Council of the
European Union

Brussels, 17 March 2023
(OR. en)

7295/23

PECHE 79
UK 40

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	EU-UK fisheries consultations about sandeels in 2023 • Signed Written Record

Delegations will find attached the above-mentioned document, as received from the European Commission services.

Written Record of fisheries consultations from 9 to 13 March 2023 between the United Kingdom and the European Union about sandeels in 2023

1. The Trade and Cooperation Agreement ('the TCA') between the United Kingdom (UK) and the European Union (EU) includes the objective of cooperating with a view to ensuring that fishing activities for shared stocks in their waters are environmentally sustainable in the long term and contribute to achieving economic and social benefits, and requires the Parties to hold consultations annually to agree the total allowable catches (TACs) for the following year for the stocks listed in Annex 35 to the TCA. Sandeels are included in that Annex.

2. A Delegation from the United Kingdom, headed by Ms Grace ROSINSKI, and a Delegation from the European Union, headed by Dr Norman GRAHAM, met in a virtual format on the 9, 10, and 13 March 2023 to consult on fishing opportunities for sandeels in 2023 in accordance with Article 498 (Fishing Opportunities) of the TCA. This Written Record documents the outcome of those consultations.

3. The Heads of Delegations agreed to recommend to their respective authorities the fishery arrangements for 2023 set out in this Written Record, including Annex 1. Accordingly, where this Written Record refers to the Delegations (or the Parties) having agreed on a matter, it should be read as an agreement to recommend to the Delegations' respective authorities to implement the arrangements in this Written Record, including annex 1.

4. The Delegations considered the sandeel stocks listed in Annex 35 to the TCA and agreed to establish the total allowable catches (TACs) for 2023, and the associated special conditions, flexibilities and footnotes, shown in Annex 1.

5. The Delegations reaffirm their commitment to implementing an ecosystem-based approach to fisheries management as set out in national legislation and regional and international agreements. The Delegations note the ecological significance of forage fish species such as sandeel, Norway pout, herring and sprat as an important food source for seabirds, other fish species and marine mammals and that their function and role should be considered when setting fishing opportunities, guided by the best available scientific advice.

6. The Delegations agreed to develop, through the SCF, terms of reference for a request to be submitted as soon as practicable requesting ICES to provide further information on how ecosystem considerations, particularly predator-prey interactions and the rebuilding of sensitive higher trophic level species such as certain seabirds, and other ecosystems-based fisheries management aspects are factored in and applied in the provision of single stock advice for forage fish species.

7. The other relevant arrangements for jointly managed stocks in the Written Record of fisheries consultations between the United Kingdom and the European Union for

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2023 signed on the 20th of December 2022 ("the Written Record of 20 December 2022") will continue to apply for sandeels.

8. The Delegations agreed in paragraph 8 of the Written Record of 20 December 2022 to exchange a list of all prohibited species in their respective waters by 31 January 2023 as applicable at that date and that this should be annexed to the next Written Record of fishery consultations between the Parties or the minutes of the first SCF meeting of 2023. These lists are in annex 2 to this Written Record. These lists are for transparency purposes only, and vessel licences and the relevant legislation will continue to be the authoritative documents governing prohibitions.

9. The Delegations agreed in paragraph 12(d) of the Written Record of 20 December 2022 to update in 2023 the data on provisional landings of non-quota stocks to cover the period 1 January to 31 December 2022 and attach it to the next Written Record or the minutes of the next SCF meeting. The updated data is in the annex 3 to this Written Record.

London 16 March 2023 Brussels

Grace Rosinski

For the United Kingdom
Grace ROSINSKI,

For the European Union
Norman GRAHAM

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Annex 1

Code	Common Name	ICES areas	Agreed Total Allowable Catch (tonnes)	UK allocation				EU allocation			
				TCA TAC share (%)	TCA quota (tonnes)	Transfer to/from EU (tonnes)	UK post-transfer quota (tonnes)	TCA TAC share (%)	TCA quota (tonnes)	Transfer to/from UK (tonnes)	EU post-transfer quota (tonnes)
SAN/2A3A4.	Sandeels (North Sea, All Banks) *Ammodytes spp.*	United Kingdom and European Union waters of 4; United Kingdom waters of 2a; European Union waters of 3a	194,367 (2)	2.97%	5,773		5,773	97.03%	188,594		188,594 (1)
		1. Up to 2 % of the quota may consist of by catches of whiting and mackerel (OT1/*2A3A4). By catches of whiting and mackerel counted against the quota pursuant to this provision and by caches of species counted against the quota pursuant to Article 15(8) of regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota. 2. Special condition: within the limits of the abovementioned TAC, no more than the quantities indicated below may be taken in the following sandeels management areas:									
SAN/234_1R	Sandeels (North Sea, Bank 1r)	Sandeel bank 1r	116,815	2.97%	3,469		3,469	97.03%	113,346		113,346
SAN/234_2R	Sandeels (North Sea, Bank 2r)	Sandeel bank 2r	40,997	2.97%	1,218		1,218	97.03%	39,779		39,779
SAN/234_3R	Sandeels (North Sea, Bank 3r)	Sandeel bank 3r	2,446	2.97%	73		73	97.03%	2,373		2,373

Code	Common Name	ICES areas	Agreed Total Allowable Catch (tonnes)	UK allocation				EU allocation			
				TCA TAC share (%)	TCA quota (tonnes)	Transfer to/from EU (tonnes)	UK post-transfer quota (tonnes)	TCA TAC share (%)	TCA quota (tonnes)	Transfer to/from UK (tonnes)	EU post-transfer quota (tonnes)
SAN/234_4	Sandeels (North Sea, Bank 4)	Sanceel bank 4	33,969	2.97%	1,009		1,009	97.03%	32,960		32,960
SAN/234_5R	Sandeels (North Sea, Bank 5r)	Sanceel bank 5r	0	2.97%	0		0	97.03%	0		0
SAN/234_6	Sandeels (North Sea, Bank 6)	Sanceel bank 6	140	2.97%	4		4	97.03%	136		136
SAN/234_7R	Sandeels (North Sea, Bank 7r)	Sanceel bank 7r	0	2.97%	0		0	97.03%	0		0

Annex 2. List of prohibited species

EU prohibited species[1]

Union waters

- angel shark (*Squatina squatina*)
- the Adriatic sturgeon (*Acipenser naccarii*)
- common sturgeon (*Acipenser sturio*)
- hatpin urchin (*Centrostephanus longispinus*)
- reef manta ray (*Manta alfredi*)
- giant manta ray (*Manta birostris*)
- narrow sawfish (*Anoxypristis cuspidata*)
- dwarf sawfish (*Pristis clavata*)
- smalltooth sawfish (*Pristis pectinata*)
- largetooth sawfish (*Pristis pristis*)
- green sawfish (*Pristis zijsron*)
- devil fish (*Mobula mobular*)
- lesser Guinean devil ray (*Mobula rochebrunei*)
- spinetail mobula (*Mobula japanica*)
- smoothtail mobula (*Mobula thurstoni*)
- longhorned mobula (*Mobula eregoodootenkee*)
- Munk's devil ray (*Mobula munkiana*)
- Chilean devil ray (*Mobula tarapacana*)
- shortfin devil ray (*Mobula kuhlii*)
- lesser devil ray (*Mobula hypostoma*)
- basking shark (*Cetorhinus maximus*)
- white shark (*Carcharodon carcharias*)
- porbeagle (*Lamna nasus*)
- whale shark (*Rhincodon typus*)
- bigeye tresher shark (*Alopias superciliosus*)
- thresher sharks (*Alopias spp*)
- silky shark (*Carcharhinus falciformis*)
- whitetip shark (*Carcharhinus longimanus*)

Union waters of ICES sub-areas 1, 2 and 4 to 10

- salmon (*Salmo salar*) and sea trout (*Salmo trutta*) when fishing with any towed net within the waters outside the six-mile limit measured from Member States' baselines in ICES sub-areas 1, 2 and 4-10

Union waters of ICES division 4b

[1] This lists is for transparency purposes only and vessel licences and the relevant legislation will continue to be the authoritative documents governing prohibitions.

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- houting (*Coregonus oxyrhynchus*)

Union waters of ICES subarea 4 and divisions3a and 7d

- starry ray (*Amblyraja radiata*)

Union waters of ICES subareas 4 and 6 to 10, and Union waters of CECAF areas 34.1.1, 34.1.2 and 34.2

- leafscale gulper shark (*Centrophorus squamosus*)
- Portuguese dogfish (*Centroscymnus coelolepis*)
- kitefin shark (*Dalatias licha*)
- birdbeak dogfish (*Deania calcea*)

Union waters of ICES subareas 4 and 6 to 8, Union waters of ICES sub-areas 5, 6, 7 and 8

- tope shark (*Galeorhinus galeus*) when taken with longlines

Union waters of ICES division 2a and subarea 4 and Union waters of ICES sub-areas 1, 5, 6, 7, 8, 12 and 14

- smooth lantern shark (*Etmopterus pusillus*)

Union waters of ICES sub-areas 3, 4, and 6 to 10

- common skate (*Dipturus batis*) complex (*Dipturus cf. flossada* and *Dipturus cf. intermedia*)

Union waters of ICES subareas 4 and 6 to 10, and Union waters of CECAF areas 34.1.1, 34.1.2 and 34.2

- great lanternshark (*Etmopterus princeps*)

Union waters of ICES division 3a

- thornback ray (*Raja clavata*)

Union waters of ICES sub-areas 6, 9 and 10

- undulate ray (*Raja undulata*)

Union waters of ICES subareas 3 to 4 and 6 and 10

- orange roughy (Hoplostethus atlanticus)

Union waters of ICES subareas 6 to 10, and Union waters of CECAF areas

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34.1.1. 34.1.2 and 34.2

- deep-water catsharks (*apristurus spp.*)
- frilled shark (*chlamydoselachus anguineus*)
- longnose velvet dogfish (*centroscymnus crepidater*)
- black dogfish (*centroscyllium fabricii*)
- velvet belly (*etmopterus spinax*)
- mouse catshark (*galeus murinus*)
- bluntnose six-gill shark (*hexanchus griseus*)
- sailfin roughshark (*sharpback shark*) (*oxynotus paradoxus*)
- knifetooth dogfish (*scymnodon ringens*)
- Greenland shark (*somniosus microcephalus*)

Union waters of ICES divisions 6a, 6b, 7a, 7b, 7c, 7e, 7g, 7h and 7k

- Norwegian skate (*Raja (Dipturus) nidarosiensis*)

Union waters of ICES subareas 6 to 10

- white skate (*Raja alba*)

Union waters of ICES subareas 1 to 10 and 12

- guitarfishes (*Rhinobatidae*)

Union waters of ICES divisions 3a, 4a and 4b

- berried female European lobster (*Homarus gammarus*)

Union waters of the Mediterranean sea[2]

- berried female lobster (*Homarus gammarus*)
- date shell (*Lithophaga lithophaga*)
- fan mussel (*Pinna nobilis*)
- common piddock (*Pholas dactylus*)
- common guitarfish (*Rhinobatos rhinobatos*)

ICCAT Convention area

- North Atlantic shortfin mako (*Isurus oxyrinchus*)
- Hammerhead sharks (*Sphyrnidae spp*)

[2] Maritime waters of the Mediterranean to the East of line 5°36' W.

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UK Prohibited Species

31 January 2023

Below is the list of species, at the date of writing, which have the status of being absolutely prohibited in the relevant UK legislation, specifically in the UK's retained versions of EU law, the 2020 TACs and Quota Regulation, the 2019-2020 deep sea TQR and the Technical Measures regulation 2019.

This list is for transparency purposes only. Vessel licences and the relevant legislation continue to be the authoritative documents governing prohibitions.

In United Kingdom Waters:

- angel shark (Squatina squatina)
- Adriatic sturgeon (Acipenser naccarii)
- common sturgeon (Acipenser sturio)
- hatpin urchin (Centrostephanus longispinus)
- reef manta ray (Manta alfredi)
- giant manta ray (Manta birostris)
- narrow sawfish (Anoxypristis cuspidata)
- dwarf sawfish (Pristis clavata)
- smalltooth sawfish (Pristis pectinata)
- largetooth sawfish (Pristis pristis)
- green sawfish (Pristis zijsron)
- devil fish (Mobula mobular)
- lesser Guinean devil ray (Mobula rochebrunei)
- spinetail mobula (Mobula japanica)
- smoothtail mobula (Mobula thurstoni)
- longhorned mobula (Mobula eregoodootenkee)
- Munk's devil ray (Mobula munkiana)
- Chilean devil ray (Mobula tarapacana)
- shortfin devil ray (Mobula kuhlii)
- lesser devil ray (Mobula hypostoma)
- basking shark (Cetorhinus maximus)
- white shark (Carcharodon carcharias)

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- porbeagle (Lamna nasus)
- whale shark (Rhincodon typus)

In United Kingdom waters of ICES division 4b:

- houting (Coregonus oxyrhynchus)

In United Kingdom waters of ICES divisions 2a and 7d and ICES subarea 4

- starry ray (Raja radiata)

In United Kingdom waters of ICES division 2a and ICES subarea 4

- leafscale gulper shark (Centrophorus squamosus)
- Portuguese dogfish (Centroscymnus coelolepis)
- kitefin shark (Dalatias licha)
- birdbeak dogfish (Deania calcea)

In United Kingdom waters of ICES division 2a and ICES subareas 4, 5, 6, 7 and 8

- tope shark (*Galeorhinus galeus*) when taken with longlines

In United Kingdom waters of ICES division 2a and subareas 4, 6, 7 and 8

- common skate (*Dipturus batis*) complex (*Dipturus cf. flossada* and *Dipturus cf. intermedia*)

In United Kingdom waters of ICES division 2a and subareas 4, 5, 6, 7 and 8

- smooth lantern shark (Etmopterus pusillus)

In United Kingdom waters of ICES division 2a and ICES subarea 4

- great lanternshark (*Etmopterus princeps*)

In United Kingdom waters of ICES subarea 6

- undulate ray (*Raja undulata*)

In United Kingdom waters of ICES subareas 2 to 10 with the exception of avoidance programmes

- spurdog (picked dogfish) (*Squalus acanthias*)

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In United Kingdom waters of ICES subareas 1 to 10

- orange roughy (Hoplostethus atlanticus)

In United Kingdom waters of ICES subareas 5 to 10

- deep-water catsharks (apristurus spp.)
- frilled shark (chlamydoselachus anguineus)
- gulper sharks (centrophorus spp.)
- Portuguese dogfish (centroscymnus coelolepis)
- longnose velvet dogfish (centroscymnus crepidater
- black dogfish (centroscyllium fabricii)
- birdbeak dogfish (deania calcea)
- kitefin shark (dalatias licha)
- great lanternshark (etmopterus princeps)
- velvet belly (etmopterus spinax)
- mouse catshark (galeus murinus)
- bluntnose six-gill shark (hexanchus griseus)
- sailfin roughshark (sharpback shark) (oxynotus paradoxus)
- knifetooth dogfish (scymnodon ringens)
- Greenland shark (somniosus microcephalus)

In United Kingdom waters of ICES divisions 6a, 6b, 7a, 7e, 7f, 7g and 7h

- Norwegian skate (*Raja (Dipturus) nidarosiensis*)

In United Kingdom waters of ICES subareas 6, 7 and 8

- white skate (*Raja alba*)

In United Kingdom waters of ICES subareas 5 to 8

- guitarfishes (*Rhinobatidae*)

In United Kingdom waters of ICES subareas 2 and 4 to 8

- salmon (*Salmo salar*)
- sea trout (*Salmo trutta*)

ICCAT prohibitions in UK legislation in Article 22 of the 2020 TQR

- Oceanic whitetip sharks (*Carcharhinus longimanus*)
- Bigeye thresher (*Alopias superciliosus*)
- Smooth Hammerhead (of the *Sphyrnidae* family (except for the *Sphyrna tiburo*)
- Silky shark (*Carcharhinus falciformis*)

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Annex 3. Data on landings of non-quota stocks

Cumulative UK and EU landings of non-quota stocks from each other's waters. This is updated data from that outlined in Annex 3 of the Written Record of fisheries consultations between the UK and the EU for 2023.

	UK NQS landings (tonnes)				EU NQS landings (tonnes)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Provisional 2022 totals	2,008	4,319	8,643	13,094	4,800	9,417	14,593	23,261
Final 2021 totals	1,512	4,223	8,903	12,151	4,451	10,316	14,077	19,126