

Opinion of the Committee of the Regions on 'Legislative proposals on the reform of the common fisheries policy'

(2012/C 225/04)

THE COMMITTEE OF THE REGIONS

- supports the measures of the European Commission, which seek to limit the ongoing reduction of many stocks and guarantee the exploitation of marine biological resources at levels which make it possible to achieve the maximum sustainable yield by 2015, insofar as possible;
- considers that where possible a ban on discards should be gradually introduced, primarily concerning industrial species yet permitting the dumping overboard of marine organisms which can survive once they have been thrown back into the sea;
- draws attention to the potential risks and negative effects of a compulsory introduction of a system of transferable fishing concessions and recommends such systems should be voluntary and for each Member State's competence;
- recognises that the economic and strategic importance of aquaculture justifies measures to promote it through an independent regulation;
- calls for increased regionalisation of the Common Fisheries Policy; fully supports introducing a process which takes into account the specificities and needs of the regions including cooperation with regional advisory councils (RACs), in order to adopt conservation measures and technical measures for the implementation of the Common Fisheries Policy to allow for the policy to better address the realities and specificities of individual fisheries, including trans-border problems;
- welcomes that the European Maritime and Fisheries Fund (EMFF) will be part of the new Common Strategic Framework and aligned with the other Regional and Rural funds; nevertheless calls for guarantees in relation to funding for fisheries and aquaculture, and for the regions to be involved in the strategic implementation of funds.

Rapporteur	Mr Mieczysław STRUK (PL/EPP), Marshal of the Pomorskie Voivodeship
Reference documents	<p>Proposal for a Regulation of the European Parliament and of the Council on the Common Organisation of the Markets in Fishery and Aquaculture Products COM(2011) 416 final</p> <p>Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Reform of the Common Fisheries Policy COM(2011) 417 final</p> <p>Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Reporting Obligations under Council Regulation (EC) No 2371/2002 of 20 December 2002 on the Conservation and Sustainable Exploitation of Fisheries Resources under the Common Fisheries Policy COM(2011) 418 final</p> <p>Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the External Dimension of the Common Fisheries Policy COM(2011) 424 final</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy COM(2011) 425 final</p>

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Long-term management

1. believes that the Common Fisheries Policy should contribute to long-term sustainable environmental, economic, and social conditions. It should also contribute to a higher standard of living for the fisheries sector, a stable market, and ensure the availability of resources and that supplies reach consumers at reasonable prices;

2. supports the measures of the European Commission stemming from the declaration of the World Summit on Sustainable Development held in Johannesburg in 2002, which seek to limit the ongoing reduction of many stocks and guarantee the exploitation of marine biological resources at levels which make it possible to achieve the maximum sustainable yield by 2015, insofar as possible;

3. draws attention to the fact that efforts to reach the goal relating to certain stocks are urgently needed, but that this urgency could have adverse social and economic effects. It is imperative that restrictive and containing measures be accompanied by active restructuring efforts in spheres such as business development, training and secure pension conditions. Financing for these efforts should be sought both at national and regional level, in line with the regions' capacities and powers, and at EU level;

4. agrees that the sustainable exploitation of biological resources must be based on the precautionary and eco-system approach with a view to limiting the impact of fishing activities on the environment and reducing and progressively eliminating unwanted catches;

5. urges that the objective of sustainable exploitation of biological resources be achieved through a multi-annual approach to fisheries management, establishing as a priority multi-annual plans reflecting the specificities of different fisheries and containing mechanisms ensuring the possibility that necessary decisions can be taken in case of unforeseen events;

6. believes as a part of the ecosystem approach that the multi-annual plans should where possible cover multiple stocks where those stocks are jointly exploited. For stocks for which no multi-annual plan has been established, exploitation indicators determining maximum sustainable yield should be established by setting catch and/or fishing effort limits.

a. Multiannual plans shall set clear objectives, time periods for achieving them and periodic checks. Both the time period and the pace shall be suited to the dynamics of the species in question.

b. In the implementation and drawing up of multiannual plans, measures shall be proposed which are based on economic prudence, taking account of the need to make the appropriate changes gradually and without imposing excessively

short time limits if there is no urgent need. These measures shall be based on objective arguments and be viable from a socio-economic point of view. In parallel, a socio-economic impact study shall be drawn up with contributions from the stakeholders concerned or their legally recognised representatives;

7. recognises that fisheries management based on the best available scientific advice taking into consideration traditional ecological knowledge acquired by fishermen over generations, requires harmonised, reliable and accurate data sets and draws attention to the need for cooperation on data collection with the fisheries sector. Calls on the European Commission and the Member States to allocate resources to carrying out research and expert appraisals; emphasises the role of the Scientific, Technical and Economic Committee for Fisheries (STECF), as a scientific body which can support the European Commission's action to promote sustainable fisheries management;

8. considering that data collection is necessary for the economic and socio-economic assessment of stakeholders in the fisheries sector, in aquaculture and in the processing of fisheries and aquaculture products and of employment trends in these industries, the EU should allocate appropriate resources to national and regional bodies to collect such data;

Access to inshore fishing waters

9. welcomes the European Commission's view that rules in place restricting access to resources within the 12 nautical mile zones of Member States have operated satisfactorily benefiting conservation by restricting fishing effort in the most sensitive part of Union waters. The Committee of the Regions therefore believes that these rules should remain applicable;

10. urges that marine biological resources around the outermost regions should continue to be especially protected since they contribute to the preservation of their local economy, having regard to the structural, social and economic situation of those islands;

11. draws attention to the state of origin principle in the UN Convention on the Law of the Sea and urges the Member States to comply with its terms in their own exclusive economic zones in order to preserve the viability of endangered river-spawned (anadromous) wild fish stocks;

12. believes also that in their 12 nautical mile zone, and taking account of the environmental and socio-economic implications within a GSA or at a lower level, Member States should be allowed to adopt conservation and management measures

applicable to all Union fishing vessels, provided that, where such measures apply to Union fishing vessels from other Member States, the measures adopted are non-discriminatory, prior consultation and appropriate briefing of other interested Member States has taken place and that the Union has not adopted measures specifically addressing conservation and management within that 12 nautical mile zone;

Reducing discards

13. agrees that resources are required to reduce and if possible eliminate the current high levels of unwanted catches and discards, which constitute a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine ecosystems as well as the financial viability of fisheries. In light of the above, believes that greater selectivity of fishing gear and improved fishing techniques should be encouraged to reduce discards as much as possible. Where possible a ban on discards should be gradually introduced, primarily concerning industrial species yet permitting the dumping overboard of marine organisms which can survive once they have been thrown back into the sea;

14. considers that landings of unwanted catches should not result in full economic advantages for the operator and that their processing into fish meal is the wrong response to the Commission's environmental objectives;

15. also points out that the Basic Regulation does not seem to be the right context for a detailed list of species covered by the landing obligation. It might be better to specify this obligation in the management plans for specific species (single or multi-stock);

Access to resources

16. believes that the current rules already permit Member States wishing to do so to introduce systems of transferable individual quotas for their fleets, with known consequences in terms of speculative trading and concentration. In the light of this, it is not appropriate to impose a requirement on each Member State to establish fishing rights that are transferable or leasable;

17. further believes that the duration of any system of transferable fishing concessions must be up to the Member States;

18. draws attention to the potential risks and negative effects of a compulsory introduction of a system of transferable fishing concessions and recommends such systems should be voluntary and for each Member State's competence;

19. urges that Member States, prior to the introduction of a voluntary system of transferable fishing concessions, adjust their own rules to ensure appropriate protection of the interests of inshore fishing and to protect against the negative effects of introducing the system, such as excessive concentration or speculation;

20. recalls, with regard to eliminating excess capacity, positive experiences with aid for scrapping;

21. considers that specific characteristics and socio-economic vulnerability of the sector in many Member States and the differing socio-economic policy priorities between Member States in relation to fisheries means that a mandatory system of transferable fishing concessions is inappropriate and that the method for the allocation of fishing opportunities and any rules for their transfer should continue to be decided at Member State level;

22. also urges that the specific conditions of the outermost regions be taken into account when setting the fishing capacity ceilings for small-scale fleets, by maintaining the current reference levels;

The external dimension

23. calls on the European Union to promote the objectives of the Common Fisheries Policy internationally. To this end, the Union should strive to improve the performance of regional and international organisations in conservation and management of international fish stocks, by promoting decision-making based on science and improved compliance, increased transparency and stakeholder participation, especially fishermen and by combating illegal, unreported and unregulated (IUU) fishing activities;

24. concurs that agreements with third countries on sustainable fisheries management should provide for access rights in exchange for a financial contribution from the Union and should contribute to the establishment of a high quality governance framework in those countries to ensure efficient monitoring, control and surveillance measures for sustainable exploitation of fishing resources; also believes that agreements with third countries should provide the EU fishing fleet, which depends on these agreements, with stability, viability and profitability in order to guarantee its future;

25. urges that fisheries partnership agreements with third countries should establish a legal, economic and environmental framework for fishing activities carried out by EU vessels or for investments made by EU operators in the field of fisheries in line with the relevant measures adopted by international organisations including RFOs. Fisheries agreements are intended *inter alia* to ensure that fishing activities in third countries take place on the basis of sustainable and mutually satisfactory arrangements;

Aquaculture

26. recognises that the economic and strategic importance of aquaculture justifies measures to promote it through an independent regulation dealing with EU guidelines for national strategic plans to improve the competitiveness of the aquaculture industry, by supporting ecologically, economically and socially sustainable development and innovation across the whole production and marketing chain, encouraging local processing and diversification and thus also improving the quality of life in coastal and rural areas, as well as mechanisms to exchange among Member States information and best practices through an open method of coordination of national measures concerning business security, access to Union waters

and space, with a particular focus on the compatibility of preserving the environment and developing activity in areas classified under the Natura 2000 network, and administrative simplification of licensing and authorisations;

27. recognises the need to establish a consultative committee on aquaculture which can genuinely speak for the sector and which includes the necessary representatives from the production sector (professional organisations, producer organisations or chambers of commerce);

Fisheries market

28. agrees that the unpredictability of fishing activities makes it appropriate to set up a mechanism of storing fishery products for human consumption with a view to fostering greater market stability and to increasing the return on products, in particular by creating added value. This mechanism should also be extended to aquaculture products;

29. recognises that the application of common marketing standards should permit the market to be supplied with sustainable products, to realise the full potential of the internal market in fishery and aquaculture products, and to facilitate commerce based on fair competition, thus helping to improve the profitability of production;

30. believes that the widening variety of fishery and aquaculture products makes it essential to provide consumers, clearly, intelligibly and understandably, with a minimum amount of mandatory information on the main characteristics of products;

31. urges that the Common Market Organisation be implemented in compliance with international commitments of the Union, in particular with regard to the provisions of the World Trade Organization, without prejudice to the standardisation and approval of health and hygiene measures for products from third countries and the development of a maritime-fisheries commercial practice that encourages the eradication of IUU fishing;

32. calls for the creation, where possible, of a public certification scheme for EU fisheries products to ensure that they come from appropriately managed fisheries;

Regionalisation

33. calls for increased regionalisation of the Common Fisheries Policy, so that the knowledge and experience of all stakeholders, particularly local and regional authorities, can be used in the Common Fisheries Policy and stresses the importance of macro-economic strategies;

34. highlights the growing interactions between recreational fishing, professional fishermen and fishing communities;

35. fully supports introducing a process which takes into account the specificities and needs of the regions including cooperation with regional advisory councils (RACs), in order to adopt conservation measures and technical measures for the implementation of the Common Fisheries Policy to allow for the policy to better address the realities and specificities of individual fisheries, including trans-border problems;

36. furthermore believes that RACs or other similar partnership structures should be strengthened to ensure that local communities are not just consulted but actually participate in the management of their local fishing resources;

37. urges that implementation of the Common Fisheries Policy should take into account interactions with other maritime affairs, recognising that all matters related to Europe's oceans and seas are interlinked, including maritime spatial planning, which strengthens the Integrated Maritime Policy;

38. stresses that the CFP cannot disregard the protection of aquatic ecosystems and their complexities and interactions given the fragility of transitional waters or river and lake eco-corridors, and their wild fish stocks, paying particular attention to maintaining and replenishing high-value endangered fish stocks, and anadromous and catadromous species in particular;

European Maritime Activities and Fisheries Fund

39. is aware that, without appropriate financial support, the objectives of the Common Fisheries Policy cannot be sufficiently achieved by Member States given the problems encountered in the development of the fishing industry and its management, and the limits on the financial resources of the Member States;

40. for the above reasons, calls for the creation of appropriate, multiannual EU financial support geared towards the priorities of the Common Fisheries Policy with a view to contributing to the fulfilment of these goals, in particular improving the economic effectiveness of the sector, in particular of the fishing fleet, creating new jobs and introducing modernisation and innovation, including the development of safe and sustainable vessels;

41. calls for financial support for the renewal and modernisation of the outermost regions' fishing fleets to be reintroduced for the 2014-2020 period;

42. believes that Union financial assistance should be made conditional upon compliance by Member States and operators with the Common Fisheries Policy. Thus such financial assistance should be interrupted, suspended or corrected in cases of non-compliance with the rules of Common Fisheries Policy by Member States and repeated serious infringements of those rules by operators;

43. welcomes that the European Maritime and Fisheries Fund (EMFF) will be part of the new Common Strategic Framework

and aligned with the other Regional and Rural funds to enable Integrated Local Development Frameworks and improve simplification of access to funds at the local and regional level; nevertheless calls for guarantees in relation to funding for fisheries and aquaculture, and for the regions to be involved in the strategic implementation of funds;

44. acknowledges the biological, productive and historical value of fish stocks and of lake and river habitats and, therefore, considers the need to provide financial assistance to this sector by the European Union, including with a view to reducing marine catches, decreasing imports and boosting regional competitiveness;

Powers of the European Commission

45. recognises that in order to achieve the objectives of the Common Fisheries Policy, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission for the purpose of supplementing or amending non-essential elements of basic legislation; recommends, nevertheless, that such extensive recourse by the Commission to delegated acts should be very carefully evaluated and studied from a legal and political perspective and that care should be taken to ensure that this power is clearly defined as to the purpose, content, scope and duration of the delegated power;

46. urges the Commission to carry out appropriate consultations during its preparatory work for the adoption of delegated acts, including at expert level and the level of the regional authorities;

47. believes that the Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council;

48. strongly supports and encourages the use of 'Community Led Local Development' as laid out in the Commission's General Regulation on the Common Strategic Framework to allow the local and regional level to be able to draw resources from the European Maritime and Fisheries Fund (EMFF) - alongside the Structural and Rural Development funds; these funds should be coordinated in a flexible framework that strengthens opportunities for their use; local authorities should be involved in the development of the strategic framework and the operational programmes;

49. stresses that the success of the Common Fisheries Policy requires an effective system of control, inspection and enforcement, including the fight against IUU fishing activities. The use of modern technologies should be promoted in the framework of the Union system for control, inspection, and enforcement. Member States or the Commission should have the possibility to conduct pilot projects on new control technologies and data management systems;

50. feels that a review of compliance with the EU Regulation should be undertaken every five years.

II. RECOMMENDATIONS FOR AMENDMENTS

COM(2011) 425 final

Amendment 1

Recital (5)

Text proposed by the Commission	CoR amendment
<p>(5) At the World Summit on Sustainable Development at Johannesburg in 2002, the Union and its Member States committed to act against the continued decline of many fish stocks. Therefore, the Union should improve its Common Fisheries Policy to ensure that as a matter of priority exploitation levels of marine biological resources stocks are restored and maintained at levels capable of producing maximum sustainable yields from the populations of harvested stocks by 2015. Where less scientific information is available, this may require applying proxies to maximum sustainable yield.</p>	<p>(5) At the World Summit on Sustainable Development at Johannesburg in 2002, the Union and its Member States committed to act against the continued decline of many fish stocks. Therefore, the Union should improve its Common Fisheries Policy to ensure that as a matter of priority exploitation levels of marine biological resources stocks are restored and maintained at levels capable of producing <u>where possible</u> maximum sustainable yields from the populations of harvested stocks by 2015. Where less scientific information is available, this may require applying proxies to maximum sustainable yield.</p>

Reason

The Johannesburg Agreement 2002 acknowledged that for some species and stocks it might not be possible to achieve Maximum Sustainable Yield by 2015 and included the words 'where possible' to allow for such eventualities. The EU should not attempt to go beyond its international obligations.

Amendment 2

Recital (6)

Text proposed by the Commission	CoR amendment
<p>(1) Fisheries targets were laid down in the Decision by the Conference of the Parties to the Convention on Biological Diversity on the Strategic Plan for Biodiversity 2011 – 2020, the Common Fisheries Policy should ensure coherence with the biodiversity targets adopted by the European Council, and the targets of Commission Communication 'Our life insurance, our natural capital: an EU Biodiversity Strategy to 2020', in particular to achieve maximum sustainable yield by 2015.</p>	<p>(1) Fisheries targets were laid down in the Decision by the Conference of the Parties to the Convention on Biological Diversity on the Strategic Plan for Biodiversity 2011 – 2020, the Common Fisheries Policy should ensure coherence with the biodiversity targets adopted by the European Council, and the targets of Commission Communication 'Our life insurance, our natural capital: an EU Biodiversity Strategy to 2020', in particular to achieve <u>where possible</u> maximum sustainable yield by 2015.</p>

Reason

The Johannesburg Agreement 2002 acknowledged that for some species and stocks it might not be possible to achieve Maximum Sustainable Yield by 2015 and included the words 'where possible' to allow for such eventualities. The EU should not attempt to go beyond its international obligations.

Amendment 3

Recital (15)

Text proposed by the Commission	CoR amendment
Marine biological resources around the Azores, Madeira and the Canary Islands should continue to be especially protected since they contribute to the preservation of the local economy of these islands, having regard to the structural, social and economic situation of those islands. The limitation of certain fishing activities in those waters to fishing vessels registered in the ports of the Azores, Madeira and the Canary Islands should therefore be maintained.	Marine biological resources around the Azores, Madeira and the Canary Islands <u>outermost regions</u> should continue to be especially protected since they contribute to the preservation of the local economy of these islands, having regard to the structural, social and economic situation of those islands. The limitation of certain fishing activities in those waters to fishing vessels registered in the ports of the Azores, Madeira and the Canary Islands <u>outermost regions</u> should therefore be maintained.

Reason

The outermost regions (OR) face problems and should all be taken into account, so as to better support their development, which depends very much on the health of marine resources and the marine environment in general. The amendment is therefore intended to include all the outermost regions of the European Union.

Amendment 4

Recital (18)

Text proposed by the Commission	CoR amendment
(18) Measures are needed to reduce and eliminate the current high levels of unwanted catches and discards. Indeed, unwanted catches and discards constitute a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine ecosystems as well as the financial viability of fisheries. An obligation to land all catches of managed stocks caught during fishing activities in Union waters or by Union fishing vessels should be established and gradually implemented.	(18) Measures are needed to reduce and eliminate the current high levels of unwanted catches and discards. Indeed, unwanted catches and discards constitute a substantial waste and <u>can</u> affect negatively the sustainable exploitation of marine biological resources and marine ecosystems as well as the financial viability of fisheries. <u>As</u> <u>Where appropriate because of low survival rates, an</u> obligation to land all catches of managed stocks <u>species</u> caught during fishing activities <u>fished in</u> Union waters or by Union fishing vessels should be established and gradually implemented.

Amendment 5

Recital (29)

Text proposed by the Commission	CoR amendment
A system of transferable fishing concessions for the majority of managed stocks under the Common Fisheries Policy should be implemented no later than 31 December 2013 for all vessels of 12 meters' length or over and all other vessels fishing with towed gears. Member States may exclude vessels up to 12 meters' length other than vessels using towed gear from transferable fishing concessions. Such a system should contribute to industry-induced fleet reductions and improved economic performance while at the same time creating legally secure and exclusive transferable fishing concession of a Member State's annual fishing opportunities. Since marine biological resources are a common good, transferable fishing concessions should only establish user entitlements to a Member State's part of annual fishing opportunities which may be recalled according to established rules.	A system of transferable fishing concessions for the majority of managed stocks under the Common Fisheries Policy should <u>may</u> be implemented no later than 31 December 2013 for all vessels of 12 meters' length or over and all other vessels fishing with towed gears . Member States may exclude vessels up to 12 meters' length other than vessels using towed gear from transferable fishing concessions for regulated stocks. Such a system should contribute to industry-induced fleet reductions and improved economic performance while at the same time creating legally secure and exclusive transferable fishing concession of a Member State's annual fishing opportunities. Since marine biological resources are a common good, transferable fishing concessions should only establish user entitlements to a Member State's part of annual fishing opportunities which may be recalled according to established rules.

Reason

The introduction of Transferable Fishing Concessions (TFCs) should be a Member State competence and not mandatory.

Amendment 6

Recital (31)

Text proposed by the Commission	CoR amendment
Specific characteristics and socio-economic vulnerability of some small-scale fleets justify the limitation of the mandatory system of transferable fishing concessions to large vessels. The system of transferable fishing concessions should apply to stocks for which fishing opportunities are allocated.	Specific characteristics and socio-economic vulnerability of some small-scale fleets justify the limitation promoting of the mandatory system of transferable fishing concessions to large vessels. The system of transferable fishing concessions should apply to stocks for which fishing opportunities are allocated.

Reason

The recital is amended to make it consistent with Article 27(1) and to confirm the voluntary nature of TFCs.

Amendment 7

Article 2(2)

Text proposed by the Commission	CoR amendment
<p>General Objectives</p> <p>1. The Common Fisheries Policy shall ensure that fishing and aquaculture activities provide long-term sustainable environmental, economic and social conditions and contribute to the availability of food supplies</p> <p>2. The Common Fisheries Policy shall apply the precautionary approach to fisheries management, and shall aim to ensure, by 2015, that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.</p> <p>3. The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management to ensure that the impacts of fishing activities on the marine ecosystem are limited.</p> <p>4. The Common Fisheries Policy shall integrate the Union environmental legislation requirements.</p>	<p>General Objectives</p> <p>1. The Common Fisheries Policy shall ensure that fishing and aquaculture activities provide long-term sustainable environmental, economic and social conditions and contribute to the availability of food supplies.</p> <p>2. The Common Fisheries Policy shall apply the precautionary approach to fisheries management, and shall aim to ensure, <u>where possible</u> by 2015, that exploitation of living marine biological resources restores and maintains populations of harvested species <u>at or</u> above levels which can produce the maximum sustainable yield.</p> <p>3. The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management to ensure that the impacts of fishing activities on the marine ecosystem are limited.</p> <p>4. The Common Fisheries Policy shall integrate the Union environmental legislation requirements.</p>

Reason

The Johannesburg Agreement 2002 acknowledged that for some species and stocks it might not be possible to achieve Maximum Sustainable Yield by 2015 and included the words 'where possible' to allow for such eventualities. The EU should not attempt to go beyond its international obligations.

Amendment 8

Article 2(3)

Text proposed by the Commission	CoR amendment
The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management to ensure that the impacts of fishing activities on the marine ecosystem are limited.	The Common Fisheries Policy shall implement the ecosystem-based approach to fisheries management <u>in line with international obligations</u> to ensure <u>where possible</u> that the impacts of fishing activities on the marine ecosystem are limited.

Reason

The Johannesburg Agreement 2002 acknowledged that for some species and stocks it might not be possible to achieve Maximum Sustainable Yield by 2015 and included the words 'where possible' to allow for such eventualities.

Amendment 9

Article 3

Text proposed by the Commission	CoR amendment
<p>Specific objectives</p> <p>For the purpose of achieving the general objectives set out in Article 2, the Common Fisheries Policy shall in particular:</p> <p>a) eliminate unwanted catches of commercial stocks and gradually ensure that all catches of such stocks are landed;</p> <p>b) provide conditions for efficient fishing activities within an economically viable and competitive fishing industry;</p> <p>c) promote the development of Union aquaculture activities to contribute to food security and employment in coastal and rural areas;</p> <p>d) contribute to a fair standard of living for those who depend on fishing activities;</p> <p>e) take into account the interests of consumers;</p> <p>f) ensure systematic and harmonised data collection and management.</p>	<p>Specific objectives</p> <p>For the purpose of achieving the general objectives set out in Article 2, the Common Fisheries Policy shall in particular:</p> <p>a) <u>gradually</u> eliminate unwanted catches of commercial stocks<u>species</u> and gradually ensure that, <u>wherever appropriate in view of low survival rates</u>, all catches of such stocks<u>species</u> are landed, <u>and attempt to ensure continual improvement in the selection of the gear used and to promote activities aimed at making the best use of these species</u>;</p> <p>b) provide conditions for efficient fishing activities within an economically viable and competitive fishing industry;</p> <p>c) promote the <u>ecologically sustainable</u> development of Union aquaculture activities to contribute to food security and employment in coastal and rural areas;</p> <p><u>d) contribute to the achievement and maintenance of good environmental status;</u></p> <p>e) <u>promote the maintenance and replenishment of overfished, endangered species of conservation or commercial interest, including through the implementation or development of ichthyogenic activities;</u></p> <p>⇨ <u>f) contribute to a fair standard of living for those who depend on fishing activities, taking account of different specific social and geographical characteristics, including the situation of the outermost regions and the problem of women in the fisheries sector;</u></p> <p>⇨ <u>g) take into account the interests of consumers;</u></p> <p>⇨ <u>h) ensure systematic and harmonised data collection and management;</u></p> <p><u>i) achieve a single European market for sea products and promote full harmonisation of national legislation and the appropriate standardisation of the criteria and requirements set for products from third countries;</u></p>

Amendment 10

Article 4

Text proposed by the Commission	CoR amendment
<p>Principles of good governance</p> <p>The Common Fisheries Policy shall be guided by the following principles of good governance:</p> <p>a) clear definition of responsibilities at the Union, national, regional and local levels;</p>	<p>Principles of good governance</p> <p>The Common Fisheries Policy shall be guided by the following principles of good governance:</p> <p>a) clear definition of responsibilities at the Union, national, regional and local levels;</p>

Text proposed by the Commission	CoR amendment
b) establishment of measures in accordance with the best available scientific advice;	b) establishment of measures in accordance with the best available scientific advice <u>and taking account of the need to carry the appropriate changes in a gradual manner;</u>
c) a long-term perspective;	c) <u>establishment of measures to be applied in a gradual and transitional manner;</u> <u>ed)</u> a long-term perspective;
d) broad involvement of stakeholders at all stages from conception to implementation of the measures;	<u>de)</u> broad involvement of stakeholders, <u>in particular the advisory councils,</u> at all stages from conception to implementation of the measures;
e) the primary responsibility of the flag State;	<u>ef)</u> the primary responsibility of the flag State;
f) consistence with the integrated maritime policy, and with other Union policies.	<u>fg)</u> consistency with the integrated maritime policy, and with other Union policies.

Reason

We believe that the political discretion of the Council and Parliament in the implementation of objectives and principles should be respected when taking decisions in this area, in order to ensure good governance.

Add a new point c) to the principles of good governance of the Common Fisheries Policy. It is crucial that the Common Fisheries Policy be applied where necessary in a gradual and transitional manner.

To highlight the importance of regionalisation in the CFP by giving a greater role to the regional advisory councils.

Paragraph g) puzzles us, since it places the IMP on the same level with the CFP as other Union policies. We believe the CFP to be an integral part of the Integrated Maritime Policy and what matters is internal consistency under the same policy with the same people in charge.

Amendment 11

Article 5

Text proposed by the Commission	CoR amendment
Definitions	Definitions
For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:
— ‘Union waters’ means the waters under the sovereignty or jurisdiction of the Member States with the exception of the waters adjacent to the territories listed in Annex II to the Treaty;	— ‘Union waters’ means the waters under the sovereignty or jurisdiction of the Member States with the exception of the waters adjacent to the territories listed in Annex II to the Treaty;
— ‘marine biological resources’ means available and accessible living marine aquatic species, including anadromous and catadromous species through all stages of their life cycle;	— ‘marine biological resources’ means available and accessible living marine aquatic species, including anadromous and catadromous species through all stages of their life cycle;
— ‘fresh water biological resources’ means available and accessible living fresh water aquatic species;	— ‘fresh water biological resources’ means available and accessible living fresh water aquatic species;
— ‘fishing vessel’ means any vessel equipped for commercial fishing of marine biological resources;	— ‘fishing vessel’ means any vessel equipped for commercial fishing of marine biological resources;

Text proposed by the Commission	CoR amendment
— 'Union fishing vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;	— 'Union fishing vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
— 'maximum sustainable yield' means the maximum catch that may be taken from a fish stock indefinitely;	— 'maximum sustainable yield' means the maximum catch that may be taken from a fish stock indefinitely <u>in the long term by exploiting a stock or a mixed fishery for the total caught as a whole</u> ;
— 'precautionary approach to fisheries management' means an approach according to which the absence of adequate scientific information should not justify postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment;	— 'precautionary approach to fisheries management' means an approach according to which the absence of adequate scientific information should not justify postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment;
— 'ecosystem-based approach to fisheries management' means an approach ensuring that benefits from living aquatic resources are high while the direct and indirect impacts of fishing operations on marine ecosystems are low and not detrimental to the future functioning, diversity and integrity of those ecosystems;	— 'ecosystem-based approach to fisheries management' means an approach ensuring that benefits from living aquatic resources are high while the direct and indirect impacts of fishing operations on marine ecosystems are low and not detrimental to the future functioning, diversity and integrity of those ecosystems;
— 'fishing mortality rate' means the catches of a stock over a given period as a proportion of the average stock available to the fishery in that period;	— 'fishing mortality rate' means the <u>rate at which individuals or biomass are removed from the stock by means of fishing operation</u> catches of a stock over a given period as a proportion of the average stock available to the fishery in that period ;
— 'stock' means a marine biological resource with distinctive characteristics that occurs in a given management area;	— 'stock' means a <u>sub-population of a particular species for which the intrinsic parameters (growth, recruitment, natural mortality and fishing mortality) are the only factors affecting the dynamic of the population, while the extrinsic parameters (immigration and emigration) can be considered insignificant</u> marine biological resource with distinctive characteristics that occurs in a given management area ;
— 'catch limit' means a quantitative limit on landings of a fish stock or group of fish stocks over a given period;	— 'catch limit' means a quantitative limit on landings of a fish stock or group of fish stocks over a given period;
— 'conservation reference point' means values of fish stock population parameters (such as biomass or fishing mortality rate) used in fisheries management, for example with respect to an acceptable level of biological risk or a desired level of yield;	— 'conservation reference point' means values of fish stock population parameters (such as biomass or fishing mortality rate) used in fisheries management, for example with respect to an acceptable level of biological risk or a desired level of yield;
— 'safeguard' means a precautionary measure designed to protect or prevent something undesirable occurring;	— 'safeguard' means a precautionary measure designed to protect or prevent something undesirable occurring;
— 'technical measures' means the measures that regulate the species composition, size composition of catches and impacts on components of the ecosystems resulting from fishing activities through conditioning the use and structure of fishing gear and restriction of access to fishing areas;	— 'technical measures' means the measures that regulate the species composition, size composition of catches and impacts on components of the ecosystems resulting from fishing activities through conditioning the use and structure of fishing gear and restriction of access to fishing areas;
— 'fishing opportunity' means a quantified legal entitlement to fish, expressed in terms of catches and/or fishing effort and conditions functionally linked thereto which are necessary to quantify them at a certain level;	— 'fishing opportunity' means a quantified legal entitlement to fish, expressed in terms of catches and/or fishing effort and conditions functionally linked thereto which are necessary to quantify them at a certain level;

Text proposed by the Commission	CoR amendment
<p>— ‘fishing effort’ means the product of the capacity and the activity of a fishing vessel; for a group of fishing vessels it is the sum of the fishing effort of all vessels in the group;</p>	<p>— ‘fishing effort’ means the product of the capacity and the activity of a fishing vessel; for a group of fishing vessels it is the sum of the fishing effort of all vessels in the group;</p>
<p>— ‘transferable fishing concessions’ means revocable user entitlements to a specific part of fishing opportunities allocated to a Member State or established in management plans adopted by a Member State in accordance with Article 19 of Regulation (EC) No 1967/2006 ⁽¹⁾, which the holder may transfer to other eligible holders of such transferable fishing concessions;</p>	<p>— ‘transferable fishing concessions’ means revocable user entitlements to a specific part of fishing opportunities allocated to a <u>the</u> Member States or established in management plans adopted by a <u>the</u> Member States in accordance with Article 19 of Regulation (EC) No 1967/2006 ⁽¹⁾, which the holder may transfer to other eligible holders of such transferable fishing concessions;</p>
<p>— ‘individual fishing opportunities’ means annual fishing opportunities allocated to holders of transferable fishing concessions in a Member State on the basis of the proportion of fishing opportunities pertaining to that Member State;</p>	<p>— ‘individual fishing opportunities’ means annual fishing opportunities allocated to holders of transferable fishing concessions in a <u>the</u> Member State on the basis of the proportion of fishing opportunities pertaining to that <u>those</u> Member States;</p>
<p>— ‘fishing capacity’ means a vessel’s tonnage in GT (Gross Tonnage) and its power in kW (Kilowatt) as defined in Articles 4 and 5 of Council Regulation (EEC) No 2930/86 ⁽²⁾;</p>	<p>— ‘fishing capacity’ means a vessel’s tonnage in GT (Gross Tonnage) and its power in kW (Kilowatt) as defined in Articles 4 and 5 of Council Regulation (EEC) No 2930/86 ⁽²⁾;</p>
<p>— ‘aquaculture’ means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment, where the organisms remain the property of a natural or legal person throughout the rearing and culture stage, up to and including harvesting;</p>	<p>— ‘aquaculture’ means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment, where the organisms remain the property of a natural or legal person throughout the rearing and culture stage, up to and including harvesting;</p>
<p>— ‘fishing licence’ means a licence as referred to in Article 4(9) of Regulation (EC) No 1224/2009;</p>	<p>— ‘fishing licence’ means a licence as referred to in Article 4(9) of Regulation (EC) No 1224/2009;</p>
<p>— ‘fishing authorisation’ means an authorisation as referred to in Article 4(10) of Regulation (EC) No 1224/2009;</p>	<p>— ‘fishing authorisation’ means an authorisation as referred to in Article 4(10) of Regulation (EC) No 1224/2009;</p>
<p>— ‘fishing’ means the collection or capture of aquatic organisms living in their natural environment, or the intentional use of any means allowing such collection or capture;</p>	<p>— ‘fishing’ means the collection or capture of aquatic organisms living in their natural environment, or the intentional use of any means allowing such collection or capture;</p>
<p>— ‘fishery products’ means the aquatic organisms resulting from any fishing activity;</p>	<p>— ‘fishery products’ means the aquatic organisms resulting from any fishing activity;</p>
<p>— ‘operator’ means the natural or legal person who operates or holds any enterprise carrying out any of the activities related to any stage of production, processing, marketing, distribution and retail chains of fisheries and aquaculture products;</p>	<p>— ‘operator’ means the natural or legal person who operates or holds any enterprise <u>or the entity</u> carrying out any of the activities related to any stage of production, processing, marketing, distribution and retail chains of fisheries and aquaculture products;</p>
<p>— ‘serious infringement’ means an infringement as defined in Article 42(1) of Council Regulation (EC) No 1005/2008 and in Article 90(1) of Council Regulation (EC) No 1224/2009;</p>	<p>— ‘serious infringement’ means an infringement as defined in Article 42(1) of Council Regulation (EC) No 1005/2008 and in Article 90(1) of Council Regulation (EC) No 1224/2009;</p>
<p>— ‘end-user of scientific data’ means a body with a research or management interest in the scientific analysis of data in the fisheries sector;</p>	<p>— ‘end-user of scientific data’ means a body with a research or management interest in the scientific analysis of data in the fisheries sector;</p>

Text proposed by the Commission	CoR amendment
<ul style="list-style-type: none"> — ‘surplus of allowable catch’ means that part of the allowable catch which a coastal State does not have the capacity to harvest; — ‘aquaculture products’ mean the aquatic organisms at any stage of their life cycle resulting from any aquaculture activity; — ‘spawning stock biomass’ means an estimate of the mass of the fish of a particular resource that reproduces at a defined time, including both males and females and including fish that reproduce viviparously; — ‘Mixed fisheries’ means fisheries where more than one species are present in the area being fished and are vulnerable to being caught in the fishing gear. — ‘sustainable fisheries agreements’ mean international agreements concluded with another state for the purpose of obtaining access to resources or waters in exchange for financial compensation from the Union. 	<ul style="list-style-type: none"> — ‘surplus of allowable catch’ means that part of the allowable catch which a coastal State does not have the capacity to harvest; — ‘aquaculture products’ mean the aquatic organisms at any stage of their life cycle resulting from any aquaculture activity; — ‘spawning stock biomass’ means an estimate of the mass of the fish of a particular resource that reproduces at a defined time, including both males and females and including fish that reproduce viviparously; — ‘Mixed fisheries’ means fisheries where more than one species are present in the area being fished and are vulnerable to being caught in the fishing gear. — ‘sustainable fisheries agreements’ mean international agreements concluded with another state for the purpose of obtaining access to resources or waters in exchange for financial compensation from the Union.
<p>(¹) OJ L 409, 30.12.2006, p. 11. (²) OJ L 274, 25.9.1986, p. 1.</p>	<ul style="list-style-type: none"> — ‘<u>small-scale coastal fishing</u>’ means fishing carried out by <u>fishing vessels of an overall length of less than 12 metres and not using towed gear as listed in Table 3 of Annex I of Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register, barring regional or local specificities requiring an adapted definition;</u> — ‘<u>ichthyogenic activities</u>’ means <u>activities carried out in public waters to conserve and replenish fish stocks. These activities include the production of fish for re-population at any life stage.</u> <p>(¹) OJ L 409, 30.12.2006, p. 11. (²) OJ L 274, 25.9.1986, p. 1.</p>

Reason

The fishery sector has expanded into new types of operation. It no longer makes sense to limit ‘operators’ to legal or natural persons operating or holding an enterprise. There are also associations and other entities. In some parts of Europe, for example, recreational fishing is of great significance when it comes to recovering fishing stocks. As a result of urbanisation, recreational fishing is well placed everywhere to increase people’s understanding of nature. Recreational fishing attracts people to nature and encourages them to take better care of their own physical and mental recuperation and well-being. The volume and economic significance of guided fishing and of fishing tourism in general are growing. Fishing also plays a significant role in the development of tourism industries and therefore helps to sustain the vitality of coastal and riverside communities. Consequently, the term ‘operator’ should be broadened. This is also supported by the fact that recreational fishing, for example, is already part of the CFP by way of both the Control Regulation and new usage and maintenance plans for fish species.

We need any European definition of ‘small-scale coastal fishing’ to be flexible enough to allow for the diversity and specificities of fisheries in Europe’s many regions.

Ichthyogenic activities are beginning to play a fundamental role in maintaining high-value fish stocks through re-population, thereby containing alien species occupying important niche habitats.

Amendment 12

Article 6

Text proposed by the Commission	CoR amendment
<p>General rules on access to waters</p> <p>1. Union fishing vessels shall have equal access to waters and resources in all Union waters other than those referred to in paragraphs 2 and 3, subject to the measures adopted under Part III.</p> <p>2. In the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction, Member States shall be authorised from 1 January 2013 to 31 December 2022 to restrict fishing to fishing vessels that traditionally fish in those waters from ports on the adjacent coast, without prejudice to the arrangements for Union fishing vessels flying the flag of other Member States under existing neighbourhood relations between Member States and the arrangements contained in Annex I, fixing for each Member State the geographical zones within the coastal bands of other Member States where fishing activities are pursued and the species concerned. Member States shall inform the Commission of the restrictions put in place under this paragraph.</p> <p>3. In the waters up to 100 nautical miles from the baselines of the Azores, Madeira and the Canary Islands, the Member States concerned may from 1 January 2013 to 31 December 2022 restrict fishing to vessels registered in the ports of those islands. Such restrictions shall not apply to Union vessels that traditionally fish in those waters, in so far as those vessels do not exceed the fishing effort traditionally exerted. Member States shall inform the Commission of the restrictions put in place under this paragraph.</p> <p>4. The provisions which will follow arrangements set out in paragraphs 2 and 3 shall be adopted by 31 December 2022.</p>	<p>General rules on access to waters</p> <p>1. Union fishing vessels shall have equal access to waters and resources in all Union waters other than those referred to in paragraphs 2 and 3, subject to the measures adopted under Part III.</p> <p>2. In the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction, Member States shall be authorised from 1 January 2013 to 31 December 2022 to restrict fishing to fishing vessels that traditionally fish in those waters from ports on the adjacent coast, without prejudice to the arrangements for Union fishing vessels flying the flag of other Member States under existing neighbourhood relations between Member States and the arrangements contained in Annex I, fixing for each Member State the geographical zones within the coastal bands of other Member States where fishing activities are pursued and the species concerned. Member States shall inform the Commission of the restrictions put in place under this paragraph.</p> <p>3. In the waters up to 100 nautical miles from the baselines of the Azores, Madeira and the Canary Islands <u>the outermost regions</u>, the Member States concerned may from 1 January 2013 to 31 December 2022 restrict fishing to vessels registered in the ports of those islands. Such restrictions shall not apply to Union vessels that traditionally fish in those waters, in so far as those vessels do not exceed the fishing effort traditionally exerted. Member States shall inform the Commission of the restrictions put in place under this paragraph.</p> <p>4. The provisions which will follow arrangements set out in paragraphs 2 and 3 shall be adopted by 31 December 2022.</p>

Reason

The outermost regions (OR) face problems and should all be taken into account, so as to better support their development, which depends very much on the health of marine resources and the marine environment in general. The amendment is therefore intended to include all the outermost regions of the European Union.

Amendment 13

Article 8

Text proposed by the Commission	CoR amendment
<p>Types of technical measures</p> <p>(i) modifications or additional devices to improve selectivity or to reduce impact on the benthic zone;</p>	<p>Types of technical measures</p> <p>(i) modifications or additional devices to improve selectivity or to reduce impact on the benthic zone <u>on the marine environment</u>;</p>

Reason

The first part of the amendment does not apply to the English version. It seeks to replace the original Polish term meaning 'increase' with the term used in the English version 'improve'. Article 8 is limited not only to the benthic zone but also includes the pelagic zone and the fishing gear used in this area.

Amendment 14

Article 9

Text proposed by the Commission	CoR amendment
<p>Multiannual plans</p> <p>1. Multiannual plans providing for conservation measures to maintain or restore fish stocks above levels capable of producing maximum sustainable yield shall be established as a priority.</p> <p>2. Multiannual plans shall provide for:</p> <p>(a) the basis for fixing fishing opportunities for the fish stocks concerned on the basis of predefined conservation reference points; and</p> <p>(b) measures capable of effectively preventing conservation reference points from being transgressed.</p> <p>3. Multiannual plans shall, where possible, cover either fisheries exploiting single fish stocks or fisheries exploiting a mixture of stocks, taking due account of interactions between stocks and fisheries.</p> <p>4. Multiannual plans shall be based on the precautionary approach to fisheries management and shall take into account the limitations of the available data and assessment methods and all quantified sources of uncertainty in a scientifically valid manner.</p>	<p>Multiannual plans</p> <p>1. Multiannual plans, <u>drawn up after consulting the advisory councils and</u> providing for conservation measures to maintain or restore fish stocks <u>at or</u> above levels capable of producing <u>where possible</u> maximum sustainable yield shall be established as a priority.</p> <p>2. Multiannual plans shall provide for:</p> <p>(a) the basis for fixing fishing opportunities for the fish stocks concerned on the basis of predefined conservation reference points; and</p> <p>(b) measures <u>aimed at being</u> capable of effectively preventing conservation reference points from being transgressed;</p> <p><u>(c) discard reduction targets rolled out at regional level;</u></p> <p><u>(d) measures to restore and maintain good environmental status.</u></p> <p>3. Multiannual plans shall, where possible, cover either fisheries exploiting single fish stocks or fisheries exploiting a mixture of stocks, taking due account of interactions between stocks and fisheries <u>and of ecosystem issues in marine protected areas.</u></p> <p>4. Multiannual plans shall be based on the precautionary approach to fisheries management and shall take into account the limitations of the available data and assessment methods and all quantified sources of uncertainty in a scientifically valid manner.</p>

Reason

The regional advisory councils were introduced by the European Union in 2004 to provide relevant advice in the context of a regionalised approach to the common fisheries policy. They should be involved more effectively in decision-making by being asked for their opinion on the multiannual plans. The plans will then be more readily accepted by stakeholders and thus easier to implement.

The Johannesburg Agreement 2002 acknowledged that for some species and stocks it might not be possible to achieve Maximum Sustainable Yield by 2015 and included the words 'where possible' to allow for such eventualities. The EU should not attempt to go beyond its international obligations. The multiannual plans set targets for the gradual reduction of discards, using measures adopted at regional level. These reduction measures should be based on a variety of tools which could be put forward by the stakeholders involved: selectivity, spatio-temporal management, the introduction of catch quotas for certain vulnerable species in certain areas. These stakeholders should play a major role in this area, through the strengthened Regional Advisory Councils. The multiannual plans must formally take account of the issues relating to marine protected areas as some of them are home to large-scale fishing activities. The multiannual plans must also include an ecosystem dimension as a guarantee for the maintenance of fish stocks.

It is important to indicate that multiannual plans must also provide for measures to restore good environmental status, otherwise it could deteriorate further, to the detriment of the natural production capacities of marine ecosystems.

The proper management of marine protected areas is one of the objectives of the convention on biological diversity. It is therefore natural that the common fisheries policy should take them into account.

Amendment 15

Article 10

Text proposed by the Commission	CoR amendment
<p>Objectives of multiannual plans</p> <p>1. Multiannual plans shall provide for adaptations of the fishing mortality rate, resulting in a fishing mortality rate that restores and maintains all stocks above levels capable of producing maximum sustainable yield by 2015.</p> <p>2. In cases where the determination of a fishing mortality rate that restores and maintains stocks above levels capable of producing maximum sustainable yield is not possible, multiannual plans shall provide for precautionary measures ensuring a comparable degree of conservation of the relevant stocks.</p>	<p>Objectives of multiannual plans</p> <p>1. Multiannual plans shall provide for adaptations of the fishing mortality rate, resulting in a fishing mortality rate that restores and maintains all stocks above levels capable of producing maximum sustainable yield by 2015, <u>where possible. They shall also provide for discard reduction targets rolled out at regional level.</u></p> <p>2. In cases where the determination of a fishing mortality rate that restores and maintains stocks above levels capable of producing maximum sustainable yield is not possible, multiannual plans shall provide for precautionary measures ensuring a comparable degree of conservation of the relevant stocks.</p>

Amendment 16

Article 11

Text proposed by the Commission	CoR amendment
<p>Content of multiannual plans</p> <p>A multiannual plan shall include:</p> <p>(a) the scope, in terms of stocks, fishery and the marine ecosystem to which the multiannual plan shall be applied;</p> <p>(b) objectives consistent with the objectives set out in Articles 2 and 3;</p> <p>(c) quantifiable targets expressed in terms of:</p> <ol style="list-style-type: none"> i) fishing mortality rates, and/or ii) spawning stock biomass, and iii) stability of catches. <p>(d) clear time frames to reach the quantifiable targets;</p> <p>(e) technical measures including measures concerning the elimination of unwanted catches;</p> <p>(f) quantifiable indicators for periodic monitoring and assessment of the progress related to achieving the targets of the multiannual plan;</p> <p>(g) specific measures and objectives for the freshwater part of the life cycle of anadromous and catadromous species;</p> <p>(h) minimisation of impacts of fishing on the eco-system;</p> <p>(i) safeguards and criteria activating those safeguards;</p> <p>(j) any other measures suitable to achieve the objectives of multiannual plans;</p>	<p>Content of multiannual plans</p> <p>A multiannual plan shall include:</p> <p>(a) the scope, in terms of stocks, fishery and the marine ecosystem to which the multiannual plan shall be applied;</p> <p>(b) objectives consistent with the objectives set out in Articles 2 and 3;</p> <p>(c) quantifiable targets expressed in terms of:</p> <ol style="list-style-type: none"> i) fishing mortality rates, and/or ii) spawning stock biomass, and iii) stability of catches. <p>(d) clear time frames to reach the quantifiable targets;</p> <p>(e) technical measures including measures concerning the elimination of unwanted catches;</p> <p>(f) quantifiable indicators for periodic monitoring and assessment of the progress related to achieving the targets of the multiannual plan;</p> <p>(g) specific measures and objectives for the freshwater part of the life cycle of anadromous and catadromous species;</p> <p><u>(h) measures to adjust the volume of fishing of endangered migratory fish stocks, so that it could be geared according to the sustainability of each stock being fished;</u></p> <p>(h) (hi) minimisation of impacts of fishing on the eco-system;</p> <p>(i) (ii) safeguards and criteria activating those safeguards;</p> <p>(j) (jk) any other measures suitable to achieve the objectives of multiannual plans;</p> <p><u>(l) response mechanism for unforeseen situations;</u></p> <p><u>(m) evaluation of the socio-economic effects of the fleet in question and measures to minimise any negative impact.</u></p>

Reason

Measures targeted towards migratory fish stocks are needed to secure natural diversity and sustainable fishery. The EU's CFP should differentiate anadromous fish stocks, which migrate up rivers in order to spawn. The CFP should distinguish between the principles of fish stock maintenance for anadromous fish stocks and those for other types of fish stock. The principles informing regulation of fishing of migratory fish stocks should be implemented in compliance with Article 66, Section V of the United Nations Convention on the Law of the Sea, which regulates management of anadromous fish stocks separately from that of other fish stocks.

The management of living resources is a dynamic process and it is sometimes necessary to take a quick decision which, given the very bureaucratic and slow nature of the co-decision process, can prove to be especially difficult, as has been seen in the past in the case of the Baltic or the North Sea. Multiannual plans include a clause stating that the plan should be evaluated after three to five years. However, no rapid response mechanism for unforeseen situations requiring swift intervention has been formally drawn up. It should be down to the Member States to define when and what action should be taken in such situations.

Amendment 17

Article 15

Text proposed by the Commission	CoR amendment
<p>Obligation to land all catches</p> <p>1. All catches of the following fish stocks subject to catch limits caught during fishing activities in Union waters or by Union fishing vessels outside Union waters shall be brought and retained on board the fishing vessels and recorded and landed, except when used as live bait, in accordance with the following timeframe:</p> <p>(a) At the latest from 1 January 2014:</p> <ul style="list-style-type: none"> — mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, sardinella, capelin; — bluefin tuna, swordfish, albacore tuna, bigeye tuna, other billfish. <p>(b) At the latest from 1 January 2015: cod, hake, sole;</p> <p>(c) At the latest from 1 January 2016: haddock, whiting, megrim, anglerfish, plaice, ling, saithe, pollack, lemon sole, turbot, brill, blue ling, black scabbard, roundnose grenadier, orange roughy, Greenland halibut, tusk, redfish and Mediterranean demersal stocks.</p> <p>2. Minimum conservation reference sizes based on the best available scientific advice shall be established for the fish stocks set out in paragraph 1. The sale of catches of such fish stocks below the minimum conservation reference size shall be restricted for reduction to fish meal or pet food only.</p> <p>3. Marketing standards for catches of fish caught in excess of fixed fishing opportunities shall be established in accordance with Article 27 of [the Regulation on the common organisation of the markets in fishery and aquaculture products].</p> <p>4. Member States shall ensure that Union fishing vessels flying their flag are equipped to ensure full documentation of all fishing and processing activities for the purpose of monitoring compliance with the obligation to land all catches.</p>	<p><u>Introduction of discard reduction plans</u> Obligation to land all catches</p> <p>1. <u>The plans set targets for the gradual reduction of discards for</u> All catches of the following fish stocks <u>species</u> subject to catch limits caught during fishing activities in Union waters or by Union fishing vessels outside Union waters shall be brought and retained on board the fishing vessels and recorded and landed, except when used as live bait, in accordance with the following timeframe:</p> <p>a) At the latest from 1 January 2014:</p> <ul style="list-style-type: none"> — mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, sardinella, capelin; — bluefin tuna, swordfish, albacore tuna, bigeye tuna, other billfish. <p>b) At the latest from 1 January 2015: cod, hake, sole;</p> <p>c) At the latest from 1 January 2016: haddock, whiting, megrim, anglerfish, plaice, ling, saithe, pollack, lemon sole, turbot, brill, blue ling, black scabbard, roundnose grenadier, orange roughy, Greenland halibut, tusk, <u>flounder, redfish</u> and Mediterranean demersal stocks.</p> <p>2. Minimum conservation reference sizes based on the best available scientific advice shall be established for the fish stocks set out in paragraph 1. The sale of catches of such fish stocks below the minimum conservation reference size shall be restricted for reduction to fish meal or pet food only.</p> <p>3. Marketing standards for catches of fish caught in excess of fixed fishing opportunities shall be established in accordance with Article 27 of [the Regulation on the common organisation of the markets in fishery and aquaculture products].</p> <p>4. Member States shall ensure that Union fishing vessels flying their flag are equipped to ensure full documentation of all fishing and processing activities for the purpose of monitoring compliance <u>with the targets of the multiannual plans, with the obligation to land all catches.</u></p>

Text proposed by the Commission	CoR amendment
<p>5. Paragraph 1 shall be without prejudice to international obligations.</p> <p>6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the measures set out in paragraph 1 for the purpose of complying with the Union's international obligations.</p>	<p>5. Paragraph 1 shall be without prejudice to international obligations.</p> <p>6. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to specify the measures set out in paragraph 1 for the purpose of complying with the Union's international obligations.</p> <p><u>7. A mechanism must be established to provide for exceptions to the obligation to land all catches in all cases in which it is not possible to do so, as a result of insularity or similar reasons. In these cases, mechanisms shall be established to promote the gradual replacement of gear with more selective gear.</u></p> <p><u>8. Fishing shall be steered towards more selective types of gear and other techniques for avoiding unwanted catch.</u></p>

Reason

The amendment suggests the drawing up of multiannual discard reduction plans, but the documents under discussion contain no such proposal. The Commission proposes a decision requiring the landing of all catches of commercial species from a given date. Action to implement the Commission decision should be drawn up by the Regional Advisory Councils or the Member States, depending on the situation. It is therefore perhaps inappropriate to speak of multiannual plans, as such plans would have to be much more long-term.

Throwing fish back into the sea is common for a number of different reasons. By developing fishing practices and applying technical solutions to make gear more selective, the amount of unwanted catch can be reduced. The subject of this amendment is included in the policy recommendations at the beginning of our opinion, which represents the view of the CoR, so it should also be added to the amendments.

Amendment 18

Article 16

Text proposed by the Commission	CoR amendment
<p>Fishing opportunities</p> <p>1. Fishing opportunities allocated to Member States shall ensure each Member State relative stability of fishing activities for each fish stock or fishery. The interests of each Member State shall be taken into account when new fishing opportunities are allocated.</p> <p>2. By-catch fishing opportunities may be reserved under the total fishing opportunities.</p> <p>3. Fishing opportunities shall comply with quantifiable targets, time frames and margins established in accordance with Article 9(2) and 11(b), (c) and (h).</p> <p>4. Member States may, after notifying the Commission, exchange all or part of the fishing opportunities allocated to them.</p>	<p>Fishing opportunities</p> <p>1. Fishing opportunities allocated to Member States shall ensure each Member State relative stability of fishing activities for each fish stock or fishery. The interests of each Member State shall be taken into account when new fishing opportunities are allocated.</p> <p>2. By-catch fishing opportunities may be reserved under the total fishing opportunities.</p> <p>3. Fishing opportunities shall comply with quantifiable targets, time frames and margins established in accordance with Article 9(2) and 11(b), (c) and (h).</p> <p>4. Member States may, after notifying the Commission, exchange all or part of the fishing opportunities allocated to them.</p> <p><u>5. Each Member State shall decide, for vessels flying its flag, on the method of allocating the fishing opportunities assigned to it in accordance with Union law. It shall inform the Commission of the allocation method.</u></p>

Reason

The addition of this new paragraph reflects the current CFP Regulation. The allocation of fishing opportunities should remain a matter for decision by Member States since the allocation of fishing opportunities is the most crucial instrument available to influence the structure and performance of the fisheries sector. These are preferences which are relevant for decision at Member State level in accordance with their socio-economic priorities.

Amendment 19

Article 17

Text proposed by the Commission	CoR amendment
<p>Conservation measures adopted in accordance with multiannual plans</p> <p>1. In a multiannual plan established pursuant to Articles 9, 10 and 11 Member States may be authorised to adopt measures, in accordance with that multiannual plan, which specify the conservation measures applicable to vessels flying their flag in relation to stocks in Union waters for which they have been allocated fishing opportunities.</p> <p>2. Member States shall ensure that conservation measures adopted pursuant to paragraph 1:</p> <p>(a) are compatible with the objectives set out in Articles 2 and 3;</p> <p>(b) are compatible with the scope and objectives of the multiannual plan;</p> <p>(c) meet the objectives and quantifiable targets set out in a multiannual plan effectively; and</p> <p>(d) are no less stringent than those existing in Union legislation.</p>	<p>Conservation measures adopted in accordance with multiannual plans</p> <p>1. <u>Multiannual plans and conservation measures taken in application thereof shall be drawn up after obtaining the opinion of advisory councils.</u></p> <p>2. In a multiannual plan established pursuant to Articles 9, 10 and 11 Member States may be authorised to adopt measures, in accordance with that multiannual plan, which specify the conservation measures applicable to vessels flying their flag in relation to stocks in Union waters for which they have been allocated fishing opportunities.</p> <p>23. Member States shall ensure that conservation measures adopted pursuant to paragraph 12:</p> <p>(a) are compatible with the objectives set out in Articles 2 and 3;</p> <p>(b) are compatible with the scope and objectives of the multiannual plan;</p> <p>(c) meet the objectives and quantifiable targets set out in a multiannual plan effectively; and</p> <p>(d) are no less stringent than those existing in Union legislation.</p>

Reason

The regional advisory councils were introduced by the European Union in 2004 to provide relevant advice in the context of a regionalised approach to the common fisheries policy. They should be involved more effectively in decision-making by being asked for their opinion on the multiannual plans. The plans will then be more readily accepted by stakeholders and thus easier to implement.

Amendment 20

Article 21

Text proposed by the Commission	CoR amendment
<p>Technical measures</p> <p>In a technical measures framework established pursuant to Article 14 Member States may be authorised to adopt measures, in accordance with that framework, which specify the technical measures applicable to vessels flying their flag in relation to stocks in their waters for which they have been allocated fishing opportunities. Member States shall ensure that such technical measures:</p> <p>(a) are compatible with the objectives set out in Articles 2 and 3;</p> <p>(b) are compatible with the objectives set out in measures adopted in accordance with Article 14;</p>	<p>Technical measures</p> <p>In a technical measures framework established pursuant to Article 14 <u>having obtained the opinion of advisory councils</u>, Member States may be authorised to adopt measures, in accordance with that framework, which specify the technical measures applicable to vessels flying their flag in relation to stocks in their waters for which they have been allocated fishing opportunities. Member States shall ensure that such technical measures:</p> <p>(a) are compatible with the objectives set out in Articles 2 and 3;</p> <p>(b) are compatible with the objectives set out in measures adopted in accordance with Article 14;</p>

Text proposed by the Commission	CoR amendment
(c) meet the objectives set out in measures adopted in accordance with Article 14 effectively; and (d) are no less stringent than those existing in Union legislation.	(c) meet the objectives set out in measures adopted in accordance with Article 14 effectively; and (d) are no less stringent than those existing in Union legislation.

Reason

The regional advisory councils were introduced by the European Union in 2004 to provide relevant advice in the context of a regionalised approach to the common fisheries policy. They should be involved more effectively in decision-making by being asked for their opinion on the multiannual plans. The plans will then be more readily accepted by stakeholders and thus easier to implement.

Amendment 21

Article 27 (1)

Text proposed by the Commission	CoR amendment
1. Each Member State shall establish a system of transferable fishing concessions no later than 31 December 2013 for (a) all fishing vessels of 12 meters length over all or more; and (b) all fishing vessels under 12 meters length overall fishing with towed gear.	1. Each Member State shall may establish a <u>voluntary</u> system of transferable fishing concessions no later than 31 December 2013 for (a) all fishing vessels of 12 meters length over all or more; and (b) all fishing vessels under 12 meters length overall fishing with towed gear <u>for regulated stocks</u> .

Reason

The introduction of Transferable Fishing Concessions (TFCs) should be encouraged, but it should be a Member State Competence and in their own time. Such TFCs would involve regulated stocks and it is acknowledged elsewhere that the size of the vessel is not material to the rate of exploitation of such stocks.

Amendment 22

Article 27 (2)

Text proposed by the Commission	Amendment
Member States may extend the system of transferable fishing concessions to fishing vessels of less than 12 meters length overall and deploying other types of gear than towed gear and shall inform the Commission thereof.	Member States may extend the system of transferable fishing concessions to fishing vessels of less than 12 meters length overall and deploying other types of gear than towed gear and shall inform the Commission thereof.

Reason

Does not apply to English text.

Amendment 23

Article 28 (1)

Text proposed by the Commission	CoR amendment
Allocation of transferable fishing concessions 1. A transferable fishing concession shall establish an entitlement to use the individual fishing opportunities allocated in accordance with Article 29(1).	Allocation of transferable fishing concessions 1. A <u>Where a Member State decides to operate a system of transferrable fishing concessions as provided for in Article 27, a</u> transferable fishing concession shall establish an entitlement to use the individual fishing opportunities allocated in accordance with Article 29(1).

Reason

The adoption of a system of Transferable Fishing Concessions should be optional for Member States. If this agreed it is appropriate to amend the text to reflect that the framework for the management of TFCs is only applicable when that option is taken.

Amendment 24

Article 28 (2)

Text proposed by the Commission	CoR amendment
Each Member State shall allocate transferable fishing concessions on the basis of transparent criteria, for each stock or group of stocks for which fishing opportunities are allocated in accordance with Article 16, excluding fishing opportunities obtained under sustainable fisheries agreements.	Each <u>Where a Member State decides to operate a system of transferable fishing concessions as provided for in Article 27.1, the</u> Member State shall allocate transferable fishing concessions on the basis of transparent criteria, for each stock or group of stocks for which fishing opportunities are allocated in accordance with Article 16, excluding fishing opportunities obtained under sustainable fisheries agreements.

Amendment 25

Article 28 (5)

Text proposed by the Commission	CoR amendment
<p>Allocation of transferable fishing concessions</p> <p>5. Member States may limit the period of validity of transferable fishing concessions to a period of at least 15 years, for the purpose of reallocating such concessions. Where Member States have not limited the period of validity of the transferable fishing concessions, they may recall such concessions with a notice of at least 15 years.</p>	<p>Allocation of transferable fishing concessions</p> <p>5. Member States may limit the period of validity of transferable fishing concessions to a period of at least 15 years, for the purpose of reallocating such concessions. <u>Where Member States have not limited the period of validity of the transferable fishing concessions, they may recall such concessions with a notice of at least 15 years.</u></p>

Reason

Each Member State should be responsible for how fishing concessions are transferred. Latvia and several other Member States of the European Union already have effective legislation in place for regulating fishing concessions. Creating a new system would further increase red tape and require extra funding whilst providing no guarantee that it would necessarily be more effective than the present mechanism.

Amendment 26

Article 28 (6)

Text proposed by the Commission	CoR amendment
6. Member States may recall transferable fishing concessions with a shorter notice in the event of an established serious infringement committed by the holder of the concessions. Such recalls shall be operated in a manner which gives full effect to the Common Fisheries Policy, the proportionality principle and, whenever necessary, with immediate effect.	6. Member States may recall transferable fishing concessions with a shorter notice in the event of an established serious infringement <u>of the terms of the concession</u> committed by the holder of the concessions. Such recalls shall be operated in a manner which gives full effect to the Common Fisheries Policy, the proportionality principle and, whenever necessary, with immediate effect.

Amendment 27

Article 28 (7)

Text proposed by the Commission	CoR amendment
7. Notwithstanding paragraph 5 and 6, Member States may recall transferable fishing concessions that have not been used on a fishing vessel for a period of three consecutive years.	7. Notwithstanding paragraph 5 and 6, Member States may recall transferable fishing concessions that have not been used on a fishing vessel for a period of three <u>two</u> consecutive years, <u>except in the event of derogation on the part of the Member State (duration of work, pollution risk etc.)</u> .

Reason

The proposed period of three years is too long and is already becoming an element of speculation, but a degree of flexibility should be allowed in terms of the duration in order not to jeopardise the future of companies experiencing specific situations.

Amendment 28

Article 28 (8)

Text proposed by the Commission	CoR amendment
	Insert new point: <u>8. When introducing a system of transferable fishing concessions, Member States should adjust their own rules to protect the interests of inshore fishing and protect against the negative aspects of the system, so that the right safeguards are put in place to guarantee a link between the possession of the right and fishing capacity, ensuring that the rights remain in the possession of the fishermen, together with a limit on the possibility to accumulate these fishing rights.</u>

Amendment 29

Article 29

Text proposed by the Commission	CoR amendment
Allocation of individual fishing opportunities 1. Member States shall allocate individual fishing opportunities to holders of transferable fishing concessions, as referred to in Article 28, on the basis of fishing opportunities allocated to the Member States, or established in management plans adopted by Member States in accordance with Article 19 of Regulation (EC) No 1967/2006. 2. Member States shall determine fishing opportunities that, based on the best available scientific advice, can be allocated to fishing vessels flying their flag for species for which the Council has not fixed fishing opportunities. 3. Fishing vessels shall undertake fishing activities only when in possession of sufficient individual fishing opportunities to cover all their potential catch.	Allocation of individual fishing opportunities 1. Member States shall allocate individual fishing opportunities to holders of transferable fishing concessions, as referred to in Article 28, on the basis of fishing opportunities allocated to the Member States, or established in management plans adopted by Member States in accordance with Article 19 of Regulation (EC) No 1967/2006. 2. Member States shall determine fishing opportunities that, based on the best available scientific advice, can be allocated to fishing vessels flying their flag for species for which the Council has not fixed fishing opportunities. 3. Fishing vessels shall undertake fishing activities only when in possession of sufficient individual fishing opportunities to cover all their potential catch.

Text proposed by the Commission	CoR amendment
<p>4. Member States may reserve up to 5 % of fishing opportunities. They shall establish objectives and transparent criteria for the allocation of such reserved fishing opportunities. Those fishing opportunities may only be allocated to eligible holders of transferable fishing concessions as set out in Article 28(4).</p> <p>5. When allocating transferable fishing concessions in accordance with Article 28 and when allocating fishing opportunities in accordance with paragraph 1 of this Article, a Member State may provide incentives to fishing vessels deploying selective fishing gear that eliminates unwanted by-catch within the fishing opportunities assigned to that Member State.</p> <p>6. Member States may set fees for the use of individual fishing opportunities to contribute to fisheries management-related costs.</p>	<p>4. Member States may reserve up to 5 % of fishing opportunities. They shall establish objectives and transparent criteria for the allocation of such reserved fishing opportunities. Those fishing opportunities may only be allocated to eligible holders of transferable fishing concessions as set out in Article 28(4).</p> <p>5<u>1</u>. When allocating transferable fishing concessions in accordance with Article 28 and when allocating fishing opportunities in accordance with paragraph 1 of this Article, a Member State may provide incentives to fishing vessels deploying selective fishing gear that eliminates unwanted by-catch within the fishing opportunities assigned to that Member State.</p> <p>6<u>2</u>. Member States may set fees for the use of individual fishing opportunities to contribute to fisheries management-related costs.</p>

Reason

The allocation of fishing opportunities should remain a matter for decision by Member States.

Amendment 30

Article 31 (1)

Text proposed by the Commission	CoR amendment
<p>Transfer of transferable fishing concessions</p> <p>1. Transferable fishing concessions may be fully or partially transferred within a Member State among eligible holders of such concessions.</p> <p>2. A Member State may authorise transfer of transferable fishing concessions to and from other Member States.</p> <p>3. Member States may regulate the transfer of transferable fishing concessions by providing for conditions for their transfer on the basis of transparent and objective criteria.</p>	<p>Transfer of transferable fishing concessions</p> <p>1. Transferable fishing <u>Where a Member State has introduced a system of Transferable Fishing Concessions as provided for in Article 27, these concessions may be fully or partially transferred within a Member State among eligible holders of such concessions.</u></p> <p>2. A Member State may authorise transfer of transferable fishing concessions to and from other Member States.</p> <p>3<u>2</u>. Member States may regulate the transfer of transferable fishing concessions by providing for conditions for their transfer on the basis of transparent and objective criteria.</p>

Reason

The system of Transferable Fishing Concessions should be optional for Member States. The framework for the management of TFCs is only applicable when that option is taken.

Transferable fishing concessions can be transferred within a Member States for the purposes of maintaining the relative stability as set out in Article 16(1). It does not seem appropriate to allow transfers of concessions which may impact on the undisputed general principle of relative stability.

Amendment 31

Article 32 (2)

Text proposed by the Commission	CoR amendment
<p>Leasing of individual fishing opportunities</p> <p>1. Individual fishing opportunities may be fully or partially leased within a Member State.</p>	<p>Leasing of individual fishing opportunities</p> <p>1. Individual fishing opportunities may be fully or partially leased within a Member State.</p>

Text proposed by the Commission	CoR amendment
2. A Member State may authorise the leasing of individual fishing opportunities to and from other Member States.	2. A Member State may authorise the leasing of individual fishing opportunities to and from other Member States.

Reason

Transferable fishing concessions can be leased within a Member States for the purposes of maintaining the relative stability as set out in Article 16(1). It does not seem appropriate to allow leasing of concessions which may impact on the undisputed general principle of relative stability.

Amendment 32

Article 35

Text proposed by the Commission	CoR amendment
1. Each Member State fleet shall be subject to fishing capacity ceilings as set out in Annex II.	1. Each Member State fleet shall be subject to fishing capacity ceilings as set out in Annex II. <u>However, in order to take account of the specific characteristics of the outermost regions' fishing fleets, the current reference levels will be maintained when setting the fishing capacity ceilings for these regions.</u>
2. Member States may request the Commission to exclude fishing vessels subject to a system of transferable fishing concessions established in accordance with Article 27 from the fishing capacity ceilings established in accordance with paragraph 1. In that case the fishing capacity ceilings shall be re-calculated to take into account the fishing vessels which are not subject to a system of transferable fishing concessions.	2. Member States may request the Commission to exclude fishing vessels subject to a system of transferable fishing concessions established in accordance with Article 27 from the fishing capacity ceilings established in accordance with paragraph 1. In that case the fishing capacity ceilings shall be re-calculated to take into account the fishing vessels which are not subject to a system of transferable fishing concessions.
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the re-calculation of the fishing capacity ceilings as referred to in paragraphs 1 and 2.	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the re-calculation of the fishing capacity ceilings as referred to in paragraphs 1 and 2.

Reason

The outermost regions' fleets are characterised essentially by small-scale vessels used for inshore fishing, by the non-industrial nature of their business, and by the uncertainty of their income. The new reference levels, set on the basis of the fleet situation on 31 December 2010, will have a catastrophic effect on the viability of fisheries in the outermost regions.

Amendment 33

Article 53

Text proposed by the Commission	CoR amendment
Tasks of Advisory Councils	Tasks of advisory councils
1. Advisory Councils may:	1. Advisory Councils <u>shall</u> may :
	a) <u>be consulted for their opinion on multiannual plans and technical measures drawn up in accordance with Articles 9 and 14 and proposed legislative measures affecting their area of competence;</u>
	b) <u>propose management tools applicable to their area of competence in order to enable marine biological stocks to be managed in the best possible way with a view to the conserving those stocks;</u>

Text proposed by the Commission	CoR amendment
<p>(a) submit recommendations and suggestions on matters relating to fisheries management and aquaculture to the Commission or to the Member State concerned;</p> <p>(b) inform the Commission and Member States of problems relating to fisheries management and aquaculture in their area of competence;</p> <p>(c) contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.</p> <p>2. The Commission and, where relevant, the Member State concerned, shall reply within a reasonable time period to any recommendation, suggestion or information received pursuant to paragraph 1.</p>	<p>c) submit recommendations and suggestions on matters relating to fisheries management and aquaculture to the Commission or to the Member State concerned;</p> <p>b <u>d)</u> inform the Commission and Member States of problems relating to fisheries management and aquaculture in their area of competence;</p> <p>e <u>e)</u> contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.</p> <p>2. The Commission and, where relevant, the Member State concerned, shall reply within a reasonable time period to any recommendation, suggestion or information received pursuant to paragraph 1.</p>

Reason

The establishment of decentralised governance should be encouraged in the drawing up of common fisheries policy regulations by strengthening the regional dimension, and also in the drawing up of rules and, principally, in the implementation stage. Regional Advisory Councils (RAC) should play a pivotal role in this decentralised governance (increased powers to submit proposals and more account taken of their opinions), which also means closer involvement by States and the various stakeholders in their work. With their legitimacy thus enhanced, RACs will provide an appropriate framework for holding discussions according to a fishery-by-fishery approach and will be able to carry out scientific monitoring in accordance with regional challenges. RACs should be subject to the financial aid provided for in the EMFF regulation and the composition of RACs will be extended to the Member States and the relevant scientific bodies. Under this new arrangement, an opinion from an RAC 'extended' to Member States and all stakeholders would be adopted by consensus. The Commission would finally present a new proposal to the legislator, taking account of the opinions expressed. Where relevant, RACs will also be able to propose regulations to the Commission.

Amendment 34

Article 54

Text proposed by the Commission	CoR amendment
<p>Composition, functioning and funding of Advisory Councils</p> <p>1. Advisory Councils shall be composed of organizations representing the fisheries operators and other interest groups affected by the Common Fisheries Policy.</p> <p>2. Each Advisory Council shall consist of a general assembly and an executive committee and shall adopt the measures necessary for its organization and to ensure transparency and the respect of all opinions expressed.</p> <p>3. Advisory Councils may apply for Union financial assistance as bodies pursuing an aim of general European interest.</p> <p>4. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the composition and the functioning of Advisory Councils.</p>	<p>Composition, functioning and funding of Advisory Councils</p> <p>1. Advisory Councils shall be composed <u>of representatives of the Member States in question</u>, organizations representing the fisheries operators, <u>recognised scientific bodies</u> and other interest groups affected by the Common Fisheries Policy.</p> <p>2. Each Advisory Council shall consist of a general assembly and an executive committee and shall adopt the measures necessary for its organization and to ensure transparency and the respect of all opinions expressed.</p> <p>3. Advisory Councils may apply for Union financial assistance as bodies pursuing an aim of general European interest.</p> <p>4. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the composition and the functioning of Advisory Councils.</p>

Reason

To increase their effectiveness and legitimacy, RACs should be extended to include the relevant Member States and scientific bodies, to make their discussions more fruitful and relevant to regional fisheries issues.

COM(2011) 416 final

Amendment 35

Article 8

Text proposed by the Commission	CoR amendment
<p>b) making the best use of unwanted catches of commercial stocks by:</p> <ul style="list-style-type: none"> — disposing of landed products which do not conform to the minimum marketing sizes referred to in Article 39 (2)(a) for uses other than human consumption; — placing on the market of landed products which conform to the minimum marketing sizes referred to in Article 39 (2)(a); — distributing landed products free of charge to philanthropic or charitable purposes. 	<p>b) making the best use of unwanted catches of commercial stocks by:</p> <ul style="list-style-type: none"> — disposing of landed products which do not conform to the minimum marketing sizes referred to in Article sizes referred to (2)(a) for uses other than human consumption; — placing on the market of landed products which conform to the minimum marketing sizes referred to in Article 39 (2)(a); — distributing <u>making</u> landed products <u>available</u> free of charge to <u>for</u> philanthropic or charitable purposes.

Reason

There is a fundamental difference between free distribution (with the costs borne by the producer organisation) and free access (where the costs may be borne by the producer organisation or the recipient).

Brussels, 4 May 2012.

The President
of the Committee of the Regions
Mercedes BRESSO