



Council of the
European Union

Brussels, 26 April 2021
(OR. en)

Interinstitutional File:
2021/0103(COD)

8163/21
ADD 1

PECHE 122
CODEC 581

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	23 April 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 198 final - ANNEX
Subject:	ANNEXES to the proposal for a Regulation of the European Parliament and of the Council laying down conservation and management measures applicable in the Western and Central Pacific Fisheries Convention Area and amending Council Regulation (EC) No 520/2007

Delegations will find attached document COM(2021) 198 final - ANNEX.

Encl.: COM(2021) 198 final - ANNEX



Brussels, 23.4.2021
COM(2021) 198 final

ANNEXES 1 to 3

ANNEXES

to the

proposal for a Regulation of the European Parliament and of the Council

**laying down conservation and management measures applicable in the Western and
Central Pacific Fisheries Convention Area and amending Council Regulation (EC) No
520/2007**

ANNEX I

Bird Mitigation Measures

Table 1: Mitigation Measures

Column A	Column B
Side setting with a bird curtain and weighted branch lines ¹	Tori line ²
Night setting with minimum deck lighting	Blue-dyed bait
Tori line	Deep setting line shooter
Weighted branch lines	Management of offal discharge
Hook-shielding devices ³	

Specifications

1. Tori lines (South of 25° South)

1a) For vessels ≥35 m total length

i. Deploy at least 1 tori line. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity; both tori lines shall be deployed simultaneously, one on each side of the line being set. If two tori lines are used baited hooks shall be deployed within the area bounded by the two tori lines.

ii. A tori line using long and short streamers shall be used. Streamers shall be: brightly coloured, a mix of long and short streamers.

a. Long streamers shall be placed at intervals of no more than 5 m, and long streamers must be attached to the line with swivels that prevent streamers from wrapping around the line. Long streamers of sufficient length to reach the sea surface in calm conditions must be used.

b. Short streamers (greater than 1m in length) shall be placed no more than 1m apart.

iii. Vessels shall deploy the tori line to achieve a desired aerial extent greater than or equal to 100 m. To achieve this aerial extent the tori line shall have a minimum length of 200m, and shall be attached to a tori pole >7m above the sea surface located as close to the stern as practical.

iv. If vessels use only one tori line, the tori line shall be deployed windward of sinking baits.

1b) For vessels <35 m total length

i. A single tori line using either long and short streamers, or short streamers only shall be used.

¹ If using side setting with a bird curtain and weighted branch lines from Column A, this will be counted as two mitigation measures.

² If a tori line is selected from both Column A and Column B, this equates to simultaneously using two (i.e. paired) tori lines.

³ Hook-shielding devices can be used as a stand-alone measure.

ii. Streamers shall be: brightly coloured long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows:

a. Long streamers placed at intervals of no more than 5m for the first 75 m of tori line. b. Short streamers placed at intervals of no more than 1m. iii. Long streamers should be attached to the line in a way that prevent streamers from wrapping around the line. All long streamers shall reach the sea-surface in calm conditions. Streamers may be modified over the first 15 m to avoid tangling. .

iv. Vessels shall deploy the tori line to achieve a minimum aerial extent of 75 m. To achieve this aerial extent the tori line shall be attached to a tori pole >6m above the sea surface located as close to the stern as practical. Sufficient drag must be created to maximise aerial extent and maintain the line directly behind the vessel during crosswinds. To avoid tangling, this is best achieved using a long in-water section of rope or monofilament.

v. If two tori lines are used, the two lines must be deployed on opposing sides of the main line.

2. Tori lines (North of 23° North)

2a) Long Streamer

i. Minimum length: 100 m ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of the point where the hookline enters the water. iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks. iv. Streamers must be less than 5m apart, be using swivels and long enough so that they are as close to the water as possible. v. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2b) Short Streamer (For vessels ≥ 24 m total length)

i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water. ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks. iii. Streamers must be less than 1m apart and be 30 cm minimum length. iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2c) Short Streamer (For vessels <24 m total length)

This design shall be reviewed no later than 3 years from the implementation date based on scientific data. i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water. ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks. iii. If streamers are used, it is encouraged to use the streamers designed to be less than 1m apart and be 30cm minimum length. iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the mainline.

3. Side setting with bird curtain and weighted branch lines

i. Mainline deployed from port or starboard side as far from stern as practicable (at least 1m), and if mainline shooter is used, must be mounted at least 1m forward of the stern. ii. When seabirds are present the gear must ensure mainline is deployed slack so that baited hooks remain submerged. iii. Bird curtain must be employed: • Pole aft of line shooter at least 3m long; • Minimum of 3 main streamers attached to upper 2m of pole; • Main streamer diameter minimum 20mm; • Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10mm

4. Night setting

i. No setting between nautical dawn and before nautical dusk. ii. Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. iii. Deck lighting to be kept to a minimum. Minimum deck lighting should not breach minimum standards for safety and navigation.

5. Weighted branch lines

i. Following minimum weight specifications are required:

a) one weight greater than or equal to 40g within 50cm of the hook; or

b) greater than or equal to a total of 45g attached to within 1 m of the hook; or c) greater than or equal to a total of 60 g attached to within 3.5 m of the hook; or d) greater than or equal to a total of 98 g weight attached to within 4 m of the hook.

6. Hook-shielding devices

Hook-shielding devices encase the point and barb of baited hooks to prevent seabird attacks during line setting. The following devices have been approved for use in WCPFC fisheries: 1. Hookpods, which comply with the following performance characteristics⁴ a) the device encases the point and barb of the hook until it reaches a depth of at least 10 metres or has been immersed for at least 10 minutes; b) the device meets current minimum standards for branch line weighting as specified in this Annex; and c) the device is designed to be retained on the fishing gear rather than being lost.

7. Management of offal discharge

i. Either no offal discharge during setting or hauling; ii. Or strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.

8. Blue-dyed bait

i. If using blue-dyed bait it must be fully thawed when dyed. ii. The Commission Secretariat shall distribute a standardized colour placard. iii. All bait must be dyed to the shade shown in the placard.

9. Deep setting line shooter

i. Line shooters must be deployed in a manner such that the hooks are set substantially deeper than they would be lacking the use of the line shooter, and such that the majority of hooks reach depths of at least 100 m.

ANNEX II

Markings and other technical specifications of fishing vessels

1. Union fishing vessels shall display the WCPFC Identification Number (WIN) in the English language prominently at all times:
 - (a) on the vessel's hull or superstructure, port and starboard. Operators may place fixtures that are inclined at an angle to the vessel's side or superstructure provided that the angle of inclination would not prevent sighting of the sign from another vessel or from the air;
 - (b) on a deck, except as provided for in paragraph 2 below. Should an awning or other temporary cover be placed so as to obscure the mark on a deck, the awning or cover shall also be marked. These marks should be placed athwartships with the top of the numbers or letters towards the bow.
2. The WIN shall be placed:
 - (a) as high as possible above the waterline on both sides of the vessel and it shall be ensured that such parts of the hull as the flare of the bow and the stern are avoided;
 - (b) in a manner that does not allow the marks to be obscured by the fishing gear whether it is stowed or in use;
 - (c) in a manner so that they are clear of flow from scuppers or overboard discharges including areas which might be prone to damage or discolouration from the catch of certain types of species; and,
 - (d) so that they do not extend below the waterline.
3. Undecked vessels shall not be required to display the WIN on a horizontal surface. However, operators are encouraged to fit a board on which the WIN is placed so that it may be clearly seen from the air.
4. Boats, skiffs and craft carried by the vessel for fishing operations shall bear the same WIN as the vessel concerned.
5. Union fishing vessels shall comply with the following in placing the WIN on the vessel:
 - (a) block lettering and numbering is used throughout;
 - (b) the width of the letters and numbers is in proportion to the height;
 - (c) the height (h) of the letters and numbers is in proportion to the size of the vessel and in accordance with the following:
 - (d) for the WIN to be placed on the hull, superstructure and/or inclined surfaces: the length of vessel overall (LOA) shall be displayed in metres (m), the height of letters and numbers in metres (m) shall not be less than: 1.0 m (for vessels of 25m and over), 0.8 m (for vessels at least 20m but less than 25m), 0.6 m (for vessels of at least 15m but less than 20m), 0.4 m (for vessels of at least 12m but less than 15m), 0.3 m (for vessels of at least 5m but less than 12m), 0.1 m (for vessels under 5m),
 - (e) for the WIN to be placed on deck: the height shall not be less than 0.3 m for all classes of vessels of 5 m and over;

- (f) the length of the hyphen shall be half the height of the letters and numbers;
- (g) the width of the stroke for all letters, numbers and the hyphen shall be $h/6$;
- (h) the space between letters and/or numbers shall not exceed $h/4$ nor be less than $h/6$;
- (i) the space between adjacent letters having sloping sides shall not exceed $h/8$ nor be less than $h/10$;
- (j) the WIN shall be white on a black background, or black on a white background;
- (k) the background shall extend to provide a border around the WIN of not less than $h/6$;
- (l) good quality marine paint shall be used throughout;
- (m) the WIN shall meet the requirements of these specifications where retro-reflective or heat generating substances are used; and,
- (n) the WIN and the background shall be maintained in good condition at all times.

ANNEX III

Minimum Standards for Automatic Location Communicators (ALCs) used in the WCPFC Vessel Monitoring System

1. The ALC shall automatically and independently of any intervention on the vessel communicate the following data:

(i) ALC static unique identifier;

(ii) the current geographical position (latitude and longitude) of the vessel; and

(iii) the date and time (expressed in Universal Time Constant [UTC]) of the fixing of the position of the vessel in para 1 (ii) above.

2. The data referred to in paras 1 (ii) and 1 (iii) shall be obtained from a satellite-based positioning system.

3. ALCs fitted to fishing vessels must be capable of transmitting data referred to in para 1, hourly.

4. The data referred to para 1 shall be received by the WCPFC Commission within 90 minutes of being generated by the ALC, under normal operating conditions.

5. ALCs fitted to fishing vessels must be protected so as to preserve the security and integrity of data referred to in para 1.

6. Storage of information within the ALC must be safe, secure and integrated under normal operating conditions.

7. It must not be reasonably possible for anyone other than the monitoring authority to alter any of that authority's data stored in the ALC, including the frequency of position reporting to that authority.

8. Any features built into the ALC or terminal software to assist with servicing shall not allow unauthorized access to any areas of the ALC that could potentially compromise the operation of the VMS.

9. ALCs shall be installed on vessels in accordance with their manufacturer's specifications and applicable standards.

10. Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Squared (DRMS), (i.e. 98% of the positions must be within this range).

11. The ALC and/or forwarding service provider must be able to support the ability for data to be sent to multiple independent destinations.

12. The satellite navigation decoder and transmitter shall be fully integrated and housed in the same tamper-proof physical enclosure.

13. A standard format for manual position reporting in the event of ALC Malfunction or Failure is as follows:

1 WIN

2 Vessel Name

3 Date: dd/mm/yy

4 Time: 24 hour format HH:MM (UTC)

5 Latitude –DD-MM-SS (N/S)

6 Longitude –DDD-MM-SS (E/W)

7 Activity (Fishing/Searching/Transit/Transshipping)