

# IMPLEMENTATION OF TECHNICAL MEASURES REGULATION (Reg. (UE) 2019/1241)

***WHAT WORK FOR MEDAC IN THE NEXT  
MONTHS?***

ROME, 12 NOVEMBER 2019

GIAN LUDOVICO CECCARONI

WG1 COORDINATOR

# WHY THIS ITEM?

**THERE IS A NEED TO DEVELOP A FRAMEWORK FOR THE REGULATION OF TECHNICAL MEASURES (RECITAL 3 OF TM REG.).**

**THE FRAMEWORK SHOULD:**

CHAPTER II

**ESTABLISH GENERAL RULES WHICH ARE TO APPLY ACROSS ALL UNION WATERS**

CHAPTER III

**PROVIDE FOR THE ADOPTION OF TECHNICAL MEASURES THAT TAKE ACCOUNT OF THE REGIONAL SPECIFICITIES OF FISHERIES THROUGH THE **REGIONALISATION PROCESS** INTRODUCED BY REGULATION (EU) No 1380/2013**

# REFERENCIES TO THE ADVISORY COUNCILS IN REG. 2019/1241

**RECITAL 38 AND ART. 31.1:** THE REPORT TO THE EP AND TO THE COUNCIL ON THE IMPLEMENTATION OF TM REGULATION IS ON THE BASIS OF INFORMATION SUPPLIED BY MEMBER STATES AND THE RELEVANT ADVISORY COUNCILS AND FOLLOWING EVALUATION BY STECF.

**ART. 6, POINT 10) – DEFINITIONS:**

**'ADVISORY COUNCILS'** MEANS STAKEHOLDER GROUPS ESTABLISHED IN ACCORDANCE WITH ARTICLE 43 OF REGULATION (EU) No 1380/2013;

**ARTICLE 14: PILOT PROJECTS FOR THE AVOIDANCE OF UNWANTED CATCHES.** MS MAY CONDUCT PILOT PROJECTS WITH THE AIM OF EXPLORING METHODS FOR THE AVOIDANCE, MINIMISATION AND ELIMINATION OF UNWANTED CATCHES. THOSE PILOT PROJECTS SHALL TAKE ACCOUNT OF THE OPINIONS OF THE RELEVANT ADVISORY COUNCILS AND BE BASED ON THE BEST AVAILABLE SCIENTIFIC ADVICE.

## CHAPTER II: COMMON TECHNICAL MEASURES

### 5 SECTIONS – GENERAL RULES

- ✓ **SECTION 1 PROHIBITED FISHING GEAR AND USES**
  - ✓ **ARTICLE 7: PROHIBITED FISHING GEAR AND METHODS**
- ✓ **SECTION 2: GENERAL RESTRICTIONS ON GEAR AND CONDITIONS FOR THEIR USE**
  - ✓ **ARTICLE 8: GENERAL RESTRICTIONS ON THE USE OF TOWED GEAR**
  - ✓ **ARTICLE 9: GENERAL RESTRICTIONS ON THE USE OF STATIC NETS AND DRIFTNETS**
- ✓ **SECTION 3 : GENERAL RESTRICTIONS ON GEAR AND CONDITIONS FOR THEIR USE**
  - ✓ **ARTICLE 10: PROHIBITED FISH AND SHELLFISH SPECIES**
  - ✓ **ARTICLE 11: CATCHES OF MARINE MAMMALS, SEABIRDS AND MARINE REPTILES**
  - ✓ **ARTICLE 12: PROTECTION FOR SENSITIVE HABITATS INCLUDING VULNERABLE MARINE ECOSYSTEMS**
- ✓ **SECTION 4: MINIMUM CONSERVATION REFERENCE SIZES**
  - ✓ **ARTICLE 13: MINIMUM CONSERVATION REFERENCE SIZES**
- ✓ **SECTION 5: MEASURES TO REDUCE DISCARDING**
  - ✓ **ARTICLE 14: PILOT PROJECTS FOR THE AVOIDANCE OF UNWANTED CATCHES**

## CHAPTER III: REGIONALISATION 1/2

IN ORDER TO TAKE INTO ACCOUNT REGIONAL SPECIFICITIES OF THE RELEVANT FISHERIES, THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 29 OF THIS REGULATION AND ARTICLE 18 OF REGULATION (EU) No 1380/2013

### ARTICLE 29 EXERCISE OF THE DELEGATION

- DURATION OF THE DELEGATION
- REVOCATION
- CONSULTATION OF SM EXPERTS  
(INTERINSTITUTIONAL AGREEMENT OF 13 APRIL 2016 ON BETTER LAW-MAKING)
- PROCEDURE

PROCEDURE FOR REGIONALIZATION  
AC→JR TO MS→EC  
→ DELEGATED ACT (PREVIOUS STECF)

TO AMEND, SUPPLEMENT, REPEAL OR DEROGATE FROM THE TECHNICAL MEASURES SET OUT IN THE ANNEXES, INCLUDING WHEN IMPLEMENTING THE LANDING OBLIGATION IN THE CONTEXT OF ARTICLE 15(5) AND (6) OF PCP REGULATION

## CHAPTER III: REGIONALISATION 2/2

TECHNICAL MEASURES ESTABLISHED AT REGIONAL LEVEL ARE SET OUT IN THE **ANNEXES V-XI AND XIII**  
AND:

AIM AT ACHIEVING THE OBJECTIVES  
AND TARGETS OF THE REGULATION

SHALL BE GUIDED BY THE PRINCIPLES OF  
GOOD GOVERNANCE SET OUT IN ARTICLE 3  
OF REGULATION (EU) No 1380/2013

RULES FOR JR  
DEFINED  
IN ARTT. 16-23

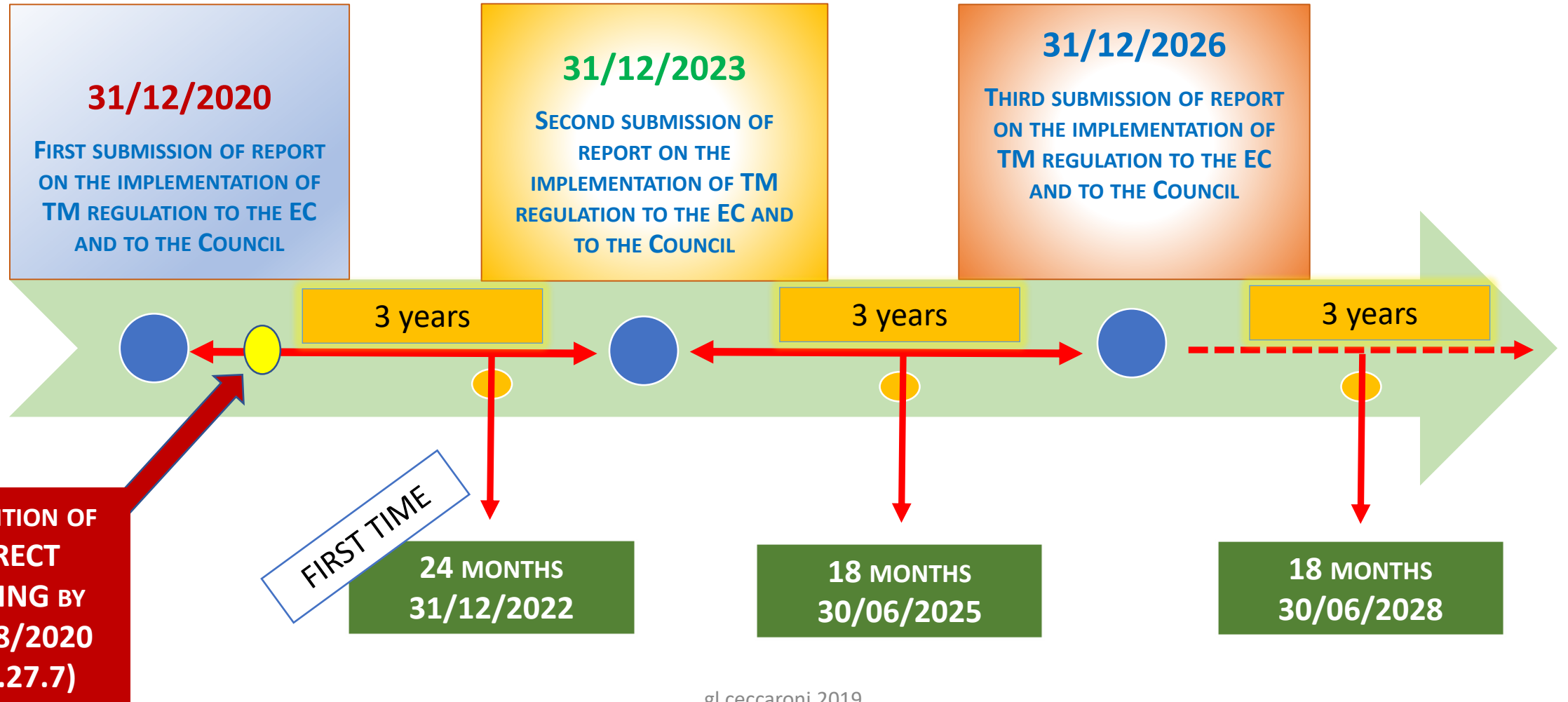
MS SHALL  
PROVIDE  
SCIENTIFIC  
EVIDENCE TO  
SUPPORT JR

AIM AT ACHIEVING THE OBJECTIVES AND COMPLY WITH  
THE CONDITIONS SET OUT IN OTHER RELEVANT UNION  
ACTS ADOPTED IN THE AREA OF THE CFP, IN  
PARTICULAR IN THE MULTIANNUAL PLANS (CFP)

AS A MINIMUM, LEAD TO SUCH BENEFITS FOR THE CONSERVATION OF  
MARINE BIOLOGICAL RESOURCES THAT ARE AT LEAST EQUIVALENT, IN  
PARTICULAR IN TERMS OF EXPLOITATION PATTERNS AND THE LEVEL OF  
PROTECTION PROVIDED FOR SENSITIVE SPECIES AND HABITATS,  
TO THE MEASURES INITIALLY PROVIDED IN THE ANNEXES.

# TIMESHEET FOR SUBMISSION OF JR TO EC (ART. 15.3)

(MS ANYWAY MAY SUBMIT RECOMMENDATIONS WHEN DEEMED NECESSARY BY THEM)



# TM ANNEXES STRUCTURE

**PART A**  
MINIMUM  
CONSERVATION  
REFERENCE SIZES

**PART B**  
MESH SIZE

1. TOWED  
GEAR

2. SURROUNDING  
NETS

3. STATIC  
NETS

**PART C**  
RESTRICTIONS ON  
THE USE OF  
FISHING GEAR

1. DREDGES

2. PURSE  
SEINES

3. STATIC  
NETS

4. LONGLINES

5. POTS AND  
CREELS

6. DIRECTED  
FISHING FOR RED  
SEA BREAM

7. FISHING WITH  
SPEAR GUNS

**ANNEX IX**  
MEDITERRANEAN  
SEA



# NEXT WORK FOR ADVISORY COUNCILS...

**DEFINITION OF DIRECTED FISHING (ART. 27.7)**

**RECREATIONAL FISHING (ART 2.2)**

**PILOT PROJECTS ON FULL DOCUMENTATION ON  
CATCHES AND DISCARDS (ART 23.1  
AND ART. 23.5)**

**SENSITIVE HABITATS (ART. 12.2)**

**RESTRICTIONS ON TOWED GEARS (ART. 8.3)**

**SPECIES FOR SELECTIVITY PERFORMANCE  
INDICATORS (ART. 31.4)**

# RECREATIONAL FISHING (ART 2.2)



IN CASES WHERE RECREATIONAL FISHING HAS A SIGNIFICANT IMPACT IN A PARTICULAR REGION, THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS PURSUANT TO ARTICLE 15 AND IN ACCORDANCE WITH ARTICLE 29 IN ORDER TO AMEND THIS REGULATION BY PROVIDING THAT THE RELEVANT PROVISIONS OF ARTICLE 13 (MCRS) OR PARTS A (MCRS) OR C (RESTRICTIONS ON THE USE OF FISHING GEAR) OF ANNEXES V TO X ALSO APPLY TO RECREATIONAL FISHING.

**NOTE: LETTER OF ACTING DG FREISS (22/10/2019)** «...I WOULD EXPECT THE REGIONAL GROUPS TO CONSIDER SUBMITTING JOINT RECOMMENDATIONS ON MINIMUM CONSERVATION REFERENCE SIZES OR ON CLOSED OR RESTRICTED AREAS COVERING RECREATIONAL FISHING OF PARTS A AND C OF ANNEXES V TO X, WHERE THIS CAN CONTRIBUTE TO THE OBJECTIVES OF THE CFP.»

«THIS WOULD BE, IN PARTICULAR, THE CASE OF THE STOCKS WHERE THE SCIENTIFIC ADVICE HAS ALREADY ESTABLISHED THAT RECREATIONAL FISHING HAS A SIGNIFICANT IMPACT ON FISH RESOURCES OF THE REGION(S)....»



**STOCKS WITH A SIGNIFICANT IMPACT OF RECREATIONAL FISHING?**



# RESTRICTIONS ON TOWED GEARS (ART. 8.3)

REGIONALISATION  
PROCEDURE

**WHENEVER MORE THAN ONE NET IS TOWED SIMULTANEOUSLY BY A FISHING VESSEL OR BY MORE THAN ONE FISHING VESSEL, EACH NET SHALL HAVE THE SAME NOMINAL MESH SIZE.**

**THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS PURSUANT TO ARTICLE 15 AND IN ACCORDANCE WITH ARTICLE 29 DEROGATING FROM THIS PARAGRAPH, WHERE THE USE OF SEVERAL NETS HAVING A DIFFERENT MESH SIZE LEADS TO SUCH BENEFITS FOR THE CONSERVATION OF MARINE BIOLOGICAL RESOURCES THAT ARE AT LEAST EQUIVALENT TO THOSE OF EXISTING FISHING METHODS.**

# SENSITIVE SPECIES (ART. 10.4)

**THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 29 TO AMEND THE LIST SET OUT IN ANNEX I (PROHIBITED SPECIES), WHERE THE BEST AVAILABLE SCIENTIFIC ADVICE INDICATES THAT AN AMENDMENT OF THAT LIST IS NECESSARY.**

# SENSITIVE HABITATS (ART. 12.2)



**WHERE THE BEST AVAILABLE SCIENTIFIC ADVICE RECOMMENDS AN AMENDMENT OF THE LIST OF AREAS OF ANNEX II (CLOSED AREAS FOR THE PROTECTION OF SENSITIVE HABITATS), THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 29 OF THIS REGULATION AND PURSUANT TO THE PROCEDURE LAID DOWN IN ARTICLE 11(2) AND (3)\* OF REGULATION (EU) NO 1380/2013, TO AMEND ANNEX II ACCORDINGLY. WHEN ADOPTING SUCH AMENDMENTS, THE COMMISSION SHALL GIVE PARTICULAR ATTENTION TO THE MITIGATION OF NEGATIVE EFFECTS OF THE DISPLACEMENT OF FISHING ACTIVITY TO OTHER SENSITIVE AREAS.**

***\* ARTICLE 11(2) AND (3) OF REGULATION (EU) NO 1380/2013 → ART. 18.1-4 (REGIONALISATION)***

# PILOT PROJECTS ON FULL DOCUMENTATION ON CATCHES AND DISCARDS (ART 23.1 **REGIONALISATION PROCEDURE** AND ART. 23.5)

**23.1: THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 29 OF THIS REGULATION AND ARTICLE 18 OF REGULATION (EU) No 1380/2013, SUPPLEMENTING THIS REGULATION BY DEFINING PILOT PROJECTS THAT DEVELOP A SYSTEM OF FULL DOCUMENTATION OF CATCHES AND DISCARDS BASED ON MEASURABLE OBJECTIVES AND TARGETS, FOR THE PURPOSE OF A RESULTS-BASED MANAGEMENT OF FISHERIES.**

**23.5: THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 29 SUPPLEMENTING THIS REGULATION BY DEFINING THE TECHNICAL SPECIFICATIONS OF A SYSTEM FOR FULL DOCUMENTATION OF CATCHES AND DISCARDS REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE.**

# DEFINITION OF DIRECTED FISHING (ART. 27.7)



THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS PURSUANT TO ARTICLE 15 AND IN ACCORDANCE WITH ARTICLE 29 IN ORDER TO FURTHER DEFINE THE TERM 'DIRECTED FISHING' FOR RELEVANT SPECIES IN PART B (MESH SIZE) OF ANNEXES V TO X AND PART A OF ANNEX XI. FOR THIS PURPOSE, MEMBER STATES HAVING A DIRECT MANAGEMENT INTEREST IN THE FISHERIES CONCERNED SHALL SUBMIT ANY JOINT RECOMMENDATIONS FOR THE FIRST TIME NOT LATER THAN **15 AUGUST 2020**.



**IN ANNEX IX, PART B: AT LEAST 20 MM MESH SIZE – «DIRECTED FISHING FOR SARDINE AND ANCHOVY»**

*IN REG. 1967/06: «9.4. FOR TRAWL NETS TARGETING SARDINE AND ANCHOVY, WHERE THESE SPECIES ACCOUNT FOR AT LEAST 80 % OF THE CATCH IN LIVE WEIGHT AFTER SORTING, THE MINIMUM MESH SIZE SHALL BE 20 MM.»*

# SPECIES FOR SELECTIVITY PERFORMANCE INDICATORS (ART. 31.4)

REGIONALISATION  
PROCEDURE

THE COMMISSION MAY ALSO PROPOSE TO THE EUROPEAN PARLIAMENT AND TO THE COUNCIL ANY NECESSARY AMENDMENTS TO THIS REGULATION ON THE BASIS OF THAT REPORT. THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS PURSUANT TO ARTICLE 15 AND IN ACCORDANCE WITH ARTICLE 29 IN ORDER TO AMEND THE LIST OF SPECIES SET OUT IN ANNEX XIV (SPECIES FOR SELECTIVITY PERFORMANCE INDICATORS).



**IMPLEMENTATION OF MAP  
FOR THE FISHERIES EXPLOITING DEMERSAL  
STOCKS IN THE WESTERN MEDITERRANEAN  
SEA  
(REG.(UE)2019/1022)**

ROME, 12 NOVEMBER 2019

GIAN LUDOVICO CECCARONI

WG1 COORDINATOR

# WEST MED REGULATION SCHEME

 CHAPTER 1 GENERAL PROVISIONS

 CHAPTER II TARGETS, CONSERVATION REFERENCE POINTS AND SAFEGUARDS

 CHAPTER III FISHING EFFORT

 CHAPTER IV: TECHNICAL CONSERVATION MEASURES

 CHAPTER V LANDING OBLIGATIONS

 CHAPTER VI REGIONALISATION 

 CHAPTER VII AMENDMENTS AND FOLLOW UP

 CHAPTER VIII PROCEDURAL PROVISIONS

 CHAPTER IX EUROPEAN MARITIME AND FISHERIES FUND

 CHAPTER X FINAL PROVISIONS

# CHAPTER II: REGIONALISATION

**ARTICLE 18(1) TO (6) OF REGULATION (EU) No 1380/2013 SHALL APPLY TO THE MEASURES REFERRED TO IN ARTICLES 11 TO 14 OF WEST MED REGULATION.**

**ARTICLE 11  
CLOSURE AREAS**

**ARTICLE 13  
SPECIFIC CONSERVATION  
MEASURE**

**ARTICLE 14  
PROVISIONS ON THE LANDING OBLIGATION**

**ARTICLE 12  
MANAGEMENT OF BY-CATCH STOCKS AND DEMERSAL  
STOCKS FOR WHICH SUFFICIENT DATA ARE NOT  
AVAILABLE**

# ARTICLE 14

## PROVISIONS ON THE LANDING OBLIGATION

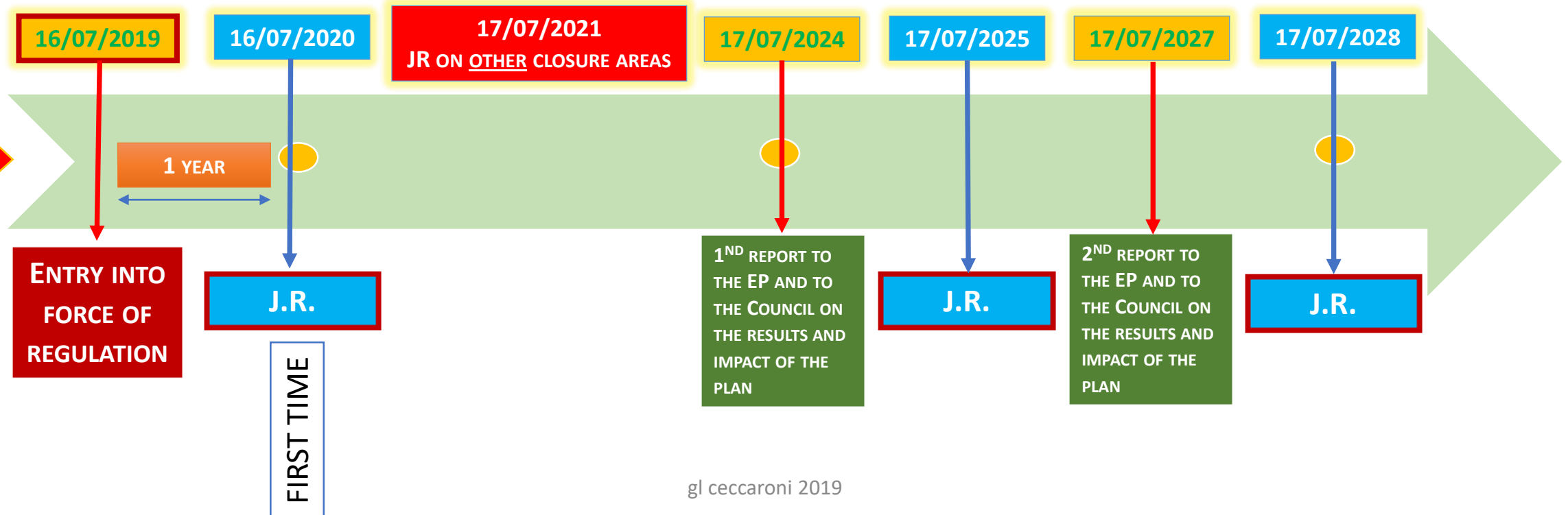
FOR ALL STOCKS OF SPECIES IN THE WESTERN MEDITERRANEAN SEA TO WHICH THE LANDING OBLIGATION APPLIES UNDER ARTICLE 15(1) OF CFP, AND FOR INCIDENTAL CATCHES OF PELAGIC SPECIES IN FISHERIES EXPLOITING THE STOCKS LISTED IN ARTICLE 1(2) OF THIS REGULATION TO WHICH THE LANDING OBLIGATION APPLIES, THE COMMISSION, AFTER CONSULTING THE MEMBER STATES, IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ARTICLE 18 OF THIS REGULATION AND ARTICLE 18 OF REGULATION (EU) No 1380/2013 SUPPLEMENTING THIS REGULATION BY SPECIFYING DETAILS OF THAT OBLIGATION AS PROVIDED FOR IN POINTS (A) TO (E) OF ARTICLE 15(5) OF REGULATION (EU) No 1380/2013.

### SPECIES OF ART. 1.2 IN THE WESTERN MEDITERRANEAN SEA TO WHICH THE LANDING OBLIGATION APPLIES (IN BLUE)

- (A) BLUE AND RED SHRIMP (ARISTEUS ANTENNATUS)
- (B) DEEP-WATER ROSE SHRIMP (PARAPENAEUS LONGIROSTRIS)**
- (C) GIANT RED SHRIMP (ARISTAEOMORPHA FOLIACEA)
- (D) EUROPEAN HAKE (MERLUCCIOUS MERLUCCIOUS)**
- (E) NORWAY LOBSTER (NEPHROPS NORVEGICUS);**
- (F) RED MULLET (MULLUS BARBATUS)**

# PRESENTATION OF JOINT RECOMMENDATIONS (ART. 15.2)

- 1) **TIMESHEET AS SHOWN BELOW**
- 2) **BY 1 JULY OF THE YEAR PRECEDING THAT IN WHICH THE MEASURES ARE TO APPLY; AND/OR**
- 3) **WHENEVER THEY DEEM NECESSARY, IN PARTICULAR IN THE EVENT OF AN ABRUPT CHANGE IN THE SITUATION OF ANY OF THE STOCKS TO WHICH THIS REGULATION APPLIES.**



# AMENDMENT TO REGULATION WESTMED

REG. 2019/1241 MODIFIES ARTICLE 13 (**SPECIFIC CONSERVATION MEASURES**) OF REGULATION (EU) 2019/1022, BECAUSE IT SHOULD COMPLY WITH CERTAIN REQUIREMENTS SET OUT IN THIS REGULATION IN THE INTEREST OF LEGAL CERTAINTY.

SO, THERE WAS A JOINT STATEMENT BY THE EUROPEAN PARLIAMENT AND THE COUNCIL AT THE APPROVATION OF REG. WESTMED:

*«THE EUROPEAN PARLIAMENT AND THE COUNCIL INTEND TO REPEAL THE EMPOWERMENTS TO ADOPT TECHNICAL MEASURES BY MEANS OF DELEGATED ACTS UNDER ARTICLE 13 OF THIS REGULATION WHEN THEY ADOPT A NEW REGULATION ON TECHNICAL MEASURES WHICH INCLUDES AN EMPOWERMENT COVERING THE SAME MEASURES.»*

# AMENDMENT TO REGULATION WESTMED

## NEW ARTICLE 13

**1. THE COMMISSION IS EMPOWERED TO ADOPT DELEGATED ACTS IN ACCORDANCE WITH ART. 18 OF THIS REGULATION AND ART. 18 OF REG. 1380/2013 IN ORDER TO SUPPLEMENT THIS REGULATION REGARDING THE FOLLOWING TECHNICAL MEASURES, INsofar AS THEY ARE NOT COVERED BY REGULATION (EU) 2019/1241 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL:**

***(A) SPECIFICATIONS OF CHARACTERISTICS OF FISHING GEAR AND RULES GOVERNING THEIR USE, TO ENSURE OR IMPROVE SELECTIVITY, TO REDUCE UNWANTED CATCHES OR TO MINIMISE THE NEGATIVE IMPACT ON THE ECOSYSTEM;***

***(B) SPECIFICATIONS OF MODIFICATIONS OR ADDITIONAL DEVICES TO THE FISHING GEAR, TO ENSURE OR IMPROVE SELECTIVITY, TO REDUCE UNWANTED CATCHES OR TO MINIMISE THE NEGATIVE IMPACT ON THE ECOSYSTEM;***

***(C) LIMITATIONS OR PROHIBITIONS ON THE USE OF CERTAIN FISHING GEAR AND ON FISHING ACTIVITIES, IN CERTAIN AREAS OR PERIODS TO PROTECT SPAWNING FISH, FISH BELOW THE MINIMUM CONSERVATION REFERENCE SIZE OR NON-TARGET FISH SPECIES, OR TO MINIMISE THE NEGATIVE IMPACT ON THE ECOSYSTEM;***

***(D) THE FIXING OF MINIMUM CONSERVATION REFERENCE SIZES FOR ANY OF THE STOCKS TO WHICH THIS REGULATION APPLIES, TO ENSURE THE PROTECTION OF JUVENILES OF MARINE ORGANISMS; AND***

***(E) ON RECREATIONAL FISHERIES.***

***THANK YOU  
FOR YOUR ATTENTION!***

ROME, 12 NOVEMBER 2019

GIAN LUDOVICO CECCARONI

WG1 COORDINATOR