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**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a COUNCIL REGULATION fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks - Commission services non-paper

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Delegations will find in the Annex a non-paper on the above-mentioned subject, as received from the European Commission services.

## COMMISSION SERVICES NON PAPER

**5 DECEMBER 2022**

*This document serves as a basis for discussion at the Working Party on 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 for a Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (COM(2022) 559)**

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## 1. AMENDMENTS IN RELATION TO UNDULATE RAY IN THE BAY OF BISCAY AND IBERIAN WATERS

### EXPLANATORY NOTE

Skates and rays (*Rajiformes*) in EU waters of ICES subareas 8 and 9 (Bay of Biscay and Iberian waters) is a stock listed in Annex 36, table F, of the Trade and Cooperation Agreement (TCA) between the EU and the United Kingdom (UK)<sup>1</sup>. That annex lists stocks that are only present in one Party's waters; in this case the stock is only present in EU waters. The overall TAC for that stock includes two sub-TACs for undulate ray (*Raja undulata*) in respectively EU waters of ICES subareas 8 and 9.

The overall TAC for skates and rays in EU waters of ICES subareas 8 and 9 is set on the basis of ICES scientific advice for different species and covering different areas, including cuckoo ray (*Leucoraja naevus*) in ICES subareas 6 and 7 and divisions 8a, 8b and 8d. It is therefore not possible to establish the TAC for skates and rays in EU waters of ICES subareas 8 and 9 without prejudging the setting of TACs for other skates and rays stocks shared with the UK and covering both UK and EU waters (i.e. SRX/67AKXD and SRX/07D).

However, ICES does provide advice for undulate ray in ICES divisions: (i) 8a and 8b; and (ii) 9a. It is therefore proposed to set the TACs for undulate ray in EU waters of respectively: (i) ICES subarea 8; and (ii) subarea 9; and that the EU inform the UK of the quotas allocated to it for those stocks.

On 4 October 2022, ICES published its advice<sup>2</sup> for undulate ray in ICES division 8a and 8b for 2023 and 2024. ICES provides precautionary advice for that stock, and advises that landings in both 2023 and 2024 should be no more than 12 tonnes (a reduction of -64% compared to the 2022 TAC). It is therefore proposed to reduce the TAC for undulate ray in EU waters of ICES subarea 8 for 2023 in the direction of the precautionary advice by -35%.

On 4 October 2022, ICES published its advice for undulate ray in ICES division 9a for 2023 and 2024<sup>3</sup>. ICES provides precautionary advice for that stock, and advises that landings in both 2023 and 2024 should be no more than 31 tonnes (a reduction of -38% compared to the 2022 TAC). It is therefore proposed to reduce the TAC for undulate ray in EU waters of ICES subarea 9 for 2023 in the direction of the precautionary advice by -30%.

### AMENDMENTS TO THE ANNEXES

In Annex IA, Part B, the fishing opportunities table for skates and rays (*Rajiformes*) in Union waters of ICES subareas 8 and 9 is replaced by the following:

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<sup>1</sup> Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (OJ L 149, 30.4.2021, p. 10).

<sup>2</sup> <https://doi.org/10.17895/ices.advice.19754485>

<sup>3</sup> <https://doi.org/10.17895/ices.advice.19754491>

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Species: Skates and rays <i>Rajiformes</i>		Zone: Union waters of 8 and 9 (SRX/89-C.)	
Belgium	pm (1)(2)	Precautionary TAC	
France	pm (1)(2)		
Portugal	pm (1)(2)		
Spain	pm (1)(2)		
Union	pm (1)(2)		
United Kingdom	pm (1)(2)		
TAC	pm (2)		
(1)	Catches of cuckoo ray ( <i>Leucoraja naevus</i> ) (RJN/89-C.), blonde ray ( <i>Raja brachyura</i> ) (RJH/89-C.) and thornback ray ( <i>Raja clavata</i> ) (RJC/89-C.) shall be reported separately.		
(2)	Shall not apply to undulate ray ( <i>Raja undulata</i> ). This species 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 8 and 9 may only be landed whole or gutted. The catches shall remain under the quotas shown in the table below. These provisions are without prejudice to the prohibitions set out in Articles 17 and 56 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the codes indicated in the tables below. 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 8 (RJu/8-C.)	
Belgium	0	Precautionary TAC	
France	7		
Portugal	7		
Spain	7		
Union	21		
United Kingdom	0		
TAC	21		
Species: Undulate ray <i>Raja undulata</i>		Zone: Union waters of 9 (RJu/9-C.)	
Belgium	0	Precautionary TAC	
France	13		
Portugal	11		
Spain	11		
Union	35		
United Kingdom	0		
TAC	35		

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