

Brussels, 5 December 2025
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16149/25

LIMITE

PECHE 426

'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)
Subject: Letters to the Commission and the European Parliament regarding amendments to the multiannual plans for fisheries in the Baltic Sea, the North Sea, the Western Waters and in the Western Mediterranean
- Approval of letters

1. Multiannual plans (MAPs) for specific sea basins set out targets for fishing mortalities and conservation measures for the long-term management of certain fish stocks and fisheries exploiting those stocks. They are one of the instruments to achieve the objectives of the Common Fisheries Policy (CFP). Four MAPs are currently in force, covering cod, herring and sprat stocks in the Baltic Sea¹, demersal stocks in the North Sea², stocks fished in the Western Waters³, as well as demersal stocks in the western Mediterranean Sea⁴.

¹ Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks (OJ L 191, 17.7.2016, p.1).

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 (OJ L 179, 16.7.2018, p. 1).

³ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks (OJ L 83, 23.5.2019, p. 1).

⁴ Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (OJ L 172, 26.6.2019, p.1).

2. The MAPs for the Baltic Sea, the North Sea and the Western Waters allow for certain flexibilities in the setting of fishing opportunities but also contain an identical provision⁵ that strongly limits those flexibilities in specific cases through the so-called ‘5% rule’⁶. That rule may require setting zero quotas rather than allowing some fishing, paired with remedial measures to address declining stocks. Member States consider the rule to be inconsistent with other provisions of the MAPs.
3. The MAP for the Western Mediterranean regulates fishing mortality through a fishing effort regime, based on the situation of the most vulnerable stock. In mixed fisheries, this may lead to major fishing restrictions for healthy stocks.
4. The ‘5 % rule’ first became problematic during the TAC and quota negotiations in autumn 2023. To address it, on 6 December 2023, the Commission adopted a proposal to amend the three MAPs in order to correct the inconsistency in the regulations. On 20 December 2023, Coreper agreed on the mandate for negotiations with the European Parliament⁷, but the Parliament rejected a request to urgently deal with the file and did not prepare a report. On 24 October 2024, the newly elected European Parliament decided to include the proposal amongst the files to suggest for withdrawal. On 6 October 2025, the Commission formally announced the withdrawal of the proposal.
5. The provisions of all MAPs caused difficulties during the TAC and quota negotiations in 2024, when an even higher number of stocks was affected. A large number of Member States issued statements calling on the Commission to come forward with proposals to amend the four MAPs, based on impact assessments. Such calls were repeated at various occasions throughout 2025.

⁵ Article 4(6) of the Baltic and North Sea MAP/Article 4(7) of the Western Waters MAP.

⁶ The ‘5 % rule’ requires that fishing opportunities are fixed in a way that ensures that there is less than a 5 % probability of the spawning stock biomass falling below a point where recruitment is at high risk.

⁷ ST 16718/23 and 16720/23.

6. The Danish Presidency included the topic in the agendas of the informal meeting of directors-general and attachés in Copenhagen on 17-18 July 2025 and the Working Party on Fisheries Policy – Directors-General on 18 November 2025⁸. On 22 September 2025, ministers for fisheries informally addressed the issue during the Agriculture and Fisheries Council meeting. The various discussions confirmed the need to amend the regulations to provide legally clear and coherent rules in the Baltic, North Sea and Western Waters MAPs and to ensure the Western Mediterranean MAP better addresses the realities of mixed fisheries.
7. With the attached letters, the Presidency aims to remind the Commissioner and the Chair of the PECH Committee of the persistent concerns of delegations as regards certain provisions of the MAPs and the need to address those as a matter of urgency. The Working Party on Fisheries Policy examined draft versions of the letters in its meetings on 27 November and 4 December 2025⁹ and agreed on the texts set out in Annex I and II to this note.
8. The Permanent Representative Committee is therefore invited:
- to approve the text of the letter to the Commission, as set out in Annex I to this note, in accordance with Article 19(7)(k) of the Council’s Rules of Procedure, and
 - to approve the text of the letter to the European Parliament, as set out in Annex II to this note, in accordance with Article 19(7)(k) of the Council’s Rules of Procedure.

⁸ WK 16179/25 provides a Presidency summary of the discussions.

⁹ WK 16180/1/2025 REV 1 and WK 16181/1/2025 REV 1.



**Danish
Presidency**
Council of the
European Union

Mr Costas Kadis
Commissioner for Fisheries and Oceans
European Commission



Dear Costas,

Date:

A horizontal priority for the Danish Presidency is simplification and better regulation. For fisheries, this was addressed both at the Council meeting (Agriculture and Fisheries) in September and October 2025. Simplification is also a priority for the Commission.

Enhancing and simplifying the Common Fisheries Policy was also the main topic of the informal meeting for Director-Generals for Fisheries in July 2025 in Copenhagen, and it was on the agenda for the formal meeting for Director-Generals for Fisheries in November 2025.

One critical issue that has been raised in these discussions is the functioning of the multiannual plans (MAPs). The multiannual plans constitute an important tool for fisheries management, helping to ensure sustainable exploitation of fish stocks. Their goal is to contribute to the achievement of the objectives of the Common Fisheries Policy and provide a long-term instrument for its implementation. However, Member States have made it clear that there is a need for swift action to ensure that the multiannual plans are fit for purpose, fulfill their objectives, are coherent, and do not create legal uncertainty.

In this context, Member States have continuously raised concerns regarding specific provisions in the multiannual plans. They have agreed on the need to revisit Article 4(6) of the Baltic and North Sea multiannual plans and Article 4(7) of the Western Waters multiannual plan, as well as Article 4(3) of the Western Mediterranean multiannual plan. Member States consider that in some instances the provisions, if applied mechanically, create unfortunate situations with sudden and severe socioeconomic consequences. They have prompted the Commission to go far below ICES advice in its proposals for TACs and quotas – even for healthy stocks – causing severe socioeconomic impacts as a result. Furthermore, applying the provisions can lead to outcomes that conflict with other provisions in the multiannual plans on setting fishing opportunities.

Therefore, Member States urge the Commission to put forward a new proposal for amending Article 4(6)/4(7) of the multiannual plans in the

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Baltic Sea, the North Sea, and the Western Waters, respectively, to provide legal clarity and coherence within the multiannual plans in line with the objectives of the Common Fisheries Policy. Furthermore, Member States urge the Commission to consider the request for a mechanism to resolve the Article 4(3) challenge in the Western Mediterranean multiannual plans to reflect the realities of mixed fisheries.

We must have better regulations to guide the TAC setting process in 2026. This means that relevant proposals should come in advance of any other legislative proposals flowing from the evaluation of the CFP basic regulation. I trust that you and the Commission will take swift action to solve the issue.

Please find enclosed a copy of a letter sent to the Chair of the Fisheries Committee of the European Parliament, Mrs. Carmen Crespo Díaz, also regarding this issue.

Yours sincerely,

Kind regards
Jacob Jensen



Mrs. Carmen Crespo Díaz
Chair
Committee on Fisheries
European Parliament



Dear Carmen,

Date:

It is with respect and acknowledgement for your important work that I address you with this letter. I wish to express my gratitude to the Fisheries Committee for its constant engagement and efforts on the fisheries files. I welcome your deliberations and contributions on avoiding adding unnecessary layers of administration and establishing easily applicable rules and to further strengthen our shared commitment to the sustainable management of Europe's fisheries.

As I also stated back in July in front of the Fisheries Committee in the European Parliament, a horizontal priority for the Danish Presidency is simplification and better regulation. For fisheries, this has been addressed at several Agriculture and Fisheries Council meetings.

One critical issue that has been raised in these discussions is the functioning of the multiannual plans (MAPs). The multiannual plans constitute an important tool for fisheries management, helping to ensure sustainable exploitation of fish stocks. Their goal is to contribute to the achievement of the objectives of the Common Fisheries Policy and provide a long-term instrument for its implementation. However, Member States have made it clear that there is a need for swift action to ensure that the multiannual plans are fit for purpose, fulfill their objectives, are coherent, and do not create legal uncertainty.

In this context, Member States have continuously raised concerns regarding specific provisions in the multiannual plans. They have agreed on the need to revisit Article 4(6) of the Baltic and North Sea multiannual plans and Article 4(7) of the Western Waters multiannual plan, as well as Article 4(3) of the Western Mediterranean multiannual plan. Member States consider that in some instances the provisions, if applied mechanically, create unfortunate situations with sudden and severe socioeconomic consequences. They have prompted the Commission to go far below ICES advice in its proposals for TACs and quotas – even for healthy stocks – causing severe socioeconomic impacts as a result. Furthermore, applying the provisions can lead to outcomes that conflict with other provisions in the multiannual plans on setting fishing opportunities.

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In December 2023, the Commission proposed a targeted amendment of the multiannual plans of the Baltic Sea, the North Sea, and the Western Waters. I acknowledge that the European Parliament decided not to continue working on the proposal and at its request the proposal was withdrawn by the Commission. However, in the meantime the difficulties arising from the application of the MAPs have become even more acute.

Therefore, on behalf of the Member States I urge the Commission to put forward a new proposal for the amendment of Article 4(6)/4(7) of the multiannual plans in the Baltic Sea, the North Sea, and the Western Waters respectively, to provide legal clarity and coherence within the multiannual plans in line with the objectives of the Common Fisheries Policy. I also urge the Commission to consider the request for a mechanism to resolve the Article 4(3) challenge in the Western Mediterranean multiannual plan to reflect the realities of mixed fisheries.

We must have better regulations to guide the TAC setting process in 2026. This means that relevant proposals should come in advance of any other legislative proposals flowing from the evaluation of the CFP basic regulation. I believe strong collaboration between both legislators will contribute greatly to ensuring a timely positive result.

I have sent a letter to Commissioner Costas Kadis requesting him to take action on this swiftly.

Yours sincerely,

Kind regards
Jacob Jensen