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NOTE

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a Council Regulation fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters and repealing Council Regulation (EU) No 779/2014
	- Statements

Delegations will find attached statements by the Council, the Commission and delegations.

Sole in VIIIab (Bay of Biscay)

JOINT

With reference to the statement made in 2013 by the Council "Ad Bay of Biscay sole", the Commission and Council consider a rollover of the 2014 TAC as being in line with the harvesting strategy proposed by stakeholders.

Council and Commission recall in that respect that the safeguards included in the harvesting strategy for this stock based on a constant TAC, as proposed by the stakeholders, will take effect as of 2016 if the conditions included in the harvesting approach, such as a repeated increase in fishing mortality by that time, have been met.

Undulate ray in VIa, VIb, VIIa-c, VIIe-k; VIId; VIII and IX

JOINT

The Council and Commission note that Member States have proposed measures to ensure the sustainable management of local populations of undulate ray, based on scientific studies and the cooperation of the fishing industry. The Council and the Commission agree that such measures could justify a limited by-catch fishery, provided that they stand up to scientific review and that suitable and scientifically sound national technical measures of all Member States catching this species accompany such a fishery. In addition, the Commission recalls the risk that a by-catch TAC may result in quick exhaustion of the fishing opportunities in the fisheries catching this species in the near future.

If the STECF's advice, which is underway, is positive and suitable national technical measures are in place, the Commission will consider as soon as possible proposing any suitable amendment to the Fishing Opportunities regulation.

Skates and rays

JOINT

The Council and Commission acknowledge the proposal of Member States to use a different calculation method for the TACs of skates and rays.

Following scientific review by STECF, the Commission will as soon as possible on that basis assess whether it is sufficiently precautionary to apply this methodology in its proposal for fishing opportunities for 2016.

The Council and Commission agree that catches under these TACs need to be monitored carefully. This necessitates that the authorities of all Member States involved in this fishery ensure that fishermen have the best possible knowledge to identify and record correctly the different species of skates and rays caught, and that the different species are identified correctly upon landing the catches by sales bodies and control authorities.

Cod - fishing effort

"In view of the fact that an agreement needs to be reached to have the fishing opportunities regulations in place on 1 January 2015, the Commission is not opposed to the amended cod plan being followed when fixing TACs and effort limits for cod for next year, but recalls its declaration made at Coreper on 11 November and at Council on 18 and 19 December 2012 followed by launching an action for annulment of the amending regulation."

Herring in VIIbc and VIa South

In view of the decision of the Council to set the TAC for this stock at 0, following scientific advice, the Commission will evaluate this TAC, should the herring benchmarking by ICES change the scientific assessment substantially. If that were the case, the Commission will consider whether it is appropriate to propose, as soon as possible after the completion of the benchmarking exercise, an amendment of the TAC for 2015.

Sole in IIIa (Kattegat/Skagerrak)

JOINT

The Commission and Council note that ICES, in its advice for sole in Division IIIa and Subdivisions 22-24 for 2014, stated that the assessment did not take into account a possible reduction in catch per unit effort (CPUE) on sole resulting from the use of the SELTRA trawl, which has been in use in the area in recent years. The Commission has requested STECF in December 2014 to quantify this reduction in CPUE if possible, or else to give its expert judgment on the likely reduction in CPUE. It has also requested ICES, by mid February 2015, to re-assess the stock based on the assumed reduction in CPUE, and provide the corresponding TAC 2015 based on the ICES MSY approach. If in its response STECF issues revised TAC advice, the Commission undertakes to consider any appropriate amendments to TAC to sole accordingly as part of the proposal on first amendment of the fishing opportunities regulation expected in March 2015.

Sole in VIIa, VIIf and VIIfg

BE+COM

The Commission notes the commitment of Belgium to put in place technical measures to increase the selectivity of their vessels catching sole in areas VIIa, VIIf and VIIfg and aiming at decreasing without delay the fishing pressure on this stock.

Belgium commits in particular to increasing the mesh size from 80mm to 120mm for a 3 metre section of the lengthening piece from the cod end towards the beam in all beam trawlers targeting sole in VIIa, VIIf and VIIfg, no later than 1 April 2015. Belgium commits to implementing this measure in its fleet catching sole in VIIa, VIIf and VIIfg no later than 1 April 2015.

Following an STECF review of these measures, should the STECF advise that they are not sufficient to decrease the fishing mortality of this stock to the MSY level and should an additional reduction in fishing mortality be advised, the Commission commits to consider appropriate amendments to the TAC as soon as possible in 2015.

Sole in VIId (Eastern Channel)

(FR + BE+ COM)

The Commission notes the commitment of France and Belgium to put in place technical measures aiming at decreasing without delay the fishing pressure on the stock of sole in VIId.

France commits to implementing as of 1 January 2015 a series of national management measures: (i) submitting French fishing vessels catching more than 300 kg sole per year to a specific fishing license for sole in VIId, (ii) reducing by 10% the number of admissible days at sea by those French vessels deploying bottom nets and beam trawls, (iii) setting a maximum overall net length of one kilometre for each metre of the vessel's length for vessels deploying bottom nets, (iv) fitting all French fishing vessels under license catching sole in VIId with a Vessel Monitoring System (VMS), (v) implementing permanent fishing closures in four sole nursery areas in line with Article 8 of the Common Fisheries Policy regarding the setting of Fishing Recovery Areas, namely in the Veys, Seine, Somme and Canche bays where sole juveniles are abundant and (vi) nullifying the effort deployed so far in these nursery areas so as to avoid its displacement to adjacent areas.

Belgium commits to increasing the mesh size from 80mm to 120mm for a 3 metre section of the lengthening piece from the cod end towards the beam in all beam trawlers targeting sole in VIId, no later than 1 April 2015. Belgium also commits to the measures agreed by France under point (v), namely permanent fishing closures.

The Commission commits to submitting the measures presented by France and Belgium to scientific review by the STECF as soon as possible.

Should the STECF advise that an additional decrease in fishing mortality is needed to reach the MSY level, France, Belgium and the Commission agree that this will be achieved by implementing additional management measures in the course of 2015, provided that STECF advises that such additional measures are sufficient to decrease fishing mortality to reach the MSY level, or revising the TAC level in the course of 2016 at the latest, as appropriate. In such case, the Commission commits to propose a TAC level that takes full account of STECF advice.

Statement stable stocks

JOINT

The Council and the Commission note that the fishing opportunities regulations include a number of TACs for stocks for which there is limited information on stock status and which are of low economic importance, or are taken only as by-catches, or which show low levels of quota uptake. In that respect, the Council and the Commission recall their statement concerning such stocks made in 2014 and note that perception of the status of any of these stocks has not significantly changed during 2014. Therefore the Council and the Commission continue to consider it appropriate to constrain catches at or below the TAC levels fixed for 2014. To this end, without prejudice to the Commission's right of initiative and the Council's prerogatives under Article 293(1) TFEU, the Commission and the Council consider that it appears at this stage desirable to maintain the 2014 TAC level for the stocks listed below for the following three years.

The Commission will however continue working with the Member States and the relevant scientific bodies in order to improve the scientific information on these stocks. If the perception of the status of any of these stocks changes significantly during this period, the Council and the Commission agree that this should be taken into account for the purpose of establishing TAC levels for 2016 and 2017, as appropriate.

Common name	TAC Unit
Blue Ling	EU and international waters of II and IV
Blue Ling	EU and international waters of III
Cod	VIb (Rockall subunit)
Common sole	VI, Vb, international waters of XII and XIV
Common sole	VIIbc
Common Sole	VIIIhjk
Herring	VIIef

Greater silver smelt	EU and international waters of I and II
Greater silver smelt	EU and international waters of III and IV
Ling	EU and international waters of I and II
Ling	IIIa
Ling	EU and international waters of V
Plaice	Vb(EU waters), VI, XII, XIV
Plaice	VIIbc
Plaice	VIIIhk
Plaice	VIII, IX, X and CECAF 34.1.1
Pollack	Vb(EU waters), VI, XII and XIV
Pollack	VIIIc
Pollack	IX, X, CECAF 34.1.1 (EU)
Saithe	VII, VIII, IX, X, CECAF 34.1.1 (EC)
Sole	VIIIcde, IX, X, CECAF (EU)
Sprat	VIIde
Whiting	VIIa
Tusk	IIIa and EU 22-23
Tusk	EC I, II, XIV
Tusk	EC waters of IV

Sea bass in IVbc, VIIa, and VIId–h (Irish Sea, Celtic Sea, English Channel, and southern North Sea)

COM

The Commission notes the advice of ICES to reduce the fishing mortality substantially throughout the range of the stock by 60% and to reduce catches by 70%. Despite the extensive work carried out at this Council, it has not yet been possible to agree on any appropriate measures. The Commission and the Member States involved in this fishery, must remain committed to doing the utmost possible, as of the start of the fishing season in January 2015, to reduce fishing pressure, protect spawning aggregations and prevent a collapse. The Commission will continuously monitor the situation and if necessary will examine the need to take measures under Article 12 of the CFP Regulation and/or Article 45 of Regulation (EC) No 850/98.

Redfish in int. water ICES sub-areas I and II

JOINT

The Commission has noted the concerns of certain Member States with regard to the quota for redfish in international waters of the Norwegian Sea for 2015.

Consultations between Coastal States and other fishing Parties will take place during 2015. The fishery on this stock will only take place in the second half of 2015. In this context the Commission will strive for an appropriate EU quota for redfish in international waters of the ICES Sub Areas I and II.

Redfish Norwegian waters of sub areas I and II

COM

The Commission has noted requests by Member States to establish a directed fishery for redfish in Norwegian waters of ICES Sub-Areas I and II for 2015 which the Commission will take into account in the consultations envisaged to take place during 2015 between the EU and Norway, on the interpretation of the EEA Exchange of Letters, which was signed at Oporto on 2 May 1992.

Depending of the outcome of those consultations, the Commission will therefore propose an appropriate amendment of the Fishing Opportunities Regulation in 2015.

Celtic Sea Selectivity (Cod & haddock in VIIbc, e-k)

JOINT

Past and current fishing on the three stocks in the mixed fishery in the Celtic Sea for cod, haddock and whiting has resulted in the discarding of juvenile fish, representing a potential loss of future productivity. Higher recruitment of cod and recent recruitment of haddock increases the risk of further catches of juvenile fish resulting in additional fishing mortality.

The Council confirms the need to improve upon the selectivity measures introduced in Regulation (EC) No 737/2012. The Commission will, from 2015 onwards, take account of such measures when reviewing and amending Regulation (EC) 737/2012 and will consider an increase in the mesh size of square mesh panels, positioned as described in this regulation, to a minimum of 120mm. In reviewing this regulation, the Commission will however consider that, as part of this selectivity measure, in cases where retained catch comprises of at least 55% whiting in the waters east of 8°, the current measures should continue to apply. The effectiveness of the amended measures will be evaluated before 2016.

Haddock flexibility

COM

Haddock in ICES area VI and IV have been assessed as a single stock, therefore making flexibility between these areas possible. Such flexibility can be a useful tool for the management of individual fish stocks that are distributed across more than one management area, if certain conditions are met and relative stability is not affected. The need to plan for the implementation of the landing obligation is acknowledged in this context.

The transfer of fishing opportunities from IV to VI represents an increase in the potential fishing opportunities in Area VI, while the stocks of whiting and cod in Area VI remain in poor condition. Following STECF assessment on whether such flexibility would risk increasing fishing mortality on these stocks to such an extent as so creating a risk for their recovery, should the scientific review not raise any concerns, the Commission will consider as soon as possible any appropriate amendments to the fishing opportunities concerning such flexibility.

Ad The long term management for sole and plaice in the North Sea

COM

The stocks of plaice and sole in the North Sea are both within safe biological limits and have been for a number of years. The rules on the second stage of the multiannual plan for these stocks are therefore now applicable. The Commission is now working with Member States and the relevant scientific bodies on developing a new proposal for a mixed fisheries plan in the North Sea that should include the North Sea sole and plaice stocks, expected to be tabled in the near future now that the discussions of the task force set up between the Council, European Parliament and the Commission concerning multiannual plans have been concluded.

Commission statement on IOTC capacity - Annex VI of the fishing opportunities regulation

One of the French vessels authorised to fish for tropical tunas in the Indian Ocean Tuna Commission (IOTC) Convention Area, with the capacity of 2,137 gross tonnage (GTs) could be reflagged in Italy during 2015. Therefore, without prejudice to Annex II to Regulation (EU) No 1380/2013, the corresponding authorisation should be withdrawn from France and transferred to Italy, once the vessel is reflagged in Italy.