

# **COMMISSION SERVICES NON PAPER**

**16 October 2020**

*This document serves as a basis for discussion in the Council. 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 COM (2020) 436 final for a Council Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2020/123, as regards certain fishing opportunities in other waters.

## **Contents**

1. AMENDMENT TO COMMISSION PROPOSAL COM (2020) 436 FINAL ..... 2

## 1. AMENDMENT TO COMMISSION PROPOSAL COM (2020) 436 FINAL

The Commission Proposal COM (2020) 436 final is amended as follows:

1) Recital 18 is replaced by the following:

”The fishing year for Norway pout in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 is from 1 November to 31 October. Based on new scientific advice, a preliminary TAC for Norway pout should be established for the aforementioned areas. The United Kingdom does not hold a quota for Norway pout.

The Commission proposes to set a preliminary TAC for fishing opportunities for the period 1 November 2020 to 31 December 2021. This will allow for the start of the fishing season. Fishing opportunities for the period 1 January 2021 to 31 October 2021 will be consulted on with the United Kingdom. Despite the fact that the UK has no quota share in this stock, the resource is shared with the UK, and therefore consultations should take place on the joint management of the stock after the expiration of the transition period, on 31 December 2020.

The Regulation on fishing opportunities for Norway pout in the aforementioned areas should later be amended to include the outcome of the above-mentioned consultations, for the period 1 January 2021 to 31 October 2021, to cover the full fishing year from 1 November 2020 to 31 October 2021.”

2) Article 11 is modified as follows:

### "Article 11

#### *Amendment to Regulation (EU) 2020/123*

Annex IA to Regulation (EU) 2020/123 is amended as follows:

The Fishing opportunities table for Norway pout and associated by-catches in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 is replaced by the following:

Species:	Norway pout and associated by-catches		Zone:	3a; Union waters of 2a and 4	
	<i>Trisopterus esmarkii</i>			(NOP/2A3A4.)	
Period	1 November 2019 - 31 October 2020	1 November 2020 - 31 December 2020		Analytical TAC	
Denmark	72 433 (1)(3)	29 972 (1)(6)		Article 3 of Regulation (EC) No 847/96 shall not apply	
Germany	14 (1)(2)(3)	6 (1)(2)(6)		Article 4 of Regulation (EC) No 847/96 shall not apply	
The Netherlands	53 (1)(2)(3)	22 (1)(2)(6)			
Union	72 500 (1)(3)	30 000 (1)(6)			
Norway	14 500 (4)	pm			
Faroe Islands	5 000 (5)	pm			
TAC	Not relevant	Not relevant			

- (1) Up to 5 % of the quota may consist of by-catches of haddock and whiting (OT2/\*2A3A4). By-catches of haddock and whiting 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.
  - (2) Quota may be fished in Union waters of ICES zones 2a, 3a and 4 only.
  - (3) Union quota may only be fished from 1 November 2019 to 31 October 2020.
  - (4) A sorting grid shall be used.
  - (5) A sorting grid shall be used. Includes a maximum of 15 % of unavoidable by-catches (NOP/\*2A3A4), to be counted against this quota.
  - (6) Union quota may be fished from 1 November 2020 to 31 December 2020.
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3) In the Annex, the first paragraph of footnote 2 relating to the TAC table for cod in Subdivisions 22-24 (western Baltic cod) is replaced by the following:

“It shall be prohibited to fish this quota in subdivisions 22 and 23 from 1 February to 31 March, and in subdivision 24 from 1 May to 31 August.”