



EUROPEAN COMMISSION

*Brussels, 23.4.2019
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*Mr Roberto FICO
President of the
Camera dei Deputati
Piazza Montecitorio
IT – 00100 ROME*

Dear President,

The Commission would like to thank the Camera dei Deputati for its Opinion concerning the Commission proposal for a Regulation of the European Parliament and of the Council on a multiannual recovery plan for Mediterranean swordfish {COM (2018) 229 final}. The Commission has taken note of the comments raised therein and in reply would like to provide the following clarifications.

On the obligation for fishing vessels of 12 meters length overall or more to be equipped with a vessel monitoring system, set out in Article 18 of the Commission proposal, and on the request expressed in the Opinion for coherence with the provisions of Article 9(5) of Council Regulation (EC) No 1224/2009, the Commission would like to recall the purpose of this specific obligation. This provision is meant to ensure proper control over this significant part of the European Union fleet, which is also a fleet segment for which there is limited information about fishing activities and catches. Another key reason for establishing this obligation is the fact that the European Union vessels account for nearly 75% of the catches of Mediterranean swordfish.

In the same article, the obligation not to interrupt Vessel Monitoring System transmission when the vessels are in port pursues the same objective of ensuring adequate control over the fishing activities of a relevant segment of the European Union fleet. In this context, the Commission would like to point out that a similar provision is already in place for the case of the multiannual recovery plan for bluefin tuna¹.

As regards the obligation to ensure a scientific observers' coverage of at least 20% of pelagic longline vessels, set out in Article 20 of the Commission proposal, the Commission acknowledges that the percentage of coverage is beyond the 5% agreed in the International Commission for the Conservation of Atlantic Tunas. However, respect for scientific advice is one of the guiding principles of the European Union action in

¹ See Article 49 (3) of Regulation (EU) 2016/1627 of the European Parliament and of the Council of 14 September 2016 on a multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean and repealing Council Regulation (EC) No 302/2009 (OJ L 252 ; 16.9.2016, p.1)

regional fisheries management organisations, as set out in Article 28 of Regulation (EU) No 1380/2013 on the Common Fisheries Policy. In this regard, it is important to note that the relevant scientific advice from the International Commission for the Conservation of Atlantic Tunas has highlighted the existence of important data gaps, notably related to the monitoring of discards, in the Mediterranean swordfish stock and that this has a negative impact on the stock assessment². A significant improvement in the presence of qualified scientific observers is required to address this shortcoming as it can only be done through direct observation at sea.

The Commission has taken due note of the arguments of the Camera dei Deputati regarding the period of at least four hours of prior notification for a vessel to enter into port set out in Article 24 of the Commission proposal and transmitted to the co-legislators during the inter-institutional trilogues. A solution was found for those vessels that, due to their small size, rarely fish at a distance of more than four hours from the coast, making possible to them to modify the estimated quantities at any time prior to arrival.

The Commission welcomes the comment of the Camera dei Deputati concerning the promotion by Member States of the use of selective gears and fishing techniques that reduce the environmental impact. This reflects fully the objectives set out in the European Union's Common Fisheries Policy.

The points made above are based on the initial proposal presented by the Commission. A political agreement has been reached between the European Parliament and the Council on 19th January 2019. The text is now under scrutiny by lawyers-linguists. Following the work of lawyers-linguists, the European Parliament is expected to endorse the agreement in the April 2019 plenary, thus allowing for the act to be signed by the European Parliament and the Council and for an entry into force later in April.

The Commission hopes that these clarifications address the issues raised by the Camera dei Deputati and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Karmenu Vella
Member of the Commission*

² https://www.iccat.int/Documents/SCRS/ExecSum/SWO_MED_ENG.pdf.