



Council of the  
European Union

Brussels, 3 May 2022  
(OR. en)

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**Interinstitutional Files:**  
**2021/0103(COD)**  
**2021/0058(COD)**

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**8522/22**  
**ADD 1**

**LIMITE**

**PECHE 137**  
**CODEC 559**

**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: 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  
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007  
- EP amendments related to EFCA

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Delegations will find attached the European Parliament's compromise proposal on EFCA-related provisions in the proposed IOTC transposition regulation ("Annex 2" to ST 8522/22).


Remarks from the Presidency are marked in **blue**.

This document will be examined at the Working Party on Fisheries Policy on 5 May 2022 for an exchange of views with delegations to see if the EP's request could be accommodated.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
laying down management, conservation and control measures applicable in the Indian Ocean Tuna  
Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No  
1984/2003 and (EC) No 520/2007**

2021/0058(COD)  
5.4.2022

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
Recital 5a				
14a		<p><i><u>(5a) In accordance with Article 3 of Regulation (EU) 2019/473<sup>1a</sup>, the mission of the European Fisheries Control Agency (EFCA) is, inter alia, to assist Member States in reporting information on fishing activities and control and inspection activities to the Commission and third parties, and to assist in the uniform implementation of the operational coordination of control activities by Member States for the implementation of specific control and inspection programmes, control programmes related to IUU fishing and international</u></i></p>		<p>The Presidency requests flexibility to accept a recital along the following lines (EP compromise proposal). Adjustments might be made to ensure as much as possible coherence between different transposition regulations.</p> <p><i><u>(5a) The Commission, or a body designated by it, should coordinate the inspection and surveillance activities of the Union. It should be possible for the Commission, or a body designated by it, to draw up, together with the Member States concerned, joint operational inspection and surveillance</u></i></p>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		<p><u>control and inspection programmes. EFCA shall also, at the Commission's request, assist the Union and Member States in their relations with third countries and regional international fisheries organisations of which the Union is a member, in accordance to Article 4 of the same Regulation. It is therefore appropriate for EFCA to be the body that receives from Member States and transmits to the IOTC Secretariat information relating to control and inspection, IUU fishing fight, such as inspection reports and notifications of the control observers scheme.</u></p> <p><u><sup>1a</sup> Regulation (EU) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency (OJ L 83, 25.3.2019, p. 18).</u></p> <p>EFCA</p>		<p><u>programmes for that purpose. The Member States whose vessels are engaged in fisheries in the Convention Area should adopt the necessary measures to facilitate the implementation of those activities, particularly as regards the human and material resources required and the periods and zones in which these resources are to be deployed. In accordance with Article 3 of Regulation (EU) 2019/473<sup>1a</sup>, the mission of the European Fisheries Control Agency (EFCA) is, inter alia, to assist Member States in reporting information on fishing activities and control and inspection activities to the Commission and third parties, and to assist in the uniform implementation of the operational coordination of control activities by Member States for the implementation of specific control and inspection programmes, control programmes related to IUU fishing and international control and inspection programmes. EFCA is also, at the Commission's request, to assist the Union and Member States in their relations with third</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
				<p><u>countries and regional international fisheries organisations of which the Union is a member, in accordance with Article 4 of the same Regulation. It is therefore appropriate for EFCA to be the body designated by the Commission that receives from Member States and transmits to the IOTC Secretariat information relating to control and inspection, the fight against IUU fishing, such as inspection reports and notifications of the control observers scheme.</u></p> <p><u>1<sup>a</sup> Regulation (EU) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency (OJ L 83, 25.3.2019, p. 18).</u></p>
Article 5(5)				
62	5. Union fishing vessels shall report to their flag Member States any data buoy that they have observed to be damaged or otherwise inoperable, along with the details of observation, the	5. Union fishing vessels shall report to their flag Member States any data buoy that they have observed to be damaged or otherwise inoperable, along with the details of observation, the	5. Union fishing vessels shall report to their flag Member States any data buoy that they have observed to be damaged or otherwise inoperable, along with the details of observation, the	<p>EP withdraws its amendment related to EFCA.</p> <p>5. Union fishing vessels shall report to their flag Member States any data buoy that they have observed to be damaged or</p>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	buoy's location, and any discernible identifying information on it. Member States shall send such reports, and information on the location of data buoys assets that they have deployed throughout the Area to the Commission, in accordance with Article 51(5).	buoy's location, and any discernible identifying information on it. Member States shall send such reports, and information on the location of data buoys assets that they have deployed throughout the Area to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(5).  EFCA	buoy's location, and any discernible identifying information on it. Member States shall send such reports, and information on the location of data buoys assets that they have deployed throughout the Area to the Commission, in accordance with Article 51(5).	otherwise inoperable, along with the details of observation, the buoy's location, and any discernible identifying information on it. Member States shall send such reports, and information on the location of data buoys assets that they have deployed throughout the Area to the Commission <del>with</del> <u>EFCA in copy</u> , in accordance with Article 51(5).
Article 7(4)				
74	4. Member States are encouraged to undertake scientific research on blue shark that would provide information on key biological, ecological, behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be included in the reports that are sent to the Commission in accordance with Article 51(6).	4. Member States are encouraged to undertake scientific research on blue shark that would provide information on key biological, ecological, behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be included in the reports that are sent to the Commission <u>with EFCA in copy</u> in accordance with Article 51(6).  EFCA	4. Member States are encouraged to undertake scientific research on blue shark that would provide information on key biological, ecological, behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be included in the reports that are sent to the Commission in accordance with Article 51(6).	<b>EP withdraws its amendment related to EFCA.</b>  4. Member States are encouraged to undertake scientific research on blue shark that would provide information on key biological, ecological, behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be included in the reports that are sent to the Commission <del>with</del> <u>EFCA in copy</u> in accordance with Article 51(6).

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
Article 8(1)				
77	<p>1. Union fishing, support and supply vessels shall not use aircrafts or unmanned aerial vehicles as fishing aids. Any occurrence of a fishing operation undertaken in the Area with the aid of aircraft or an unmanned aerial vehicle shall be immediately reported to the flag Member State and the Commission. The Commission shall inform the IOTC Secretariat thereof without delay.</p>	<p>1. Union fishing, support and supply vessels shall not use aircrafts or unmanned aerial vehicles as fishing aids. Any occurrence of a fishing operation undertaken in the Area with the aid of aircraft or an unmanned aerial vehicle shall be immediately reported to the flag Member State, <u>to EFCA and with</u> <del>and</del> the Commission <u>in copy. EFCA.</u> <del>The Commission</del> shall inform the IOTC Secretariat thereof without delay.</p> <p>EFCA</p>	<p>1. Union fishing, <u>including</u> support and supply vessels shall not use aircrafts or unmanned aerial vehicles as fishing aids. Any occurrence of a fishing operation undertaken in the Area with the aid of aircraft or an unmanned aerial vehicle shall be immediately reported to the flag Member State and the Commission. The Commission shall inform the IOTC Secretariat thereof without delay.</p>	<p>EP compromise proposal. The Presidency requests flexibility to accept the following text:</p> <p>1. Union fishing, <u>including</u> support and supply vessels shall not use aircrafts or unmanned aerial vehicles as fishing aids. Any occurrence of a fishing operation undertaken in the Area with the aid of aircraft or an unmanned aerial vehicle shall be immediately reported to the flag Member State, <u>to EFCA and with</u> <del>and</del> the Commission <u>or a body designated by the Commission in copy. EFCA.</u> <del>The Commission</del> <u>The Commission, or a body designated by it,</u> shall inform the IOTC Secretariat thereof without delay.</p>
Article 9(1)				
80	<p>1. Union fishing vessels shall record fishing activities in association with drifting FADs and anchored FADs, separately, using the specific data elements in Annex 2. Member States shall send this information to the Commission, in</p>	<p>1. Union fishing vessels shall record fishing activities in association with drifting FADs and anchored FADs, separately, using the specific data elements in Annex 2. Member States shall send this information to the Commission</p>	<p>1. Union fishing vessels shall record fishing activities in association with drifting FADs and anchored FADs, separately, using the specific data elements in Annex 2. Member States shall send <del>this</del><u>that</u> information to the</p>	<p>EP withdraws its amendment related to EFCA.</p> <p>1. Union fishing vessels shall record fishing activities in association with drifting FADs and anchored FADs, separately, using the specific data elements in Annex</p>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	accordance with Article 51.	<u>with EFCA in copy</u> , in accordance with Article 51.  EFCA	Commission- in accordance with Article 51.	2. Member States shall send this information to the Commission <u>with EFCA in copy</u> , in accordance with Article 51.
Article 9(2)				
81	2. Daily information on all active FADs shall be transmitted to the Commission containing the information of date, instrumented buoy identification, assigned vessel and daily position, compiled at monthly intervals, submitted at least 60 days later but no longer than 90 days later. The Commission will send this information to the IOTC Secretariat.	2. Daily information on all active FADs shall be transmitted to <u>EFCA with the Commission in copy</u> containing the information of date, instrumented buoy identification, assigned vessel and daily position, compiled at monthly intervals, submitted at least 60 days later but no longer than 90 days later. <del>The Commission</del> EFCA will send this information to the IOTC Secretariat.  EFCA	2. Daily information on all active FADs shall be transmitted to the Commission containing the information of date, instrumented buoy identification, assigned vessel and daily position, compiled at monthly intervals, submitted at least 60 days later but no longer than 90 days later. The Commission will send this information to the IOTC Secretariat.	EP withdraws its amendment related to EFCA.  2. Daily information on all active FADs shall be transmitted to <del>EFCA with</del> the Commission <del>in copy</del> containing the information of date, instrumented buoy identification, assigned vessel and daily position, compiled at monthly intervals, submitted at least 60 days later but no longer than 90 days later. <del>The Commission</del> EFCA <del>The Commission</del> shall send this information to the IOTC Secretariat.
Article 9(4)				
87	4. No later than 75 days before the IOTC annual meeting, Member States shall send the Commission, in accordance with Article 51(5), a report on the progress of the management plans of FADs,	4. No later than 75 days before the IOTC annual meeting, Member States shall send the Commission <u>with EFCA in copy</u> , in accordance with Article 51(5), a report on the progress of the management plans	4. No later than 75 days before the IOTC annual meeting, Member States shall send the Commission, in accordance with Article 51(5), a report on the progress of the management plans of FADs,	EP withdraws its amendment related to EFCA.  4. No later than 75 days before the IOTC annual meeting, Member States shall send the Commission <u>with EFCA in copy</u> , in accordance

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	including reviews of the initially submitted management plans, and including reviews of the application of the principles of Annex V to CMM 19/02. The Commission shall send this information to the IOTC Secretariat not later than 60 days before the IOTC annual meeting.	of FADs, including reviews of the initially submitted management plans, and including reviews of the application of the principles of <u>the Annex <del>V to CMM 19/02</del> referred to in point 2 of Annex 6a to this Regulation</u> . The Commission shall send this information to the IOTC Secretariat not later than 60 days before the IOTC annual meeting.  Annexes EFCA	including reviews of the initially submitted management plans, and including reviews of the application of the principles of Annex V to CMM 19/02. The Commission shall send this information to the IOTC Secretariat not later than 60 days before the IOTC annual meeting.	with Article 51(5), a report on the progress of the management plans of FADs, including reviews of the initially submitted management plans, and including reviews of the application of the principles of <u>the Annex <del>V to CMM 19/02</del> referred to in point 2 of Annex 6a to this Regulation</u> . The Commission shall send this information to the IOTC Secretariat not later than 60 days before the IOTC annual meeting.
Article 15(4)				
123	4. Member States shall report data on all catches of sharks, including all available historical data, estimates and life status of discards and release (dead or alive) and size frequencies of sharks caught by their fishing vessels to the Commission, in their report, in accordance with Article 51(1).	4. Member States shall report data on all catches of sharks, including all available historical data, estimates and life status of discards and release (dead or alive) and size frequencies of sharks caught by their fishing vessels to the Commission <u>with EFCA in copy</u> , in their report, in accordance with Article 51(1).  EFCA	4. Member States shall report data on all catches of sharks, including all available historical data, estimates and life status of discards and release (dead or alive) and size frequencies of sharks caught by their fishing vessels to the Commission, in their report, in accordance with Article 51(1).	<u>EP withdraws its amendment related to EFCA.</u>  4. Member States shall report data on all catches of sharks, including all available historical data, estimates and life status of discards and release (dead or alive) and size frequencies of sharks caught by their fishing vessels to the Commission <u>with EFCA in copy</u> , in their report, in accordance with Article 51(1).
Article 20(3)				
161	3. Member States shall report the	3. Member States shall report the	3. Member States shall report the	<u>EP withdraws its amendment related to EFCA.</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	information referred to in under point (b) of paragraph 2, through logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009 including the status upon release (dead or alive), or when an observer is on board through observer programmes and send it to the Commission, in accordance with Article 51(1) and (5).	information referred to in under point (b) of paragraph 2, through logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009 including the status upon release (dead or alive), or when an observer is on board through observer programmes and send it to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1) and (5).  EFCA	information referred to in under point (b) of paragraph 2, through logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009 including the status upon release (dead or alive), or when an observer is on board through observer programmes and send it to the Commission, in accordance with Article 51(1) and (5).	3. Member States shall report the information referred to in under point (b) of paragraph 2, through logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009 including the status upon release (dead or alive), or when an observer is on board through observer programmes and send it to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1) and (5).
Article 21(5)				
173	5. Member States shall send all data on their vessels interactions with marine turtles to the Commission, in accordance with Article 51(1). The data shall include the level of logbook or observer coverage and an estimate of total mortality of marine turtles incidentally caught in their fisheries.	5. Member States shall send all data on their vessels interactions with marine turtles to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1). The data shall include the level of logbook or observer coverage and an estimate of total mortality of marine turtles incidentally caught in their fisheries.  EFCA	5. Member States shall send all data on their vessels interactions with marine turtles to the Commission, in accordance with Article 51(1). The data shall include the level of logbook or observer coverage and an estimate of total mortality of marine turtles incidentally caught in their fisheries.	EP withdraws its amendment related to EFCA.  5. Member States shall send all data on their vessels interactions with marine turtles to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1). The data shall include the level of logbook or observer coverage and an estimate of total mortality of marine turtles incidentally caught in their fisheries.
Article 21(6)				
174				EP withdraws its amendment

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	6. Union fishing vessels shall record all incidents involving marine turtles during fishing operations, including status on release (dead or alive) in the logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009. They shall report such incidents to their flag Member States with information, where possible, on the species, location of capture, conditions, actions taken on board and location of release. Member States shall send this information to the Commission, in accordance with Article 51(1).	6. Union fishing vessels shall record all incidents involving marine turtles during fishing operations, including status on release (dead or alive) in the logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009. They shall report such incidents to their flag Member States with information, where possible, on the species, location of capture, conditions, actions taken on board and location of release. Member States shall send this information to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1).  EFCA	6. Union fishing vessels shall record all incidents involving marine turtles during fishing operations, including status on release (dead or alive) in the logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009. They shall report such incidents to their flag Member States with information, where possible, on the species, location of capture, conditions, actions taken on board and location of release. Member States shall send this information to the Commission, in accordance with Article 51(1).	<u>related to EFCA.</u>  6. Union fishing vessels shall record all incidents involving marine turtles during fishing operations, including status on release (dead or alive) in the logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009. They shall report such incidents to their flag Member States with information, where possible, on the species, location of capture, conditions, actions taken on board and location of release. Member States shall send this information to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1).
Article 22(2)				
179	2. Union fishing vessels shall record data on incidental seabird bycatch by species, in particular through Regional Observer Scheme referred to in Article 30, and report these to the Commission in accordance with Article 51(1). Observers shall, to the extent possible, take photographs of	2. Union fishing vessels shall record data on incidental seabird bycatch by species, in particular through Regional Observer Scheme referred to in Article 30, and report these to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(1). Observers shall, to the extent possible, take	2. Union fishing vessels shall record data on incidental seabird bycatch by species, in particular through Regional Observer Scheme referred to in Article 30, and report these to the Commission in accordance with Article 51(1). Observers shall, to the extent possible, take photographs of	<u>EP withdraws its amendment related to EFCA.</u>  2. Union fishing vessels shall record data on incidental seabird bycatch by species, in particular through Regional Observer Scheme referred to in Article 30, and report these to the Commission <u>with EFCA in copy</u> , in accordance

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	seabirds caught by Union fishing vessels and transmit them to national seabird experts or the IOTC Secretariat for confirmation of identification.	photographs of seabirds caught by Union fishing vessels and transmit them to national seabird experts or the IOTC Secretariat for confirmation of identification.  EFCA	seabirds caught by Union fishing vessels and transmit them to national seabird experts or the IOTC Secretariat for confirmation of identification.	with Article 51(1). Observers shall, to the extent possible, take photographs of seabirds caught by Union fishing vessels and transmit them to national seabird experts or the IOTC Secretariat for confirmation of identification.
Article 22(3)				
180	3. Member States shall inform the Commission how the Regional Observer Scheme referred to in paragraph Article 30 is implemented, in accordance with Article 51(5).	3. Member States shall inform the Commission <u>and EFCA</u> how the Regional Observer Scheme referred to in <del>paragraph</del> Article 30 is implemented, in accordance with Article 51(5).  EFCA	3. Member States shall inform the Commission how the Regional Observer Scheme referred to in paragraph Article 30 is implemented, in accordance with Article 51(5).	EP compromise proposal. The Presidency requests flexibility to accept the following text:  3. Member States shall inform the Commission, <u>or a body designated by it, and EFCA</u> how the Regional Observer Scheme referred to in <del>paragraph</del> Article 30 is implemented, in accordance with Article 51(5).
Article 24(3), first subparagraph, introductory part				
201	3. Member States shall submit to the Commission the list of vessels complying with the requirements of paragraph 1, which are authorised to operate in the Area. This list shall include the following information for each vessel:	3. <del>Member States shall submit to the Commission</del> <u>with EFCA in copy</u> the list of vessels complying with the requirements of paragraph 1, which are authorised to operate in the Area. This list shall include the following information for each vessel:	3. Member States shall submit to the Commission the list of vessels complying with the requirements of paragraph 1, which are authorised to operate in the Area. <del>This That</del> list shall include the following information for each vessel:	EP withdraws its amendment related to EFCA.  3. <del>Member States shall submit to the Commission</del> <u>with EFCA in copy</u> the list of vessels complying with the requirements of paragraph 1, which are authorised to operate in the Area. This list shall include the following information for each

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		EFCA		vessel:
Article 24(4)				
221	4. Member States shall promptly notify the Commission of any addition to, deletion from, or amendment of the IOTC Record. The Commission shall send this information to the IOTC Secretariat without delay.	4. Member States shall promptly notify the Commission <u>with EFCA in copy</u> of any addition to, deletion from, or amendment of the IOTC Record. The Commission shall send this information to the IOTC Secretariat without delay.  EFCA	4. Member States shall promptly notify the Commission of any addition to, deletion from, or amendment of the IOTC Record. The Commission shall send this information to the IOTC Secretariat without delay.	EP withdraws its amendment related to EFCA.  4. Member States shall promptly notify the Commission <u>with EFCA in copy</u> of any addition to, deletion from, or amendment of the IOTC Record. The Commission shall send this information to the IOTC Secretariat without delay.
Article 25, first paragraph				
224	The information to be notified by the Member States to the Commission, in accordance with Article 24, shall be carried out in an electronic format in accordance with Article 39 of the Regulation (EU) 2017/2403.	The information to be notified by the Member States to the Commission <u>and EFCA</u> , in accordance with Article 24, shall be carried out in an electronic format in accordance with Article 39 of the Regulation (EU) 2017/2403.  EFCA	The information to be notified by <del>the</del> Member States to the Commission, in accordance with Article 24, shall be <del>carried out</del> <u>submitted</u> in an electronic format in accordance with Article 39 of <del>the</del> Regulation (EU) 2017/2403.	EP withdraws its amendment related to EFCA.  The information to be notified by the Member States to the Commission <del>and EFCA</del> , in accordance with Article 24, shall be carried out in an electronic format in accordance with Article 39 of the Regulation (EU) 2017/2403.
Article 26(2), introductory part				
227				EP withdraws its amendment

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	2. Member States shall submit to the Commission an updated template of the official authorisation to fish outside national jurisdictions, and update this information whenever this information changes. The Commission shall send this information to the IOTC Secretariat without delay. The template shall include the following information:	2. Member States shall submit to the Commission <u>with EFCA in copy</u> an updated template of the official authorisation to fish outside national jurisdictions, and update this information whenever this information changes. The Commission shall send this information to the IOTC Secretariat without delay. The template shall include the following information:  EFCA	2. Member States shall submit to the Commission an updated template of the official authorisation to fish outside national jurisdictions, and update <del>this the</del> information <del>whenever this information changes</del> <u>in the template whenever necessary</u> . The Commission shall send this information to the IOTC Secretariat without delay. The template shall include the following information:	<u>related to EFCA.</u>  2. Member States shall submit to the Commission <del>with EFCA in copy</del> an updated template of the official authorisation to fish outside national jurisdictions, and update <del>this the</del> information <del>whenever this information changes</del> <u>in the template whenever necessary</u> . The Commission shall send this information to the IOTC Secretariat without delay. The template shall include the following information:
Article 27(2)				
244	2. Member States shall report the results of the review of the actions and measures taken pursuant to paragraph 1 to the Commission, in accordance with Article 51(5).	2. Member States shall report the results of the review of the actions and measures taken pursuant to paragraph 1 to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(5).  EFCA	2. Member States shall report the results of the review of the actions and measures taken pursuant to paragraph 1 to the Commission, in accordance with Article 51(5).	<u>EP compromise proposal. The Presidency requests flexibility to accept the following text:</u>  2. Member States shall report the results of the review of the actions and measures taken pursuant to paragraph 1 to the Commission <u>or a body designated by it</u> <del>with EFCA in copy</del> , in accordance with Article 51(5).
Article 27(3)				

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
245	3. Member States which issue licenses to their authorised fishing vessels shall report annually to the Commission all measures taken in accordance with Annex I to CMM 05/07, using the format set out in Annex II of CMM 05/07, and in accordance with Article 51 of this Regulation.	3. Member States which issue licenses to their authorised fishing vessels shall report annually to the Commission <u>with EFCA in copy</u> all measures taken in accordance with <del>the Annex I to CMM 05/07</del> <u>referred to in point 7 of Annex 6a to this Regulation</u> , using the format set out in <del>the Annex H of CMM 05/07</del> <u>referred to in point 8 of Annex 6a to this Regulation</u> , and in accordance with Article 51 of this Regulation.  EFCA Annexes	3. Member States which issue licenses to their authorised fishing vessels shall report annually to the Commission all measures taken in accordance with Annex I to CMM 05/07, using the format set out in Annex II of CMM 05/07, and in accordance with Article 51 of this Regulation.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  3. Member States which issue licenses to their authorised fishing vessels shall report annually to the Commission, <u>or body designated by it, with EFCA in copy</u> all measures taken in accordance with <del>the Annex I to CMM 05/07</del> <u>referred to in point 7 of Annex 6a to this Regulation</u> , using the format set out in <del>the Annex H of CMM 05/07</del> <u>referred to in point 8 of Annex 6a to this Regulation</u> , and in accordance with Article 51 of this Regulation.
Article 28(3)				
252	3. Member States shall notify the Commission of any factual information showing that there are reasonable grounds for suspecting vessels not registered in the IOTC record to be engaged in fishing for or transshipment of IOTC species in the Area. The Commission shall notify the IOTC Secretariat of this information immediately.	3. Member States shall notify <u>EFCA with</u> the Commission <u>in copy</u> of any factual information showing that there are reasonable grounds for suspecting vessels not registered in the IOTC record to be engaged in fishing for or transshipment of IOTC species in the Area. <del>The Commission</del> <u>EFCA</u> shall notify the IOTC Secretariat of	3. Member States shall notify the Commission of any factual information showing that there are reasonable grounds for suspecting vessels not registered in the IOTC record to be engaged in fishing for or transshipment of IOTC species in the Area. The Commission shall notify the IOTC Secretariat of this information immediately.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  3. Member States shall notify <u>EFCA with</u> the Commission, <u>or a body designated by it, in copy</u> of any factual information showing that there are reasonable grounds for suspecting vessels not registered in the IOTC record to be

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		<p>this information immediately.</p> <p>EFCA</p>		<p>engaged in fishing for or transshipment of IOTC species in the Area. <del>The Commission</del> <u>EFCA</u> <u>The Commission, or a body designated by it</u>, shall notify the IOTC Secretariat of this information immediately.</p>
Article 29(1), introductory part				
254	<p>1. Member States with vessels fishing for tunas and swordfish in the Area shall, using the appropriate IOTC report template, submit to the Commission by 1<sup>st</sup> February of each year a list of fishing vessels flying their flag that were active in the Area during the previous year:</p>	<p>1. Member States with vessels fishing for tunas and swordfish in the Area shall, using the appropriate IOTC report template, submit to the Commission <u>with EFCA in copy</u> by 1<sup>st</sup> February of each year a list of fishing vessels flying their flag that were active in the Area during the previous year:</p> <p>EFCA</p>	<p>1. Member States with vessels fishing for tunas and swordfish in the Area shall, using the appropriate IOTC report template, submit to the Commission by 1<sup>st</sup> February of each year a list of fishing vessels flying their flag that were active in the Area during the previous year <u>and that</u>:</p>	<p><b>EP withdraws its amendment related to EFCA.</b></p> <p>1. Member States with vessels fishing for tunas and swordfish in the Area shall, using the appropriate IOTC report template, submit to the Commission <u>with EFCA in copy</u> by 1<sup>st</sup> February of each year a list of fishing vessels flying their flag that were active in the Area during the previous year:</p>
Article 31(2)				
280	<p>2. The observer shall, within 30 days of completion of each trip, provide a report to the flag Member State. The report shall be provided by area of 1°latitude by 1°longitude. Member States shall send to the Commission within 140</p>	<p>2. The observer shall, within 30 days of completion of each trip, provide a report to the flag Member State. The report shall be provided by area of 1°latitude by 1°longitude. Member States shall send to <u>EFCA with</u> the</p>	<p>2. The observer shall, within 30 days of completion of each trip, provide a report to the flag Member State. The report shall be provided by area of 1°latitude by 1°longitude. Member States shall send to the Commission within 140</p>	<p><b>EP compromise proposal. The Presidency requests flexibility to accept the following text:</b></p> <p>2. The observer shall, within 30 days of completion of each trip, provide a report to the flag Member State. The report shall be</p>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	days from reception, each report, but shall ensure that the reports from observer placed on the longline fleet are sent in continuous flow through the year. The Commission shall forward within 10 days the reports to the IOTC Secretariat.	Commission <u>in copy</u> within 140 days from reception, each report, but shall ensure that the reports from observer placed on the longline fleet are sent in continuous flow through the year. <del>The Commission</del> <u>EFCA</u> shall forward within 10 days the reports to the IOTC Secretariat.  EFCA	days from reception, each report, but shall ensure that the reports from observer placed on the longline fleet are sent in continuous flow through the year. The Commission shall forward within 10 days the reports to the IOTC Secretariat.	provided by area of 1° latitude by 1° longitude. Member States shall send to <del>EFCA</del> <u>with the Commission, or a body designated by it, in copy</u> within 140 days from reception, each report, but shall ensure that the reports from observer placed on the longline fleet are sent in continuous flow through the year. <del>The Commission</del> <u>EFCA</u> <del>The Commission, or a body designated by it,</del> shall forward within 10 days the reports to the IOTC Secretariat.
Article 33(3)				
293	3. Member States shall report the number of vessels monitored and the coverage achieved by gear type to the Commission, in accordance with Article 51(6).	3. Member States shall report the number of vessels monitored and the coverage achieved by gear type to the Commission <u>with EFCA in copy</u> , in accordance with Article 51(6).  EFCA	3. Member States shall report the number of vessels monitored and the coverage achieved by gear type to the Commission, in accordance with Article 51(6).	EP withdraws its amendment related to EFCA.  3. Member States shall report the number of vessels monitored and the coverage achieved by gear type to the Commission <del>with EFCA in copy</del> , in accordance with Article 51(6).
Article 34(2)				
297	2. Where a Member State suspects that one or more on-board vessel monitoring device on board the	2. Where a Member State suspects that one or more on-board vessel monitoring device on board the	2. Where a Member State suspects that one or more <del>on-board</del> vessel monitoring <del>device</del> <u>devices</u> on board	EP compromise proposal. The Presidency requests flexibility to accept the following text:

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	vessel of another flag Member State or another CPC does not meet required operational conditions, or have been tampered with, it shall immediately notify the Commission that will forward the notification to IOTC Secretariat and the vessel's flag State.	vessel of another flag Member State or another CPC does not meet required operational conditions, or have been tampered with, it shall immediately notify <u>EFCA with the Commission</u> <del>that will</del> <u>in copy.</u> <u>EFCA shall</u> forward the notification to IOTC Secretariat and the vessel's flag State.  EFCA	the vessel of another flag Member State or another CPC <del>does</del> <u>do</u> not meet required operational conditions, or have been tampered with, it shall immediately notify the Commission. <u>The Commission shall</u> <del>that will</del> forward the notification to <u>the</u> IOTC Secretariat and the vessel's flag State.	2. Where a Member State suspects that one or more on-board vessel monitoring device on board the vessel of another flag Member State or another CPC does not meet required operational conditions, or have been tampered with, it shall immediately notify <u>EFCA with the Commission, or a body designated by it. The Commission, or a body designated by it, EFCA shall</u> <del>that will</del> forward the notification to IOTC Secretariat and the vessel's flag State.
Article 36(1), introductory part				
314	1. The chartering Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article without delay and no later than 50 hours before commencement of fishing activities under a charter agreement, by submitting electronically and without delay the following information with respect to each chartered vessel:	1. The chartering Member State shall notify the Commission <u>with EFCA in copy</u> of any vessel to be identified as chartered in accordance with this Article without delay <u>within 15 days</u> and no later than <del>50</del> <u>72</u> hours before commencement of fishing activities under a charter agreement, by submitting electronically and without delay the following information with respect to each chartered vessel:	1. The chartering Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article without delay and no later than 50 hours before commencement of fishing activities under a charter agreement, by submitting electronically and without delay the following information with respect to each chartered vessel:	EP withdraws its amendment related to EFCA.  1. The chartering Member State shall notify the Commission <u>with EFCA in copy</u> of any vessel to be identified as chartered in accordance with this Article without delay <u>within 15 days</u> and no later than <del>50</del> <u>72</u> hours before commencement of fishing activities under a charter agreement, by submitting electronically and without delay the following information with

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		EFCA		respect to each chartered vessel:
Article 36(2)				
321	2. The flag Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article, without delay and no later than 50 hours before commencement of fishing activities under a charter agreement by submitting electronically the information with respect to each chartered vessel referred to in paragraph 1.	2. The flag Member State shall notify the Commission <u>with EFCA in copy</u> of any vessel to be identified as chartered in accordance with this Article, without delay <u>within 17 days</u> and no later than <del>50</del> <u>96</u> hours before commencement of fishing activities under a charter agreement by submitting electronically the information with respect to each chartered vessel referred to in paragraph 1.  EFCA	2. The flag Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article, without delay and no later than 50 hours before commencement of fishing activities under a charter agreement by submitting electronically the information with respect to each chartered vessel referred to in paragraph 1.	<b>EP withdraws its amendment related to EFCA.</b>  2. The flag Member State shall notify the Commission <u>with EFCA in copy</u> of any vessel to be identified as chartered in accordance with this Article, without delay <u>within 17 days</u> and no later than <del>50</del> <u>96</u> hours before commencement of fishing activities under a charter agreement by submitting electronically the information with
Article 36(4)				
326	4. Member States referred to in paragraph 1 and 2 shall immediately inform the Commission of the start, suspension, resumption and termination of the fishing operations under the chartering agreement.	4. Member States referred to in paragraph 1 and 2 shall immediately inform the Commission <u>with EFCA in copy</u> of the start, suspension, resumption and termination of the fishing operations under the chartering agreement.	4. Member States referred to in paragraph 1 and 2 shall immediately inform the Commission of the start, suspension, resumption and termination of the fishing operations under the chartering agreement.	<b>EP withdraws its amendment related to EFCA.</b>  4. Member States referred to in paragraph 1 and 2 shall immediately inform the Commission <u>with EFCA in copy</u> of the start, suspension, resumption and termination of the fishing operations under the chartering

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		EFCA		agreement.
Article 36(5)				
327	5. Member States chartering fishing vessels shall report to the Commission by 10 February of each year the particulars of charter agreements made in the previous calendar year, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels in accordance with Article 35(1)(j). The Commission shall forward that information to the IOTC Secretariat by 28 February of each year.	5. Member States chartering fishing vessels shall report to the Commission <u>with EFCA in copy</u> by 10 February of each year the particulars of charter agreements made in the previous calendar year, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels in accordance with Article 35(1)(j). The Commission shall forward that information to the IOTC Secretariat by 28 February of each year.  EFCA	5. Member States chartering fishing vessels shall report to the Commission by 10 February of each year the particulars of charter agreements made in the previous calendar year, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels in accordance with Article 35(1)(j). The Commission shall forward that information to the IOTC Secretariat by 28 February of each year.	EP withdraws its amendment related to EFCA.  5. Member States chartering fishing vessels shall report to the Commission <u>with EFCA in copy</u> by 10 February of each year the particulars of charter agreements made in the previous calendar year, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels in accordance with Article 35(1)(j). The Commission shall forward that information to the IOTC Secretariat by 28 February of each year.
Article 37, first paragraph				
329	Where a Member State's vessel or aircraft makes any sighting of fishing vessels that are suspected of, or confirmed as, being without nationality that may be fishing in the high seas of the Area, that	Where a Member State's vessel or aircraft makes any sighting of fishing vessels that are suspected of, or confirmed as, being without nationality that may be fishing in the high seas of the Area, that	Where a Member State's vessel or aircraft makes any sighting of fishing vessels that are suspected of, or confirmed as, being without nationality that may be fishing in the high seas of the Area, that	EP compromise proposal. The Presidency requests flexibility to accept the following text:  Where a Member State's vessel or aircraft makes any sighting of fishing vessels that are suspected

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	Member State shall report the sighting to the Commission, which shall forward the information to the IOTC Secretariat immediately.	Member State shall report the sighting to <u>EFCA with</u> the Commission, <del>which in copy.</del> <u>EFCA</u> shall forward the information to the IOTC Secretariat immediately.  EFCA	Member State shall report the sighting to the Commission, which shall forward the information to the IOTC Secretariat immediately.	of, or confirmed as, being without nationality that may be fishing in the high seas of the Area, that Member State shall report the sighting to <u>EFCA with</u> the Commission, <del>which, or a body designated by it in copy.</del> <u>EFCA The Commission, or a body designated by it,</u> shall forward the information to the IOTC Secretariat immediately.
Article 39(3)				
341	3. Member States shall report to the Commission all the data for any given year on an aggregated basis in their annual reports, in accordance with Article 51(1).	3. Member States shall report to the Commission <u>with EFCA in copy</u> all the data for any given year on an aggregated basis in their annual reports, in accordance with Article 51(1).  EFCA	3. Member States shall report to the Commission all the data for any given year on an aggregated basis in their annual reports, in accordance with Article 51(1).	<b>EP withdraws its amendment related to EFCA.</b>  3. Member States shall report to the Commission <del>with EFCA in copy</del> all the data for any given year on an aggregated basis in their annual reports, in accordance with Article 51(1).
Article 40(4)				
349	4. By 15 March of each year (for the period from 1 July to 31 December of the previous year) and 15 September (for the period from 1 January to 30 June of the current year) Member States that import bigeye tuna shall report to	4. By 15 March of each year (for the period from 1 July to 31 December of the previous year) and 15 September (for the period from 1 January to 30 June of the current year) Member States that import bigeye tuna shall report to	4. By 15 March of each year (for the period from 1 July to 31 December of the previous year) and 15 September (for the period from 1 January to 30 June of the current year) Member States that import bigeye tuna shall report to	<b>EP withdraws its amendment related to EFCA.</b>  4. By 15 March of each year (for the period from 1 July to 31 December of the previous year) and 15 September (for the period from 1 January to 30 June of the

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	the Commission the data collected under the bigeye tuna statistical document programme, using the format of Appendix 3 of Annex I to CMM 01/06. The Commission shall examine the information and shall transmit it to the IOTC Secretariat by 1 April and 1 October respectively.	the Commission <u>with EFCA in copy</u> the data collected under the bigeye tuna statistical document programme, using the format of <u>Appendix 3 the Annex referred to in point 12</u> of Annex <del>I to CMM 01/06</del> <u>6a to this Regulation</u> . The Commission shall examine the information and shall transmit it to the IOTC Secretariat by 1 April and 1 October respectively.  EFCA Annexes	the Commission the data collected under the bigeye tuna statistical document programme, using the format <del>of Appendix 3 of set out in</del> Annex <del>III</del> to CMM <del>01/06</del> <u>03/03</u> . The Commission shall examine the information and shall transmit it to the IOTC Secretariat by 1 April and 1 October respectively.	current year) Member States that import bigeye tuna shall report to the Commission <u>with EFCA in copy</u> the data collected under the bigeye tuna statistical document programme, using the format of <u>Appendix 3 the Annex referred to in point 12</u> of Annex <del>I to CMM 01/06</del> <u>6a to this Regulation</u> . The Commission shall examine the information and shall transmit it to the IOTC Secretariat by 1 April and 1 October respectively.
Article 40(5)				
350	5. Member States which export bigeye tuna shall examine export data upon receiving the import data referred to in paragraph 4, and shall report the results to the Commission annually, in accordance with Article 51(5).	5. Member States which export bigeye tuna shall examine export data upon receiving the import data referred to in paragraph 4, and shall report the results to the Commission <u>with EFCA in copy</u> annually, in accordance with Article 51(5).  EFCA	5. Member States which export bigeye tuna shall examine export data upon receiving the import data referred to in paragraph 4, and shall report the results to the Commission annually, in accordance with Article 51(5).	<u>EP withdraws its amendment related to EFCA.</u>  5. Member States which export bigeye tuna shall examine export data upon receiving the import data referred to in paragraph 4, and shall report the results to the Commission <u>with EFCA in copy</u> annually, in accordance with Article 51(5).
Article 41(2)				
358	2. Member States shall transmit any changes to the list of	2. Member States shall transmit any changes to the list of	2. Member States shall transmit any changes to the list of	<u>EP compromise proposal. The Presidency requests flexibility to accept the following text:</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	designated points of contact and designated ports to the Commission at least 30 days before the changes take effect. The Commission shall forward that information to the IOTC Secretariat at least 15 days before the changes take effect.	designated points of contact and designated ports to <u>EFCA with</u> the Commission <u>in copy</u> at least 30 days before the changes take effect. <del>The Commission</del> <u>EFCA</u> shall forward that information to the IOTC Secretariat at least 15 days before the changes take effect.  <u>EFCA</u>	designated points of contact and designated ports to the Commission at least 30 days before the changes take effect. The Commission shall forward that information to the IOTC Secretariat at least 15 days before the changes take effect.	2. Member States shall transmit any changes to the list of designated points of contact and designated ports to <u>EFCA with</u> the Commission, <u>or a body designated by it, in-copy</u> at least 30 days before the changes take effect. <del>The Commission</del> <u>EFCA</u> <del>The Commission, or a body designated by it,</del> shall forward that information to the IOTC Secretariat at least 15 days before the changes take effect.
Article 43(1)				
365	1. After receiving the relevant information pursuant to Article 42 of this Regulation, a port Member State shall decide whether to authorise or deny the third country fishing vessel entry into and use of its ports. Where a third country fishing vessel has been denied entry, the port Member State shall inform the flag State of the vessel and the Commission which shall forward the information to the IOTC Secretariat without delay. Port Member States shall deny entry to fishing vessels included in	1. After receiving the relevant information pursuant to Article 42 of this Regulation, a port Member State shall decide whether to authorise or deny the third country fishing vessel entry into and use of its ports. Where a third country fishing vessel has been denied entry, the port Member State shall inform the flag State of the vessel and <u>EFCA with</u> the Commission <del>which</del> <u>in copy. EFCA</u> shall forward the information to the IOTC Secretariat without delay. Port Member States shall deny entry to	1. After receiving the relevant information pursuant to Article 42 of this Regulation, a port Member State shall decide whether to authorise or deny the third country fishing vessel entry into and use of its ports. Where a third country fishing vessel has been denied entry, the port Member State shall inform the flag State of the vessel and the Commission which shall forward the information to the IOTC Secretariat without delay. Port Member States shall deny entry to fishing vessels included in	<b>EP compromise proposal. The Presidency requests flexibility to accept the following text:</b>  1. After receiving the relevant information pursuant to Article 42 of this Regulation, a port Member State shall decide whether to authorise or deny the third country fishing vessel entry into and use of its ports. Where a third country fishing vessel has been denied entry, the port Member State shall inform the flag State of the vessel and <u>EFCA with</u> the Commission <del>which,</del> <u>or a body designated by it</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	the IOTC list of IUU vessels.	fishing vessels included in the IOTC list of IUU vessels, <u>Community IUU vessel list or in any other IUU vessel list of other regional fisheries management organisation.</u>  EFCA	the IOTC <u>IUU vessel list, that of any other regional fisheries management organisation or the Community IUU vessel list</u> <del>list of IUU vessels.</del>	<del>in copy.</del> <u>EFCA</u> <del>The Commission, or a body designated by it,</del> shall forward the information to the IOTC Secretariat without delay. Port Member States shall deny entry to fishing vessels included in the IOTC <u>IUU vessel list, that of any other regional fisheries management organisation or the Union IUU vessel list</u> <del>list of IUU vessels.</del>
Article 43(5)				
369	5. Each port Member State shall submit to the Commission by 15 June of each year, the list of fishing vessels that are not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the Area in the preceding calendar year. This information shall be included in the appropriate IOTC report template and shall detail the catch composition by weight and species landed. The Commission shall examine such reports and transmit it to the IOTC Secretariat by 30 June of each year.	5. Each port Member State shall submit to <u>EFCA with the Commission</u> <u>in copy</u> by 15 June of each year, the list of fishing vessels that are not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the Area in the preceding calendar year. This information shall be included in the appropriate IOTC report template and shall detail the catch composition by weight and species landed. <del>The Commission</del> <u>EFCA</u> shall examine such reports and transmit it to the IOTC Secretariat by 30 June of each year, <u>with the</u>	5. Each port Member State shall submit to the Commission by 15 June of each year, the list of fishing vessels that are not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the Area in the preceding calendar year. This information shall be included in the appropriate IOTC report template and shall detail the catch composition by weight and species landed. The Commission shall examine such reports and transmit it to the IOTC Secretariat by 30 June of each year.	<u>EP withdraws its amendment related to EFCA.</u>  5. Each port Member State shall submit to <del>EFCA with the</del> Commission <u>in copy</u> by 15 June of each year, the list of fishing vessels that are not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the Area in the preceding calendar year. This information shall be included in the appropriate IOTC report template and shall detail the catch composition by weight and species landed. <del>The Commission</del> <u>EFCA</u> <u>The Commission</u> shall examine

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		<u>Commission in copy.</u> EFCA		such reports and transmit it to the IOTC Secretariat by 30 June of each year, <del>with the Commission in copy.</del>
Article 45(4)				
378	4. In the written report of the results of each inspection, each port Member State shall, as a minimum, include the information set out in Annex III to CMM 16/11. Within 3 working days of the completion of the inspection, the port Member State shall transmit a copy of the inspection report and, upon request, an original or certified copy thereof, to the master of the inspected vessel, to the flag State, and to the Commission, which shall forward the report to the IOTC Secretariat.	4. In the written report of the results of each inspection, each port Member State shall, as a minimum, include the information set out in <del>the Annex III to CMM 16/11</del> <u>referred to in point 15 of Annex 6a to this Regulation.</u> Within 3 working days of the completion of the inspection, the port Member State shall transmit a copy of the inspection report and, upon request, an original or certified copy thereof, to the master of the inspected vessel, to the flag State <del>to EFCA,</del> and to the Commission, <del>which.</del> <u>EFCA</u> shall forward the report to the IOTC Secretariat.  Annexes EFCA	4. In the written report of the results of each inspection, each port Member State shall, as a minimum, include the information set out in Annex III to CMM 16/11. Within 3 working days of the completion of the inspection, the port Member State shall transmit a copy of the inspection report and, upon request, an original or certified copy thereof, to the master of the inspected vessel, to the flag State, and to the Commission, which shall forward the report to the IOTC Secretariat.	<b>EP compromise proposal relating to EFCA. The Presidency requests flexibility to accept the following text:</b>  4. In the written report of the results of each inspection, each port Member State shall, as a minimum, include the information set out in <del>the Annex III to CMM 16/11</del> <u>referred to in point 15 of Annex 6a to this Regulation.</u> Within 3 working days of the completion of the inspection, the port Member State shall transmit a copy of the inspection report and, upon request, an original or certified copy thereof, to the master of the inspected vessel, to the flag State <del>to EFCA,</del> <del>and</del> to the Commission <del>,</del> <u>or a body designated by it,</u> <del>which.</del> <u>EFCA The Commission, or a body designated by it,</u> shall forward the report to the IOTC Secretariat.

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
Article 45(5)				
379	5. By 15 June of each year, port Member States shall submit to the Commission, the list of fishing vessels not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the IOTC area the preceding calendar year. This information shall detail the catch composition by weight and species landed. The Commission shall forward this information to the IOTC Secretariat by 1 July of each year.	5. By 15 June of each year, port Member States shall submit to <u>EFCA with</u> the Commission <u>in copy</u> , the list of fishing vessels not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the IOTC area the preceding calendar year. This information shall detail the catch composition by weight and species landed. <del>The Commission</del> <u>EFCA</u> shall forward this information to the IOTC Secretariat by 1 July of each year.  EFCA	5. By 15 June of each year, port Member States shall submit to the Commission, the list of fishing vessels not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the IOTC area the preceding calendar year. This information shall detail the catch composition by weight and species landed. The Commission shall forward this information to the IOTC Secretariat by 1 July of each year.	EP withdraws its amendment related to EFCA.  5. By 15 June of each year, port Member States shall submit to <u>EFCA with</u> the Commission <u>in copy</u> , the list of fishing vessels not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the IOTC area the preceding calendar year. This information shall detail the catch composition by weight and species landed. <del>The Commission</del> <u>EFCA</u> <del>The Commission</del> shall forward this information to the IOTC Secretariat by 1 July of each year.
Article 46(2)				
383	2. The competent authorities of the port Member State shall forward a copy of the inspection report to the Commission as soon as possible and in any case within three working days. The Commission shall transmit that report to the IOTC Secretariat and to the flag CPC point of contact without	2. The competent authorities of the port Member State shall forward a copy of the inspection report to <u>EFCA with</u> the Commission <u>in copy</u> as soon as possible and in any case within three working days. <del>The Commission</del> <u>EFCA</u> shall transmit that report to the IOTC Secretariat and to the flag CPC	2. The competent authorities of the port Member State shall forward a copy of the inspection report to the Commission as soon as possible and in any case within three working days. The Commission shall transmit that report to the IOTC Secretariat and to the flag CPC point of contact without	EP compromise proposal. The Presidency requests flexibility to accept the following text:  2. The competent authorities of the port Member State shall forward a copy of the inspection report to <u>EFCA with</u> the Commission, <u>or a body designated by it, in copy</u> as soon as possible and in any case

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	delay.	point of contact without delay. EFCA	delay.	within three working days. <del>The Commission</del> <u>The Commission, or a body designated by it, EFCA</u> shall transmit that report to the IOTC Secretariat and to the flag CPC point of contact without delay.
Article 46(3)				
384	3. Port Member States shall promptly notify the action taken in the event of infringements to the competent authority of the flag CPC and to the Commission who shall transmit that information to the IOTC Secretariat.	3. Port Member States shall promptly notify the action taken in the event of infringements to the competent authority of the flag CPC and to <u>EFCA with the Commission <del>who</del> in copy. EFCA</u> shall transmit that information to the IOTC Secretariat. EFCA	3. Port Member States shall promptly notify the action taken in the event of infringements to the competent authority of the flag CPC and to the Commission who shall transmit that information to the IOTC Secretariat.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  3. Port Member States shall promptly notify the action taken in the event of infringements to the competent authority of the flag CPC and to <del>EFCA with the Commission <del>who</del>, or a body designated by it. in copy. EFCA</del> <u>The Commission, or a body designated by it,</u> shall transmit that information to the IOTC Secretariat.
Article 47(1)				
386	1. Member States shall submit to the Commission, using the reporting form of Annex I to CMM 18/03, any documented information that indicates possible instances of non-compliance by	1. Member States shall submit to <u>EFCA with the Commission in copy,</u> using the reporting form of <del>the Annex <del>to CMM 18/03</del> referred to in point 16 of Annex 6a to this Regulation,</del> any documented	1. Member States shall submit to the Commission, using the reporting form of Annex I to CMM 18/03, any documented information that indicates possible instances of non-compliance by	EP compromise proposal relating to EFCA. The Presidency requests flexibility to accept the following text:  1. Member States shall submit to <del>EFCA with</del> the Commission, <u>or a</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	any fishing vessel with IOTC conservation and management measures in the Area over the past two years at least 40 days in advance of the annual meeting of the IOTC. The Commission shall examine that information and, if appropriate, forward it to the IOTC Secretariat at least 30 days in advance of the annual meeting.	information that indicates possible instances of non-compliance by any fishing vessel with IOTC conservation and management measures in the Area over the past two years at least 40 days in advance of the annual meeting of the IOTC. <del>The Commission</del> <u>EFCA</u> shall examine that information and, if appropriate, forward it to the IOTC Secretariat at least 30 days in advance of the annual meeting.  EFCA Annexes	any fishing vessel with IOTC conservation and management measures in the Area over the past two years at least <del>40</del> <u>80</u> days in advance of the annual meeting of the IOTC. The Commission shall examine that information and, if appropriate, forward it to the IOTC Secretariat at least <del>30</del> <u>70</u> days in advance of the <del>annual</del> <u>compliance committee</u> meeting.	<u>body designated by it, in copy,</u> using the reporting form of <u>the Annex <del>1 to CMM 18/03</del> referred to in point 16 of Annex 6a to this Regulation,</u> any documented information that indicates possible instances of non-compliance by any fishing vessel with IOTC conservation and management measures in the Area over the past two years at least <del>40</del> <u>80</u> days in advance of the annual meeting of the IOTC. <del>The Commission</del> <u>EFCA</u> <u>The Commission, or a body designated by it,</u> shall examine that information and, if appropriate, forward it to the IOTC Secretariat at least <del>30</del> <u>70</u> days in advance of the <del>annual</del> <u>compliance committee</u> meeting.
Article 48(1)				
396	1. Where the Commission receives from a CPC or the IOTC Secretariat any information indicating alleged IUU fishing activities by a Union fishing vessel, it shall transmit that information to the concerned Member State without delay.	1. Where <del>the Commission</del> <u>EFCA</u> receives from a CPC or the IOTC Secretariat any information indicating alleged IUU fishing activities by a Union fishing vessel, it shall transmit that information to the concerned Member State without delay, <u>with the</u>	1. Where the Commission receives from a CPC or the IOTC Secretariat any information indicating alleged IUU fishing activities by a Union fishing vessel, it shall transmit that information to the concerned Member State without delay.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  1. Where <del>the Commission</del> <u>EFCA</u> <u>the Commission, or a body designated by it,</u> receives from a CPC or the IOTC Secretariat any information indicating alleged IUU

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		<u>Commission in copy.</u> EFCA		fishing activities by a Union fishing vessel, it shall transmit that information to the concerned Member State without delay, <del>with the Commission in copy.</del>
Article 48(2)				
397	2. The concerned Member State shall provide the Commission with the findings of any investigation undertaken in relation to the allegations of non-compliance by fishing vessels flying its flag, and any actions taken to address compliance concerns, at least 45 days in advance of the annual meeting of the IOTC. The Commission shall forward that information to the IOTC at least 15 days in advance of the annual meeting.	2. The concerned Member State shall provide <del>EFCA with</del> the Commission <u>in copy</u> with the findings of any investigation undertaken in relation to the allegations of non-compliance by fishing vessels flying its flag, and any actions taken to address compliance concerns, at least 45 days in advance of the annual meeting of the IOTC. <del>The Commission</del> <u>EFCA</u> shall forward that information to the IOTC at least 15 days in advance of the annual meeting.  EFCA	2. The concerned Member State shall provide the Commission with the findings of any investigation undertaken in relation to the allegations of non-compliance by fishing vessels flying its flag, and any actions taken to address compliance concerns, at least 45 days in advance of the annual meeting of the IOTC. The Commission shall forward that information to the IOTC at least 15 days in advance of the annual meeting.	<b>EP compromise proposal. The Presidency requests flexibility to accept the following text:</b>  2. The concerned Member State shall provide <del>EFCA with</del> the Commission, <u>or a body designated by it, in copy</u> with the findings of any investigation undertaken in relation to the allegations of non-compliance by fishing vessels flying its flag, and any actions taken to address compliance concerns, at least 45 days in advance of the annual meeting of the IOTC. <del>The Commission</del> <u>EFCA</u> <u>The Commission, or a body designated by it,</u> shall forward that information to the IOTC at least 15 days in advance of the annual meeting.
Article 49(1)				
399				<b>EP compromise proposal. The</b>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
	1. If the Commission receives official notification of the inclusion of a Union fishing vessel in the draft IOTC IUU vessel list from the IOTC Secretariat, it shall transmit that notification, including the supporting evidence and any other documented information provided by the IOTC Secretariat, to the concerned flag Member State.	1. If <del>the Commission</del> <u>EFCA</u> receives official notification of the inclusion of a Union fishing vessel in the draft IOTC IUU vessel list from the IOTC Secretariat, it shall transmit that notification, including the supporting evidence and any other documented information provided by the IOTC Secretariat, to the concerned flag Member State, <u>with the Commission in copy</u> .  EFCA	1. If the Commission receives official notification of the inclusion of a Union fishing vessel in the draft IOTC IUU vessel list from the IOTC Secretariat, it shall transmit that notification, including the supporting evidence and any other documented information provided by the IOTC Secretariat, to the <del>concerned</del> flag Member State <u>concerned</u> .	Presidency requests flexibility to accept the following text:  1. If <del>the Commission</del> <u>EFCA The Commission, or a body designated by it</u> , receives official notification of the inclusion of a Union fishing vessel in the draft IOTC IUU vessel list from the IOTC Secretariat, it shall transmit that notification, including the supporting evidence and any other documented information provided by the IOTC Secretariat, to the concerned flag Member State, <u>with the Commission in copy</u> .
Article 49(2)				
400	2. The concerned Member State shall provide comments not later than 30 days in advance of the annual meeting of the IOTC Compliance Committee. The Commission shall examine and forward that information to the IOTC Secretariat at least 15 days in advance of the annual meeting of the Compliance Committee.	2. The concerned Member State shall provide comments not later than 30 days in advance of the annual meeting of the IOTC Compliance Committee. <del>The Commission</del> <u>EFCA</u> shall examine and forward that information to the IOTC Secretariat, <u>with the Commission in copy</u> , at least 15 days in advance of the annual meeting of the Compliance	2. The concerned Member State shall provide comments not later than 30 days in advance of the annual meeting of the IOTC Compliance Committee. The Commission shall examine and forward that information to the IOTC Secretariat at least 15 days in advance of the annual meeting of the Compliance Committee.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  2. The concerned Member State shall provide comments not later than 30 days in advance of the annual meeting of the IOTC Compliance Committee. <del>The Commission</del> <u>EFCA The Commission, or a body designated by it</u> , shall examine and forward

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		Committee. EFCA		that information to the IOTC Secretariat, <del>with the Commission in copy</del> , at least 15 days in advance of the annual meeting of the Compliance Committee.
Article 49(3), introductory part				
401	3. Once notified by the Commission, the authorities of the concerned flag Member State shall:	3. Once notified by <del>the Commission</del> EFCA, the authorities of the concerned flag Member State shall: EFCA	3. Once notified by the Commission, the authorities of the <del>concerned</del> flag Member State <u>concerned</u> shall:	EP compromise proposal. The Presidency requests flexibility to accept the following text:  3. Once notified by <del>the Commission</del> EFCA <u>the Commission, or a body designated by it</u> , the authorities of the concerned flag Member State shall:
Article 50(1), introductory part				
405	1. In order to prevent a Union fishing vessel included in the draft IUU vessel list, as referred to under Article 49, from being included in the provisional IOTC IUU vessel list, the flag Member State shall provide following information to the Commission:	1. In order to prevent a Union fishing vessel included in the draft IUU vessel list, as referred to under Article 49, from being included in the <del>provisional IOTC IUU vessel list</del> , the flag Member State shall provide following information to <del>the Commission</del> EFCA: EFCA	1. In order to prevent a Union fishing vessel included in the draft <u>IOTC</u> IUU vessel list, as referred to under Article 49, from being included in the provisional IOTC IUU vessel list, the flag Member State shall provide <u>the</u> following information to the Commission <u>demonstrating that</u> :	EP compromise proposal. The Presidency requests flexibility to accept the following text:  1. In order to prevent a Union fishing vessel included in the draft IUU vessel list, as referred to under Article 49, from being included in the <del>provisional IOTC IUU vessel list</del> , the flag Member State shall provide following information to <del>the Commission</del> EFCA <u>the Commission or a body designated</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
				<u>by it:</u>
Article 50(2)				
411	2. The Commission shall examine this information and transmit it to the IOTC Secretariat without delay.	2. <del>The Commission</del> EFCA shall examine this information and transmit it to the IOTC Secretariat, <u>with the Commission in copy,</u> without delay.  EFCA	2. The Commission shall examine <del>this</del> the information <u>referred to in paragraph 1</u> and transmit it to the IOTC Secretariat without delay.	EP compromise proposal. The Presidency requests flexibility to accept the following text:  2. <del>The Commission</del> EFCA <u>The Commission, or a body designated by it,</u> shall examine this information and transmit it to the IOTC Secretariat, <del>with the Commission in copy,</del> without delay.
Article 51(1), introductory part				
414	1. Before 15 June of each year, Member States shall submit to the Commission information, for the preceding calendar year, the information concerning the following elements, using the table in Annex II to CMM 18/07:	1. Before 15 June of each year, Member States shall submit to the Commission <u>with EFCA in copy</u> information, for the preceding calendar year, the information concerning the following elements, using the table in <del>the Annex II to CMM 18/07</del> <u>referred to in point 17 of Annex 6a to this Regulation:</u>  EFCA Annexes	1. Before 15 June of each year, Member States shall submit to the Commission <del>information, for the preceding calendar year, the information concerning the following elements, using the table in the Annex II to CMM 18/07,</del> <u>using the table set out in Annex II to CMM 18/07, the information for the preceding calendar year, concerning the following elements:</u>	EP withdraws its amendment related to EFCA.  1. Before 15 June of each year, Member States shall submit to the Commission <del>with EFCA in copy</del> information, for the preceding calendar year, the information concerning the following elements, using the table in <del>the Annex II to CMM 18/07</del> <u>referred to in point 17 of Annex 6a to this Regulation:</u>

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
Article 51(3), introductory part				
425	3. The information referred to in paragraph 1, for type of vessels and in regard to provisional and final data, shall be submitted to the Commission on the following dates:	3. The information referred to in paragraph 1, for type of vessels and in regard to provisional and final data, shall be submitted to the Commission <u>with EFCA in copy</u> on the following dates:  EFCA	3. The information referred to in paragraph 1, for type of vessels and in regard to provisional and final data, shall be submitted to the Commission on the following dates:	EP withdraws its amendment related to EFCA.  3. The information referred to in paragraph 1, for type of vessels and in regard to provisional and final data, shall be submitted to the Commission <u>with EFCA in copy</u> on the following dates:
Article 51(5)				
429	5. Member States shall submit to the Commission 75 days before the annual meeting of the IOTC, information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information into a Union implementation report and sent it to the IOTC Secretariat.	5. Member States shall submit to the Commission <u>with EFCA in copy</u> 75 days before the annual meeting of the IOTC, information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information into a Union implementation report and sent it to the IOTC Secretariat, <u>with EFCA in copy</u> .	5. Member States shall submit to the Commission 75 days before the annual meeting of the IOTC, information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information into a Union implementation report and sent it to the IOTC Secretariat.	EP withdraws its amendment related to EFCA.  5. Member States shall submit to the Commission <u>with EFCA in copy</u> 75 days before the annual meeting of the IOTC, information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information into a Union implementation report and

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		EFCA		sent it to the IOTC Secretariat, <del>with EFCA in copy.</del>
Article 51(6), introductory part				
430	6. Flag Member States shall send annually to the Commission a national scientific report, not later than 45 days before the session of the IOTC Scientific Committee, at a date communicated by the Commission, containing the following points:	6. Flag Member States shall send annually to the Commission <del>with EFCA in copy</del> a national scientific report, not later than 45 days before the session of the IOTC Scientific Committee, at a date communicated by the Commission, containing the following points:  EFCA	6. Flag Member States shall send annually to the Commission a national scientific report, not later than 45 days before the session of the IOTC Scientific Committee, at a date communicated by the Commission, containing the following points:	EP withdraws its amendment related to EFCA.  6. Flag Member States shall send annually to the Commission <del>with EFCA in copy</del> a national scientific report, not later than 45 days before the session of the IOTC Scientific Committee, at a date communicated by the Commission, containing the following points:
Article 51(7)				
435	7. The report referred to in paragraph 6 shall be reported in accordance with the template prescribed by the Scientific Committee of the IOTC. The Commission shall send to the flag Member States the required template. The Commission shall analyse the information in the report, compile them into a Union report and send it to the IOTC Secretariat.	7. The report referred to in paragraph 6 shall be reported in accordance with the template prescribed by the Scientific Committee of the IOTC. The Commission shall send to the flag Member States the required template. The Commission shall analyse the information in the report, compile them into a Union report and send it to the IOTC Secretariat <del>with copy to EFCA.</del>	7. The report referred to in paragraph 6 shall be reported in accordance with the template prescribed by the Scientific Committee of the IOTC. The Commission shall send to the flag Member States the required template. The Commission shall analyse the information in the report, compile them into a Union report and send it to the IOTC Secretariat.	EP withdraws its amendment related to EFCA.  7. The report referred to in paragraph 6 shall be reported in accordance with the template prescribed by the Scientific Committee of the IOTC. The Commission shall send to the flag Member States the required template. The Commission shall analyse the information in the report, compile them into a Union report and send it to the IOTC

	Commission Proposal	EP Mandate	Council Mandate	Compromise proposal regarding EFCA provisions
		EFCA		Secretariat <u>with copy to EFCA.</u>

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