

Sustainable management of external fishing fleets

2015/0289(COD) - 02/02/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 586 votes to 56, with 6 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the sustainable management of external fishing fleets, repealing Council Regulation (EC) No 1006/2008.

The European Parliament's position, adopted in first reading following the ordinary legislative procedure, amended the Commission proposal as follows:

Reflagging operations: the provisions shall apply to vessels that during the two years (instead of five years) preceding the application for a fishing authorisation have: (a) left the Union fishing fleet register and been reflagged in a third country; and (b) subsequently returned to the Union fishing fleet register.

Monitoring fishing authorisations: a flag Member State shall monitor at least once a year whether the conditions on the basis of which a fishing authorisation has been issued continue to be met during the period of validity of that authorisation.

Members stated that a withdrawal must be duly justified by the Commission in cases of imperative grounds of urgency related to a serious threat to the sustainable exploitation, management and conservation of marine biological resources, or in cases of serious infringements, in the framework of illegal, unreported or unregulated (IUU) fishing.

The Commission's duly justified request shall be supported by relevant and appropriate information and it shall immediately inform the operator and the flag Member State when it makes such a duly justified request. Such a request by the Commission shall be followed by a 15-day period of consultation between the Commission and the flag Member State.

Sustainable fisheries partnership agreements (SFPAs): the Union shall:

- allocate a proportion of sectoral support funding to third countries with which it has SFPAs, in order to help those third countries join regional fisheries management organisations (RFMOs);
- ensure that sustainable fisheries partnership agreements are consistent with this Regulation.

Member State should only grant fishing licences once the third country has authorised fishing by vessels in its waters and not the other way around, in order to ensure legal certainty.

Requests for fishing authorisations: in its proposal, the Commission gave itself an unlimited time to forward requests for authorisations to third countries under SFPAs. Parliament proposed a clear time limit: within a period of 10 calendar days from receipt of the application, or, in the event that additional information was requested, within 15 calendar days from receipt of the application, the Commission shall conduct a preliminary examination to determine whether the conditions necessary are met.

Members also proposed a simplification of procedures for the annual renewal of existing fishing authorisations during the period in which the protocol to a sustainable fisheries partnership agreement in force applies.

With regard to allocation of fishing opportunities, an amendment offers a better system whereby Member States are guaranteed to keep their percentage share of the monthly catch limits. When laying down the reallocation methodology, the Commission shall apply transparent and objective criteria, taking into account environmental, social and economic factors.

Conditions for fishing authorisations by the flag Member States: Members specified that a flag Member State may only issue a fishing authorisation for fishing activities carried out in third country waters outside the framework of a sustainable fisheries partnership agreement if the operator has provided each of the following:

- a copy of the applicable fisheries legislation as provided to the operator by the coastal State;
- a valid fishing authorisation provided by the third country for the proposed fishing activities which contains the terms of access to the fishing resources;
- evidence of the sustainability of the planned fishing activities: in the case of an evaluation by the third country, an examination of the latter by the flag Member State on the basis of the assessment of its national scientific institute.

Once it has established compliance with the requirements, a flag Member State shall send the Commission the relevant information. The Commission shall conduct a preliminary examination of the information and may request further information or justification within a period of 15 days.

Regional fisheries management organisations (RFMOs): if an EU vessel wishes to participate in a fishery managed by an RFMO, the Union is required to adhere to that RFMO. The timeline proposed by the Commission for forwarding to an RFMO the list of EU vessels authorised to fish is undefined. A clear deadline for the Commission to act is proposed.

Fishing on the high seas: the Commission expects a scientific evaluation demonstrating the sustainability of activities proposed under private agreements, and a similar requirement should exist for vessels wishing to fish on the high seas outside the scope of an RFMO.

A flag Member State may only issue a fishing authorisation for fishing activities on the high seas if the planned fishing activities are (i) based on an ecosystem-based approach to fisheries management; (ii) in accordance with a scientific evaluation, taking into account the conservation of living marine resources and marine ecosystems, provided by the national scientific institute of the flag Member State.

Reporting obligations: a vessel operating in the waters of a third country, under either an SFPA or a private agreement, should be required to send its catch and other appropriate data directly to both the flag Member State and the coastal State.

Fishing authorisation register: to improve transparency, a few additional pieces of information should be included in the public part of the register. To make a Union fishing authorisation register operational and to enable Member States to meet the technical transmission requirements, the Commission shall provide technical assistance to the Member States concerned.