



Explanatory meetings of the EU acquis – Chapter 13

New Technical Measures Framework COM(2016) 134

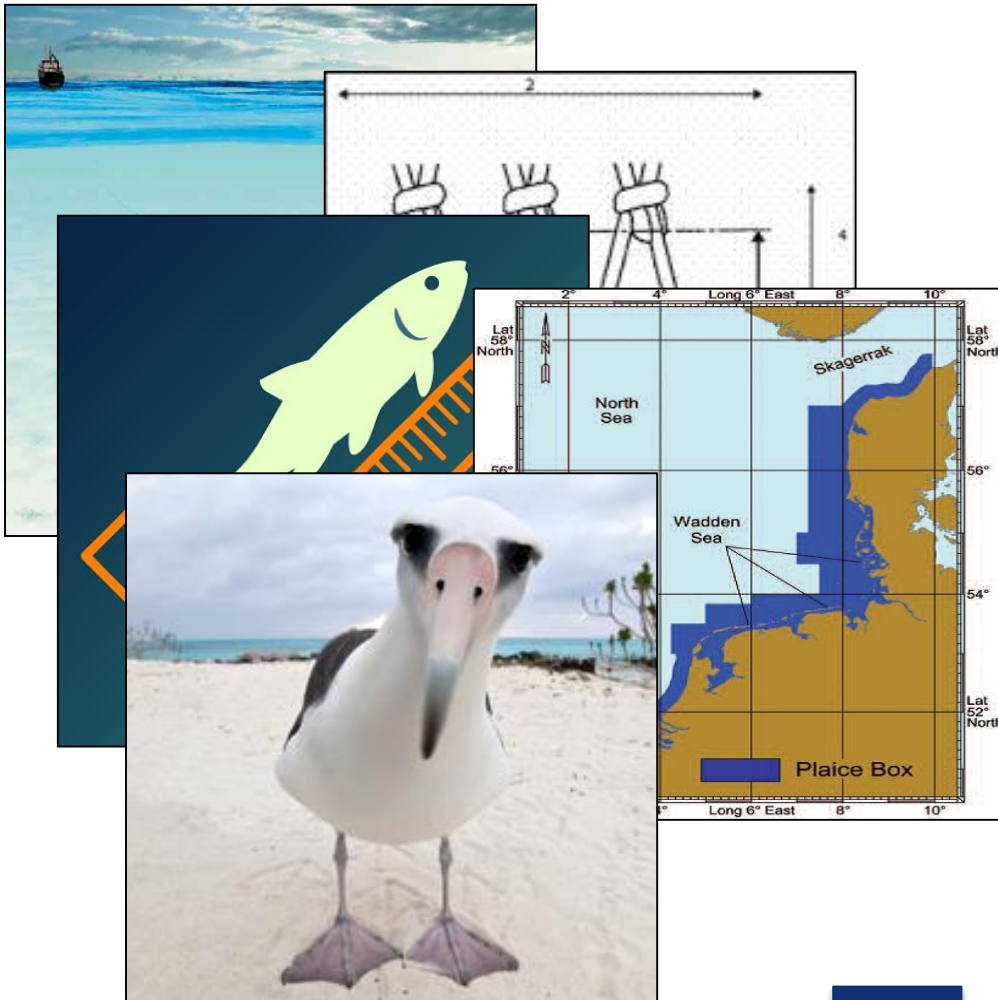
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These slide accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by Court of Justice of the European Union

Technical measures

- *how*
 - *where*
 - *when*
- fishermen can fish*

Available instruments:



- *operation*
- *design*
- *size*
- *space/time*
- *vulnerable*

Current technical measures system was complex:

myriad of regulations

contradictory

disjointed

obsolete

control & enforcement

no clear objectives or targets

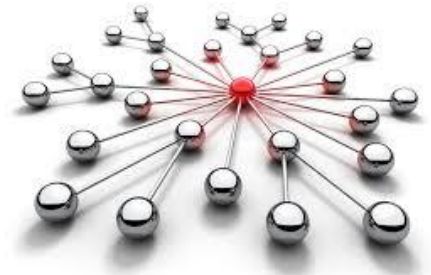
Future technical measures regulation

- some background:

- *Third attempt to reform technical measures regulation*
- *Taken over 1099 days (3 years and 4 days) to negotiate*
- *6 technical and 5 political trilogues plus several MS technical meetings*
- *Adopted by EP Plenary in April, to enter into force early July 2019*

Key elements

- *Consolidation*
- *Quantitative objectives*
- *Simplification*
- *Mitigation measures*
- *Regionalisation*
- *Review and reporting*



architecture

co-decided

general provisions (chapter I):

objectives
scope
targets
definitions

co-decided

common technical rules (chapter II):

prohibited gears/methods
species/habitats
general minimum conservation sizes
measures to reduce discarding

co-decided but
provisions to
amend
annexes under
regionalisation

Regionalisation (chapter III) :

species & size selectivity
closed/restricted areas
minimum conservation reference sizes
real-time closures and moving on
innovative fishing gears
nature conservation measures

annexes
under
regionalisation

North Sea

North
Western
Waters

South
western
Waters

Baltic Sea

Mediterran
-ean

Black Sea

Mitigation
Measures

NEAFC

Chapter I – scope and objectives

Scope - Article 2 – Union fishing vessels and nationals of Member States as well as fishing vessels of third countries when fishing in Union waters

Objectives – Article 3

- ✓ General CFP objectives
- ✓ Protection of juveniles & spawning aggregations
- ✓ Minimise (and where possible eliminate) by-catch of sensitive species
- ✓ Minimise negative environmental impacts of fishing on marine habitats

Chapter I - targets

Targets – Article 4

- Catches below min conservation reference size are reduced as far as possible
- By-catches of marine mammals, marine reptiles, seabirds and other sensitive species do not exceed levels provided in Union legislation & int'l agreements
- Environmental impacts on seabed habitats are in line with MSFD

Progress to be reviewed in the Commission report (Article 31)

Chapter II – common technical measures

Prohibited fishing gear (Article 7) – e.g. toxic substances, explosives, towed devices for red coral etc. Applies to Union vessels fishing in high seas and EEZs of third countries

General restrictions on towed gear (Article 8), static nets & driftnets (Article 9)

Protection of sensitive species and habitats: list of prohibited species (Article 10 – for fish and shellfish, and Article 11 – for marine mammals, reptiles and seabirds), list of protected areas (Article 12)

Chapter II – common technical measures

Minimum conservation reference sizes
(Article 13) – established per region in the Annex V to X, how measured (Annex IV)

Pilot projects for the avoidance of unwanted catches (Article 14) – Member States may conduct pilot projects

Chapter III – Regionalisation

Regionalisation – main element of the reformed CFP, which has been quite successful

Regional technical measures established in Annexes V to XII (minimum conservation reference sizes, mesh sizes, closed or restricted areas)

Annexes can be amended via a delegated act (Commission) adopted on the basis of a Joint Recommendation (by relevant Member States) (Article 15(2))

Chapter IV – scientific research, direct restocking/transplantation

Scientific research (Article 25) – allowed subject to strict conditions (COM and coastal MS to be informed 2 weeks in advance, must have valid fishing authorisation, if done by commercial vessels must be limited in time and if involves more than 6 vessels need to inform COM 3 months in advance + STECF assessment)

Direct restocking & transplantation (Article 26) – allowed, coastal MS and COM must be informed 20 calendar days in advance

Chapter VIII: final provisions

Every three years COM reports to Council and EP on the implementation (first report already end 2020)

- Progress on reaching objectives and targets
- If slow/little progress – plan of corrective actions by MSs

Thanks for your attention