Sustainable management of external fishing fleets

2015/0289(COD) - 17/10/2017 - Council position

The Council adopted its position in first reading on a regulation of the European Parliament and of the Council on the sustainable management of external fishing fleets and repealing Council Regulation (EC) No 1006/2008.

In accordance with the 2013 reform of the Common Fisheries Policy (CFP), the regulation aims to:

- improve the authorisation regime for Union fishing vessels to fish outside Union waters, and for third country vessels to fish inside Union waters;
- broaden the scope of the existing Regulation to other related aspects such as (i) direct licences obtained from third countries, (ii) reflagging, (iii) chartering, and (iv) improving monitoring and transparency.

In addition, this new framework will strengthen the rules on the fight against illegal, unreported and unregulated fishing (IUU).

The main provisions relate to the following points:

Authorisation procedures: the Council's position updates the fishing authorisation regime, simplifying reporting obligations and increasing transparency. However, the Council harmonised the authorisation procedures to decrease their complexity, reduce related administrative burdens, increase legal certainty, ensure equality of treatment between internal and external fleets and reduce time limits on responding to applicants.

A Union fishing vessel shall not carry out fishing operations outside Union waters unless it has been authorised by its flag Member State, and the fishing operations are indicated in a valid fishing authorisation. The Councils position clarifies the common eligibility criteria for issuing a fishing authorisation for fishing operations outside Union waters.

Management of fishing authorisations: a flag Member State shall regularly monitor 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 authorization. If there is evidence that the conditions on the basis of which a fishing authorisation has been issued are no longer met, the flag Member State shall take appropriate action, including amending or withdrawing the authorisation and, if necessary, imposing sanctions.

Conditions for fishing authorisations: a flag Member State may only issue a fishing authorisation for fishing operations carried out in third-country waters outside the framework of a Sustainable Fisheries Partnership Agreement ("SFPA"), if the operator has provided a scientific evaluation demonstrating the sustainability of the planned fishing operations.

Reflagging: the Councils position maintained that a vessel is not eligible for authorization when it had continued to fish in the third country's fishing fleet after that third country was listed as allowing non-sustainable fishing or as a non-cooperating country in fighting IUU fishing, pursuant to Council Regulation (EC) No 1005/2008, but not where the third country was only identified as a non-cooperating country in fighting IUU fishing. However, the Council agreed that a vessel should also not be eligible for authorisation when it continued to fish in the third country's fishing fleet after six weeks from the decision identifying that third country as a non-cooperating country in fighting IUU fishing, except where the Council has decided not to list that third country as such.

Transhipments: the Councils position includes information requirements concerning transhipments under direct authorisations and on the high seas. It also agreed to include a requirement for prior notification to the flag Member State for these transhipment operations.

Database: the Council agreed on establishing a Union database for fishing authorisations issued under the regulation, which will be composed of a public part and a secure part, thus ensuring a better balance between transparency and control, and securing protection of personal data.