

Opinion of the European Economic and Social Committee on the ‘Proposal for a Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention Area of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007’

(COM(2016) 401 final — 2016/0187 (COD))

(2017/C 034/23)

Rapporteur: **Thomas McDONOGH**

Consultation	European Parliament, 22.6.2016 Council, 30.6.2016
Legal basis	Articles 43(2) and 304 of the Treaty on the Functioning of the European Union (COM(2016) 401 final — 2016/0187 (COD))
Committee Bureau decision	12.7.2016
Section responsible	Agriculture, Rural Development and the Environment
Adopted in section	30.9.2016
Adopted at plenary	19.10.2016
Plenary session No	520
Outcome of vote (for/against/abstentions)	224/1/3

1. Conclusions and recommendations

1.1. The EESC welcomes the transposition into EU law of the measures adopted since 2008 by the International Commission for the Conservation of Atlantic Tunas (ICCAT). The Committee urges the European Commission to play a more assertive role in this and other regional fisheries management organisations (RFMOs).

1.2. The EESC calls on all interested parties to enforce these and other conservation measures with the utmost strictness. The majority of fishermen play by the rules and deserve a level playing field.

1.3. The EESC asks the European Commission to check and if necessary delete Article 7(2), and also to change, along the lines suggested in this opinion, Articles 9(1), 31, 32, 34 to 36, and 38(4). The exception for at-sea transshipment proposed in Articles 52 to 59 should also be carefully reassessed and possibly removed if the general obligation of in-port transshipment is to prevail.

2. Background

2.1. In addition to bilateral agreements such as sustainable fisheries partnerships or reciprocity agreements, the Common Fisheries Policy (CFP) gives the EU the option of entering into multilateral agreements within RFMOs. The aim of these agreements is to strengthen regional cooperation in order to guarantee the conservation and sustainable exploitation of fish resources.

2.2. ICCAT is responsible for the conservation of tunas and tuna-like species (about 30 in all) in the Atlantic Ocean and adjoining seas. The EU has been a contracting party since 1997, replacing individual Member States.

2.3. ICCAT has the authority to adopt binding recommendations which must be enacted into EU law in so far as they are not covered by previous legislation.

3. Observations

3.1. Article 7(2) of the proposal, limiting replacement to vessels of equivalent or lower capacity, is based on ICCAT Recommendation 14-01, which is no longer in force. Recommendation 15-01, the new recommendation for tropical tunas, does not include in its current form any limitation with regard to replacements.

3.2. Article 9(1) about management plans for fish-aggregating devices (FADs) sets the time limit for transmission to the ICCAT Secretariat as 1 July each year, which was the date set in Recommendation 14-01. The limit set in Recommendation 15-01 is 31 January; since this applies to the Commission, Member States should be given an earlier deadline, for example 15 January.

3.3. Articles 31, 32, 34, 35 and 36, which impose a landing ban for non-authorized sharks, could include a reference to article 15(4) of the CFP basic regulation ⁽¹⁾, which sets out exceptions to the general discard ban.

3.4. Article 38(4) should begin, as in ICCAT Recommendation 07-07, with the words 'where practical'. This should not preclude the negotiation of a more binding compromise within ICCAT.

3.5. Articles 54 and 55 are intended to introduce the ICCAT exceptions for longline vessels with regard to at-sea transshipment, but in the case of the EU fleet the general rule of making all transshipment operations in-port should apply.

Brussels, 19 October 2016.

The President
of the European Economic and Social Committee
Georges DASSIS

⁽¹⁾ Regulation (EU) No 1380/2013.