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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Council Regulation fixing for 2021 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 - Statements

Delegations will find attached statements by the Commission and Member States.

On survivability of plaice in the Kattegat (Denmark, Germany, Sweden and Commission)

Denmark, Germany and Sweden commit to providing ICES with the relevant scientific information regarding catches, discarding and survival for Plaice in the Kattegat. The Commission will early in 2021 request ICES to better develop the science and understanding concerning survival rates of plaice, with the intention of incorporating survival rates into the forecasting and production of such catch advice. If ICES is able to produce an updated catch advice that incorporates survival rates in 2021, then the Commission will endeavour to propose an in year amendment of the 2021 TAC for Plaice in the Kattegat as soon as possible.

On taking the underutilization effects of Covid-19 into account (Commission)

In order to take the underutilization effects of Covid-19 into account, at the request of Member States, the Commission will ask ICES early in 2021 to examine whether for any stocks within safe biological limits a low uptake of the quota in 2020 justifies an increased TAC in 2021 in view of a possible in-year amendment of the TACs for such stocks.

On shared stocks managed under provisional TACs (Commission)

Provisional TACs are established to allow fishing activities of EU fleets to continue while not prejudging the outcome of ongoing international negotiations and/or consultations. In January 2021, the Commission will assess the situation of the stocks shared with the United Kingdom and/or Norway and subject to provisional TACs. The Commission, on the basis of the uptake of quotas reported by Member States and taking into account the results of international negotiations and consultations, will come up in January 2021 with stock-taking and relevant suggestions for the way forward and possible revisions of the provisional TAC levels, especially concerning the seasonality of fishing activities, in order to address Member States' needs, and/or to establish definitive TACs.

On inter-area flexibility for sprat between Skagerrak (3a) and the North Sea (2a and 4)
(Commission)

The Commission, in the framework of consultations with third countries, will examine the possibility of introducing an inter-area flexibility for sprat from ICES division 3a (Skagerrak, Kattegat) to the North Sea.

On the application of Article 15(9) in the Basic Regulation for COD/03AS; COD/5BE6A; WHG/56-14; WHG/07A and PLE/7HJK in 2021 (Belgium, Denmark, France, Germany, Ireland, the Netherlands and Sweden)

Given that the biomass of the stocks of COD/03AS; COD/5BE6A; WHG/56-14; WHG/07A and PLE/7HJK is below Blim and that only by-catch and scientific fisheries will be permitted in 2021, in order to ensure the recovery of the stocks in accordance with Regulations (EU) 2018/973 and (EU) 2019/472, Belgium, Denmark, France, Germany, Ireland, the Netherlands and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 with regard to these stocks in 2021. This undertaking is a response to the current exceptional circumstances for these stocks.

On commitments regarding conservation measures for the seabass fishery in the Gulf of Biscay (8a,b) (France and Spain)

France and Spain welcome the good state of the seabass stock in the gulf of Biscay (8a, b). France commits to renew, for the first quarter of 2021, individual ceilings equivalent to those in force in the first quarter of 2020. Spain commits to introduce a minimum reference size of 40 cm for commercial catches of sea bass in the gulf of Biscay (8a, b). These measures are complementary to the Fmsy of 3 108 tonnes as recommended by ICES.

On Norway lobster in functional units 25 and 31 (Spain)

Spain, committed with the sustainability of the Norway lobster stocks in Cantabrian Sea (functional units 25 and 31), has been working, through its scientific body and with the support of the Spanish fishing industry, in order to improve the scientific knowledge of their respective status.

After four years of sentinel fishery surveys with a small allocated TAC, in order to collect catch per unit effort (CPUE) data with vessels carrying observers on board, 2020 results have confirmed an increase of the CPUE in line with increases in previous years, indicating a consolidated positive signal.

Spain asks for a review of the current ICES advice (done in 2019 for three years) during the first half of 2021, in order to assess a possible reopening of the commercial fishery with a limited TAC and conditions for its management.

On Northern Albacore in ICCAT (Commission)

The Commission acknowledges the specific quota management of ICCAT stocks. The Commission notes that overfishing by one member state in a given year can have direct impact on the actual fishing opportunities available for the other member states who did not engage in overfishing.

Before the end of the first semester of 2021, the Commission will therefore consider all possible initiatives to facilitate the management of the EU quota in light of the ICCAT provisions to achieve the economic, social and environmental objectives of the CFP.

On the method of calculating deductions for survivability exemptions (Denmark, France, the Netherlands, Ireland and Spain)

Denmark, France, the Netherlands, Ireland and Spain are worried about the change in the calculation method for the deductions for high survival exemptions.

They therefore support the initiative of the States concerned by the stock of plaice in the Kattegat in favour of a request to ICES.

Denmark, France, the Netherlands, Ireland and Spain ask the Commission to commit to undertake, early in 2021, similar requests to ICES for the other stocks concerned, so that the advices take into account survival rates, in the perspective of a revision of the 2021 TAC and quotas Regulation.

On Southern Hake (HKE/8C3411) (Spain and Portugal)

Spain and Portugal are fully committed to the sustainability of the Southern hake, one of the most relevant and traditional species along our coastal communities and its supply of food, and an essential species for hundreds of our vessels, ports and auctions during their fishing activities along the year.

As a matter of urgency, we ask that COM requests from ICES to reevaluate the assessment for this stock, in order to correct the current situation of high uncertainty, with no MSY reference points available, or ranges as established in the Western Waters Multiannual Plan, despite an abundant set of historical and complete data on the stock of Southern hake that led to the rejection of the previously used Category 1 assessment model this year.

For this purpose, Spain and Portugal will cooperate, through their respective scientific institutes, following ICES procedures.

On Northern Albacore (ALB/AN05N) (Spain)

The final version of the Regulation includes an increase of the northern Albacore quota of the EU (ALB/AN05N), which does not reflect the 12.5% TAC increase agreed in ICCAT. The EU quota is only raised by 5.5% as a result of the overfishing of some Member States in previous years. The resulting quota of Spain in the text has been reduced to just 17,704.08 tons. Spain right quota for 2021 is 18,351.95 tons, which is calculated with a 12.5 % increase compared to the quota of 2020. Spain considers this is discriminatory according to the treatment we have received in other stocks in previous years.

Northern albacore is a very sensitive stock in Spain. It is allocated to coastal artisanal fleets in the Cantabric sea and Canary Islands. Spain was very strict in closing the fishery in previous years. We are confident of a satisfactory solution for this campaign to limit the penalty for overfishing only to those who caused it. Therefore, Spain endorses the final version of the regulation conditioned on the compromise on a review of the figures in the next update of the Regulation.
