

COMMISSION SERVICES NON PAPER

15 MARCH 2023

*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 Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks [COM(2023) 114]

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1. AMENDMENTS IN RELATION TO SPRFMO

EXPLANATORY NOTE

At its 2023 annual meeting, the South Pacific Regional Fisheries Management Organisation (SPRFMO) adopted catch limits for jack mackerel (*Trachurus murphyi*), maintained exploratory fisheries for toothfishes (*Dissostichus spp.*) and removed the fishing effort limit for pelagic fisheries. It is therefore proposed to implement those measures in EU law.

AMENDMENTS TO THE RECITALS

Recital (6) is replaced by the following:

“(6) At its 11th annual meeting in 2023, the South Pacific Regional Fisheries Management Organisation (SPRFMO) adopted catch limits for jack mackerel (*Trachurus murphyi*), maintained exploratory fisheries for toothfishes (*Dissostichus spp.*) and removed the fishing effort limit for pelagic fisheries. Those measures should be implemented in Union law”

AMENDMENTS TO THE ARTICLES

In Article 1, the following paragraph is inserted:

“(1a) Paragraph 2 of Article 34 is deleted;”

AMENDMENTS TO THE ANNEX

Point 4 of the Annex is replaced by the following:

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(4) Annex IH is replaced by the following:

ANNEX IH

SPRFMO CONVENTION AREA

Species:	Toothfishes <i>Dissostichus</i> spp.	Zone:	SPRFMO Convention area (TOT/SPR-RB)
TAC	75 ⁽¹⁾	Precautionary TAC	
⁽¹⁾	<p>This annual TAC is for exploratory fisheries only. Fishing shall be limited to one trip of a maximum duration of 60 consecutive days which may occur any time between 1 May and 15 November 2023. From 1 to 15 November 2023, lines shall be set at night-time only and all fishing shall cease immediately if the death of the following occurs:</p> <p>(a) One of any of the following species: Wandering Albatross (<i>Diomedea exulans</i>), Grey-headed Albatross (<i>Thalassarche chrysostoma</i>), Black-browed Albatross (<i>Thalassarche melanophris</i>), Grey Petrel (<i>Procellaria cinerea</i>), Soft-plumaged Petrel (<i>Pterodroma mollis</i>); or</p> <p>(b) three individuals of any of the following species: Light-mantled Albatross (<i>Phoebastria palpebrata</i>), Southern Giant Petrel (<i>Macronectes giganteus</i>) and Northern Giant Petrel (<i>Macronectes halli</i>).</p> <p>Fishing shall further be limited to a maximum number of 5 000 hooks per set, with a maximum of 120 sets. Lines shall be set at least 3 nm apart from each other, and not set at previous long-line locations within one calendar year. Fishing shall cease either when the TAC is reached or if 120 sets have been set and hauled during the trip, whichever is earlier. Fishing shall be limited to depths between 600 m and 2500 m and only take place within the following research block:</p> <ul style="list-style-type: none"> – NW 50° 30' S, 136° E – NE 50° 30' S, 140° 30' E – E-Indent 52° 45' S, 140° 30' E – E-corner 52° 45' S, 145° 30' E – SE 54° 50' S, 145° 30' E – SW 54° 50' S, 136° E 		
Species:	Jack mackerel <i>Trachurus murphyi</i>	Zone:	SPRFMO Convention area (CJM/SPRFMO)
Germany	15 280,63	Analytical TAC	
Netherlands	16 562,63	Article 3 of Regulation (EC) No 847/96 shall not apply.	
Lithuania	10 632,66	Article 4 of Regulation (EC) No 847/96 shall not apply.	
Poland	18 282,08		
Union	60 758,00		
TAC	Not relevant		

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2. AMENDMENTS IN RELATION TO IOTC

EXPLANATORY NOTE

At its 2022 annual meeting, the Indian Ocean Tuna Commission (IOTC) maintained the catch limits for yellowfin tuna (*Thunnus albacares*) in the IOTC Area of Competence under the rebuilding plan for that stock. Council Regulation (EU) 2023/194¹ sets the EU quota for that stock for 2023 in line with that measure adopted by the IOTC.

During its 25th session held from 5 to 9 December 2022, the IOTC Scientific Committee endorsed the revision of the EU base annual catch limit under the rebuilding plan for yellowfin tuna in the IOTC Area of Competence, which is based on EU catches of that stock in 2014. That revised EU base annual catch limit no longer includes UK catches under EU flag in 2014. The EU quota for that stock for 2023 in line with the rebuilding plan was revised by the IOTC accordingly. It is therefore proposed to implement that revised EU quota in EU law.

AMENDMENTS TO THE RECITALS

The following recital is inserted:

“(6a) At its 2022 annual meeting, the Indian Ocean Tuna Commission (IOTC) maintained the catch limits for yellowfin tuna (*Thunnus albacares*) in the IOTC Area of Competence under the rebuilding plan for that stock. Council Regulation (EU) 2023/194² sets the Union quota for that stock for 2023 in line with that measure adopted by the IOTC. Following revision of the EU base annual catch limit under the rebuilding plan for yellowfin tuna in the IOTC Area of Competence, the IOTC revised the EU quota for that stock for 2023 in line with the rebuilding plan. That revised EU quota should be implemented in Union law.”

AMENDMENTS TO THE ARTICLES

Paragraph 2 of Article 1 is replaced by the following:

¹ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

² Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

“(2) Annexes IA, IB, IH, IJ and VI are amended in accordance with the Annex to this Regulation.”

AMENDMENTS TO THE ANNEX

The following point is inserted in the Annex:

“(4a) Annex IJ is replaced by the following:

ANNEX IJ

IOTC AREA OF COMPETENCE

Catches of yellowfin tuna (*Thunnus albacares*) by Union vessels fishing shall not exceed the catch limits set out in this Annex.

Species:	Yellowfin tuna <i>Thunnus albacares</i>	Zone:	IOTC Area of Competence (YFT/IOTC)
France	27 710	Analytical TAC	
Italy	2 365	Article 3 of Regulation (EC) No 847/96 shall not apply.	
Spain	42 903	Article 4 of Regulation (EC) No 847/96 shall not apply.	
Portugal	100 ⁽¹⁾		
Union	73 078		
TAC	Not relevant		
⁽¹⁾	Exclusively for by-catches. No directed fisheries are permitted under this quota.		

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