Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a COUNCIL REGULATION amending and correcting Regulation (EU) 2024/257 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters and Regulation (EU) 2023/194 fixing for 2023 such fishing opportunities - 2nd amendment - Statements by the Commission, Spain, and a joint statement by Finland and Sweden

Delegations will find in the annex statements by the Commission, Spain, and a joint statement by Finland and Sweden

Annex

Statement by the Commission

Article 5(3) of the Western Waters multiannual plan provides for management of mixed fisheries with regards to by-catch stocks taking into account the difficulty of fishing all stocks at MSY at the same time, especially in situations where that leads to a premature closure of the fishery. Such difficulty should be demonstrated and supported by specific, reliable and verifiable socio-economic data. Where the difficulty to fish all stocks at MSY occurs, the Commission invites the Member States to submit socio-economic data from verifiable sources, in particular obtained through the EU Data Collection Framework.

The Commission takes note of the submission made by Spain on 7 and 10 June 2024 stating that the TACs set by the Council for the pollack stock in the Atlantic Iberian waters, in ICES divisions 8.c and 9.a, would result in the premature closure of mixed fisheries, leading to potentially serious socio-economic consequences. Considering the socio-economic data submitted by Spain to substantiate the choke effect for its fleet segments in the Atlantic Iberian waters, the Commission will request the STECF in its July plenary to carry out an assessment of the choke phenomenon and, based on that assessment, the Commission will consider submitting a proposal for an in-year amendment to adjust the TACs for pollack in the Atlantic Iberian waters (POL/08C. and POL/9/3411) for 2024.

The same approach would be considered by the Commission for Portugal should they timely provide specific, reliable and verifiable socio-economic data regarding their TAC for pollack in the Atlantic Iberian waters (POL/9/3411) set for 2024.

Statement by Spain

Spain would like to express its concerns about the outcome of the second TAC and quotas amendment regarding the Pollack stock in areas 8 and 9. This decision may not follow the elemental fisheries management principle of adopting measures for an entire biological population.

Spain supports the adoption of management decisions, including technical measures, taking into account socioeconomic aspects.

Nevertheless, the adoption of measures for just one subcomponent of one population can posse many problems and create legal uncertainties for the operators.

In effect, differences in the quota reductions applied only to one subcomponent of the stock can lead up to breaks in the relative balance between the subcomponents and therefore to the relative stability among member states.

Moreover, the establishment of two minimum conservation reference sizes in contiguous areas creates a problem for the control activity.

Regarding the ad hoc STECF analysis, Spain has not been properly involved in the process despite being an important quota holder of the concerned stock; Spain acknowledges the commission willingness to assess Spanish data in the upcoming STECF plenary. However, in the future, STECF consultations must be open to all the concerned member states, with an established procedure that includes a proper call for interest.

Joint statement by Finland and Sweden

During the October council 2023 the Commission, Finland and Sweden agreed on an urgent request to ICES for advice, on the management measures proposed by Finland and Sweden for salmon fisheries in sub-divisions 29N and 30 for 2024. Finland and Sweden provided ICES and Commission with the necessary scientific information and expertise needed for such advice. The Commission committed to, if appropriate on the basis of ICES advice, submit a proposal for an amendment to the Baltic Fishing Opportunities Regulation for 2024.

ICES special advice was presented on the 31 May 2024 in which ICES concluded that the measures proposed by Finland and Sweden, namely management measures around Ljungan river and targeting fin-clipped reared salmon would have a positive effect for salmon in the Ljungan river. As a compensation for lost salmon production due to hydropower development reared smolts are stocked annually which are marked by the removal of the adipose fin and therefore can be separated from wild salmon. In addition, according to the ICES annual advice for salmon for 2025, salmon from the river Ljungan is recovering as expected from the previous disease-related mortality.

Given the new ICES advice, Finland and Sweden does not consider a total salmon fishing ban in the area to be scientifically justified or proportionate for the recovery of the stock compared to the negative socio-economic consequences it causes the small-scale coastal fishers. Finland and Sweden therefore urged the Commission to put forward a proposal for an amendment to the Baltic Fishing Opportunities Regulation allowing for directed fishing of fin-clipped reared salmon in SD 29 N and SD 30 from the 1 July 2024 as this, according to ICES advice, would have negligible impact on the Ljungan salmon stock while mitigating the socioeconomic impact on the small-scale coastal fishers in the area.

Finland and Sweden are therefore deeply disappointed that the Commission has not put forward an amendment of the Baltic Fishing Opportunities Regulation allowing for a directed fishing for fin-clipped reared salmon in SD29N and SD 30.