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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	COM(2024) 114
Subject:	Commission 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 water - Commission services non-paper

Delegations will find attached a non paper as received from the Commission services.

COMMISSION SERVICES NON-PAPER

12 MARCH 2024

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 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 water [COM(2024) 114 final]

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1. AMENDMENTS IN RELATION TO SANDEEL IN THE NORTH SEA

EXPLANATORY NOTE

Council Regulation (EU) 2024/257[1] provisionally set at zero the TAC for sandeel and associated by-catches (*Ammodytes* spp.) in EU and UK waters of ICES subarea 4 (North Sea), UK waters of ICES division 2a and EU waters of division 3a (Skagerrak and Kattegat) for 2024, pending publication by ICES of part of the scientific advice for that stock for 2024.

On 29 February 2024, ICES published its scientific advice for sandeel management areas 1r, 2r, 3r and 4 for 2024[2]. On 28 February 2023, ICES had published scientific advice for sandeel management areas 5r, 6 and 7r for 2023 and 2024[3]. Those seven sandeel management areas cover the totality of EU and UK waters of ICES subarea 4, UK waters of ICES division 2a and EU waters of division 3a.

Following the publication of the ICES scientific advice of 29 February 2024, the EU held bilateral consultations with the UK on the level of the TAC for 2024 for sandeel pursuant to Article 498(2), (4) and (6) of the Trade and Cooperation Agreement. Those consultations were conducted on 7 and 8 March 2024. The outcome of those consultations was documented in a Written Record signed on 12 March 2024. For sandeel management area 1r, the EU and the UK agreed to set the quantities that may be taken in 2024 slightly below the level of the scientific advice published by ICES of 132 315 tonnes. For sandeel management area 3r, ICES recommended the establishment of a monitoring TAC for 2024. The EU and the UK agreed on the establishment of such a monitoring TAC, albeit within EU waters of that management area only. For sandeel management area 4, ICES also recommended the establishment of a monitoring TAC for 2024. The UK did not agree to the establishment of such a monitoring TAC. For sandeel management areas 2r, 5r, 6 and 7r, the EU and the UK agreed to set the quantities that may be fished in those areas in 2024 at the level of the scientific advice published by ICES. It is therefore proposed to set the TAC for sandeel and associated by-catches EU and UK waters of ICES subarea 4, UK waters of ICES division 2a and EU waters of division 3a for 2024, and the quantities that may be taken within the limit of that TAC in individual sandeel management areas, at the levels agreed with the UK.

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1 OJ L, 2024/257, 11.01.2024.

2 https://doi.org/10.17895/ices.advice.25019648.v1
https://doi.org/10.17895/ices.advice.25019651.v1
https://doi.org/10.17895/ices.advice.25019654.v1
https://doi.org/10.17895/ices.advice.25019657.v1

3 https://doi.org/10.17895/ices.advice.21815199.v1
https://doi.org/10.17895/ices.advice.21815211.v1
https://doi.org/10.17895/ices.advice.21815220.v1

AMENDMENTS TO THE RECITALS

Recital (4) is replaced by the following:

“

(4) Between 7 and 8 March 2024, the Union and the United Kingdom conducted bilateral consultations pursuant to Article 498(2), (4) and (6) of the Trade and Cooperation Agreement on the level of the TAC for sandeel and associated by-catches (*Ammodytes* spp.) in United Kingdom and Union waters of ICES subarea 4, United Kingdom waters of ICES division 2a and Union waters of division 3a. The outcome of those consultations was documented in a Written Record signed on 12 March 2024. The relevant TAC should therefore be set at the level agreed with the United Kingdom.

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AMENDMENTS TO THE ANNEX

In the Annex, point 1 is replaced by the following:

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(1) In Part B of Annex IA, Table 1 is replaced by the following:

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Table 1

Species:	Sandeel and associated by-catches *Ammodytes spp.*		Zone:	United Kingdom and Union waters of 4; United Kingdom waters of 2a; Union waters of 3a
Denmark	158 096	(1)	Analytical TAC	
Germany	241	(1)	Article 3(2) and (3) of Regulation (EC) No 847/96 shall not apply	
Sweden	5 805	(1)	Article 4 of Regulation (EC) No 847/96 shall not apply	
Union	164 142			
United Kingdom	5 269			
TAC	169 411			

(1) Up to 2% of the quota may consist of by-catches of whiting and mackerel (OT1/*2A3A4X). By-catches of whiting and mackerel counted against the quota pursuant to this provision and by-catches 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.

Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following sandeel management areas, as defined in Annex III:

Zone: Union waters of sandeel management areas

	1r	2r	3r	4	5r	6	7r
	(SAN/234_1R) (1)	(SAN/234_2R) (1)	(SAN/234_3R) (2)	(SAN/234_4)	(SAN/234_5R)	(SAN/234_6)(1)	(SAN/234_7R)
Denmark	119 773	33 526	4 666	0	0	131	0
Germany	183	51	7	0	0	0	0
Sweden	4 398	1 231	171	0	0	5	0
Union	124 354	34 808	4 844	0	0	136	0
United Kingdom	3 992	1 117	156	0	0	4	0
Total	128 346	35 925	5 000	0	0	140	0

(1) Up to 10% of this quota can be banked and used in the following year only within this management area.

(2) This quota may only be fished in Union waters of sandeel management area 3a as monitoring TAC with an associated sampling protocol for the fishery.

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