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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 8078/20 PECHE 121 - COM(2020) 205 final
Subject:	Proposal for a COUNCIL REGULATION amending Regulation (EU) 2019/1838 as regards certain fishing opportunities for 2020 in the Baltic Sea, and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in 2020 in Union and non-Union waters - Swedish comments

Delegations will find attached written comments by the Swedish delegation on the above-mentioned document.

29 May 2020

Swedish written comments on the Commissions' proposal for remedial measures for North Sea Cod in the amendment to the TAC- and quota regulation (EU) 2020/123 (Document 2078/20 PECHE 121).

Sweden finds that it is important that measures for rebuilding the North Sea cod stock are introduced in 2020 in line with the Multiannual plan for the North Sea and as agreed in consultations between EU and Norway. Sweden is hence generally positive to proposal. Sweden believes that remedial measures for cod may be needed for a longer period than 2020 and that regional measures will be needed as well regarding the specifications of the gears introduced under the scope of this regulation.

Please find below a few suggestions for clarity for implementation, for fishermen as well as for management and control purposes. For new gears we see a need for transparency for all MS fishing in an area and MS control authorities on which gears that can and are being used. The list of gears allowed as well as new gears will need further details of gear characteristics and should eventually be transposed into a legal act.

14.2. In area 3a the measures should be applicable from 90 mm. It is already compulsory in 3a to use sorting grid when fishing with mesh size 70 – 89 mm. As the article is designed it would mean a decrease in selectivity to apply the article from 70 mm.

Suggestion:

“14.2. Vessels fishing with bottom trawls and seines with minimum mesh size of at least 70 mm in areas 4a **and 90 mm in area 3a**, gillnets and longliners shall be prohibited from fishing in Union waters of ICES divisions 4a, North of latitude 58° 30'00 N and South of latitude 61° 30'00 N and in Union waters of ICES divisions 3a20 (Skagerrak), 4a and 4b, North of latitude 57° 00'00 N and East of latitude 005 00'.00 E.”

Subsequently same change should be made in 14.3 (d).

“14.3 (d) for vessel operating with bottom trawls and seines with mesh sizes equal to or larger than 70 mm **in area 4a and 90mm in area 3a** and less than 100 mm TR2, the following highly selective gears are utilised:”

14.3 - (b - d) We support the listing of selective gears but find that the descriptions need to be more detailed by for instance specifying panel size and placement or by adding a figure which could be done in an annex. We would also appreciate the addition of a suggestion of how new gears will be transposed into legal acts (i.e. delegated acts), concerning 14.3(b).

As an example for Seltra panel with 300 mm square-mesh size (in 14.3(d)) the following description should be added as to avoid loopholes/the use of modified gears:

The Seltra panel with 300 mm square mesh;

- Consists of a top panel of at least 300 mm mesh size (square mesh) placed in a four-panel section consisting of four panels of equal width and at least six meters length. The two side-panels and the bottom panel shall be made of diamond mesh of at least 90 mm mesh size.
 - Is at least 3 meters long, and consists of 3 open meshes in width.
 - Is positioned no more than 3 meters from the cod line.
 - Is the full width of the top sheet of the trawl (i.e. from selvedge to selvedge).
- (e) We would prefer to delete this paragraph as we are hesitant as to how the national cod avoidance plans and third country national cod avoidance plans can be transposed into legal acts and how to ensure transparency for e.g. fisheries control and level-playing field between MS. If it remains we would suggest to add the procedure for implementation into legal acts.