

National Assembly for Wales
Environment and Sustainability Committee
Common Fisheries Policy Task and Finish Group

**Proposed amendments to the draft legislative proposals for the
Common Fisheries Policy (CFP)**

Submitted by:

National Assembly for Wales CFP Task and Finish Group

Proposed Amendments: Regulation on the Common Fisheries Policy

AMENDMENT 1

Proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy

Article 2.4

Draft regulation	Amendment
The Common Fisheries Policy shall integrate the Union environmental legislation requirements.	The Common Fisheries Policy shall integrate Union environmental legislation requirements: contribute to the achievement of good environmental status of EU waters by 2020 and favourable conservation status under <i>Directive 92/43/EEC</i> and <i>Directive 2009/147/EC</i>.

Reason: -----

The Common Fisheries Policy (CFP) has an essential role to play in the delivery of the Marine Strategy Directive. While we welcome the recognition in the proposals that the Policy should integrate Union environmental legislation stakeholders have expressed concern about the lack of clarity between the objectives of the CFP proposals and the requirements of the Directive. We are concerned that the lack of a clear and explicit link could create in future inconsistencies and conflicts between the requirements of the Directive and the aims of the CFP.

Similarly the way in which the CFP is implemented has a direct effect on the ability of Member States to implement effectively the requirements of the Habitats and Birds Directives. Placing an explicit link to these Directives within the text of the CFP proposals will provide an important impetus for those charged with implementing the Policy to ensure that proper account is taken of their requirements.

AMENDMENT 2

Proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy

Article 2.5

Draft regulation	Amendment
None Currently	Add to Article 2 a new section 5: Multiannual plans shall, where possible, be adopted by 2015.

Reason

Stock management based on planning over several years in line with an ecosystems based approach will deliver better outcomes for EU fish stocks and for the Union's fishing industry. Although we recognise that gaps in data and scientific knowledge may in the short-term provide a barrier to the development of some multiannual plans, their importance to the success of the policy means that we believe that a commitment must be made to develop these as a matter of urgency. We therefore believe that where possible, multiannual plans should be adopted by 2015 to bring them in line with the commitment to achieving maximum sustainable yield for fish stocks by 2015.

AMENDMENT 3

Proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy

Article 12.1

Draft regulation	Amendment
In special areas of conservation within the meaning of Article 6 of Directive 94/43/EEC, of Article 4 of Directive 2009/147/EC and of Article 13(4) of Directive 2008/56/EC, fishing activities shall be conducted by Member States in such a way so as to alleviate the impact from fishing activities in such special areas of conservation.	In special areas of conservation within the meaning of Article 6 of Directive 94/43/EEC, of Article 4 of Directive 2009/147/EC and of Article 13(4) of Directive 2008/56/EC, fishing activities shall be conducted by Member States in such a way so as to avoid deterioration of habitats and disturbance of species in such special areas of conservation.

Reason

There is serious concern that Article 12.1 as currently drafted weakens the intent and levels of protection afforded to species and habitats by the Habitats and Birds Directives. Though this may be a drafting error in the text of the proposals it could have serious implications for the effective implementation of these Directives.

AMENDMENT 4

Proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy

Article 12.2

Draft regulation	Amendment
The Commission shall be empowered to adopt delegated acts in accordance with Article 55, to specify fishing related measures to alleviate the impact of fishing activities in special areas of conservation	The Commission shall be obliged to adopt delegated acts in accordance with Article 55, to specify fishing related measures to avoid deterioration of habitats and disturbance of species in such special areas of conservation.

Reason

There is serious concern that Article 12.2 as currently drafted weakens the intent and levels of protection afforded to species and habitats by the Habitats and Birds Directives. Though this may be a drafting error in the text of the proposals it could have serious implications for the effective implementation of these Directives.

AMENDMENT 5

Proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy

Article 37.3

Draft regulation	Amendment
Member States shall ensure the national coordination of the collection and management of scientific data for fisheries management. To this end, they shall designate a national correspondent and organise an annual national coordination meeting. The Commission shall be informed of the national coordination activities and be invited to the coordination meetings.	Member States shall ensure the national coordination of the collection and management of scientific data for fisheries management and shall produce multi-annual plans for data collection. To this end, they shall designate a national correspondent and organise an annual national coordination meeting. The Commission shall be informed of the national coordination activities and of the production of multi-annual plans and be invited to the coordination meetings.

Reason

The CFP must be underpinned by a sound scientific evidence base. Collection of a wide range of good quality data will be important for the successful development and implementation of multiannual plans and fundamental to the development of sustainable European fisheries. In order to ensure that data and evidence gathering is given serious attention by Member States we propose that the CFP regulations be strengthened to require Member States to develop data collection plans with stakeholders.

