

COMMISSION SERVICES NON-PAPER

4 June 2021

This document serves as a basis for discussion at the Working Party on Internal and External 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 COM (2021)280 for a Council Regulation amending Regulation (EU) 2021/92 as regards certain fishing opportunities for 2021 in Union and non-Union waters

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I. Amendments to Commission Proposal regarding fishing opportunities for herring in the Gulf of Bothnia

1. The title of the proposal is replaced by the following:

“Commission Proposal COM (2021)280 for a Council Regulation amending Regulation (EU) 2020/1579 as regards certain fishing opportunities in the Baltic Sea, and amending Regulation (EU) 2021/92 as regards certain fishing opportunities for 2021 in Union and non-Union waters.”

2. The following new recital 0a is added:

“Council Regulation (EU) 2020/1579¹ fixes for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea. On 28 May 2021 ICES published a revised scientific catch advice for herring in the Gulf of Bothnia for 2021. The advice updates the catch figure and upgrades the advice to category 1 MSY advice. The fishing opportunities for herring in the Gulf of Bothnia should therefore be adjusted accordingly, and hence Regulation (EU) 2020/1579 amended accordingly.”

3. The following recital 3a is added:

“The catch limits provided for in Regulation (EU) 2020/1579 apply from 1 January 2021. The provisions introduced by this amending Regulation concerning catch limits for herring in the Gulf of Bothnia should therefore also apply from that date. Such retroactive application is without prejudice to the principles of legal certainty and protection of legitimate expectations, as the fishing opportunities concerned have not yet been exhausted.”

4. The following new article 0a is added:

“

Article 0a

Amendment of Regulation 2020/1579

The Annex to Regulation (EU) 2020/1579 is amended in accordance with the Annex to this Regulation.

”

5. Article 2 is replaced by the following:

“

Article 2

Entry into force and application

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

¹ Council Regulation (EU) 2020/1579 of 29 October 2020 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in Baltic Sea and amending Regulation (EU) 2019/124 as regards certain fishing opportunities in other waters (OJ L 362, 30.10.2020, p. 3).

Article 0a shall apply from 1 January 2021.

Article 1 shall apply from 1 July 2021.

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6. The title of the Annex is replaced by the following:

“Annex to the proposal for a Council Regulation amending Regulation (EU) 2020/1579 as regards certain fishing opportunities in the Baltic Sea, and amending Regulation (EU) 2021/92 as regards certain fishing opportunities for 2021 in Union and non-Union waters.”

7. The Annex is divided into a Part A and a Part B.

a. The following Part A is added to the Annex:

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PART A

In the Annex to Regulation (EU) 2020/1579 the fishing opportunities table for herring in ICES subdivisions 30-31 is replaced by the following:

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Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 (HER/30/31.)
Finland	96 321		
Sweden	21 164		
Union	117 485		
TAC	117 485	Analytical TAC	

“

“

b. Part B consists of the modifications to Annex IA to Regulation (EU) 2021/92 contained in the Annex to the initial Commission proposal COM(2021)280.