

# EU GOVERNANCE

## 1) For the North Sea and adjacent areas

### ◆ **North Sea Plan**

Ulrike Rodust, German, S&D  
(Socialists and Democrats- Jeremy Corbyn)

## 2) For all Union waters

### ◆ **Technical Conservation Measures**

Gabriel Mato, Spanish, EPP  
(European People's Party- Angela Merkel)



# Co- decision = co- deciders

European Commission DG Mare publishes a draft proposal

## European Parliament

In the PECH committee

- ◆ A Rapporteur is appointed
- ◆ each political group appoints a shadow rapporteur- this is done on geography or politics!

## Council

Member States work at Working Group level to amend the proposal – for the UK DEFRA officials with sign off from the responsible Minister- George Eustice.



- ◆ Technical Conservation Measures – EU 28

- ◆ North Sea Plan- EU NS + Spain

# The MEPs

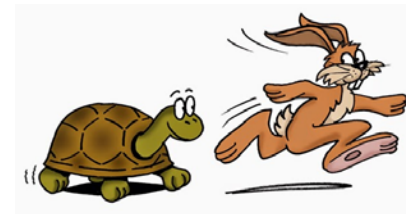


## The RAPPORTEURS + 7 SHADOW RAPPORTURS





# Parliamentary Process



- ◆ Shadow rapporteurs & members of the committee table amendments to the Commission's draft proposal
- ◆ Amendments are translated into all working languages of the committee
- ◆ They are made publically available. If there are a number of amendments, the rapporteurs office may create "compromise amendments"
- ◆ 27 full or substitute members of the Committee vote on the amendments
- ◆ They vote in favour, against or abstention
- ◆ Technical Conservation Measures vote took 2 hours
- ◆ First reading position - with or without mandate to enter into negotiations with the Council

# Parliamentary Process



- ◆ The Rapporteur may get a mandate for negotiations without a plenary vote
- ◆ Co- decision = co- deciders are European Parliament and the Council
- ◆ In trilogue- Commission are “honest brokers” – they do not negotiate. The rotating Presidency chairs the trilogue (Bulgaria, Austria, Romania)
- ◆ The Rapporteur must defend the First reading position
- ◆ Once Council, Parliament and Commission have agreed on a text = Second reading agreement = back to PECH committee for MEP vote
- ◆ The Second reading agreement goes to plenary (EP) and EU Ambassadors (Council)



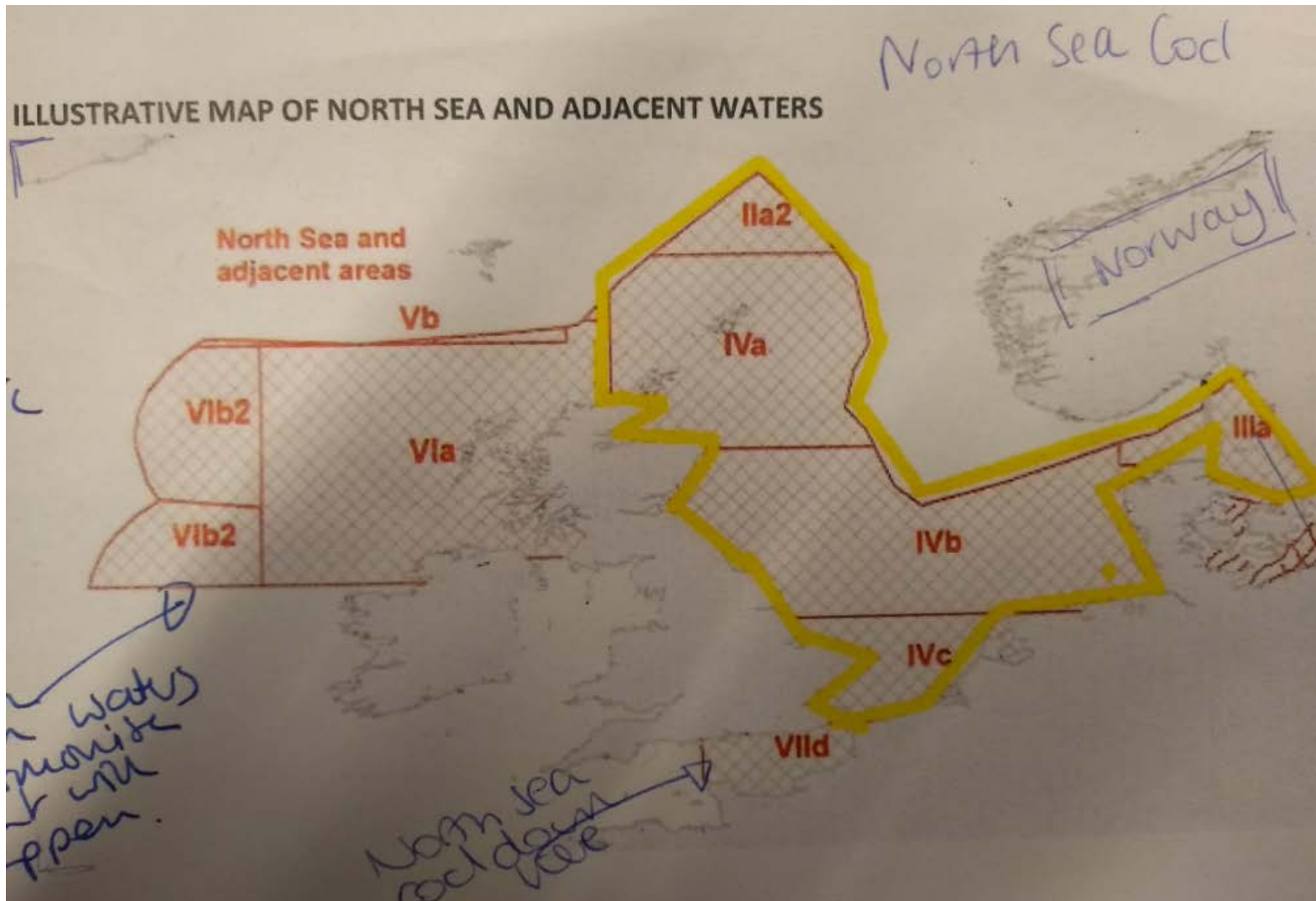
# Why have a management plan for the North Sea?

- ◆ The Basic Regulation 1380- the CFP- establishes the legal framework for MAP
- ◆ Regionalisation is a key part of the CFP and the MAPs enable regionalisation
- ◆ MAPs are a tool for setting fishing mortality values
- ◆ For the landing obligation, the MAPs will replace the rolling 3- year delegated acts

## *Article 9*

### **Principles and objectives of multiannual plans**

1. Multiannual plans shall be adopted as a priority, based on scientific, technical and economic advice, and shall contain conservation measures to restore and maintain fish stocks above levels capable of producing maximum sustainable yield in accordance with Article 2(2).





## Article 10

### Content of multiannual plans

1. As appropriate and without prejudice to the respective competences under the Treaty, a multiannual plan shall include:

- (a) the scope, in terms of stocks, fishery and the area to which the multiannual plan shall be applied;
  - (b) objectives that are consistent with the objectives set out in Article 2 and with the relevant provisions of Articles 6 and 9;
  - (c) quantifiable targets such as fishing mortality rates and/or spawning stock biomass;
  - (d) clear time-frames to reach the quantifiable targets;
  - (e) conservation reference points consistent with the objectives
- 

- (f) objectives for conservation and technical measures to be taken in order to achieve the targets set out in Article 15, and measures designed to avoid and reduce, as far as possible, unwanted catches;
- (g) safeguards to ensure that quantifiable targets are met, as well as remedial action, where needed, including for situations where the deteriorating quality of data or non-availability put the sustainability of the stock at risk.

The MAP is led by \*\*\* Greens!

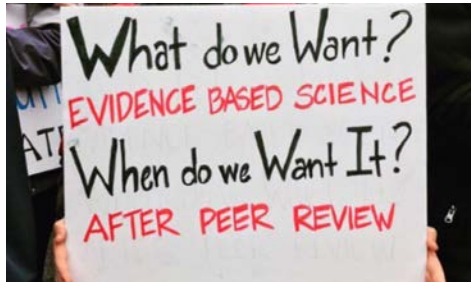
- ◆ an emphasis on sustainable fishing
- ◆ the precautionary approach
- ◆ Best available scientific advice



# What's covered?

- ◆ 9 demersal species- cod, haddock, plaice, saithe, sole, whiting, Anglerfish, Northern prawn and Nephrops
- ◆ The landing obligation for ALL species subject to a minimum conservation reference size- pelagic and demersal
- ◆ Technical Conservation Measures (the demersal species in article 1- scope and subject matter)
- ◆ FMSY ranges- lower and upper
- ◆ Scientific safeguards to prevent overfishing (for Upper F- limit) – Baltic Sea MAP
- ◆ Third Countries





# Horizontal issues



◆ Best available scientific advice

◆ FMSY value ranges + safeguards

◆ Fishing opportunities

◆ Recreational fisheries

◆ Delegated acts



ANNEX I  
TARGET FISHING MORTALITY  
(as referred to in Article 4)

Stock	Target fishing mortality ranges consistent with achieving maximum sustainable yield ( $F_{MSY}$ )	
	Column A (Part of the range of $F_{MSY}$ as referred to in Article 4(2) and (3))	Column B (Part of the range of $F_{MSY}$ as referred to in Article 4(4))
Western Baltic cod	0.15-0.26	0.26-0.45
Eastern Baltic cod	Not defined	Not defined
Central Baltic herring	0.16-0.22	0.22-0.28
Gulf of Riga herring	0.24-0.32	0.32-0.38
Bothnian Sea herring	0.11-0.15	0.15-0.18
Bothnian Bay herring	Not defined	Not defined
Western Baltic herring	0.23-0.32	0.32-0.41

# Ranges of fishing mortality

Column A  
Lower F

Column B  
Upper F

ANNEX I  
TARGET FISHING MORTALITY  
(as referred to in Article 4)

Stock	Target fishing mortality ranges consistent with achieving maximum sustainable yield ( $F_{MSY}$ )	
	Column A (Part of the range of $F_{MSY}$ as referred to in Article 4(2) and (3))	Column B (Part of the range of $F_{MSY}$ as referred to in Article 4(4))
Western Baltic cod	0,15-0,26	0,26-0,45
Eastern Baltic cod	Not defined	Not defined
Central Baltic herring	0,16-0,22	0,22-0,28
Gulf of Riga herring	0,24-0,32	0,32-0,38
Bothnian Sea herring	0,11-0,15	0,15-0,18
Bothnian Bay herring	Not defined	Not defined
Western Baltic herring	0,23-0,32	0,32-0,41

- ◆ The MAP states that target fishing mortality must be within the ranges of FMSY
- ◆ The Lower and Upper values come from ICES
- ◆ When Council sets fishing opportunities, it must be within the lower range of FMSY
- ◆ In order to set fishing opportunities at the upper end of the F value, the stock must be above MSY B trigger and there must be scientific advice to support moving into the upper F range.

- ◆ The ranges limit the fishing quotas so that they cannot exceed levels regarded as sustainable

## Fishing

by **Arthur Neslen**

Thu 10 Mar 2016 12:19 GMT



This article is 1 year old

517
 84

# Leaked European commission plan would open gates to overfishing

Baltic Sea proposal would allow catches well above current sustainable levels needed to restore healthy fish stocks, putting some species at risk, conservationists warn



Fishermen could soon be given carte blanche to overfish without needing to worry about restoring fish populations to a healthy state under a leaked [European commission](#) proposal seen by the Guardian.

If it is approved, the blueprint for the Baltic Sea could soon be applied to the North Sea too, potentially threatening the future of some cod species, MEPs say.

## Fishing

# Overfishing of North Sea may reduce after MEPs vote on fishing quotas

Defra welcomes European vote which aims to secure long-term sustainability of North Sea fish stocks



The European parliament has voted on a series of measures likely to reduce overfishing in the North Sea which will affect the UK's fishing fleet until [Brexit](#) takes effect and potentially beyond.

# Third Countries

- ◆ Norway is not part of the CFP- will not adopt the MAP
- ◆ Norway has in place technical measures and national management strategies for Norwegian stocks
- ◆ For jointly managed stocks, the EU and Norway work together
- ◆ Norway and the EU are currently working together on the harmonisation of technical measures in the North Sea and the Skagerrak





Department  
for Environment  
Food & Rural Affairs

*“The UK welcomes the vote on the North Sea Multi-Annual Plan which aims to secure the long-term sustainability of North Sea fish stocks and provide stability for fishermen in the region. As we leave the European Union, we will continue to work closely with our neighbours to champion sustainable fishing.”*



# What's next...



- ◆ 21<sup>st</sup> Council sent final text to the EU Ambassadors for final sign off



- ◆ 27<sup>th</sup>, Parliament PECH committee votes on the final text
- ◆ Parliament votes in plenary, all 751 MEPs can approve or reject the text



- ◆ Entry into force





# Technical Conservation Measures

- ◆ 33 Regulations or management plans into 1
- ◆ Condensing and repealing a number of regulations
- ◆ 3<sup>rd</sup> attempt to revise



# Fisheries management and a shift in approach

- ◆ The Commission is thinking in a different way



# To some extent, the Commission is proposing a change to the relation

- ◆ Simplification
- ◆ Shift towards performance and away from “Brussels” micro- management/ catch composition
- ◆ Change policy and management focus from compliance to result orientation
- ◆ Increase flexibility and subsidiarity for Regional Advisory Councils and Member States

# Compliance Architecture



The outcome only and freedom for member states to manage their fisheries more regionally



Department  
for Environment  
Food & Rural Affairs

More stakeholder  
engagement and  
better management  
measures



Brussels regulates catch composition, technical measures and allows for few derogations



# What is the Parliament's position?

◆ No derogation for pulse in the North sea = banned

## Report

**Gabriel Mato**

Conservation of fishery resources and protection of marine ecosystems through technical measures

COM(2016)0134 – C8-0117/2016 – 2016/0074(COD)

**A8-0381/2017**

## Proposal for a regulation

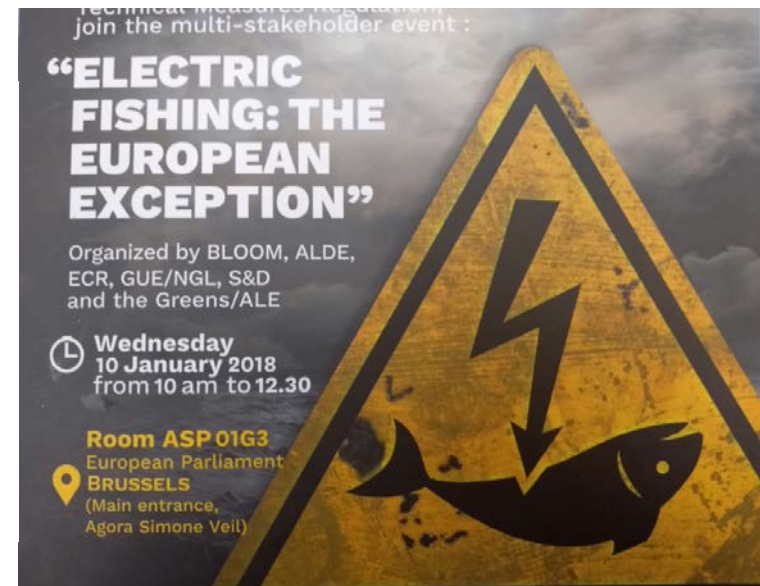
**Article 7 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) electric current *except for the use of the electric pulse trawl as set out in Article 24 and Part E of Annex V;*

*Amendment*

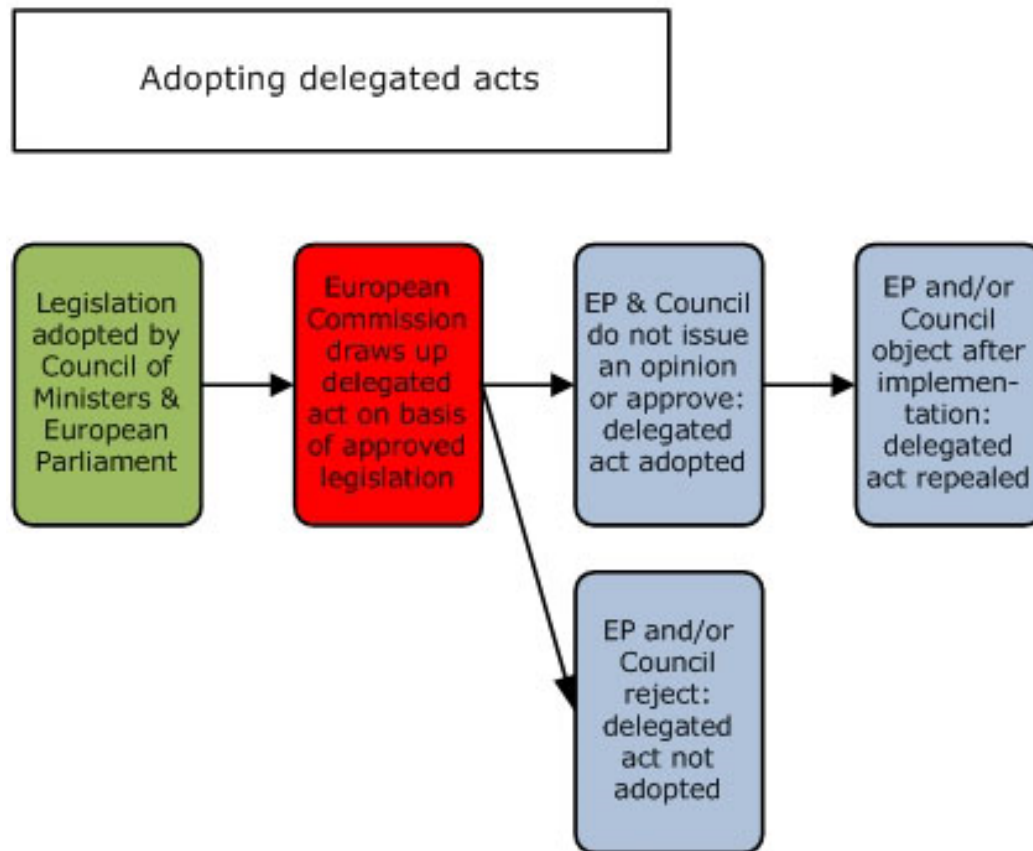
(b) electric current;



# Targets Vs Performance Indicators

- ◆ The Commission wanted to establish a flat rate of 5% for reducing catches of species below minimum reference sizes across all fisheries in all sea basins
- ◆ Parliament rejected a proposal to reduce catches of smaller fish to a level of under 5% of the volume of the total fishery
- ◆ EU target- 5%- Brussels set was not considered compatible with regionalisation and compatible with the landing obligation
- ◆ It is the view of Council and some MEPs that the landing obligation will bring about selectivity and fishermen will have an economic incentive to only catch (and then land) what they can sell
- ◆ There was a preference for performance indicators which will be driven by the RACs and member states and the Commission where necessary

# Delegated Acts



- ◆ The Commission is empowered to adopt delegated acts in the absence from action from member states.
- ◆ A safeguard of the Common Fisheries Policy **OR**
- ◆ A continuation of Brussels- top down policy making?



# Fish products imported for human consumption

## **Proposal for a regulation** **Article 14 a (new)**

*Text proposed by the Commission*

*Amendment*

### *Article 14a*

*Imported fisheries products intended for  
human consumption*

*Imported fisheries products intended for  
human consumption that have been  
caught outside Union waters in the areas,  
subareas and divisions referred to in  
Article 5 shall comply with the minimum  
conservation reference sizes laid down in  
the Annexes to this Regulation.*

# The Landing Obligation

- ◆ MEPs are still concerned about what fishermen do with landed fish that they can not sell
- ◆ The Parliament's position calls on member states to allocate more support and infrastructure landing sites and storage facilities
- ◆ The annexes provide mesh sizes per species and catch composition rules
- ◆ There is no watering- down of the discard ban



# A possible derogation from the landing obligation

## Proposal for a regulation Article 17 a (new)

*Text proposed by the Commission*

*Amendment*



### *Article 17a*

#### *Derogation from the landing obligation*

*1. By way of derogation from Article 15 of Regulation (EU) No 1380/2013, fishing vessels which participate voluntarily in a system of full documentation of catches and discards shall not be required to land non-marketable catches, provided that they are recorded and counted against quotas where applicable.*



Department  
for Environment  
Food & Rural Affairs

*"Interested for consideration"*

# Fish Welfare

## *Amendment*

*(ca) ensure that the impacts of fishing on the welfare of animals are minimised and where possible eliminated;*

**REJECTED**

# The Politics

## *Amendment*



*(5a) The Common Fisheries Policy should cease to apply in all UK waters (including to the full extent of the UK EEZ) from the moment that the UK leaves the European Union. In addition, the Common Fisheries Policy should not apply during any transition period.*



**REJECTED**

# Next Steps.....

- ◆ Waiting for the Bulgarian Presidency to schedule a trilogue- it's their first Presidency since becoming a member of the EU
- ◆ The Parliament's position and Council's position are very similar so negotiations could go quickly
- ◆ The Austrian Presidency will take over in July

# Any questions?

[caroline.healy@europarl.europa.eu](mailto:caroline.healy@europarl.europa.eu)

What's coming up before December 2020.....

- ◆ MAP Western Waters

- ◆ Revised Control Regulation (to align with the new CFP)