



European Economic and Social Committee

NAT/517
Recovery plan for
bluefin tuna

Brussels, 26 October 2011

OPINION

of the

European Economic and Social Committee

on the

**Proposal for a Regulation of the European Parliament and of the Council
amending Regulation (EC) No 302/2009 concerning a multiannual recovery plan for
bluefin tuna in the eastern Atlantic and Mediterranean**

COM(2011) 330 final – 2011/0144 (COD)

Rapporteur: **Mr Sarró Iparraguirre**

On 24 June and 18 July 2011 respectively, the Council of the European Union and the European Parliament decided to consult the European Economic and Social Committee, under Article 43 of the Treaty on the Functioning of the European Union, on the

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean
COM(2011) 330 final – 2011/0144 (COD).

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 6 October 2011.

At its 475th plenary session, held on 26 and 27 October 2011 (meeting of 26 October), the European Economic and Social Committee adopted the following opinion by 129 votes to 1 with 8 abstentions.

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1. **Conclusions**

- 1.1 The EESC endorses the European Commission's proposals and acknowledges the efforts that both the Member States and fishermen are making to comply with the International Commission for the Conservation of Atlantic Tunas (ICCAT)'s tough bluefin tuna recovery plan. The plan is now yielding results, but its implementation is having serious socio-economic effects, which should be taken into account.
- 1.2 To ensure that recovery can be observed and the best management measures can be adopted in the future, the Committee calls on the Member States and the Commission to continue supporting applied scientific research.

2. **Introduction**

- 2.1 The proposal put forward by the Commission is an amendment to Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.
- 2.2 Regulation (EC) No 302/2009 was adopted on 6 April 2009 as a consequence of ICCAT Recommendation 08-05, drawn up at ICCAT's 16th special meeting held in November 2008. The regulation repealed Council Regulation (EC) No 1559/2007 of 17 December 2007, which

had established an initial multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean.

- 2.3 At its annual meeting in 2010, ICCAT made a recommendation modifying the existing multiannual recovery plan, with a view to rebuilding bluefin tuna stocks in the eastern Atlantic and the Mediterranean.
- 2.4 The 2010 Recommendation again reduces the TAC (Total Allowable Catch) and strengthens measures to reduce fishing capacity and reinforce control measures, especially as regards transfers and caging operations.
- 2.5 The purpose of these measures is to ensure that the plan is effective and to achieve a biomass corresponding to the maximum sustainable yield (BMSY) with greater than 60% probability by 2022.
- 2.6 ICCAT's recommendations are binding on those Contracting Parties (CPs) that do not object to them. As a Contracting Party to ICCAT since 1997, the European Union has a responsibility to apply this recommendation, to which it has raised no objections.
- 2.7 The purpose of this proposal for a regulation is consequently to transpose into EU law the ICCAT recommendation referred to above.

3. **Changes**

- 3.1 The first change is to the aim of the recovery plan, which is to reach the maximum sustainable yield with greater than 60% probability rather than 50%.
- 3.2 A number of changes are made to definitions; in particular, the definitions of "auxiliary vessel" and "transfer operations" are extended, the definition of "farming" is amended, and the definition of "responsible Member State" is added.
- 3.3 Chapter II on fishing opportunities introduces the obligation for Member States to transmit to the Commission, by no later than 15 September each year, their provisional annual fishing plan for the following year.
- 3.4 With regard to capacity measures, the subject of Chapter III, the proposal for a regulation sets a timetable for each Member State to adjust its capacity between 2010 and 2013 to ensure that by the last year, each Member State has eliminated 100% of the discrepancy between its fishing capacity and its fishing capacity commensurate with its quota, for both fishing vessels and tuna traps.
- 3.5 In Chapter IV on technical measures, the ban on purse seine fishing for bluefin tuna is extended by one month, to run from 15 June to 15 May of the following year.

- 3.6 Chapter V contains changes to control measures, in particular:
- 3.6.1 The Commission will not accept any retroactive inclusion of fishing vessels or catching vessels on the lists that each Member State has to send it 45 days before the fishing season opens.
 - 3.6.2 EU catching vessel owners are obliged to include in the daily logbook not only the information stipulated in the Community CFP standard control system, but also the information contained in Annex II to the proposal, so as to ensure strict monitoring of bluefish tuna fishing.
 - 3.6.3 Joint fishing operations with other CPs are prohibited.
 - 3.6.4 The whole of the article on transfer operations has been replaced, and a clearer and more effective control system for such operations is proposed.
 - 3.6.5 The whole of the article concerning caging operations is replaced.
 - 3.6.6 The article referring to the Vessel Monitoring System (VMS) is extended, making it mandatory for fishing vessels included in the ICCAT bluefin tuna record of catching vessels to start transmitting VMS data to ICCAT at least 15 days before the opening of the fishing season and to continue at least 15 days after it closes. Furthermore, transmission is not to be interrupted when vessels are in port.
 - 3.6.7 The recording and reporting of trap activities is amended to ensure that, in addition to communicating on trap catches at the end of each fishing operation, estimated quantities remaining in the trap are also transmitted.
 - 3.6.8 Moreover, the ICCAT Scheme of Joint International Inspection is extended so that when at any time, more than 15 fishing vessels of a Member State are engaged in bluefin tuna fishing activities in the ICCAT Convention area, that Member State must, during that time, have an inspection vessel in the Convention area, or must cooperate with another Member State or CPC to jointly operate an inspection vessel.
 - 3.6.9 Article 30, concerning the national observer programme, is amended to extend national observer coverage to ensure coverage for:
 - 100% of active purse seine catching vessels equal to or less than 24 m in 2011;
 - 100% of active purse seine catching vessels equal to or less than 20 m in 2012;
 - 100% of towing vessels.

3.6.10 In the article on the ICCAT regional observer programme, paragraph 1 is amended so as to require each Member State to ensure an ICCAT regional observer presence on:

- all purse seine vessels over 24 m during the 2011 fishing season;
- all purse seine vessels over 20 m during the 2012 fishing season;
- all purse seine vessels irrespective of their length during all the fishing season from 2013 onward.

3.6.10.1 Purse seine vessels referred to above without an ICCAT regional observer will not be authorised to fish or to operate in the bluefin tuna fishery.

3.6.11 The access to video records regulated by Article 32 is replaced in its entirety, with the addition of a new point obliging Member States to take the necessary measures to avoid any replacement, editing or manipulation of the original video record.

3.6.12 A new Article 33a is added, entitled "Transmission of the Union inspection plan to the ICCAT", setting 15 September as the deadline for Member States to transmit to the Commission their inspection plan for the following year. The Commission is to transmit the EU inspection plan to the ICCAT Secretariat for endorsement.

3.6.13 Article 34(1), dealing with market measures, prohibits domestic trade, landing, imports, exports, placing in cages for fattening or farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna that are not accompanied by accurate, complete and validated documentation required by the present Regulation; the amended Article 34(1) adds to this stipulation the documents required by Regulation (EU) No 640/2010 of the European Parliament and of the Council of 7 July 2010 establishing a catch documentation programme for bluefin tuna *Thunnus thynnus*.

3.6.14 Lastly, the proposed amendments in Chapter V on control measures also entail the replacement and amendment of the regulation's annexes.

4. **General comments**

4.1 The EESC welcomes and endorses all of the amended technical and control measures and the new ones introduced. It views these measures as the result of experience gained and as contributions to rebuilding bluefin tuna stocks in the eastern Atlantic and the Mediterranean, in order to achieve a biomass corresponding to the maximum sustainable yield (BMSY) with greater than 60% probability by 2022.

4.2 The Committee therefore urges the Commission to apply this regulation with the utmost rigour to all Member States and CPCs carrying out bluefish tuna-fishing or farming and fattening activities in the area covered by the ICCAT Agreement.

- 4.3 The EESC acknowledges the work that has been done in recent years by the European Commission, the Member States and fishermen to adjust fleets to available fishing opportunities and to comply with the tough recovery plan, with all its concomitant social and economic effects, which should be taken into account.
- 4.4 The Committee is pleased to note that the sacrifices that have been made are yielding results and that both scientific experts and the fishermen affected are now seeing bluefin tuna stocks recover.
- 4.5 The EESC calls on the Member States and the Commission to continue to support national scientific institutes to enable them to make as accurate as possible assessments of bluefin tuna stocks and the effects of the recovery plan. To this end, it welcomes the creation of the scientific monitoring centre involving national authorities, scientific experts and trap operators, and the private initiatives developed by businesses and scientific experts to help improve understanding of this species.
- 4.6 With regard to closed seasons for the purse seine fleet, the EESC considers that the proposals drawn up by scientific experts to change the current seasons should be carefully studied in order to make this activity more sustainable, in economic, social and environmental terms.

Brussels, 26 October 2011.

The President
of the
European Economic and Social Committee

Staffan Nilsson
