



Council of the European Union
General Secretariat

**Interinstitutional files:
2023/0056 (COD)**

Brussels, 02 October 2023

WK 12362/2023 INIT

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NOTE

From:	General Secretariat of the Council
To:	Working Party on Fisheries Policy
Subject:	Report on the proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2019/833 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

Delegations will find attached the abovementioned report of the European Parliament, which contains one amendment to the legislative text.

The amendment will be discussed by the Working Party on Fisheries Policy at its meeting on 5 October 2023.



Plenary sitting

A9-0000/2023

21.9.2023

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2019/833 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation
(COM(2023)0108 – C9-0039/2023 – 2023/0056(COD))

Committee on Fisheries

Rapporteur: Grace O'Sullivan

~~Ex PR1281746 + ex AM1284274~~

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or strikethrough. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2019/833 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (COM(2023)0108 – C9-0039/2023 – 2023/0056(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0108),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0039/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - Having regard to the opinion of the European Economic and Social Committee of 15 June 2023¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A9-0000/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments

(Ex AM 1(Or. en) of FdR \\epadesres\commis\IPOL\PECH\AM\1284\1284274EN.docx)

Amendment 1

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 2019/833

Article 4 – paragraph 5

¹ OJ C 293, 18.8.2023, p. 144.

Text proposed by the Commission

5. Unless otherwise provided in this Regulation *or CEM*, research vessels shall not be restricted by conservation and management measures pertaining to the taking of fish in the Regulatory Area, in particular, mesh size, size limits, closed areas and seasons.

Amendment

5. Unless otherwise provided in this Regulation, research vessels shall not be restricted by conservation and management measures pertaining to the taking of fish in the Regulatory Area, in particular, mesh size, size limits, closed areas and seasons.

Justification

Since the CEM is not fully published in the Official Journal of the European Union, it cannot be fully enforceable, therefore it cannot make restricting conservation and management measures applicable to research vessels in the NAFO Regulatory Area.

EXPLANATORY STATEMENT

(1) Content of the proposal

On 3 March 2023, the Commission submitted a proposal to amend Regulation (EU) 2019/833 that transposed into EU law the conservation and enforcement measures (CEM) adopted by the Northwest Atlantic Fisheries Organisation (NAFO), to which the European Union (EU) has been a contracting party since 1979. The purpose of this proposal is to transpose into Union law the amendments to the conservation and enforcement measures adopted by NAFO at its 43rd annual meeting in September 2022.

NAFO is the regional fisheries management organisation (RFMO) responsible for managing fishery resources in the Northwest Atlantic. NAFO conservation and management measures apply exclusively to the NAFO high seas Regulatory Area, and unless otherwise provided, to all fishing vessels used or intended for use for the purposes of commercial fishing activities conducted on fishery resources. Under the terms of the NAFO Convention, its Commission, a constituent body of which all contracting parties are members, is responsible for the adoption of conservation and enforcement measures.

The NAFO Convention also states that the conservation measures adopted by the Commission are binding and that the contracting parties are obliged to implement them. New measures are adopted by the NAFO Commission at its annual meetings in the form of decisions, of which the contracting parties are subsequently notified by the Executive Secretary. Article 3(5) of the Treaty on European Union stipulates that the EU shall strictly observe international law. This includes compliance with NAFO conservation and enforcement measures.

This proposal transposes the measures adopted by NAFO in September 2022 that entered into force on 1 December of the same year and have remained applicable since then.

(2) Rapporteur's position

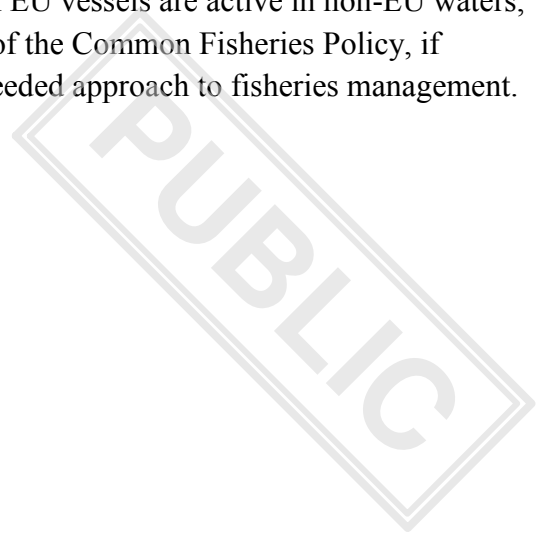
The rapporteur welcomes the proposed amendments to the regulation that updates EU law through transposition of the new NAFO conservation and enforcement measures from autumn 2022.

Around 40 EU vessels currently fish in the NAFO Regulatory Area, with Spain and Portugal having the largest fleets.

The new measures adopted by NAFO in autumn 2022 and included in the Commission proposal include requirements for the submission of research plans and vessel requirements for the participation in research activities as well as the minimum information to be included in respective surveys, provisions for the closure of Division 3M for redfish upon reaching the TAC, provisions for trial tows when a vessel enters a fishing Division for the first time, prohibitions on fishing, landing and retaining activities for Greenland shark, and the listing as IUU vessels in NAFO if such vessels have been listed in other RFMO.

The proposal further includes delegated powers to the Commission to amend the Regulation (EU) 2019/833 on implementing into Union law the NAFO conservation and enforcement measures, with regard to duties of flag Member States on research plans and requirements for vessels engaged in research.

The rapporteur would like to highlight the importance of the objectives of the CFP, in particular the policy's environmental commitments pertaining to when EU vessels are active in non-EU waters, and the adherence to respective RMFO rules. The rules of the Common Fisheries Policy, if implemented properly, provide an ambitious and well-needed approach to fisheries management.



PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amending Regulation (EU) 2019/833 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation	
References	COM(2023)0108 – C9-0039/2023 – 2023/0056(COD)	
Date submitted to Parliament	3.3.2023	
Committee responsible	PECH	
Date announced in plenary	13.3.2023	
Rapporteurs	Grace O’Sullivan	
Date appointed	20.4.2023	
Discussed in committee	28.3.2023	18.7.2023
Date adopted	20.9.2023	
Result of final vote	+: 21	
	–: 1	
	0: 0	
Members present for the final vote	Clara Aguilera, João Albuquerque, François-Xavier Bellamy, Izaskun Bilbao Barandica, Isabel Carvalhais, Maria da Graça Carvalho, Asger Christensen, Francisco Guerreiro, Niclas Herbst, Ladislav Ilčić, France Jamet, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, Bert-Jan Ruissen, Marc Tarabella, Theodoros Zagorakis	
Substitutes present for the final vote	Ska Keller, Gabriel Mato, Lucia Vuolo	
Substitutes under Rule 209(7) present for the final vote	Massimiliano Smeriglio, Emma Wiesner	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

21	+
ECR	Ladislav Ilčić, Bert-Jan Ruissen
NI	Marc Tarabella
PPE	François-Xavier Bellamy, Maria da Graça Carvalho, Niclas Herbst, Gabriel Mato, Francisco José Millán Mon, Lucia Vuolo, Theodoros Zagorakis
Renew	Izaskun Bilbao Barandica, Asger Christensen, Pierre Karleskind, Emma Wiesner
S&D	Clara Aguilera, João Albuquerque, Isabel Carvalhais, Predrag Fred Matic, Massimiliano Smeriglio
Verts/ALE	Francisco Guerreiro, Ska Keller

1	-
ID	France Jamet

0	0

Key to symbols:

+ : in favour
 - : against
 0 : abstention