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NOTE

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Updates to Commission Proposal COM (2016) 698, fixing for 2017 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

Delegations will find attached a non-paper with updates to the above-mentioned proposal, as received from the European Commission services. This document will be discussed at a forthcoming meeting of the Working Party on Internal and External Fisheries Policy.

COMMISSION SERVICES NON PAPER

XX November 2016

This document serves as a basis for discussion at the Working Party on Internal and External Fisheries Policy. It cannot in any circumstances be regarded as the official position of the Commission. It is intended solely for those to whom it is addressed.

Updates to Commission Proposal COM (2016) 698, fixing for 2017 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

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1.

EXPLANATORY NOTE:

Skates and rays are managed under 5 combined species TAC's; differential stock developments means that the TAC development neither reflects the development of all the stocks nor provides adequate management of smaller or more vulnerable stocks.

All proposed TACs and Sub-TACs use the same allocation key as their parent skate and ray TAC.

This proposal is based on the overall trend within each TAC area and proposes sub-TACs on vulnerable species, whilst taking into account the comparatively higher discard survivability of skate and ray species. The sub-TACs proposed here are according to specific ICES landings advice for more vulnerable species in specific ICES areas. Where there are some differences between ICES advice areas and TAC units, splits have been calculated using Member State's catch data. By having very specific sub-TACs for certain species, it is possible to manage species sustainably in line with ICES landings advice, rather than as an unknown quantity within the generalised parent TAC.

1. AMENDMENT TO COMMISSION PROPOSAL COM (2016) 698

The Commission Proposal COM (2016) 698 is amended as follows:

1. The following recital is inserted:

Different species of skates and rays have been managed together within generalised skate and ray TACs. According to scientific advice, this raises concerns that some of the more vulnerable species or data-limited stocks in these generalised TACs do not have sufficient protection. Conversely, such a system has not allowed fishing some commercially important stocks sustainably with a higher quota level. Therefore, it is appropriate to establish catch limits on more vulnerable species of skates and rays, based on ICES advised catch limits, whilst allowing continued sustainable fishing of commercially important species using the generalised TACs.

2. Annex I is modified as follows:

- (a) The fishing opportunities table for skates and rays in Union waters of IIa and IV is replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of IIa and IV (SRX/2AC4-C)
Belgium	232	(1) (2) (3)	Precautionary TAC
Denmark	9	(1) (2) (3)	
Germany	11	(1) (2) (3)	
France	36	(1) (2) (3)	
The Netherlands	198	(1) (2) (3)	
United Kingdom	892	(1) (2) (3)	
Union	1 378	(1) (2) (3)	
TAC	1 378	(3)	
(1)	Catches of blonde ray (<i>Raja brachyura</i>) in Union waters of IV (RJH/04-C), cuckoo ray (<i>Leucoraja naevus</i>) (RJN/2AC4-C), thornback ray (<i>Raja clavata</i>) (RJC/2AC4-C) and spotted ray (<i>Raja montagui</i>) (RJM/2AC4-C) shall be reported separately.		
(2)	By-catch quota. These species shall not comprise more than 25 % by live weight of the catch retained on board per fishing trip. This condition applies only to vessels over 15 metres' length overall. This provision shall not apply for catches subject to the landing obligation as set out in Article 15(1) of Regulation (EU) No 1380/2013.		
(3)	Shall not apply to blonde ray (<i>Raja brachyura</i>) in Union waters of IIa and small-eyed ray (<i>Raja microocellata</i>) in Union waters of IIa and IV. When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		

- (b) The fishing opportunities table for skates and rays in Union waters of IIIa is replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of IIIa (SRX/03A-C.)
Denmark	37	(1)	Precautionary TAC
Sweden	10	(1)	
Union	47	(1)	
TAC	47		
(1)	Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/03A-C.), blonde ray (<i>Raja brachyura</i>) (RJH/03A-C.), spotted ray (<i>Raja montagui</i>) (RJM/03A-C.) and thornback ray (<i>Raja clavata</i>) (RJC/03A-C.) shall be reported separately.		

(c) The fishing opportunities table for skates and rays in Union waters of VIa, VIb, VIIa-c and VIIe-k is replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIa, VIb, VIIa-c and VIIe-k (SRX/67AKXD)
Belgium	674 (1) (2) (3) (4)	Precautionary TAC	
Estonia	4 (1) (2) (3) (4)	Article 12(1) of this Regulation applies	
France	3 022 (1) (2) (3) (4)		
Germany	9 (1) (2) (3) (4)		
Ireland	974 (1) (2) (3) (4)		
Lithuania	16 (1) (2) (3) (4)		
The Netherlands	3 (1) (2) (3) (4)		
Portugal	17 (1) (2) (3) (4)		
Spain	814 (1) (2) (3) (4)		
United Kingdom	1 928 (1) (2) (3) (4)		
Union	7 461 (1) (2) (3) (4)		

TAC 7 461 (2) (3) (4)

(1) Catches of thornback ray (*Raja clavata*) (RJC/...), blonde ray (*Raja brachyura*) (RJH/...), spotted ray (*Raja montagui*) (RJM/...), sandy ray (*Raja circularis*) (RJL/67AKXD) and shagreen ray (*Raja fullonica*) (RJF/67AKXD) shall be reported separately

(2) Within the limits of the abovementioned quotas, no more than the quantities of cuckoo ray, blonde ray, thornback ray and spotted ray given below may be taken in the areas below:

Species:	Cuckoo ray <i>Leucoraja naevus</i>	Blonde ray <i>Raja brachyuran</i>		Thornback ray <i>Raja clavata</i>		Spotted ray <i>Raja montagui</i>
	Zone: Union waters of VIa, VIb and VIIa-c, e-k	Union Waters of VIIe	Union waters of VIIf and VIIg	Union waters of VIa and VIb	Union waters of VIIe	Union waters of VIa, VIb, VIIb and VIIj
Belgium	157	30	81	13	19	6
Estonia	1	0	0	0	0	0
France	702	136	363	60	87	28
Germany	2	0	1	0	0	0
Ireland	227	43	117	19	28	9
Lithuania	4	1	2	0	0	0
The Netherlands	1	0	0	0	0	0
Portugal	4	1	2	0	0	0
Spain	189	36	98	16	23	7
United Kingdom	449	86	231	37	55	17
Union	1 736	333	895	145	212	67
TAC	1 736	333	895	145	212	67

- (3) Shall not apply to small-eyed ray (*Raja microocellata*), except in Union waters of VIIf and VIIfg. When accidentally caught, this species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species. Within the limits of the abovementioned quotas, no more than the quantities of small-eyed ray in Union waters of VIIf and VIIfg provided below may be taken:

Species:	Small-eyed ray <i>Raja microocellata</i>	Zone:	Union waters of VIIf and VIIfg (RJE/7FG.)
Belgium	14	Precautionary TAC	
Estonia	0		
France	63		
Germany	0		
Ireland	20		
Lithuania	0		
The Netherlands	0		
Portugal	0		
Spain	17		
United Kingdom	40		
Union	154		
TAC	154		

- (4) Undulate ray shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in area VIIe may only be landed whole or gutted, and provided that it does not comprise more than 50 kilograms live weight per fishing trip. Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIIe (RJu/67AKXD)
Belgium	11	Precautionary TAC	
Estonia	0		
France	49		
Germany	0		
Ireland	16		
Lithuania	0		
The Netherlands	0		
Portugal	0		
Spain	13		
United Kingdom	31		
Union	120		
TAC	120		

Special condition: of which up to 5 % may be fished in Union waters of VIIId and reported under the following code: (RJu/*07D.).

(d) The fishing opportunities table for skates and rays in Union waters of VIId is replaced by the following table:

Species: Skates and rays <i>Rajiformes</i>	Zone: Union waters of VIId (SRX/07D.)
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Belgium	87	(1) (2) (3)	Precautionary TAC
France	729	(1) (2) (3)	
The Netherlands	5	(1) (2) (3)	
United Kingdom	145	(1) (2) (3)	
Union	966	(1) (2) (3)	
TAC	966	(2) (3)	

(1) Catches of cuckoo ray (*Leucoraja naevus*) (RJN/07D.), thornback ray (*Raja clavata*) (RJC/07D.) and spotted ray (*Raja montagui*) (RJM/07D.) shall be reported separately.

(2) Within the limits of the abovementioned quotas, no more than the quantities of blonde ray and small-eyed ray given below may be taken:

Species:	Blonde ray <i>Raja brachyura</i>	Small-eyed ray <i>Raja microocellata</i>
Zone:	Union waters of VIId	Union waters of VIId
Belgium	15	3
France	122	24
The Netherlands	1	0
United Kingdom	24	5
Union	162	32
TAC	162	32

(3) Undulate ray shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in the area covered by this TAC may only be landed whole or gutted, and provided that it does not comprise more than 50 kilograms live weight per fishing trip. Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:

Species: Undulate ray <i>Raja undulata</i>	Zone: Union waters of VIId (RJU/07D.)
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Belgium	1	Precautionary TAC
France	11	
The Netherlands	0	
United Kingdom	2	
Union	14	
TAC	14	

Special condition: of which up to 5 % may be fished in Union waters of VIIe and reported under the following code: (RJU/*67AKD).

(e) The fishing opportunities table for Skates and Rays in Union waters of VIII and IX is replaced by the following table:

Species: Skates and rays <i>Rajiformes</i>		Zone: Union waters of VIII and IX (SRX/89-C.)
Belgium	7	(1) (2) (3) Precautionary TAC
France	1 362	(1) (2) (3)
Portugal	1 104	(1) (2) (3)
Spain	1 110	(1) (2) (3)
United Kingdom	8	(1) (2) (3)
Union	3 591	(1) (2) (3)

TAC 3 591 (2) (3)

(1) Catches of cuckoo ray (*Leucoraja naevus*) (RJN/...)blonde ray (*Raja brachyura*) (RJH/89-C.) and thornback ray (*Raja clavata*) (RJC/89-C.) shall be reported separately.

(2) Within the limits of the abovementioned quotas, no more than the quantities of cuckoo ray and spotted ray given below may be taken in the following areas:

Species:	Cuckoo ray <i>Leucoraja naevus</i>	Spotted ray <i>Raja montagui</i>
Zone:	Union waters of VIIIa and VIIIb	Union waters of VIII
Belgium	2	0
France	378	44
Portugal	307	35
Spain	309	36
United Kingdom	2	0
Union	998	115
TAC	998	115

- (3) Undulate ray shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in subareas VIII and IX may only be landed whole or gutted, and provided that it does not comprise more than 20 kilograms of live weight per fishing trip in subarea VIII and 40 kilograms of live weight per fishing trip in subarea IX. Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken in the following areas:

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIII (RJU/8-C.)
Belgium	0	Precautionary	TAC
France	9		
Portugal	8		
Spain	8		
United Kingdom	0		
Union	25		
TAC	25		
Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of IX (RJU/9-C.)
Belgium	0	Precautionary	TAC
France	16		
Portugal	12		
Spain	12		
United Kingdom	0		
Union	40		
TAC	40		