

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2017/0056(COD) Procedure completed
Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures	
Subject 3.15.15.06 Fisheries agreements with Pacific countries	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		27/04/2017
		 ENGSTRÖM Linnéa	
		Shadow rapporteur	
		 MILLÁN MON Francisco José	
		 AGUILERA Clara	
		 VAN DALEN Peter	
		 BILBAO BARANDICA Izaskun	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development	The committee decided not to give an opinion.	
	ENVI Environment, Public Health and Food Safety		07/09/2017
		 VĂLEAN Adina-Ioana	
	REGI Regional Development	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3547	12/06/2017
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	VELLA Karmenu	
European Economic and Social Committee			

Key events			
29/03/2017	Legislative proposal published	COM(2017)0128	Summary
03/04/2017	Committee referral announced in Parliament, 1st reading		
21/11/2017	Vote in committee, 1st reading		
27/11/2017	Committee report tabled for plenary, 1st reading	A8-0377/2017	Summary
15/01/2018	Debate in Parliament		
16/01/2018	Decision by Parliament, 1st reading	T8-0001/2018	Summary
16/01/2018	Matter referred back to the committee responsible		
24/04/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE619.215 PE620.974	
29/05/2018	Results of vote in Parliament		
29/05/2018	Decision by Parliament, 1st reading	T8-0214/2018	Summary
18/06/2018	Act adopted by Council after Parliament's 1st reading		
04/07/2018	Final act signed		
04/07/2018	End of procedure in Parliament		
16/07/2018	Final act published in Official Journal		

Technical information	
Procedure reference	2017/0056(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Rules of Procedure EP 59-p4
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/09619

Documentation gateway					
Legislative proposal		COM(2017)0128	29/03/2017	EC	Summary
Economic and Social Committee: opinion, report		CES2167/2017	31/05/2017	ESC	
Committee draft report		PE604.541	04/09/2017	EP	
Amendments tabled in committee		PE612.054	04/10/2017	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0377/2017	27/11/2017	EP	Summary

Text adopted by Parliament, 1st reading/single reading	T8-0001/2018	16/01/2018	EP	Summary
Committee letter confirming interinstitutional agreement	PE620.974	21/03/2018	EP	
Text agreed during interinstitutional negotiations	PE619.215	23/03/2018	EP	
Text adopted by Parliament, 1st reading/single reading	T8-0214/2018	29/05/2018	EP	Summary
Commission response to text adopted in plenary	SP(2018)414	27/06/2018	EC	
Draft final act	00017/2018/LEX	04/07/2018	CSL	

Final act

[Regulation 2018/975](#)

[OJ L 179 16.07.2018, p. 0030](#) Summary

Final legislative act with provisions for delegated acts

Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures

PURPOSE: lay down management, conservation and control measures applicable in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: pursuant to [Council Decision 2012/130/EU](#) the Union is a Contracting Party to the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (the SPRFMO Convention), which established the South Pacific Regional Fisheries Management Organisation (SPRFMO), since 26 July 2010.

Within the SPRFMO, the Commission of the South Pacific Regional Fisheries Management Organisation is responsible for the adoption of measures designed to ensure the long-term conservation and sustainable use of fishery resources through the application of the precautionary approach and an ecosystem approach to fisheries management, and, in so doing, to safeguard the marine ecosystems in which these resources occur. Such measures may become binding upon the Union.

The conservation and management measures adopted by SPRFMO must be fully transposed into Union law and uniformly and effectively implemented within the Union.

CONTENT: this proposal aims at transposing already existing SPRFMO conservation and management measures, binding upon the Contracting Parties.

The Regulation shall apply to:

- the Union fishing vessels fishing in the SPRFMO Convention area or, in the case of transshipments, in the area outside the SPRFMO Convention area for the species caught in the SPRFMO Convention area;
- third country fishing vessels that access EU ports and that carry fishery products harvested in the Convention Area.

The proposal refers to:

- management, conservation and control measures concerning certain species (SPRFMO management measures applicable to jack mackerel and seabird mitigation measures) ;
- management, conservation and control measures concerning certain fishing methods (bottom fishing and exploratory fisheries);
- common control measures: (i) authorisations for fishing vessels and the SPRFMO Record of Vessels; (ii) provisions on transshipment activities; (iii) data collection and reporting; (iv) surveillance and observer programmes; (v) inspection in EU ports of third country fishing vessels carrying fishery products harvested in SPRFMO; (vi) applicable procedure in case of apparent infringements during port inspections; (vii) rules on enforcement and compliance, notably the circulation of information on illegal, unregulated and unreported (IUU) fishing activities, the implementation of measures vis-à-vis fishing vessels included in the SPRFMO IUU list and the management of compliance issues.

Fishing opportunities for the EU decided by SPRFMO will not be covered by this proposal.

In order to swiftly incorporate into Union law future binding amendments to the SPRFMO conservation and management measures, the power to adopt acts shall be delegated to the Commission.

Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures

The Committee on Fisheries adopted the report by Linnaeus ENGSTRÖM (Greens/EFA, SE) on the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO).

As a reminder, the Commissions proposal aims to transpose the 15 Conservation and Management Measures (CMMs) adopted by the SPRFMO to date, covering a range of matters from IUU fishing to measures to reduce seabird mortality and exploratory fishing.

The committee recommended that the European Parliaments position adopted at first reading under the ordinary legislative procedure should amend the proposal.

The main amendments seek to:

- change the definition of SPRFMO Convention Area by indicating that it means the geographical area marked out in Article 5 of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean;
- modify the definition of fishing vessel to adopt the definition set out in the SPRFMO Convention;
- prohibit the use of large-scale pelagic driftnets and all deepwater gillnets throughout the SPRFMO Convention Area. Flag Member States whose vessels seek to transit the SPRFMO Convention Area with gillnets on board shall ensure their vessels operate a vessel monitoring system (VMS) polling once every two hours while in the SPRFMO Convention Area;
- provide that Member States shall use transparent and objective criteria, including those of an environmental, social and economic nature when allocating the fishing opportunities for jack mackerel stocks available to them.

Members stressed that when implementing the conservation and management measures adopted by SPRFMO, the Union and Member States should endeavour to promote coastal fishing activities and the use of fishing gear and techniques which are selective and have a reduced environmental impact.

Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures

The European Parliament adopted by 630 votes to 27, with 19 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO).

The matter was referred back to the committee responsible for interinstitutional negotiations.

As a reminder, the Commissions proposal aims to transpose the 15 Conservation and Management Measures (CMMs) adopted by the SPRFMO to date, covering a range of matters from IUU fishing to measures to reduce seabird mortality and exploratory fishing.

The main amendments adopted in plenary aim to:

- change the definition of SPRFMO Convention Area by indicating that it shall mean the geographical area marked out in Article 5 of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean;
- modify the definition of fishing vessel to adopt the definition set out in the SPRFMO Convention any vessel used or intended for fishing, including fish processing vessels, support ships, carrier vessels and any other vessel directly engaged in fishing operations;
- modify the definition of bottom fishing footprint by specifying that the spatial extent of bottom fishing in the SPRFMO Convention Area during the period 1 January 2002 to 31 December 2006;
- **prohibit the use of large-scale pelagic driftnets (which is more than 2.5 kilometres in length) and all deepwater gillnets throughout the SPRFMO Convention Area. Flag Member States whose vessels seek to transit the SPRFMO Convention Area with gillnets on board shall ensure their vessels operate a vessel monitoring system (VMS) polling once every two hours while in the SPRFMO Convention Area and submit VMS position reports to the SPRFMO Secretariat within 30 days of the vessel leaving the SPRFMO Convention Area;**
- provide that Member States shall use transparent and objective criteria, including those of an environmental, social and economic nature when allocating the fishing opportunities for jack mackerel stocks available to them. Member States shall also endeavour to distribute national quotas fairly among the various fleet segments giving special consideration to traditional and artisanal fishing, and to provide incentives to Union fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures

The European Parliament adopted by 509 votes to 59, with 13 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO).

The matter was referred back to the committee responsible for interinstitutional negotiations at the sitting of 16.1.2018.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Definitions: Parliament:

- clarified the definition of 'SPRFMO Convention Area' as the geographical area marked out in Article 5 of the SPRFMO Convention;
- specified that 'Union fishing vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
- amended the definition of 'bottom fishing footprint' means the spatial extent of bottom fishing in the SPRFMO Convention Area during the period 1 January 2002 to 31 December 2006.

Jake mackerel: Member States shall inform the Commission without delay of the date of the closure of a fishery for jack mackerel that has reached 100 % of its catch limit.

The amended text also provides that Member States shall use transparent and objective criteria, including those of an environmental, social and economic nature. Member States shall endeavour to distribute national quotas fairly among the various fleet segments, and to provide incentives to Union fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Large-scale pelagic driftnets and deepwater gillnets: the amended text provides for the prohibition of the use of large driftnets (exceeding 2.5 km in length), and all deep-water gillnets throughout the SPRFMO Convention Area.

Vessels wishing to transit through the Convention Area while carrying gillnets shall:

- notify the SPRFMO Secretariat at least 36 hours before entering the area;
- ensure that their vessels use a satellite-based vessel monitoring system (VMS) that sends a signal every two hours while in the area;
- present their VMS position within 30 days of the vessel leaving the Convention area;
- inform the SPRFMO Secretariat as soon as possible and in any event within 48 hours of the loss or fall overboard of the gear of the date, time, position and length (in metres) of lost gillnets.

Vessel monitoring system: the satellite-tracking device installed on board Union fishing vessels shall ensure the automatic transmission to the fisheries monitoring centre (FMC) of the flag Member State of VMS data with a position error which shall be less than 100 metres under normal satellite navigation operating conditions.

Member States shall ensure that their FMCs automatically and continuously report the VMS data of vessels flying their flag engaged in fishing in the SPRFMO Convention Area to the SPRFMO Secretariat at least once every hour and that satellite-tracking devices installed on board of vessels flying their flag are capable of reporting VMS data at least every 15 minutes.

Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO): management, conservation and control measures

PURPOSE: to lay down management, conservation and control measures applicable in the Convention Area of the South Pacific Regional Fisheries Management Organisation (SPRFMO).

LEGISLATIVE ACT: Regulation (EU) 2018/975 of the European Parliament and of the Council laying down management, conservation and control measures applicable in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area.

CONTENT: the Regulation lays down management, conservation and control provisions relating to fishing for straddling fish stocks in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area.

The objective of the new rules is to ensure that the conservation and management measures adopted by SPRFMO are fully transposed into EU law and are therefore implemented in a uniform and effective manner within the Union. In particular, this Regulation incorporates into EU legislation the decisions taken at the sixth meeting of the SPRFMO Commission in Lima, Peru, from 30 January to 3 February 2018.

The SPRFMO is an inter-governmental organisation that is committed to the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean and in so doing safeguarding the marine ecosystems in which the resources occur. The SPRFMO convention applies to the high seas of the South Pacific, covering about a fourth of the Earth's high seas areas.

Currently, the main commercial resources fished in the SPRFMO area are jack mackerel and jumbo flying squid in the Southeast Pacific and, to a much lesser degree, deep-sea species often associated with seamounts in the Southwest Pacific.

The SPRFMO Commission has currently 15 Members from Asia, Europe, the Americas and Oceania, including the European Union.

The Regulation shall apply to Union fishing vessels operating in the SPRFMO Convention Area; Union fishing vessels transshipping fishery products harvested in the SPRFMO Convention Area; third country fishing vessels upon requesting access to, or being the object of an inspection in, Union ports and carrying fishery products harvested in the SPRFMO Convention Area.

It provides, among other things:

- the obligation for Member States to inform the Commission without delay of the date of the closure of a fishery for jack mackerel that has reached 100 % of its catch limit, and to use transparent and objective criteria, including environmental, social and economic criteria when allocating fishing opportunities for jack mackerel stocks at their disposal;
- the prohibition of the use of large scale pelagic drifting nets (exceeding 2.5 kilometres in length), and all deepwater gillnets throughout the SPRFMO Convention area;
- the requirement for vessels intending to transit the Convention Area while carrying gillnets to notify the SPRFMO Secretariat at least 36 hours before entering the Area and to ensure that the vessels flying their flag operate a vessel monitoring system (VMS) reporting once every two hours while in the SPRFMO Convention Area.

This Regulation shall not cover the fishing opportunities decided by the SPRFMO.

The Regulation gives the Commission the power to adopt delegated acts in order to incorporate future binding amendments to the SPRFMO's conservation and management measures into Union legislation.

ENTRY INTO FORCE: 19.7.2018.

