibility of up to 5 % of their permitted landings, without prejudice to higher flexibility rates established in specific legislation.*** Marketing standards ***and marketing rules*** for catches of fish caught in excess of fixed fishing opportunities ***may*** be established in accordance with Article 39 of [the Regulation on the common organisation of the markets in fishery and aquaculture products].

4. Member States shall ensure that Union fishing vessels flying their flag are equipped to ensure full documentation of all fishing and processing activities for the purpose of monitoring compliance with the obligation to land all catches. ***In doing so, Member States shall respect the principle of efficiency and***

5. Paragraph 1 shall be without prejudice to international obligations.

6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 *to specify* the measures set out in paragraph 1 for the purpose of complying with the Union's international obligations.

proportionality.

5. Paragraph 1 shall be without prejudice to international obligations.

6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 *laying down* the measures set out in paragraph 1 for the purpose of complying with the Union's international obligations.

Amendments 120, 264, 293 and 301

Proposal for a regulation

Part III – Article 16

Text proposed by the Commission

1. Fishing opportunities *allocated to* Member States *shall* ensure *each Member State* relative stability of fishing activities for each *fish* stock or fishery. The interests of each Member State shall be taken into account when new fishing opportunities are allocated.

Amendment

1. *When fixing and allocating fishing opportunities, the Council shall act in conformity with Articles 2, 9, 10 and 11 of this Regulation, apply a long-term perspective and follow the best available scientific advice.* Fishing opportunities *shall be distributed among* Member States *in such a way as to ensure, for each of them,* relative stability of fishing activities for each stock or fishery. The interests of each Member State shall be taken into account when new fishing opportunities are allocated.

The Council shall establish the fishing opportunities available to third countries in Union waters and allocate those opportunities to these third countries.

The allocation of fishing opportunities to a Member State or a third country shall be conditional upon its compliance with the rules of the Common Fisheries Policy.

1a. In deciding on quota allocations each year the Council shall take full account of regions where local communities are especially dependent on fisheries and related activities as decided by the Council in its Resolution of 3 November 1976, on certain external aspects of the creation of a 200-mile fishing zone in the Community with effect from 1 January 1977, and in particular Annex VII thereto.

2. By-catch fishing opportunities may be reserved under the total fishing opportunities.

3. Fishing opportunities shall comply with quantifiable targets, time frames and margins established in accordance with Article 9(2) and 11(b), (c) and (h).

2. By-catch fishing opportunities may be reserved under the total fishing opportunities.

3. Fishing opportunities shall comply with quantifiable ***catch*** targets, time frames and margins established ***in multiannual plans*** in accordance with Article 9(2) and 11(b), (c) and (h). ***If no corresponding multiannual plan has been adopted for a commercially used fish stock, the Council shall ensure that, by 2015, total allowable catches (TACs) are set at levels that should allow fish stocks to recover, by 2020 at the latest, above levels that are capable of producing the maximum sustainable yield and allow all recovered stocks to be maintained at these levels.***

3a. Delegations from the European Parliament and the Advisory Councils shall be present when decisions on establishing fishing opportunities are taken by the Council.

3b. Where, for given stocks, it is not possible, owing to a lack of data, to determine exploitation rates that are consistent with the maximum sustainable yield:

(i) the precautionary approach shall be applied to fisheries management;

(ii) proxy standards shall be adopted on the basis of the methodologies set out in points 3.1 and 3.2 of Part B of the Annex to Decision 2010/477/EU¹, and fishing mortality shall be further reduced in accordance with the precautionary principle or, in cases where there are indications that the stock status is satisfactory, of stable trends;

(iii) the Commission and the Member States shall evaluate the obstacles to research and to the acquisition of knowledge and shall take steps to enable additional stock and ecosystem data to be supplied without delay.

3c. Each Member State shall decide, for vessels flying its flag, on the method of allocating the fishing opportunities assigned to that Member State in

4. Member States may, after notifying the Commission, exchange all or part of the fishing opportunities allocated to them.

accordance with Union law. It shall inform the Commission of that allocation method.

4. Member States may, after notifying the Commission, exchange all or part of the fishing opportunities allocated to them.

4a. If a Member State is deemed by the Commission, pursuant to the assessment carried out in application of Article 19 or 23, to have failed to adopt appropriate measures in accordance with Title III of this Regulation this shall result in deductions in the following year or years from fishing opportunities allocated by the Union to that Member State and in the interruption or suspension of payments to that Member State or in the application of a financial correction to Union financial assistance under the Common Fisheries Policy pursuant to Article 50. Such measures shall be proportionate to the nature, extent, duration and repetition of the non compliance.

4b. The Commission shall present to the European Parliament and to the Council an annual report assessing whether current fishing opportunities are proving effective in restoring and maintaining populations of harvested species at levels above those which can produce the target laid down in Article 2(2).

¹ OJ L 232, 2.9.2010, p. 14.

Amendment 227

Proposal for a regulation Part III – Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16a

When allocating the fishing opportunities available to them under Article 16, Member States shall use transparent and objective environmental and social criteria, such as the impact of the fishery

on the environment, the history of compliance and the contribution to the local economy. Other criteria such as historic catch levels may also be used. Within the fishing opportunities assigned to them, Member States shall provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, inter alia reduced energy consumption or habitat damage.

Amendment 121

Proposal for a regulation

Part III – Article 17

Text proposed by the Commission

1. In a multiannual plan established pursuant to Articles 9, 10 and 11 Member States **may** be authorised to adopt measures, in accordance with that multiannual plan, which specify the conservation measures applicable to vessels flying their flag in relation to stocks in Union waters for which they have been allocated fishing opportunities.

2. Member States shall ensure that conservation measures adopted pursuant to paragraph 1:

(a) are compatible with the objectives set out in Articles 2 and 3;

(b) are compatible with the scope and objectives of the multiannual plan;

(c) meet the objectives and quantifiable targets set out in a multiannual plan effectively; and

(d) are no less stringent than those existing in Union legislation.

Amendment

1. In a multiannual plan established pursuant to Articles 9, 10 and 11 Member States ***sharing the fishery concerned shall*** be authorised, ***following the procedures outlined in this Article***, to adopt measures, in accordance with that multiannual plan, which specify the conservation measures applicable to vessels flying their flag in relation to stocks in Union waters for which they have been allocated fishing opportunities.

2. Member States shall ensure that conservation measures adopted pursuant to paragraph 1:

(a) are compatible with the objectives set out in Articles 2 and 3, ***and with the principles of good governance set out in Article 4***;

(b) are compatible with the scope and objectives of the multiannual plan;

(c) meet the objectives and quantifiable targets set out in a multiannual plan effectively ***within the specified timeframe***; and

(d) are no less stringent than those existing in Union legislation.

2a. Member States shall cooperate with one another to ensure the adoption of compatible measures that will meet the

objectives set out in multiannual plans and shall coordinate those measures with one another. To this end, Member States shall, where practical and appropriate, use existing regional institutional cooperation structures and mechanisms, including those existing under the Regional Sea Conventions covering the relevant area or fishery.

Efforts of coordination between Member States sharing a fishery shall be eligible for funding under the European Maritime and Fisheries Fund (EMFF), in accordance with Regulation (EU) No xx/2013 [on the European Maritime and Fisheries Fund].

2b. Member States shall consult the relevant Advisory Councils and ICES and/or STECF by sending them a draft of the measures to be adopted, accompanied by an explanatory memorandum. Such drafts shall at the same time be notified to the Commission and other Member States sharing the fishery. Member States shall make every effort to involve in this consultation, at an early stage and in an open and transparent manner, other relevant stakeholders of the fishery concerned, in order to identify the views and proposals of all the relevant parties during the preparation of the measures envisaged.

Member States shall make summaries of the draft conservation measures which it is proposed to enact available to the public.

2c. Member States shall duly take into account the opinions submitted by the relevant Advisory Councils, ICES and/or STECF and, where the final measures adopted diverge from these opinions, shall provide detailed explanations why they diverge.

2d. Where Member States wish to amend the adopted measures, paragraphs 2 to 2c shall also apply.

2e. The Commission shall adopt guidelines setting out the details of the

procedure to be followed for the application of paragraphs 2a to 2c, in order to ensure that the adopted measures are coherent, coordinated at regional level and in conformity with the established multiannual plans. These guidelines may also identify or establish administrative frameworks, such as Regional Fisheries Working Groups, in order to organise, on a practical level, the cooperation between the Member States, notably in view of promoting and facilitating the adoption of the measures by each of the Member States.

2f. Member States sharing a fishery may agree together and cooperate to implement joint measures under the multiannual plans adopted prior to 2014, in accordance with the procedure set out in Article 25.

2g. For fisheries conducted entirely within waters under the sovereignty and jurisdiction of a single Member State, the Member State concerned shall create one or more co-management-committees including all relevant stakeholders which shall be consulted concerning the measures to be adopted. If the Member State intends to deviate in any way from the advice it receives from that committee it shall publish an assessment outlining in detail its reasons for deviating from the advice.

Amendment 122

Proposal for a regulation Part III – Article 18

Text proposed by the Commission

Member States adopting conservation measures pursuant to Article 17(1) shall notify the Commission, other interested Member States and relevant Advisory Councils *of such measures*.

Amendment

Member States adopting conservation measures pursuant to Article 17(1) shall ***publish such measures and*** notify the Commission, other interested Member States and relevant Advisory Councils ***thereof***.

Amendment 123

Proposal for a regulation

Part III – Article 19

Text proposed by the Commission

The Commission may at any time assess the compatibility and effectiveness of conservation measures adopted by Member States pursuant to Article 17(1).

Amendment

1. The Commission may at any time assess the compatibility and effectiveness of conservation measures adopted by Member States pursuant to Article 17 **and shall, in any event, assess, and report on, those issues not less than once every three years or as may be required by the relevant multiannual plan. The assessment shall be based on the best available scientific advice.**

In accordance with Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)¹, Member States shall provide the Commission, for the performance of its task in relation to the implementation of the Common Fisheries Policy, with access and user rights in respect of the material prepared and the data used in connection with the formulation and enactment of national conservation measures, adopted pursuant to Article 17.

With regard to access to environmental information, Directive 2003/4/EC² and Regulations (EC) No 1049/2001³ and 1367/2006⁴ shall apply.

¹ OJ L 108, 25.4.2007, p. 1.

² OJ L 41, 14.2.2003, p. 26.

³ OJ L 145, 31.5.2001, p. 43.

⁴ OJ L 264, 25.9.2006, p. 13.

Amendment 124

Proposal for a regulation

Part III – Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall publish any assessments made according to this Article, and shall make this information publicly accessible by publishing it on appropriate websites or by providing a direct hyperlink to it. With regard to access to environmental information, Regulations (EC) No 1049/2001 and 1367/2006 shall apply.

Amendment 125

Proposal for a regulation

Part III – Article 20

Text proposed by the Commission

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the conservation measures for fisheries covered by a multiannual plan, if the Member States authorised to take measures in accordance with Article 17 do not notify such measures to the Commission within **three** months after the date of entry into force of the multiannual plan.

2. The Commission ***shall be empowered to adopt delegated acts in accordance with Article 55 to specify conservation measures for fisheries covered by a multiannual plan, if***

(a) Member State measures are deemed not to be compatible with the objectives of a multiannual plan on the basis of an assessment carried out pursuant to Article 19 or

(b) Member State measures ***are deemed***

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the conservation measures for fisheries covered by a multiannual plan, if the Member States authorised to take measures in accordance with Article 17 do not notify such measures to the Commission within ***the period provided for in the multiannual plan or, failing that,*** within **six** months after the date of entry into force of the multiannual plan.

2. ***Where the Commission is of the opinion that***

(a) Member State measures are not compatible with the objectives of a multiannual plan on the basis of an assessment carried out pursuant to Article 19 or

(b) Member State measures ***do*** not meet the

not **to** meet the objectives and quantifiable targets set out in multiannual plans effectively, on the basis of an assessment carried out pursuant to Article 19, or

(c) safeguards established in accordance with Article 11(i) are triggered.

3. The conservation measures adopted by the Commission shall aim at ensuring that the objectives and targets set out in the multiannual plan are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

objectives and quantifiable targets set out in multiannual plans effectively, on the basis of an assessment carried out pursuant to Article 19, or

(c) safeguards established in accordance with Article 11(i) are triggered,

it shall notify the Member State concerned, giving its reasons.

2a. In the event of the Commission delivering an opinion pursuant to paragraph 2, the relevant Member State shall have three months in which to modify its measures in order to make them compatible with and to meet the objectives of the multiannual plan.

2b. In the event of a Member State failing to modify its measures pursuant to paragraph 2a, the Commission shall be empowered to adopt delegated acts in accordance with Article 55 specifying conservation measures for fisheries covered by the multiannual plan.

3. The conservation measures adopted by the Commission shall aim at ensuring that the objectives and targets set out in the multiannual plan are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

3a. Prior to adopting the delegated acts referred to in this Article, the Commission shall consult the relevant Advisory Councils and ICES and/or STECF on a draft of the measures accompanied by an explanatory memorandum.

Amendment 126

Proposal for a regulation Part III – Article 21

Text proposed by the Commission

In a technical measures framework established pursuant to Article 14 Member States **may** be **authorised** to adopt

Amendment

1. In a technical measures framework established pursuant to Article 14 Member States **shall** be **empowered** to adopt

measures, in accordance with that framework, which specify the technical measures applicable to vessels flying their flag in relation to stocks in *their* waters for which they have been allocated fishing opportunities. Member States shall ensure that such technical measures:

- (a) are compatible with the objectives set out in Articles 2 and 3;
- (b) are compatible with the objectives set out in measures adopted in accordance with Article 14;
- (c) meet the objectives set out in measures adopted in accordance with Article 14 effectively; and
- (d) are no less stringent than those existing in Union legislation.

measures, in accordance with that framework, which specify the technical measures applicable to vessels flying their flag in relation to stocks in *Union* waters for which they have been allocated fishing opportunities. Member States shall ensure that such technical measures:

- (a) are compatible with the objectives set out in Articles 2 and 3;
- (b) are compatible with the objectives set out in measures adopted in accordance with Article 14;
- (c) meet the objectives set out in measures adopted in accordance with Article 14 effectively; and
- (d) *do not conflict with and* are no less stringent than those existing in Union legislation.

1a. Member States shall cooperate with one another to ensure the adoption of compatible measures to achieve the objectives set out in technical measures frameworks and coordinate these measures with one another. To this end, Member States shall, where practical and appropriate, use existing regional institutional cooperation structures and mechanisms, including those under the Regional Sea Conventions covering the relevant area or fishery.

1b. Member States shall consult the relevant Advisory Councils and ICES and/or STECF on a draft of the measures accompanied by an explanatory memorandum. Such drafts shall, at the same time, be notified to the Commission and other Member States sharing the fishery. Member States shall make every effort to involve in this consultation, at an early stage and in an open and transparent manner, other relevant stakeholders of the fishery concerned, in order to identify the views and proposals of all the relevant parties during the preparation of the measures envisaged.

1c. Member States shall duly take into account the opinions submitted by the relevant Advisory Councils and ICES

and/or STECF and, where the final measures adopted diverge from these opinions, shall provide detailed explanations of the reasons why they diverge.

1d. Where Member States wish to amend the adopted measures, paragraphs 1a to 1c shall also apply.

1e. The Commission shall adopt guidelines setting out the details of the procedure to be followed for the application of paragraphs 1a to 1c, in order to ensure that the adopted measures are coherent, coordinated at regional level and in conformity with the established technical measures framework. These guidelines may also identify or establish administrative frameworks, such as Regional Fisheries Working Groups in order to organise on a practical level the cooperation between the Member States, notably in view of promoting and facilitating the adoption of the measures by each of the Member States.

Amendment 127

Proposal for a regulation Part III – Article 22

Text proposed by the Commission

Member States adopting technical measures pursuant to Article 21 shall notify the Commission, other interested Member States and relevant Advisory Councils of such measures.

Amendment

Member States adopting technical measures pursuant to Article 21 shall ***publish such measures and*** notify the Commission, other interested Member States and relevant Advisory Councils of such measures.

Amendment 128

Proposal for a regulation Part III – Article 23

Text proposed by the Commission

The Commission may at any time assess the compatibility and effectiveness of technical measures adopted by Member

Amendment

1. The Commission may at any time assess the compatibility and effectiveness of technical measures adopted by Member

States pursuant to Article 21.

States pursuant to Article 21 *and shall, in any event, assess and report on the same at least once every three years or as may be required by the relevant technical measures framework.*

1a. In accordance with Directive 2007/2/EC, Member States shall provide the Commission, for the performance of its task in relation to the implementation of the Common Fisheries Policy, with access and user rights in respect of of the material prepared and the data used in connection with the formulation and enactment of technical measures pursuant to Article 21.

With regard to access to environmental information, Directive 2003/4/EC and Regulations (EC) No 1049/2001 and 1367/2006 shall apply.

Amendment 129

Proposal for a regulation

Part III – Article 23 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall publish any assessments made according to this Article, and shall make this information publicly accessible by publishing it on appropriate websites or by providing a direct hyperlink to it. With regard to access to environmental information, Regulations (EC) No 1049/2001 and 1367/2006 shall apply.

Amendment 130

Proposal for a regulation

Part III – Article 24

Text proposed by the Commission

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the technical measures covered by a technical measures framework, if the Member States

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the technical measures covered by a technical measures framework, if the Member States

authorised to take measures in accordance with Article 21 do not notify such measures to the Commission within **three** months after the date of entry into force of the technical measures framework.

2. The Commission ***shall be empowered to adopt delegated acts in accordance with Article 55 to specify technical measures, if Member State measures are deemed on the basis of an assessment carried out pursuant to Article 23:***

(a) not ***to be*** compatible with the objectives set out in a technical measures framework or

(b) not ***to*** meet the objectives set out in such a technical measures framework effectively.

3. The technical measures adopted by the Commission shall aim at ensuring that the objectives of the technical measures framework are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

authorised to take measures in accordance with Article 21 do not notify such measures to the Commission within ***the period provided for in the technical measures framework or, failing that, within six*** months after the date of entry into force of the technical measures framework.

2. ***Where the Commission is of the opinion that*** Member State measures

(a) ***are*** not compatible with the objectives set out in a technical measures framework or

(b) ***do*** not meet the objectives set out in such a technical measures framework effectively,

it shall notify the Member State concerned, giving its reasons.

2a. In the event of the Commission delivering an opinion pursuant to paragraph 2, the relevant Member State shall have three months in which to modify its measures in order to make them compatible with and to meet the objectives of the technical measures framework.

2b. In the event of a Member State failing to modify its measures pursuant to paragraph 2a, the Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify technical measures covered by the technical measures framework.

3. The technical measures adopted by the Commission shall aim at ensuring that the objectives of the technical measures framework are met. Upon the adoption of the delegated act by the Commission, the Member State measures shall cease to be effective.

3a. Prior to adopting the delegated acts referred to in this Article, the Commission shall consult the relevant Advisory

Amendment 131

Proposal for a regulation

Part III – Article 25 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) apply *solely* to *fishing* vessels *flying the flag of that Member State or, in the case of fishing activities which are not conducted by a fishing vessel, to persons established in the territory;*

(a) apply to *all* vessels *operating in relation to stocks in their waters for which they have been allocated fishing opportunities;*

In inshore waters the requirements of the Member State must apply to all fishing vessels of whatever nationality. No other approach can be regarded as fair to all.

Amendment 132

Proposal for a regulation

Part III – Article 25 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Member State shall, for control purposes, inform the other Member States concerned of provisions adopted pursuant to paragraph 1.

Amendment 133

Proposal for a regulation

Part III – Article 25 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Member States shall make the information related to the measures adopted in accordance with this Article publicly available.

Amendment 134

Proposal for a regulation

Part III – Article 26 – paragraph 1

Text proposed by the Commission

1. A Member State may take non-discriminatory measures for the conservation and management of fish stocks and ***to minimise the effect of fishing on*** the conservation of marine eco-systems within 12 nautical miles of its baselines provided that the Union has not adopted measures addressing conservation and management specifically for that area. The Member State measures shall be compatible with the objectives set out in Articles 2 and 3 and no less stringent than those in existing Union legislation.

Amendment

1. A Member State may take non-discriminatory measures for the conservation and management of fish stocks and ***to meet targets relating to other living aquatic resources and the maintenance or improvement*** of the conservation ***status*** of marine eco-systems within 12 nautical miles of its baselines provided that the Union has not adopted measures addressing conservation and management specifically for that area ***or specifically addressing the problem identified by the Member State in question.*** The Member State measures shall be compatible with the objectives set out in Articles 2 and 3 and no less stringent than those in existing Union legislation.

Amendment 135

Proposal for a regulation

Part III – Article 26 – paragraph 2

Text proposed by the Commission

2. Where conservation and management measures to be adopted by a Member State are liable to affect fishing vessels of other Member States, such measures shall be adopted only after ***consulting*** the Commission, the relevant Member States and relevant Advisory Councils ***on a draft*** of the measures accompanied by an explanatory memorandum.

Amendment

2. Where conservation and management measures to be adopted by a Member State are liable to affect fishing vessels of other Member States, such measures shall be adopted only after ***notifying*** the Commission, the relevant Member States and relevant Advisory Councils of the measures accompanied by an explanatory memorandum ***that shall also demonstrate that those measures are non-discriminatory.***

Amendment 136

Proposal for a regulation

Part III – Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall make the information related to the measures adopted in accordance with this Article publicly available.

Amendment 137

Proposal for a regulation Part IV

Text proposed by the Commission

Amendment

Part IV deleted

Amendments 138 and 241

Proposal for a regulation Part V – Article 34

Text proposed by the Commission

Amendment

1. Member States shall put in place measures to adjust the fishing capacity of their fleets ***in order to achieve an effective*** balance between ***such*** fishing capacity and their fishing opportunities.

1. Member States shall, ***if and where necessary***, put in place measures to adjust the fishing capacity of their fleets, ***with the objective of achieving a stable and enduring*** balance between ***their*** fishing capacity and their fishing opportunities, ***in accordance with the general objectives set out in Article 2.***

1a. In order to achieve the objective specified in paragraph 1, Member States shall conduct annual capacity assessments and transmit the results to the Commission by 30 May of each year. Capacity assessments shall include an analysis of the total fleet capacity per fishery and fleet segment at the time of assessment, and its impact on stocks and the wider marine ecosystem. They shall also include an analysis of the long-term profitability of the fleet. To ensure a common approach to such assessments across all Member States, assessments shall be carried out in accordance with the Commission's guidelines for an improved analysis of the balance between

fleet capacity and fishing opportunities and shall also take into consideration the profitability of the fleet. The assessments shall be made publicly available.

1b. If the assessment shows a discrepancy between their fishing capacity and their fishing opportunities, the Member States shall within a year adopt a detailed programme, including a binding timetable, for any necessary adjustment of the fishing capacity of their fleets in terms of vessel numbers and characteristics with the objective of achieving a stable and enduring balance between their fishing capacity and their fishing opportunities. It shall transmit this programme to the European Parliament, the Commission, and the other Member States.

1c. If no such assessment is provided, if a Member State is required to adopt a programme to reduce capacity and fails to do so, or if the Member State fails to implement such programme, this will result in the interruption of Union financial assistance to that Member State under the Common Fisheries Policy.

In the last resort, and only if any of those steps is delayed by two or more years, the Commission may suspend the fishing opportunities of the fleet segments concerned.

2. No exit from the fleet supported by public aid granted under the framework of the European Fisheries Fund for the 2007-2013 programming period shall be permitted unless preceded by the withdrawal of the fishing licence and the fishing authorisations.

3. The fishing capacity corresponding to the fishing vessels withdrawn with public aid shall not be replaced.

4. Member States shall ensure that from 1 January 2013 the fishing capacity of their fleet does not exceed at any time the fishing capacity ceilings established in accordance with Article 35.

2. No exit from the fleet supported by public aid granted under the framework of the European Fisheries Fund for the 2007-2013 programming period shall be permitted unless preceded by the withdrawal of the fishing licence and the fishing authorisations.

3. The fishing capacity corresponding to the fishing vessels withdrawn with public aid shall not be replaced.

4. Member States shall ensure that from 1 January 2013 the fishing capacity of their fleet does not exceed at any time the fishing capacity ceilings established in accordance with Article 35.

4a. Union vessels shall require a valid engine certificate, issued in accordance

with Council Regulation (EC) No 1224/2009, in order to be issued with a fishing licence or authorisation.

Amendment 139

Proposal for a regulation Part V – Article 34 a (new)

Text proposed by the Commission

Amendment

Article 34a

Entry/exit scheme

Member States shall manage entries into their fleets and exits from their fleets in such a way that the entry into the fleet of new capacity without public aid is compensated by the previous withdrawal without public aid of at least the same amount of capacity.

Amendment 140

Proposal for a regulation Part V – Article 35

Text proposed by the Commission

Amendment

1. Each Member State fleet shall be subject to fishing capacity ceilings as set out in Annex II.

2. Member States may request the Commission to exclude fishing vessels subject to a system of transferable fishing concessions established in accordance with Article 27 from the fishing capacity ceilings established in accordance with paragraph 1. In that case the fishing capacity ceilings shall be re-calculated to take into account the fishing vessels which are not subject to a system of transferable fishing concessions.

1. Each Member State fleet shall be **strictly** subject to fishing capacity ceilings as set out in Annex II.

2. By 30 December ...*, the Commission shall submit a proposal to the European Parliament and the Council to amend Annex II to this Regulation and Council Regulation (EEC) 2930/1986 in order to define capacity with regard to any measurable parameter of the vessel that might affect its ability to catch fish.

This new definition shall take into account social and economic criteria as well as control efforts undertaken by Member States. In this proposal the fleet capacity of each Member State shall be broken down by fleet segments, including

a specific breakdown for vessels operating in the outermost regions and for vessels operating exclusively outside Union waters.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the re-calculation of the fishing capacity ceilings as referred to in paragraphs 1 and 2.

*** OJ please insert the year following that of the entry into force of this Regulation.**

Amendment 141

Proposal for a regulation Part V – Article 36

Text proposed by the Commission

1. Member States shall record the information on characteristics and activity for Union fishing vessels flying their flag that is necessary for the management of measures established under this Regulation.
2. Member States shall ***make available*** to the Commission the information referred to in paragraph 1.
3. The Commission shall set up a Union fishing fleet register containing the information that it receives pursuant paragraph 2.
4. The information contained in the Union fishing fleet register shall be made available to all Member States. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the definition of the information referred to in paragraph 1.
5. The Commission shall ***establish*** technical operational requirements for the modalities for transmission of the information referred to in paragraphs 2, 3

Amendment

1. Member States shall record the information on ***ownership, vessel and gear*** characteristics and ***on the*** activity ***of*** Union fishing vessels flying their flag that is necessary for the management of measures established under this Regulation ***and shall publish this information, while ensuring that personal data is adequately protected.***
2. Member States shall ***submit*** to the Commission the information referred to in paragraph 1.
3. The Commission shall set up a Union fishing fleet register containing the information that it receives pursuant paragraph 2.
4. The information contained in the Union fishing fleet register shall be made available to all Member States ***and to the European Parliament.*** The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the definition of the information referred to in paragraph 1.
5. The Commission shall ***adopt implementing acts establishing*** technical operational requirements for the modalities for transmission of the information referred

and 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 56.

to in paragraphs 2, 3 and 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 56(2).

Amendment 142

Proposal for a regulation

Part VI – Article 37 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall collect biological, technical, environmental and socio-economic data necessary for ecosystem based fisheries **management**, manage them and make them available to end users of scientific data, including bodies designated by the Commission. **Those** data shall in particular enable the assessment of:

Amendment

1. ***The conservation, management and sustainable exploitation of marine biological resources must be based on the best information available. To this end,*** Member States shall collect biological, environmental, technical and socio-economic data necessary for ecosystem based fisheries, manage them and make them available to end users of scientific data, including bodies designated by the Commission. ***The Union shall make a financial contribution, via the EMFF, that is sufficient to finance the acquisition of these data. The*** data shall in particular enable the assessment of:

Amendment 143

Proposal for a regulation

Part VI – Article 37 – paragraph 1 – point a

Text proposed by the Commission

(a) the state of exploited marine biological resources,

Amendment

(a) the **current** state of exploited marine biological resources,

Amendment 224

Proposal for a regulation

Part VI – Article 37 – paragraph 1 – point b

Text proposed by the Commission

(b) the level of fishing and the impact that fishing activities have on the marine biological resources and on the marine ecosystems, and

Amendment

(b) the level of fishing, ***with a clear distinction being made between industrial and non-industrial fisheries,*** and the impact that fishing activities have on the

marine biological resources and on the marine eco-systems, and

Amendment 144

Proposal for a regulation

Part VI – Article 37 – paragraph 1 – point c

Text proposed by the Commission

(c) the socio-economic performance of the fisheries, aquaculture and processing sectors within and outside Union waters.

Amendment

(c) the **current** socio-economic performance of the fisheries, aquaculture and processing sectors within and outside Union waters.

Amendment 145

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point a

Text proposed by the Commission

(d) ensure that the collected data are accurate **and** reliable;

Amendment

(a) ensure that **data are collected in a timely manner and that** the collected data are accurate, reliable **and comprehensive, and collected in a harmonized way in all Member States**;

Amendment 146

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point a (new)

Text proposed by the Commission

Amendment

(aa) ensure that the scientific data and methodologies take factors such as acidification and sea temperatures into consideration when collecting data, thus ensuring that data is gathered from different regions throughout the year;

Amendment 147

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(e) **avoid** duplication of data collection for different purposes;

(b) **set up coordination mechanisms with a view to avoiding** duplication of data collection for different purposes;

Amendment 148

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(f) ensure safe storage of collected data **and where applicable appropriate protection and confidentiality of collected data;**

(c) ensure safe storage of collected data, **making it publicly available save in exceptional circumstances where appropriate protection and confidentiality are required subject to the reasons for such restrictions being declared;**

Amendment 149

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(g) ensure that the Commission, or bodies designated by it, have access to the national databases and systems used for processing the collected data for the purpose of verification of the existence and quality of the data.

(d) ensure that the Commission, or bodies designated by it, have access to **all** the national databases and systems used for processing the collected data for the purpose of verification of the existence and quality of the data.

Amendment 150

Proposal for a regulation

Part VI – Article 37 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) **make available to interested parties the relevant data and respective methodologies by which they are obtained, while taking into account any complementary data which may be provided by such parties.**

Amendment 151

Proposal for a regulation

Part VI – Article 37 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall annually submit to the Commission a summary report listing the fisheries for which it is required to collect data and indicating, for each case and category, whether the requirement has been met. The summary report shall be made publicly available.

Amendment 152

Proposal for a regulation

Part VI – Article 37 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure the national coordination of the collection and management of scientific data for fisheries management. To this end, they shall designate a national correspondent and organize an annual national coordination meeting. The Commission shall be informed of the national coordination activities and be invited to the coordination meetings.

3. Member States shall ensure the national coordination of the collection and management of scientific ***including socio - economic*** data for fisheries management. To this end, they shall designate a national correspondent and organize an annual national coordination meeting. The ***European Parliament and the*** Commission shall be informed of the national coordination activities and be invited to the coordination meetings.

Amendment 153

Proposal for a regulation

Part VI – Article 37 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall coordinate their data collection activities with other Member States in the same region, and make every effort to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same region.

4. Member States, ***in close cooperation with the Commission***, shall coordinate their data collection activities with other Member States in the same region, and make every effort to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same region.

Amendment 154

Proposal for a regulation

Part VI – Article 37 – paragraph 6

Text proposed by the Commission

6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55, to specify the targets for the precision of the data to be collected and to define the aggregation levels for the collection, management and use of such data, for the multi-annual programme referred to in paragraph 5.

Amendment

6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55, to specify the targets for the precision of the data to be collected and to define the aggregation levels for the collection, management and use of such data, for the multi-annual programme referred to in paragraph 5, ***and to ensure the coordination between Member States of the collection and presentation of data.***

Amendment 155

Proposal for a regulation

Part VI – Article 37 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Failure by a Member State to comply with the data collection requirements shall result in the withdrawal of public aid and the subsequent imposition of additional penalties by the Commission.

Amendment 156

Proposal for a regulation

Part VI – Article 37 a (new)

Text proposed by the Commission

Amendment

Article 37a

Consulting scientific bodies

The Commission shall consult appropriate scientific bodies at regular intervals on matters pertaining to the conservation and management of fisheries resources, including biological, economic, environmental, social and technical considerations, while taking into account the proper management of public funds, with the objective of avoiding

duplication of work by different scientific bodies.

Amendments 157 and 285

Proposal for a regulation

Part VI – Article 38 – paragraph 1

Text proposed by the Commission

1. Member States shall adopt national fisheries scientific data collection, research and innovation programs. They shall coordinate their fisheries data collection, research and innovation activities with other Member States **and** Union research and innovation frameworks.

Amendment

1. Member States shall adopt national fisheries **and aquaculture** scientific data collection, research and innovation programmes. They shall coordinate their fisheries data collection, research and innovation activities with other Member States, ***in close cooperation with the Commission, in the context of the*** Union research and innovation frameworks, ***involving, where appropriate, the relevant Advisory Councils. The Union shall ensure adequate funding for these programmes, under the available research and fisheries instruments.***

Amendment 158

Proposal for a regulation

Part VI – Article 38 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure availability of relevant competences and human resources to be involved in the scientific advisory process.

Amendment

2. Member States shall, ***with the involvement of the relevant scientific stakeholders,*** ensure availability of relevant competences and human resources to be involved in the scientific advisory process.

Amendment 159

Proposal for a regulation

Part VI – Article 38 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall submit annual reports to the Commission on the progress of implementation of national fisheries

scientific data collection, research and innovation programs.

Amendment 160

Proposal for a regulation

Part VI – Article 38 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The research programme findings shall be made available to the entire European scientific community.

Amendment 161

Proposal for a regulation

Part VII – Article 39

Text proposed by the Commission

Amendment

1. The Union shall participate in ***the activities of*** international organisations dealing with fisheries, including regional fisheries management organisations (RFMOs) in line with international obligations and policy objectives and ***consistent*** with the objectives set out in Articles 2 ***and*** 3.

2. ***The positions of the Union in international organisations dealing with fisheries and RFMOs shall be based on the best available scientific advice to ensure that fishery resources are maintained above or restored above levels capable of producing maximum sustainable yield.***

1. ***With a view to ensuring the sustainable exploitation and management of maritime biological resources,*** the Union shall ***promote the effective implementation of international fisheries instruments and regulations,*** participate in ***and support the activities of*** international organisations dealing with fisheries, including regional fisheries management organisations (RFMOs). ***In doing so, the Union shall act in line with international commitments,*** obligations and policy objectives ***and consistently*** with the objectives set out in Articles 2, 3 ***and 4 of this Regulation and in other Union policies.***

2. ***In particular the Union shall:***

(a) actively support, promote and contribute to the development of the best available scientific knowledge;

(b) promote measures to ensure that fishery resources are maintained that are consistent with the objectives of Article 2, and in particular Article 2(2) and (4b).;

(c) promote the establishment and strengthening of RFMO compliance committees, periodical independent performance reviews and appropriate remedial actions, including dissuasive and effective penalties, which need to be applied in a transparent and non-discriminatory fashion;

(d) improve the policy coherence of Union initiatives, with particular regard to environmental, development and trade activities;

(e) promote and support, in all international spheres, the necessary action to eradicate illegal, unreported and unregulated (IUU) fishing, ensuring, to this end, that no IUU fisheries products enter the Union market, thereby contributing to sustainable fishing activities that are economically viable and that promote employment within the Union;

(f) encourage and take an active part in joint international efforts to combat piracy at sea, with a view to ensuring the safety of human life and preventing the disruption of maritime fishing activities;

(g) promote the effective implementation of international fisheries instruments and regulations;

(h) ensure that fishing activities outside Union waters are based on the same principles and standards as those applicable in Union waters, while promoting the application by the RFMOs of the same principles and standards as are applied in Union waters.

2a. The Union shall actively support the development of equitable and transparent allocation mechanisms of fishing opportunities.

3. The Union shall actively contribute to and support the development of scientific

knowledge and advice in RFMOs and international organisations.

Amendment 162

Proposal for a regulation

Part VII – Article 39 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Union shall foster cooperation ties between RFMOs in order to align, harmonise and widen the framework for multilateral action and shall support the development of scientific knowledge and advice in RFMOs and international organisations and adhere to resulting recommendations.

Amendment 163

Proposal for a regulation

Part VII – Article 40

Text proposed by the Commission

Amendment

The Union shall cooperate with third countries and international organisations dealing with fisheries, including RFMOs, to strengthen compliance with measures adopted by such international organisations.

The Union, ***assisted by the European Fisheries Control Agency***, shall cooperate with third countries and international organisations dealing with fisheries, including RFMOs, to strengthen compliance with measures, ***especially those on combating IUU fishing***, adopted by such international organisations, ***so as to ensure that those measures are strictly adhered to.***

Member States shall ensure that their operators comply with the measures referred to in the first paragraph.

Amendment 164

Proposal for a regulation

Part VII – Article 41 – paragraph 1

Text proposed by the Commission

1. Sustainable Fisheries Agreements with third countries shall establish a legal, economic and environmental governance framework for fishing activities carried out by Union fishing vessels in third country waters.

Amendment

1. Sustainable Fisheries Agreements with third countries shall establish a legal, economic and environmental governance framework for fishing activities carried out by Union fishing vessels in third country waters ***in accordance with relevant measures adopted by international organizations including RFMOs. Such frameworks may include:***

(a) development and support for the necessary scientific and research institutions;

(b) monitoring, control and surveillance capabilities; and

(c) other capacity building elements concerning the development of a sustainable fisheries policy of the third country.

They shall also ensure that fishing activities take place in conditions of legal certainty.

Amendment 165

Proposal for a regulation

Part VII – Article 41 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In order to ensure that marine living resources are exploited sustainably, the Union shall be guided by the principle that Sustainable Fisheries Arrangements with third countries are to be established for the mutual benefit of both parties and are to contribute to continuing the activity of Union fleets by obtaining a share of the third country's surplus that is commensurate with the Union fleets' interest.

Amendment 166

Proposal for a regulation

Part VII – Article 41 – paragraph 2

Text proposed by the Commission

2. Union fishing vessels shall only catch surplus of the allowable catch determined by the third country as referred to in Article 62(2) of the United Nations Convention on the Law of the Sea, and identified on the basis of the best available scientific advice and relevant information exchanged between the Union and the third country concerned about the total fishing effort on the affected stocks, in order to ensure that fishery resources remain above levels capable of producing maximum sustainable yield.

Amendment

2. Union fishing vessels shall only catch surplus of the allowable catch determined by the third country as referred to in Article 62(2), of UNCLOS, and identified, ***in a clear and transparent manner***, on the basis of the best available scientific advice and relevant information exchanged between the Union and the third country concerned about the total fishing effort on the affected stocks ***by all fleets***, in order to ensure that fishery resources remain above levels capable of producing maximum sustainable yield.

Amendment 167

Proposal for a regulation

Part VII – Article 41 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Sustainable Fisheries Agreements and agreements on reciprocal access shall include:

(a) a requirement to comply with the principle of limiting access to resources that are scientifically demonstrated to be surplus for the coastal State, in accordance with the provisions of UNCLOS;

(b) a clause prohibiting the granting of more favourable conditions to the different fleets fishing in those waters, than those granted to Union economic actors including those concerning the conservation, development and management of resources or financial agreements, fees and other rights, relating to the issuing of fishing authorisations;

(c) a conditionality clause, that makes the agreement conditional on respect of human rights in accordance with

international agreements on human rights; and
(d) an exclusivity clause.

Amendment 168

Proposal for a regulation

Part VII – Article 41 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Sustainable Fisheries Agreements and agreements on reciprocal access shall ensure that Union fishing vessels are able to operate in the waters of the third country with which an agreement has been concluded only if they are in possession of a fishing authorisation, which has been issued in accordance with a procedure agreed by both parties to the agreement.

Amendment 169

Proposal for a regulation

Part VII – Article 41 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. Vessels flagged in the Union which have temporarily withdrawn from the register of a Member State in order to seek fishing opportunities elsewhere shall, for a period of 24 months, not be allowed to benefit from fishing opportunities under a Sustainable Fisheries Agreement or the protocols in force at the time when they left the register, if they subsequently return to a Union register and the same shall apply in respect of temporarily reflagging, while fishing under RFMOs.

Amendment 170

Proposal for a regulation

Part VII – Article 41 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. Sustainable Fisheries Agreements shall provide that fishing authorisations of any kind shall only be granted to new fishing vessels and those previously flagged in the Union for at least 24 months preceding the request for a fishing authorisation and wishing to target species covered by the Sustainable Fisheries Agreement.

Amendment 171

Proposal for a regulation

Part VII – Article 41 – paragraph 2 e (new)

Text proposed by the Commission

Amendment

2e. When determinining fishing opportunities in respect of agreements covering straddling or highly migratory fish stocks, scientific assessments conducted at regional level as well as conservation and management measures adopted by the RFMO shall be duly taken into account.

Amendment 172

Proposal for a regulation

Part VII – Article 41 – paragraph 2 f (new)

Text proposed by the Commission

Amendment

2f. Effort shall be made at Union level to monitor the activities of Union fishing vessels that operate in non-Union waters outside the framework of sustainable fisheries agreements. Such vessels should respect the same guiding principles that are applied to those vessels fishing in the Union.

Amendment 173

Proposal for a regulation

Part VII – Article 41 – paragraph 2 g (new)

Text proposed by the Commission

Amendment

2g. Union fishing vessels operating outside Union waters shall be equipped with CCTV cameras or equivalent to enable full documentation of fishing practices and catches.

Amendment 174

Proposal for a regulation

Part VII – Article 41 – paragraph 2 h (new)

Text proposed by the Commission

Amendment

2h. Independent evaluations shall be conducted of the impact of each protocol before the Commission is given a mandate for negotiations for succeeding protocols and shall include information on catches and fishing activities. Such evaluations shall be made publically available.

Amendment 175

Proposal for a regulation

Part VII – Article 42 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) In order to ensure that stocks that are shared with neighbouring countries are managed in a sustainable manner, it is necessary that they come within the scope of this Regulation.

Amendment 176

Proposal for a regulation

Part VII – Article 42 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) establish the governance framework,

(b) establish the governance framework,

including the development and maintenance of the necessary scientific and research institutions, monitoring, control and surveillance capability and other capacity building items pertaining to the development of a sustainable fisheries policy driven by the third country. Such financial assistance shall be **conditioned** upon the achievement of specific results.

including the development and maintenance of the necessary scientific and research institutions, monitoring, control and surveillance capability, **transparency, participation and accountability mechanisms** and other capacity building items pertaining to the development of a sustainable fisheries policy driven by the third country. Such financial assistance shall be **conditional** upon the achievement of specific **socio-economic and environmental** results **and shall be complementary to and consistent with the development projects and programmes implemented in the third country in question.**

Amendment 230

Proposal for a regulation Part VII – Article 42 a (new)

Text proposed by the Commission

Amendment

Article 42a

Union fishing activities outside Sustainable Fisheries Agreements

Member States shall obtain information on any arrangements between nationals of a Member State and a third country that allow fishing vessels flying their flag to engage in fishing activities in waters under the jurisdiction or sovereignty of a third country, as well as details of the vessels concerned and their relevant activities. The Member State shall inform the Commission.

Amendment 177

Proposal for a regulation Part VIII – Article 43 – title

Text proposed by the Commission

Amendment

Promoting aquaculture

Promoting **sustainable** aquaculture

Amendment 178

Proposal for a regulation

Part VIII – Article 43 – paragraph 1 – introductory part

Text proposed by the Commission

1. With a view to promoting sustainability and contributing to food security, growth and employment, non-binding Union strategic guidelines on common priorities and targets for the development of aquaculture activities shall be established by the Commission by 2013. Such strategic guidelines shall take account of the relative starting positions and different circumstances throughout the Union, shall form the basis for multiannual national strategic plans and shall aim at:

Amendment

1. With a view to promoting sustainability and contributing to food security **and supplies**, growth and employment, non-binding Union strategic guidelines on common priorities and targets for the development of **sustainable** aquaculture activities shall be established by the Commission by 2013. Such strategic guidelines **shall differentiate between, on the one hand, small to medium aquaculture and, on the other hand, aquaculture on an industrial scale**, shall take account of the relative starting positions and different circumstances throughout the Union **and** shall form the basis for multiannual national strategic plans and shall aim at:

Amendments 179 and 242

Proposal for a regulation

Part VIII – Article 43 – paragraph 1 (points a to d) and paragraph 2

Text proposed by the Commission

- (a) **improving the competitiveness of the aquaculture industry and supporting its development and innovation;**
- (b) **encouraging economic activity;**
- (c) **diversification and improvement of the quality of life in coastal and rural areas;**

Amendment

- (a) **the simplification of legislation in the sector and the reduction of administrative burdens at Union level;**
- (b) **encouraging the use of non-carnivorous species and reducing the use of fishery products as fish feed**
- (c) **the integration of aquaculture activities into other policies, such as policies for coastal zones, sea strategies and guidelines for maritime spatial planning, the implementation of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for the Community action in the field of water policy¹ (Water Framework Directive) and the environmental policy.**

(d) a level-playing field for aquaculture operators in relation to access to waters and space.

2. Member States shall establish a multiannual national strategic plan for the development of aquaculture activities on their territory by 2014.

2. The Union shall support the production and consumption of Union sustainable aquaculture products by:

(a) establishing transparent and general qualitative criteria for aquaculture by 2014 to assess and minimize the environmental impacts of aquaculture and farming activities;

(b) ensuring supplies reach consumers at reasonable prices;

(c) laying down rules regarding the traceability, security and quality of Union and imported aquaculture products, through appropriate marking or labelling as established in Article 42 of the Regulation (EU) No xx/xxxx of the European Parliament and of the Council of [date] on the common organisation of the markets in fishery and aquaculture products² ;

¹ OJ L 327, 22.12.2000, p. 1.

² OJ L ...

Amendment 180

Proposal for a regulation

Part VIII – Article 43 – paragraph 3

Text proposed by the Commission

3. The multiannual national strategic plan shall include the Member State's objectives and the measures to achieve them.

Amendment

3. The multiannual national strategic plan shall include the Member State's objectives and the measures ***and timelines necessary*** to achieve them.

Amendment 181

Proposal for a regulation

Part VIII – Article 43 – paragraph 4

Text proposed by the Commission

4. Multiannual national strategic plans shall aim in particular at the following:

(a) administrative simplification, in particular regarding licenses;

(b) certainty for aquaculture operators in relation to access to waters and space;

(c) indicators for environmental, economic and social sustainability;

(d) assessment of other possible cross-bordering effects on neighbouring Member States.

Amendment

4. Multiannual national strategic plans shall ***specifically address*** the following:

(a) ***the reduction of red tape and*** administrative simplification, in particular regarding licenses;

(b) certainty for aquaculture operators in relation to access to waters and space, ***in accordance with the Union Policy on Coastal Zone Management and Maritime Spatial Planning***;

(c) indicators for ***quality and*** environmental, economic and social sustainability;

(ca) measures to ensure that aquaculture activities are in full compliance with existing Union environmental legislation;

(d) assessment of other possible cross-bordering effects on ***marine biological resources and marine ecosystems*** on neighbouring Member States;

(da) the promotion of Research, Development and Innovation (RDI) and collaboration between the industry and the scientific world;

(db) food safety;

(dc) animal health and welfare;

(dd) environmental sustainability.

Amendment 183

Proposal for a regulation

Part IX – Article 45 – paragraph 1 – point c

Text proposed by the Commission

(c) strengthen the competitiveness of the Union fishery and aquaculture industry, ***in*** particular producers;

Amendment

(c) strengthen the competitiveness ***and promote the quality policies*** of the Union fishery and aquaculture industry ***by implementing production and marketing***

plans, paying particular attention to producers;

Amendment 184

Proposal for a regulation

Part IX – Article 45 – paragraph 1 – point d

Text proposed by the Commission

(d) improve the transparency of the markets, in particular as regards economic knowledge and understanding of the Union markets for fishery and aquaculture products along the supply chain **and** consumer awareness;

Amendment

(d) improve the transparency **and stability** of the markets, in particular as regards economic knowledge and understanding of the Union markets for fishery and aquaculture products along the supply chain, **the fair distribution of added value along the sector's value chain, as well as** consumer **information and** awareness, **by means of notification and/or labelling providing comprehensible information;**

Amendment 185

Proposal for a regulation

Part IX – Article 45 – paragraph 1 – point e

Text proposed by the Commission

(e) contribute to ensuring a level playing field for all products marketed in the Union by promoting sustainable exploitation of fisheries resources.

Amendment

(e) contribute to ensuring a level playing field **including equal health, social and environmental requirements** for all products marketed in the Union by promoting sustainable exploitation of fisheries resources.

Amendments 186 and 270

Proposal for a regulation

Part IX – Article 45 – paragraph 1 – points e a to e c (new)

Text proposed by the Commission

Amendment

(ea) ensure that consumers have a diverse supply of fishery and aquaculture products, the quality and origin of which are certified, along with sufficient information so that their decisions contribute to the achievement of the objectives established in this Regulation.

(eb) ensure that products imported from third countries come from fisheries and industries that meet the same environmental, economic, social and health requirements as those required of Union fleets and businesses, and that the products result from legal, declared and regulated fishing conducted in accordance with the same standards as those required of Union vessels.

(ec) ensure the traceability of all fishery and aquaculture products throughout the supply chain, provide verifiable and accurate information regarding the origin of the product and its mode of production and label the product accordingly, with an emphasis on reliable eco-labelling;

Amendment 187

Proposal for a regulation

Part IX – Article 45 – paragraph 3 – point b

Text proposed by the Commission

(b) common marketing standards.

Amendment

(b) common marketing standards, *taking into account the particular characteristics of local communities.*

Amendment 188

Proposal for a regulation

Part IX – Article 45 – paragraph 3 – points b a, b b and b c (new)

Text proposed by the Commission

Amendment

(ba) common rules with a view to the introduction of an eco-labelling scheme for Union fishery and aquaculture products.

(bb) consumer information.

(bc) taking trade measures against third countries not operating sustainable fishing practices.

Amendment 225

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point a

Text proposed by the Commission

(a) a global and integrated approach;

Amendment

(a) a global and integrated approach ***that should result in a number of controls linked to the size of fleets in different Member States;***

Amendment 189

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point b

Text proposed by the Commission

(b) the use of ***modern*** control technologies for the availability and quality of data on fisheries;

Amendment

(b) ***more efficient use of systems already on board each fishing vessel and, where necessary,*** the use of ***effective*** control technologies for the availability and quality of data on fisheries ***and aquaculture;***

Amendment 190

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) Union-wide harmonisation of the rules on controls and penalties;

Amendment 191

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) complementarity between controls at sea and on shore;

Amendment 192

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the development of a culture of compliance among operators;

(d) the development of a culture of **co-responsibility**, compliance **and cooperation** among **all fishing vessel** operators, **vessel owners and fishermen**;

Amendment 193

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) a standardised compliance and enforcement regime for each Member State.

Amendment 226

Proposal for a regulation

Part X – Article 46 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) a level playing field, including trade sanctions when irresponsible behaviour of third countries is established.

Amendment 195

Proposal for a regulation

Part X – Article 46 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall ensure the establishment of effective, proportionate and dissuasive penalties, including the freezing of funds from the EMFF, taking into account the cost-benefit ratio and the principle of proportionality.

Amendment 243

Proposal for a regulation

Part X – Article 46 a (new)

Text proposed by the Commission

Amendment

Article 46a

Compliance Committee

1. A Union Compliance Committee shall be established and shall include representatives of the Member States, the Commission and the Control Agency.

2. The Union Compliance Committee shall:

(a) conduct annual reviews of compliance by each Member State to identify failures to comply with the CFP

(b) review actions taken in relation to breaches of compliance detected.

(c) forward its conclusions to the European Parliament and to the Council.

Amendment 196

Proposal for a regulation

Part X – Article 48

Text proposed by the Commission

Member States may require **holders of a fishing licence for fishing vessels of 12 meters length overall or more flying their flag** to contribute proportionally to the costs of implementing the Union fisheries control system.

Amendment

Member States may require **their operators** to contribute proportionally to the **operational** costs of implementing the Union fisheries control system **and data collection**.

Amendment 197

Proposal for a regulation

Part XI – Article 49

Text proposed by the Commission

Union financial assistance may be granted to contribute to the achievement of the objectives set out in Articles 2 and 3.

Amendment

Union financial assistance may be granted to contribute to the achievement of the **long-term environmental, economic and social sustainability** objectives set out in Articles 2 and 3. **Union financial assistance shall not support operations**

that jeopardise the sustainability and the conservation of marine biological resources, biodiversity, habitats and ecosystems.

Amendment 302

Proposal for a regulation Part XI – Article 50

Text proposed by the Commission

1. Union financial assistance towards Member States shall be conditional upon compliance with the rules of the Common Fisheries Policy by Member States.
2. Non compliance by Member States with the rules of the Common Fisheries Policy *may* result in the interruption or suspension of payments or in the application of a financial correction to Union financial assistance under the Common Fisheries Policy. Such measures shall be proportionate to the nature, extent, duration and repetition of the non compliance.

Amendment

1. Union financial assistance towards Member States shall be **transparent and** conditional upon compliance with the rules of the Common Fisheries Policy **and with the environmental directives mentioned in Article 12, as well as with the application of the precautionary principle** by Member States.
2. Non compliance by Member States with the rules of the Common Fisheries Policy **and the legal acts referred to in paragraph 1 and with the application of the precautionary principle shall immediately** result in the interruption or suspension of payments or in the application of a financial correction to Union financial assistance under the Common Fisheries Policy. Such measures shall be proportionate to the nature, extent, duration and repetition of the non compliance. **A methodology shall be established including objectives, indicators, and homogenous and transparent measurements for all Member States.**

Amendment 199

Proposal for a regulation Part XI – Article 51

Text proposed by the Commission

1. Union financial assistance towards operators shall be conditional upon compliance with the rules of the Common

Amendment

1. Union financial assistance toward operators shall be conditional upon **the** compliance **by operators** with the rules of

Fisheries Policy *by operators*.

2. Serious infringements by operators of the rules of the Common Fisheries Policy shall result in temporary or permanent bans on access to the Union financial assistance and/or the application of financial reductions. Such measures shall be proportionate to the nature, extent, duration and repetition of serious infringements.

3. Member States shall ensure that Union financial assistance is granted only if no **sanctions for** serious infringements have been **imposed to** the concerned operator within a period of **1 year** prior to the date of application for Union financial assistance.

the Common Fisheries Policy **and with national law transposing the directives in the environmental field referred to in Article 12**. Financial assistance shall not be granted to an operation that jeopardises the sustainability and conservation of marine biological resources, biodiversity, habitats or ecosystems.

2. Serious infringements by operators of the rules of the Common Fisheries Policy **and of the national law referred to in paragraph 1** shall result in temporary or permanent bans on access to the Union financial assistance and/or the application of financial reductions. Such measures, **taken by the Member State**, shall be **dissuasive, effective and** proportionate to the nature, extent, duration and repetition of serious infringement.

3. Member States shall ensure that Union financial assistance is granted only if no serious infringements have been **committed by** the concerned operator, within a period of **at least three years** prior to the date of application for Union financial assistance.

Amendment 200

Proposal for a regulation Part XII – Article 52

Text proposed by the Commission

1. Advisory Councils are established for each of the areas of competence set out in Annex III, to promote a balanced representation of all stakeholders and to contribute to the achievement of the objectives set out in Articles 2 and 3.

Amendment

1. Advisory Councils are established for each of the **geographical** areas **or fields** of competence set out in Annex III, to promote a balanced representation of all stakeholders **in accordance with Article 54(1)** and to contribute to the achievement of the objectives set out in Articles 2 and 3.

1a. In particular, the following new Advisory Councils shall be established, in accordance with Annex III:

(a) an Advisory Council for the outermost regions, divided into three sections for each of the following sea basins: West

Atlantic, East Atlantic and Indian Ocean

(b) an Advisory Council for aquaculture and inland fishing

(c) an Advisory Council for markets

(d) an Advisory Council for the Black Sea

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning amendments to that Annex to change the areas of competence, to create new areas of competence for Advisory Councils or to create new Advisory Councils.

3. Each Advisory Council shall establish its rules of procedure.

2. Each Advisory Council shall establish its rules of procedure.

Amendment 201

Proposal for a regulation Part XII – Article 53

Text proposed by the Commission

Amendment

-1. Before completing its internal procedures leading to the submission, in accordance with the ordinary legislative procedure, of a legislative proposal with Article 43(2) TFEU as its legal basis, such as multiannual plans or technical measures frameworks, or leading to the adoption of delegated acts in accordance with Article 55, the Commission shall seek the opinion of Advisory Councils concerned. This consultation shall be without prejudice to the consultation of ICES or other appropriate scientific bodies.

1. Advisory Councils may:

(a) submit recommendations and suggestions on matters relating to fisheries **management** and aquaculture to the Commission **or** to the Member State concerned;

(b) inform the Commission and Member States of problems relating to fisheries **management** and aquaculture in their area

1. Advisory Councils may:

(a) submit recommendations and suggestions on matters relating to **the management of fisheries and the socio-economic and conservation aspects of** fisheries and aquaculture to the Commission, **and** to the Member State concerned;

(b) inform the Commission and Member States of problems relating to **the management and the socio-economic and**

of competence;

(c) contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.

2. The Commission and, where relevant, the Member State concerned, shall **reply** within *a reasonable time period to any recommendation, suggestion or information received pursuant to paragraph 1.*

conservation aspects of fisheries and, where appropriate, of aquaculture in their geographical area or field of competence and propose solutions to overcome these problems;

(c) contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.

(ca) issue opinions on the draft conservation measures referred to in Article 17 and the draft technical measures referred to in Article 21, and submit them to the Commission and to those Member States that are directly concerned by the fishery or area in question;

2. The Commission and, where relevant, the Member State concerned, shall *take due account of the Advisory Councils' opinions, recommendations, suggestions and of any information received pursuant to paragraph -1 and 1 and shall reply to these submissions* within *not more than 30 working days, and in any event before the final measures are adopted. Where the final measures adopted diverge from the Advisory Councils' opinions, recommendations and suggestions received pursuant to paragraph -1 and 1, the Commission or the Member State concerned shall provide detailed explanation of the reasons why they diverge.*

Amendment 202

Proposal for a regulation Part XII – Article 54

Text proposed by the Commission

1. Advisory Councils shall be composed of organizations representing the fisheries operators **and** other interest groups affected by the Common Fisheries Policy.

Amendment

1. Advisory Councils shall be composed of

(a) organisations representing the fisheries

and, where appropriate, aquaculture operators;

(b) other interest groups affected by the Common Fisheries Policy, for example, environmental organisations and consumer groups.

With respect to point (a), employers, self-employed fishermen and employees and different fishing trades shall be duly represented.

Representatives of national and regional administrations having fisheries interests in the area concerned and researchers from the Member States' scientific and fisheries research institutes and from the international scientific institutions that advise the Commission shall be allowed to participate as observers.

1a. Representatives of the European Parliament and the Commission may take part as observers in Advisory Council meetings. When issues that affect them are discussed, representatives of the fisheries sector and other interest groups from third countries, including representatives from RFMOs, that have a fishing interest in the area or fisheries covered by an Advisory Council may be invited to participate as observers in those Advisory Council meetings.

2. Each Advisory Council shall consist of a general assembly and an executive committee and shall adopt the measures necessary for its organization and to ensure transparency and the respect of all opinions expressed.

3. Advisory Councils may apply for Union financial assistance as bodies pursuing an aim of general European interest.

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the composition and the functioning of Advisory Councils.

2. Each Advisory Council shall consist of a general assembly and an executive committee and shall adopt the measures necessary for its organization and to ensure transparency and the respect of all opinions expressed.

3. Advisory Councils may apply for Union financial assistance as bodies pursuing an aim of general European interest.

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the composition and the functioning of Advisory Councils, *without prejudice to paragraph 1 and 1a .*

Amendment 203

Proposal for a regulation
Part XIII – Article 55 – paragraphs 2 to 5

Text proposed by the Commission

2. The delegation of power referred to in Articles **12(2)**, 15(6), 20(1) and (2), 24(1) and (2), **35(3)**, 36(4), 37(6), 47(2), **52(2)**, 54(4) shall be conferred for an indeterminate period of time from 1 January 2013.
3. The delegation of power referred to in Articles **12(2)**, 15(6), 20(1) and (2), 24(1) and (2), **35(3)**, 36(4), 37(6), 47(2), **52(2)**, 54(4) may be revoked at any time by the European Parliament or by the Council. A decision **of revocation** shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Articles **12(3)**, 15(**4**), 20(1) and (2), 24(1) and (2), **35(3)**, 36(4), 37(**7**), 47(2), **52(2)**, 54(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **2** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **2** months at the initiative of the European Parliament or the Council.

Amendment

2. The delegation of power referred to in Articles **13**, 15(6), 20(1) and (2), 24(1) and (2), 36(4), 37(6), 47(2), 54(4) shall be conferred for an indeterminate period of time from 1 January 2013.
3. The delegation of power referred to in Articles **13**, 15(6), 20(1) and (2), 24(1) and (2), 36(4), 37(6), 47(2), 54(4) may be revoked at any time by the European Parliament or by the Council. A decision **to revoke** shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Articles **13**, 15(**6**), 20(1) and (2), 24(1) and (2), 36(4), 37(**6**), 47(2), 54(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or **of** the Council.

Amendment 204

Proposal for a regulation Part XIII – Article 55 a (new)

Text proposed by the Commission

Amendment

Article 55a

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply, subject to paragraph 2, for a period of six months. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 55(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.

Amendment 205

Proposal for a regulation Part XIII – Article 56

Text proposed by the Commission

Amendment

In the implementation of the rules of the Common Fisheries Policy, the Commission shall be assisted by a Committee for fisheries and aquaculture. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

1. In the implementation of the rules of the Common Fisheries Policy, the Commission shall be assisted by a Committee for fisheries and aquaculture. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No

182/2011 shall apply.

3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

Amendment 206

Proposal for a regulation

Part XIV – Article 57 – paragraph 2

Text proposed by the Commission

2. Decision (EC) No 2004/585 is hereby repealed with effect from the entry into force of the rules adopted under **Articles 51(4) and 52(4)**.

Amendment

2. Decision (EC) No 2004/585 is hereby repealed with effect from the entry into force of the rules adopted under **Article 54(4)**.

Amendment 207

Proposal for a regulation

Part XIV – Article 57 – paragraph 4

Text proposed by the Commission

4. Regulation (EC) No 199/2008 is repealed.

Amendment

deleted

Amendment 273

Proposal for a regulation

Part XIV – Article 57 a (new)

Text proposed by the Commission

Amendment

Article 57a

Regulation (EC) No 768/2005 is hereby amended as follows:

In Article 16, the following paragraph is added:

"3. The European Fisheries Control Agency shall be the operational body designated for the exchange of data in electronic form and for enhanced maritime surveillance capacity."

Amendment 208

Proposal for a regulation

Part XIV – Article 58

Text proposed by the Commission

Amendment

Article 58 Transitional measures

deleted

Notwithstanding Article 57(4), Regulation (EC) No 199/2008 shall continue to apply to the national programmes adopted for the collection and management of data for the years 2011 - 2013.

Amendment 209

Proposal for a regulation

Part XIV – Article 58 a (new)

Text proposed by the Commission

Amendment

Article 58a

Review

1. Every five years, the Commission shall review the provisions of Part I and present proposals to the European Parliament and to the Council to incorporate progress and best practices in fisheries management.

2. The Commission shall report to the European Parliament and to the Council on the operation of the Common Fisheries Policy before the end of 2022.

Amendment 210

Proposal for a regulation

Part XIV – Article 58 b (new)

Text proposed by the Commission

Amendment

Article 58b

Annual report

The Commission shall publish an annual report informing the public about the fisheries situation in the Union, including

information on the biomass levels of fish stocks, the sustainability of exploitation rates and the availability of scientific data.

Amendment 211

Proposal for a regulation

Annex III

Text proposed by the Commission

ADVISORY COUNCILS

Name of the Advisory Council	Area of competence
Baltic Sea	ICES zones IIIb, IIIc and IIId
Mediterranean Sea	Maritime Waters of the Mediterranean of the East of line 5°36' West
North Sea	ICES zones IV and IIIa
North Western waters	ICES zones V (excluding Va and only Union waters of Vb), VI and VII
South Western waters	ICES zones VIII, IX and X (waters around Azores), and CECAF zones 34.1.1, 34.1.2 and 34.2.0 (waters around Madeira and the Canary Islands)
Pelagic stocks (blue whiting, mackerel, horse mackerel, herring)	All areas competence (excluding the Baltic Sea, the Mediterranean Sea and Aquaculture)

Amendment

ADVISORY COUNCILS

Name of the Advisory Council	Area of competence
Baltic Sea	ICES zones IIIb, IIIc and IIId
Mediterranean Sea	Maritime Waters of the Mediterranean of the East of line 5°36' West
North Sea	ICES zones IV and IIIa
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South Western waters	ICES zones VIII, IX and X (waters around Azores), and CECAF zones 34.1.1, 34.1.2 and 34.2.0 (waters around Madeira and the Canary Islands)
Pelagic stocks (blue whiting, mackerel, horse mackerel, herring)	All areas competence (excluding the Baltic Sea, the Mediterranean Sea and Aquaculture)

High seas/long distance fleet	All non Union-waters	High seas/long distance fleet	All non Union-waters
Aquaculture	Aquaculture, as defined in Article 5	Aquaculture <i>and Inland Fishing</i>	Aquaculture, as defined in Article 5 <i>and all inland waters of the Member States of the European Union</i>
		<i>Outermost regions, divided into three sea basins: West Atlantic, East Atlantic, Indian Ocean</i>	<i>All the ICES zones covering water around the outermost regions, particularly the Maritime Waters of Guadeloupe, French Guiana, Martinique, the Canary Islands, the Azores, Madeira and Reunion</i>
		<i>Black Sea Council</i>	<i>GFCM geographical sub-area as defined in Resolution GFCM/33/2009/2</i>
		<i>Markets Advisory Council</i>	<i>All market areas</i>