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NOTE

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

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

9 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 COASTAL STATES STOCKS

EXPLANATORY NOTE

Mackerel (*Scomber scombrus*) and blue whiting (*Micromesistius poutassou*) in the northeast Atlantic and Atlanto-Scandian herring (*Clupea harengus*) are subject to annual North-East Atlantic Fisheries Commission (NEAFC) coastal States consultations on fishing opportunities. Such multilateral consultations on fishing opportunities for 2023 were held on 17 November and 5-6 December 2022 in London for mackerel, on 14 October and 6 December 2022 in London for blue whiting, and on 14 October in London and 4 November 2022 virtually for Atlanto-Scandian herring, on the basis of the EU positions agreed by the Council. The outcome of those consultations was documented in an Agreed Record for Atlanto-Scandian herring for 2023 on 4 November 2022, for blue whiting in the northeast Atlantic for 2023 on 6 December 2022, and for mackerel in the northeast Atlantic for 2023 on 6 December 2022. The total allowable catches (TACs) for those stocks were set in line with the International Council for the Exploration of the Sea (ICES) scientific advice.

NEAFC recommendations on conservation and management measures for Atlanto-Scandian herring and blue whiting for 2023 were adopted during the 2022 NEAFC annual meeting. The adoption by NEAFC of a recommendation on conservation and management measures for mackerel for 2023 is under preparation.

It is therefore proposed to establish the fishing opportunities for Atlanto-Scandian herring and blue whiting based on the level of the TAC set out in the NEAFC recommendations for 2023 (i.e. no more than 511 171 tonnes for Atlanto-Scandian herring and no more than 1 359 629 tonnes for blue whiting), and in line with the approach applied for 2021 and 2022. To avoid interruption of the fishing activities until the mackerel NEAFC recommendation is adopted, it is therefore proposed to establish the relevant fishing opportunities at the level set out in that Agreed Record (i.e. no more than 782 066 tonnes), which is in line with the approach applied for 2021 and 2022.

AMENDMENTS TO THE ANNEXES

In Annex IA, Part B, the relevant fishing opportunities tables are replaced by the following:

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Species:	Blue whiting <i>Micromesistius poutassou</i>	Zone:	Norwegian waters of 2 and 4 (WHB/24-N.)
Denmark	0	Analytical TAC	
Union	0		
TAC	Not relevant		

Species:	Blue whiting <i>Micromesistius poutassou</i>	Zone:	United Kingdom, Union and international waters of 1, 2, 3, 4, 5, 6, 7, 8a, 8b, 8d, 8e, 12 and 14 (WHB/1X14)
Denmark	pm	⁽¹⁾	Analytical TAC
Germany	pm	⁽¹⁾	Article 7(2) of this Regulation applies
Spain	pm	⁽¹⁾⁽²⁾	
France	pm	⁽¹⁾	
Ireland	pm	⁽¹⁾	
Netherlands	pm	⁽¹⁾	
Portugal	pm	⁽¹⁾⁽²⁾	
Sweden	pm	⁽¹⁾	
Union	pm	⁽¹⁾⁽²⁾	
Norway	0		
Faroe Islands	0		
United Kingdom	106 036		
TAC	Not relevant		
⁽¹⁾	Special condition: within a total access limit of pm tonnes for the Union, Member States may fish up to the following percentage of their quotas in Faroese waters (WHB/*05-F.): 0 %		
⁽²⁾	Transfers of this quota may be effected to 8c, 9 and 10; Union waters of CECAF 34.1.1. However, such transfers shall be notified in advance to the Commission.		
⁽³⁾	Special condition: from the Union quotas in United Kingdom, Union and international waters of 1, 2, 3, 4, 5, 6, 7, 8a, 8b, 8d, 8e, 12 and 14 (WHB/*NZJM1) and in 8c, 9 and 10; Union waters of CECAF 34.1.1 (WHB/*NZJM2), the following quantity may be fished in the Norwegian Economic Zone or in the fishery zone around Jan Mayen:		
	0		
Species:	Blue whiting <i>Micromesistius poutassou</i>	Zone:	8c, 9 and 10; Union waters of CECAF 34.1.1 (WHB/8C3411)

Spain	pm	Analytical TAC
Portugal	pm	Article 7(2) of this Regulation applies
Union	pm ⁽¹⁾	

TAC Not relevant

⁽¹⁾ Special condition: from the Union quotas in Union and international waters of 1, 2, 3, 4, 5, 6, 7, 8a, 8b, 8d, 8e, 12 and 14 (WHB/*NZJM1) and in 8c, 9 and 10; Union waters of CECAF 34.1.1 (WHB/*NZJM2), the following quantity may be fished in the Norwegian Economic Zone or in the fishery zone around Jan Mayen:

114 554

Species:	Blue whiting <i>Micromesistius poutassou</i>	Zone:	United Kingdom and Union waters of 2, 4a, 5, 6 north of 56° 30' N and 7 west of 12° W (WHB/24A567)
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Norway	0 ⁽¹⁾⁽²⁾	Analytical TAC
Faroe Islands	0	Article 7(2) of this Regulation applies

TAC Not relevant

⁽¹⁾ To be counted against quota established by Norway.

⁽²⁾ To be fished in Union waters of 4, 6 and 7.

Species:	Mackerel <i>Scomber scombrus</i>	Zone:	3a; United Kingdom and Union waters of 2a, 3b, 3c; 3d and 4 (MAC/2A34.)
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Belgium	501	⁽¹⁾⁽²⁾	Analytical TAC
Denmark	17 187	⁽¹⁾⁽²⁾	Article 7(2) of this Regulation applies
Germany	523	⁽¹⁾⁽²⁾	
France	1 579	⁽¹⁾⁽²⁾	
Netherlands	1 589	⁽¹⁾⁽²⁾	
Sweden	4 743	⁽¹⁾⁽²⁾⁽³⁾	
Union	26 122	⁽¹⁾⁽²⁾	
Norway	Not relevant	⁽⁴⁾	

United Kingdom Not relevant ⁽¹⁾⁽²⁾

TAC Not relevant

(1) Special condition: up to 60 % may be fished in United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14 (MAC/*2AX14).

(2) Within the limits of these quotas, no more than the quantities given below may also be taken in the two following zones:

	Norwegian waters of 2a (MAC/*02AN-)	Faroese waters (MAC/*FRO1)
Belgium	0	0
Denmark	0	0
Germany	0	0
France	0	0
Netherlands	0	0
Sweden	0	0
Union	0	0

(3) Special condition: including the following tonnage to be taken in Norwegian waters of 2a and 4a (MAC/*2A4AN):

pm

When fishing under this special condition, by-catches of cod, haddock, pollack and whiting and saithe are to be counted against the quotas for those species.

(4) To be deducted from Norway's share of the TAC (access quota). This amount includes the following Norwegian share in the North Sea TAC :

0

This quota may be fished in 4a only (MAC/*04A.), except for the following amount, in tonnes, which may be fished in 3a (MAC/*03A.):

0

Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zones:

	3a	United Kingdom and Union waters of 3a, 4b and 4c	4b	4c	United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14
	(MAC/*03A.)	(MAC/*3A4BC)	(MAC/*04B.)	(MAC/*04C.)	(MAC/*2AX14)
Belgium	0	0	0	0	301
Denmark	0	4 130	0	0	10 312
Germany	0	0	0	0	314
France	0	490	0	0	947
Netherlands	0	490	0	0	953
Sweden	0	0	390	6	2 846
Union	0	5 110	390	6	15 673
United Kingdom	0	Not relevant	0	0	Not relevant
Norway	0	0	0	0	0

Species:	Mackerel <i>Scomber scombrus</i>	Zone:	6, 7, 8a, 8b, 8d and 8e; United Kingdom and international waters of 5b; international waters of 2a, 12 and 14 (MAC/2CX14-)
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Germany	15 716	(1)
Spain	17	(1)
Estonia	131	(1)
France	10 479	(1)
Ireland	52 385	(1)
Latvia	97	(1)
Lithuania	97	(1)
Netherlands	22 919	(1)
Poland	1 107	(1)
Union	102 948	(1)
Norway	0	(2)(3)
Faroe Islands	0	(4)
United Kingdom	Not relevant	(1)

Analytical TAC

Article 7(2) of this Regulation applies

TAC Not relevant

- (1) Special condition: of which up to 25 % can be made available for exchanges to be fished by Spain, France and Portugal in 8c, 9 and 10 and Union waters of CECAF 34.1.1 (MAC/*8C910).
- (2) May be fished in 2a, 6a north of 56° 30' N, 4a, 7d, 7e, 7f and 7h (MAC/*AX7H).
- (3) The amount of access limit indicated below (MAC/*N5630), in tonnes, may be fished by Norway north of 56° 30' N. The amounts not counted under footnote (2) shall be counted against the catch limit established by Norway.
- pm
- (4) This amount shall be deducted from the Faroe Islands' catch limit (access quota). It may be fished only in 6a north of 56°30'N (MAC/*6AN56). However, from 1 January to 15 February and from 1 October to 31 December this quota may also be fished in 2a, 4a north of 59°N (MAC/*24N59).

Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zones and periods:

	United Kingdom waters of 4a. During the periods from 1 January to 14 February and from 1 August to 31 December	Norwegian waters of 2a	Faroese waters
	(MAC/*4A-UK)	(MAC/*2AN-)	(MAC/*FRO2)
Germany	15 716	0	0
Spain	17	0	0
Estonia	131	0	0
France	10 479	0	0
Ireland	52 385	0	0
Latvia	97	0	0
Lithuania	97	0	0
Netherlands	22 919	0	0
Poland	1 107	0	0
Union	102 948	0	0

United Kingdom	Not relevant	0	0
Species:	Mackerel <i>Scomber scombrus</i>		Zone: 8c, 9 and 10; Union waters of CECAF 34.1.1 (MAC/8C3411)
Spain		29 439 ⁽¹⁾	Analytical TAC
France		139 ⁽¹⁾	Article 7(2) of this Regulation applies
Portugal		6 085 ⁽¹⁾	
Union		35 719	
TAC	Not relevant		
⁽¹⁾	Special condition: quantities subject to exchanges with other Member States may be taken in 8a, 8b and 8d (MAC/*8ABD.). However, the quantities provided by Spain, Portugal or France for exchange purposes and to be taken in 8a, 8b and 8d shall not exceed 25 % of the quotas of the donor Member State.		
Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zone: 8b (MAC/*08B.)			
Spain		2 473	
France		16	
Portugal		511	
Species:	Mackerel <i>Scomber scombrus</i>		Zone: Norwegian waters of 2a and 4a (MAC/2A4A-N)
Denmark		<i>pm</i>	Analytical TAC
Union		<i>pm</i>	
TAC	Not relevant		

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In Annex IB, the fishing opportunities for Atlanto-Scandian herring is replaced by the following:

“

Species:	Herring <i>Clupea harengus</i>		Zone: United Kingdom, Faroese, Norwegian and international waters of 1 and 2 (HER/1/2-)
Belgium		10	Analytical TAC
Denmark		10 220	
Germany		1 790	

Spain	34
France	441
Ireland	2 646
Netherlands	3 657
Poland	517
Portugal	34
Finland	158
Sweden	3 787
Union	23 294
United Kingdom	9 983
Faroe Islands	0 ⁽¹⁾
Norway	0 ⁽²⁾

TAC 511 171

⁽¹⁾ To be counted against the catch limits of the Faroe Islands.

⁽²⁾ To be counted against the catch limits of Norway.

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

Norwegian waters north of 62° N and the fishery zone around Jan Mayen (HER/*2AJMN)

0

2, 5b north of 62° N (Faroese waters) (HER/*25B-F)

Belgium	0
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Denmark	0
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Germany	0
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Spain	0
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France	0
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Ireland	0
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Netherlands	0
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Poland	0
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Portugal	0
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Finland	0
Sweden	0

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2. AMENDMENTS IN RELATION TO EU-NO-UK STOCKS

EXPLANATORY NOTE

Introduction

The EU held trilateral consultations with the UK and Norway on six shared and jointly managed stocks occurring within the areas under the jurisdiction of all three Parties, with the aim to agree on the management of those stocks, including the fishing opportunities for 2023.

The EU conducted the trilateral consultations with the UK and Norway in accordance with the objectives and principles set out in Articles 2, 3, 28 and 33 of Regulation (EU) No 1380/2013¹ as well as Article 5 of the North Sea multiannual plan² (MAP), and the Commission non-paper on the approach to be taken in the consultations with the United Kingdom and Norway to agree on fishing opportunities for shared stocks for 2023 endorsed by the Council. Consultations were conducted by the Commission in full coordination with the Council. The PECH Committee of the European Parliament was involved through periodic information and update sessions.

When agreeing during the consultations to targeted and by-catch stocks TAC levels, the Commission acted in full compliance with the EU applicable legal framework. Similarly, when agreeing during the consultations to analytical and precautionary approach stocks, the Commission based itself on the best available scientific advice, as provided by the International Council for the Exploration of the Sea (ICES).

On 9 December 2022, the Commission agreed with the UK and Norway trilaterally on the setting of 18 TACs covering the six jointly managed stocks. The agreement in principle was laid down in the Agreed Record, which was signed by the Heads of Delegation of the Parties on 9 December 2022.

It is therefore proposed to set TACs corresponding to fishing opportunities as agreed in the Agreed Record of the above-mentioned consultations with the UK and with Norway. Such fishing opportunities for 2023 will allow for the conduct of fishing activities in a sustainable way in the long-term, managed in ways consistent with the objectives of achieving economic, social and employment benefits and contributing to the availability of food supplies, including promotion of a level playing field for Union operators where stocks are shared with third countries in both Union and third country waters.

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

² Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 (OJ L 179, 16.7.2018, p. 1).

General approach

In line with the core conservation objective of the Common Fisheries Policy as set out in Article 2(2) of the CFP Regulation, also recalled in Article 3(1) of the North Sea MAP, the Union agreed with the UK and with Norway TACs for stocks with F_{MSY} advice (advice with levels of fishing opportunities expressing fishing pressure that delivers the maximum sustainable yield – ‘MSY’).

For four stocks (North Sea cod, North Sea herring, North Sea plaice and North Sea saithe), the fishing opportunities were set in line with the ICES advice and in accordance with the provisions of the North Sea MAP. Moreover, for North Sea cod, the EU will continue with the functionally linked measures introduced in 2020 and 2021. These measures include specific selectivity measures, area closures for protection of spawning aggregations of cod as well as the possibility for Member States to introduce National Cod Avoidance Plans.

For two stocks (North Sea haddock and North Sea whiting), fishing opportunities were set at levels below the ICES advice to take into account their interaction with cod in mixed fisheries. These fishing opportunities levels will contribute to the sustainable management of the North Sea cod stock.

Pending issuance by the Commission of the figures for two herring TACs (HER/4AB. and HER/4CXB7D), fishing opportunities for those TACs are marked pro memoria.

AMENDMENTS TO THE RECITALS

Recital (41) is replaced by the following:

“

- (41) In 2022, the Union, the UK and Norway held trilateral consultations on six shared and jointly managed stocks occurring within the areas under the jurisdiction of all three Parties, with the aim to agree on the management of those stocks including the fishing opportunities for 2023. These consultations were conducted between 3 November and 9 December 2022, on the basis of the EU position endorsed by the Council on 20 October 2022. The outcome of the consultations was documented in an Agreed Record, signed by the Head of Delegations of the EU, the UK and Norway on 9 December 2022. It is therefore proposed to set the relevant fishing opportunities at the level agreed with the UK and Norway, together with the other provisions of the Agreed Record.
- (41a) Functionally linked measures jointly agreed with the UK and Norway for North Sea cod should be maintained to allow for the continued recovery of the stock.

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AMENDMENTS TO THE ANNEXES

In Annex IA, the relevant fishing opportunities tables are replaced by the following:

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Species:	Herring(1) <i>Clupea harengus</i>	Zone:	3a (HER/03A.)
Denmark	9 771	(1)(2)(3)	Analytical TAC
Germany	156	(1)(2)(3)	Article 7(2) of this Regulation applies
Sweden	10 221	(1)(2)(3)	
Union	20 148	(1)(2)(3)	
Norway	3 102	(2)	
TAC	23 250		
(1)	Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.		
(2)	Only the following amounts of the herring stocks HER/03A. (HER/*03A.) and HER/03A-BC (HER/*03A-BC) may be fished in 3a:		
	Denmark	pm	
	Germany	pm	
	Sweden	pm	
	Union	pm	
	Norway	pm	
(3)	Special condition: up to pm% of this amount may be fished in United Kingdom waters of 4 (HER/*04-UK), and up to the following amounts may be fished in Union waters of 4b (HER/*4B-EU):		
	Denmark	pm	
	Germany	pm	
	Sweden	pm	
	Union	pm	
Species:	Herring(1) <i>Clupea harengus</i>	Zone:	Union, United Kingdom and Norwegian waters of 4 north of 53°30' N (HER/4AB.)
Denmark	pm		Analytical TAC
Germany	pm		Article 7(2) of this Regulation applies
France	pm		
Netherlands	pm		
Sweden	pm		
Union	pm		
Faroe Islands	0		
Norway	pm	(2)	
United Kingdom	pm		
TAC	pm		

- (1) Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.
- (2) Catches taken within this quota are to be deducted from Norway's share of the TAC. Within the limit of this quota, no more than the following quantity may be taken in United Kingdom and Union waters of 4a and 4b (HER/*4AB-C):

0

Special condition: within the limits of these quotas, no more than the quantity given below may be taken by the Union in Norwegian waters south of 62°N:
 Norwegian waters south of 62°N (HER/*4N-S62)

Union 0

Species:	Herring <i>Clupea harengus</i>	Zone:	3a (HER/03A-BC)
Denmark	5 692	(1)(2)(3)	Analytical TAC
Germany	51	(1)(2)(3)	Article 7(2) of this Regulation applies
Sweden	916	(1)(2)(3)	
Union	6 659	(1)(2)(3)	
TAC	6 659	(2)	

(1) Exclusively for catches of herring taken as by-catch in fisheries using nets with mesh sizes smaller than 32 mm.

(2) Only the following amounts of the herring stocks HER/03A. (HER/*03A) and HER/03A-BC (HER/*03A-BC) may be fished in 3a:

Denmark	pm
Germany	pm
Sweden	pm
Union	pm

(3) Special condition: up to pm% of this quota may be fished in Union waters of 4 (HER/*4-EU-BC).

Species:	Herring(1) <i>Clupea harengus</i>	Zone:	4 and 7d; United Kingdom waters of 2a (HER/2A47DX)
Belgium	38		Analytical TAC
Denmark	7 388		Article 7(2) of this Regulation applies
Germany	38		
France	38		
Netherlands	38		
Sweden	36		
Union	7 576		
United Kingdom	140		
TAC	7 716		

(1) Exclusively for catches of herring taken as by-catch in fisheries using nets with mesh sizes smaller than 32 mm.

Species:	Herring ⁽¹⁾ <i>Clupea harengus</i>	Zone:	4c and 7d ⁽²⁾ (HER/4CXB7D)
Belgium	pm	(3)	Analytical TAC
Denmark	pm	(3)	Article 7(2) of this Regulation applies
Germany	pm	(3)	
France	pm	(3)	

Netherlands	pm	(3)
Union	pm	(3)
United Kingdom	pm	(3)

TAC pm

- (1) Exclusively for catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.
- (2) Except Blackwater stock, i.e. the herring stock in the maritime region of the Thames estuary within a zone delimited by a rhumb line running due south from Landguard Point (51° 56' N, 1° 19,1' E) to latitude 51° 33' N and hence due west to a point on the coast of the United Kingdom.
- (3) Special condition: up to 50 % of this quota may be taken in 4b (HER/*04B.).

Species:	Cod <i>Gadus morhua</i>	Zone:	Skagerrak (COD/03AN.)
Belgium	8	Analytical TAC	
Denmark	2 476	Article 3 of Regulation (EC) No 847/96 shall not apply	
Germany	62	Article 4 of Regulation (EC) No 847/96 shall not apply	
Netherlands	16		
Sweden	433		
Union	2 995		
TAC	3 095		

Species:	Cod <i>Gadus morhua</i>	Zone:	4; United Kingdom waters of 2a; the part of 3a not covered by the Skagerrak and Kattegat (COD/2A3AX4)
Belgium	542 (1)	Analytical TAC	
Denmark	3 118	Article 3 of Regulation (EC) No 847/96 shall not apply	
Germany	1 977	Article 4 of Regulation (EC) No 847/96 shall not apply	
France	670 (1)		
Netherlands	1 761 (1)		
Sweden	21		
Union	8 089		
Norway	3 681 (2)		
United Kingdom	9 882		
TAC	21 652		

- (1) Special condition: of which up to 5 % may be fished in: 7d (COD/*07D.).
- (2) May be taken in Union waters. Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zone:
Norwegian waters of 4 (COD/*04N-)

Union 0

Species:	Cod <i>Gadus morhua</i>	Zone:	7d (COD/07D.)
Belgium	54 (1)	Analytical TAC	

France	1 059	(1)	Article 3 of Regulation (EC) No 847/96 shall not apply
Netherlands	31	(1)	Article 4 of Regulation (EC) No 847/96 shall not apply
Union	1 144	(1)	
United Kingdom	117		

TAC 1 261

(1)	Special condition: of which up to 5 % may be fished in 4, the part of 3a not covered by the Skagerrak and Kattegat and United Kingdom waters of 2a (COD/*2A3X4).
(2)	Special condition: of which up to 5 % may be fished in United Kingdom and Union waters of 4, the part of 3a not covered by the Skagerrak and Kattegat and United Kingdom waters of 2a (COD/*2A3X4X).

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	3a (HAD/03A.)
Belgium	17	Analytical TAC	
Denmark	2 892	Article 7(2) of this Regulation applies	
Germany	184		
Netherlands	3		
Sweden	342		
Union	3 438		
TAC	3 589		

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	4; United Kingdom waters of 2a (HAD/2AC4.)
Belgium	363	(1)	Analytical TAC
Denmark	2 495	(1)	Article 7(2) of this Regulation applies
Germany	1 588	(1)	
France	2 767	(1)	
Netherlands	272	(1)	
Sweden	223	(1)	
Union	7 708	(1)	
Norway	13 432		
United Kingdom	37 262		
TAC	58 402		

(1) Special condition: of which up to 10 % may be fished in United Kingdom, Union and international waters of 6a north of 58°30'N (HAD/*6AN58).

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zones: Norwegian waters of 4 (HAD/*04N-)

Union	0		
Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	6a; United Kingdom and international waters of 5b (HAD/5BC6A.)
Belgium	8	(1)	Analytical TAC
Germany	8	(1)	Article 7(2) of this Regulation applies
France	359	(1)	
Ireland	887	(1)	

Union	1 262 ⁽¹⁾
United Kingdom	5 245

TAC 6 507

⁽¹⁾ Special condition: of which up to 25 % may be fished in United Kingdom and Union waters of 2a and 4 (HAD/*2AC4).

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	4; United Kingdom waters of 2a (WHG/2AC4.)
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Belgium	602	Analytical TAC
Denmark	2 603	Article 7(2) of this Regulation applies
Germany	677	
France	3 913	
Netherlands	1 505	
Sweden	4	
Union	9 304	
Norway	3 330 ⁽¹⁾	
United Kingdom	21 480	

TAC 34 294

⁽¹⁾ May be taken in Union waters. Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zone: Norwegian waters of 4 (WHG/*04N-)

Union 0

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	Skagerrak (PLE/03AN.)
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Belgium	89	Analytical TAC
Denmark	11 616	Article 7(2) of this Regulation applies
Germany	60	
Netherlands	2 234	
Sweden	622	
Union	14 621	

TAC 17 783

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	4; United Kingdom waters of 2a; the part of 3a not covered by the Skagerrak and the Kattegat (PLE/2A3AX4)
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Belgium	4 732	Analytical TAC
Denmark	15 378	Article 7(2) of this Regulation applies
Germany	4 436	
France	887	
Netherlands	29 574	
Union	55 007	
Norway	9 305	

United Kingdom 35 181

TAC 132 922

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zone:
Norwegian waters of 4 (PLE/*04N-)

Union 0

Species:	Saithe <i>Pollachius virens</i>	Zone:	3a and 4; United Kingdom waters of 2a (POK/2C3A4)
Belgium	17	(1)	Analytical TAC
Denmark	2 003	(1)	Article 7(2) of this Regulation applies
Germany	5 058	(1)	
France	11 904	(1)	
Netherlands	51	(1)	
Sweden	275	(1)	
Union	19 308	(1)	
Norway	27 879	(2)	
United Kingdom	6 187		

TAC 53 374

(1) Special condition: of which up to 15 % may be fished in United Kingdom, Union and international waters of 6a north of 58°30'N (POK/*6AN58).

(2) May only be taken in Union waters of 4 and in 3a (POK/*3A4-C). Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition:
within the limits of
these quotas, no
more than the
quantity given
below may be
taken in the
following zone:

Norwegian waters of 4 (POK/*04N-)

Union 0

Species:	Saithe <i>Pollachius virens</i>	Zone:	6; United Kingdom and international waters of 5b, 12 and 14 (POK/56-14)
Germany	249	(1)	Analytical TAC
France	2 476	(1)	Article 7(2) of this Regulation applies
Ireland	357	(1)	
Union	3 082	(1)	
Norway	0		
United Kingdom	2 456		

TAC 5 538

(1) Special condition: of which up to 30 % may be fished in United Kingdom and Union waters of 2a and 4 (POK/*2AC4C)

3. AMENDMENTS IN RELATION TO WCPFC

EXPLANATORY NOTE

At its 2022 annual meeting, the Western and Central Pacific Fisheries Commission (WCPFC) decided to maintain the current measures applicable in the WCPFC Convention area. It is therefore proposed to implement those measures in EU law.

Moreover, following the entry into force of Regulation (EU) 2022/2056³ laying down conservation and management measures applicable in the WCPFC Convention area, the prohibition on discards of tropical tunas caught by purse seiners and the prohibition for silky sharks and oceanic whitetip sharks should be deleted from the Commission proposal⁴, as those provisions are now included in that Regulation.

AMENDMENTS TO THE ARTICLES

Articles 42 and 46 are deleted.

AMENDMENTS TO THE RECITALS

Recital (37) is replaced by the following:

“(37) At its 2022 annual meeting, the Western and Central Pacific Fisheries Commission (WCPFC) decided to maintain the current measures applicable in the WCPFC Convention area. Those measures should be implemented in Union law.”

AMENDMENTS TO THE ANNEXES

Annex IG is replaced by the following:

³ Regulation (EU) 2022/2056 of the European Parliament and of the Council of 19 October 2022 laying down conservation and management measures applicable in the Western and Central Pacific Fisheries Convention Area and amending Council Regulation (EC) No 520/2007 (OJ L 276, 26.10.2022, p. 1).

⁴ 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 final).

“

ANNEX IG

WCPFC CONVENTION AREA

Species:	Bigeye tuna <i>Thunnus obesus</i>	Zone:	WCPFC Convention area south of 20° S (BET/F7120S)
Portugal	2 000 ⁽¹⁾	Precautionary TAC	
Spain	2 000 ⁽¹⁾		
Union	4 000 ⁽¹⁾		
TAC	Not relevant ⁽¹⁾		
⁽¹⁾ This quota may only be fished by vessels using longlines.			
Species:	Swordfish <i>Xiphias gladius</i>	Zone:	WCPFC Convention area south of 20° S (SWO/F7120S)
Union	3 170,36	Precautionary TAC	
TAC	Not relevant		

”

AMENDMENTS TO THE ANNEXES

Annex IX is replaced by the following:

“

ANNEX IX

WCPFC CONVENTION AREA

1. Maximum number of Union fishing vessels authorised to fish for swordfish in areas south of 20° S of the WCPFC Convention area

Spain	14
Union	14

2. Maximum number of Union purse seiners authorised to fish for tropical tuna in areas south of 20° S of the WCPFC Convention area

Spain	4
Union	4

”

4. AMENDMENTS IN RELATION TO SOUTHERN SEABASS

EXPLANATORY NOTE

In the sixth Commission services non-paper updating the Commission proposal⁵, it was proposed to insert the figures for commercial catches, including landings and discards, and for recreational catches from the ICES technical service⁶ on catch scenarios tables for seabass in ICES divisions 8a and 8b for 2023 in recital (12). As such figures were not included in Council Regulation (EU) 2022/109⁷, recital (12) should not include those figures either. It is therefore proposed to amend recital (12) accordingly.

AMENDMENTS TO THE RECITALS

Recital (12) is replaced by the following:

“(12) In accordance with the Western Waters MAP established by Regulation (EU) 2019/472, the target fishing mortality for the stocks listed in Article 1(1) of that Regulation is to be maintained within the ranges of F_{MSY} defined in Article 2, point (2), of that Regulation, in accordance with Article 4 thereof. The overall fishing mortality for European seabass (*Dicentrarchus labrax*) in ICES divisions 8a and 8b should therefore be set in accordance with ICES MSY advice and with the F_{MSY} point value, taking into account commercial catches, including landings and discards, and recreational catches. F_{MSY} point value is the fishing mortality value that gives the long-term MSY. The relevant Member States (France and Spain) should take appropriate measures to ensure that the fishing mortality from their fleets and recreational fishers does not exceed the F_{MSY} point value, as required by Article 4(3) of Regulation (EU) 2019/472.”

⁵ 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 final).

⁶ <https://doi.org/10.17895/ices.advice.21631958>

⁷ Council Regulation (EU) 2022/109 of 27 January 2022 fixing for 2022 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 (OJ L 21, 31.1.2022, p. 1).

5. AMENDMENTS IN RELATION TO ROUNDNOSE GRENADIER IN THE SKAGERRAK AND KATTEGAT

EXPLANATORY NOTE

On 10 June 2022, ICES published its scientific advice⁸ for roundnose grenadier (*Coryphaenoides rupestris*) in ICES division 3a (Skagerrak and Kattegat) for 2023 and 2024. ICES provides precautionary advice for that stock and advises that there should be zero catch in 2023 and 2024.

In the third Commission services non-paper updating the Commission proposal, it was proposed to set the TACs for unavoidable by-catches of roundnose grenadier in EU waters of ICES subarea 3 for 2023 and 2024 at the level of 2 tonnes.

Considering that biological status of the stock, inter-annual flexibility for quotas of this stock pursuant to Articles 3 and 4 of Regulation (EC) No 847/96 should not apply. It is therefore proposed to amend the fishing opportunities table for that stock, clarifying that inter-annual flexibility should not apply.

AMENDMENTS TO THE ANNEXES

In Annex IA, Part E, the fishing opportunities table for roundnose grenadier (*Coryphaenoides rupestris*) in EU waters of ICES subarea 3 is replaced by the following:

“

Species:	Roundnose grenadier <i>Coryphaenoides rupestris</i>		Zone:	Union waters of 3 (RNG/03-)
Year	2023	2024	Precautionary TAC	
Denmark	1,892 ⁽¹⁾⁽²⁾	1,892 ⁽¹⁾⁽²⁾	Article 3 of Regulation (EC) No 847/96 shall not apply	
Germany	0,011 ⁽¹⁾⁽²⁾	0,011 ⁽¹⁾⁽²⁾	Article 4 of Regulation (EC) No 847/96 shall not apply	
Sweden	0,097 ⁽¹⁾⁽²⁾	0,097 ⁽¹⁾⁽²⁾		
Union	2,000 ⁽¹⁾⁽²⁾	2,000 ⁽¹⁾⁽²⁾		
TAC	2,000 ⁽¹⁾⁽²⁾	2,000 ⁽¹⁾⁽²⁾		
⁽¹⁾	Exclusively for by-catches. No directed fisheries are permitted under this quota.			
⁽²⁾	No directed fisheries for roughhead grenadier (<i>Macrourus berglax</i>) are permitted. By-catches of roughhead grenadier (RHG/03-) shall be counted against this quota and shall not exceed 1 % of the quota.			

”

⁸ <https://doi.org/10.17895/ices.advice.19453703>

6. AMENDMENTS IN RELATION TO ICCAT

EXPLANATORY NOTE

Two errors of clerical nature have been detected in the seventh Commission services non-paper updating the Commission proposal:

- In Annex VI, paragraph 5, the footnote should reflect that it is proposed to establish those numbers, and that the numbers may therefore be adapted following the approval of the Union fishing and capacity management plan by ICCAT.
- In Annex VI, paragraph 6, the wording of the footnotes in Tables A and B and in the footnote linked to the title of Table A in Annex VI, paragraph 4, should be consistent.

It is therefore proposed to amend the footnotes accordingly.

For swordfish (*Xiphias gladius*) in the Atlantic Ocean, north of 5° N, 40 tonnes of the EU quota for 2023 should be transferred to Saint-Pierre et Miquelon in accordance with ICCAT recommendation 17-02. It is therefore proposed to reduce the EU quota and Other Member States quota for 2023 for that stock accordingly.

AMENDMENTS TO THE ANNEXES

In Annex ID, the fishing opportunities table for swordfish (*Xiphias gladius*) in the Atlantic Ocean, north of 5° N, is replaced by the following:

“

Species:	Swordfish <i>Xiphias gladius</i>	Zone:	Atlantic Ocean, north of 5° N (SWO/AN05N)
Spain	5 558,59 ⁽²⁾	Analytical TAC	
Portugal	1 010,29 ⁽²⁾		
Other Member States	108,45 ⁽¹⁾⁽²⁾		
Union	6 677,33		
TAC	13 200		
⁽¹⁾	Exclusively for by-catches. Catches to be counted against this shared quota shall be reported separately (SWO/AN05N_AMS).		
⁽²⁾	Special condition: up to 2,39 % of this quantity may be fished in the Atlantic Ocean, south of 5° N (SWO/*AS05N), Catches to be counted against the special condition of the shared quota shall be reported separately (SWO/*AS05N_AMS).		

”

In Annex VI, paragraphs 4 to 6 are replaced by the following:

“

4. Maximum number of fishing vessels of each Member State that may be authorised to fish for, retain on board, tranship, transport, or land bluefin tuna in the eastern Atlantic and Mediterranean

Table A⁹

	Number of fishing vessels ¹⁰							
	Greece ¹¹	Spain	France	Croatia	Italy	Cyprus ¹²	Malta ¹³	Portugal
Purse seiners ¹⁴	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Longliners	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Baitboat	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established ¹⁵
Handline	To be established	To be established	To be established ¹⁶	To be established	To be established	To be established	To be established	To be established
Trawler	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Small-scale	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established

⁹ The numbers in this table will be established may be adapted following the approval of the Union fishing, farming and capacity management plan by ICCAT, in accordance with the applicable ICCAT recommendations and Union rules.

¹⁰ The numbers in this table may be further increased, provided that the international obligations of the Union are complied with.

¹¹ One medium-size purse seiner has been replaced by no more than 10 longline vessels or one small purse seiner and three other artisanal vessels.

¹² One medium-size purse seiner may be replaced by no more than 10 longline vessels or one small purse seiner and no more than three longline vessels.

¹³ One medium-size purse seiner may be replaced by no more than 10 longline vessels.

¹⁴ The individual numbers of purse seiners in this Table are the result of transfers between Member States and do not constitute historical rights for the future.

¹⁵ Baitboats of the outermost regions of Azores and Madeira.

¹⁶ Line vessels operating in the Atlantic.

	Number of fishing vessels ¹⁰							
	Greece ¹¹	Spain	France	Croatia	Italy	Cyprus ¹²	Malta ¹³	Portugal
Other artisanal ¹⁷	To be established	To be established	To be established	To be established	To be established	To be established	To be established	To be established

¹⁷ Polyvalent vessels, using multi-gear equipment (longline, handline, trolling line).

5. Maximum number of traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery authorised by each Member State¹⁸

Member State	Number of traps
Spain	5
Italy	6
Portugal	2

6. Maximum bluefin tuna farming capacity and fattening capacity for each Member State and maximum input of wild caught bluefin tuna that each Member State may allocate to its farms in the Eastern Atlantic and Mediterranean

Table A

Maximum tuna farming capacity and fattening capacity ¹⁹		
	Number of farms	Capacity (in tonnes)
Greece	2	2 100
Spain	10	11 852
Croatia	7	7 880
Italy	13	12600
Cyprus	3	3 000
Malta	6	12 300
Portugal	2	500

¹⁸ The numbers in this table may be adapted following the approval of the Union fishing, farming and capacity management plan by ICCAT, in accordance with the applicable ICCAT recommendations and Union rules.

¹⁹ The numbers in this table may be adapted following the approval of the Union fishing, farming and capacity management plan by ICCAT, in accordance with the applicable ICCAT recommendations and Union rules.

Table B

Maximum input of wild caught bluefin tuna (in tonnes) ²⁰	
Greece	785
Spain	6 300
Croatia	2 947
Italy	3 764
Cyprus	2 195
Malta	8 786
Portugal	350

”

²⁰ The numbers in this table will be adapted following the approval of the Union fishing, farming and capacity management plan by ICCAT, in accordance with the applicable ICCAT recommendations and Union rules.