

# COMMISSION SERVICES NON-PAPER

11 DECEMBER 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 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 waters, and amending Regulation (EU) 2023/194 as regards deep-sea stocks [COM(2023) 587]**

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## 1. AMENDMENTS IN RELATION TO EU-UK SHARED STOCKS

### EXPLANATORY NOTE

The Commission proposal, as updated by the Commission services' non-papers of 7 and 9 December 2023, should be updated to correct errors in the Member States' quotas for several stocks shared with the United Kingdom (UK):

- In relation to Whiting in 7b, 7c, 7d, 7e, 7f, 7g, 7h, 7j and 7k (WHG/7X7A-C), the ceiling for catches in 7bc-ek should be distributed among Member States. The reference to Articles 3 and 4 of Regulation (EC) No 847/96 should be removed to reflect that this TAC is not listed in Annex 2 of the Written Record of the fisheries consultations between the United Kingdom and the European Union, which includes the TACs for which inter-annual flexibility does not apply.
- In relation to Plaice in areas 7d and 7e (PLE/7DE), the quota of the Union should be 1 902 tonnes instead of 2 754 tonnes to reflect the TAC deductions applied separately in area 7d and 7e. The ceiling for catches should be distributed among Member States.

Moreover, corrections to footnotes should be made:

- In relation to Whiting in 6, 5b, 12 and 14, the reference to a footnote should be removed. Furthermore, in the TAC table, the reference to Articles 3 and 4 of Regulation (EC) No 847/96 should be removed to reflect that this TAC is not listed in Annex 2 of the Written Record of the fisheries consultations between the United Kingdom and the European Union, which includes the TACs for which inter-annual flexibility does not apply. In relation to Picked dogfish in area 3a, areas 2 and 4, and areas 6, 7 and 8, the footnote should be adjusted accordingly to reflect the Commission Delegated Regulation (EU) 2023/1697 regarding the safe release of accidentally bycaught specimens.

Moreover, the wording of Article 10(2) should be corrected to reflect that the measures applied in 2023 to European seabass fisheries have been rolled over in 2024, as agreed with the UK.

### AMENDMENTS TO THE ARTICLES

Article 10(2) is replaced by the following:

“The prohibition set out in paragraph 1 shall not apply to by-catches of seabass in shore-based commercial netting activities. This exemption applies to historic numbers of beach nets set at pre-2017 levels. Shore-based commercial netting activities shall not target seabass and only unavoidable by-catches of seabass may be landed.”

### AMENDMENTS TO THE ANNEXES

In Annex IA, Part B, Tables 47, 49, 82 and 113 are replaced by the following:

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Table 47

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Species:	Whiting <i>Merlangius merlangus</i>	Zone:	6; United Kingdom and International waters of 5b; international waters of 12 and 14 (WHG/56-14)
Germany	16	Analytical TAC	
France	314	Article 8 of this Regulation applies	
Ireland	770		
Union	1 100		
United Kingdom	2 063		
TAC	3 163		

**Table 49**

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	7b, 7c, 7d, 7e, 7f, 7g, 7h, 7j and 7k (WHG/7X7A-C)
Belgium	225	Analytical TAC	
France	13 835		
Ireland	6 411		
Netherlands	112		
Union	20 583 <sup>(3)(4)</sup>		
United Kingdom	2 663 <sup>(1)(2)</sup>		
TAC	23 709		

(1) Of which up to 540 tonnes may be fished in United Kingdom, Union and international waters of 7b, 7c, 7e, 7f, 7g, 7h, 7j and 7k. Exclusively for bycatches. No directed fisheries for whiting are permitted under this 'of which'.

(2) Of which up to 2 123 tonnes may be fished in United Kingdom and Union waters of 7d.

(3) Of which up to 4 178 tonnes may be fished in United Kingdom, Union and international waters of 7b, 7c, 7e, 7f, 7g, 7h, 7j and 7k. Exclusively for bycatches. No directed fisheries for whiting are permitted under this 'of which'. Within the limits of these quotas, no more than the quantities given below may be taken as bycatches in area 7b, 7c, 7e, 7f, 7g, 7h, 7j and 7k:

7b, 7c, 7e, 7f, 7g, 7h, 7j and 7k

Belgium	46
France	2 808
Ireland	1 301
Netherlands	23

(4) Of which up to 16 405 tonnes may be fished in United Kingdom and Union waters of 7d. Within the limits of these quotas, no more than the quantities given below may be taken in area 7d:

7d

Belgium	179
France	11 026

Ireland	5 110
Netherlands	90

**Table 82**

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	7d and 7e (PLE/7DE.)
Belgium	439	Analytical TAC	
France	1 463	Article 7(2) of this Regulation applies	
Union	1 902 (3)(4)		
United Kingdom	1 176 (1)(2)		
TAC	3 930		
(1)	Of which up to 346 tonnes may be fished in United Kingdom and Union waters of 7d.		
(2)	Of which up to 830 tonnes may be fished in United Kingdom and Union waters of 7e.		
(3)	Of which up to 1 649 tonnes may be fished in United Kingdom and Union waters of 7d. Within the limits of these quotas, no more than the quantities given below may be taken in area 7d:		
	7d		
	Belgium	381	
	France	1268	
(4)	Of which up to 253 tonnes may be fished in United Kingdom and Union waters of 7e. Within the limits of these quotas, no more than the quantities given below may be taken in area 7e:		
	7e		
	Belgium	58	
	France	195	

**Table**

Species:	Picked dogfish <i>Squalus acanthias</i>	Zone:	Union waters of 3a (DGS/03A-C.)
Denmark	347 (1)	Precautionary TAC	
Sweden	816 (1)	Article 3 of Regulation (EC) No 847/96 shall not apply	
Union	1 163 (1)		
TAC	1 163 (1)		
(1)	In Union waters a maximum size of 100cm shall be respected and any catches above that size when caught accidentally, shall not be harmed and specimens shall be promptly released back into the sea.		

**Table**

Species:	Picked dogfish <i>Squalus acanthias</i>	Zone:	Union waters of 2a and 4 (DGS/2AC4-C)
Belgium	59 (1)	Precautionary TAC	

Denmark	342	(1)	Article 3 of Regulation (EC) No 847/96 shall not apply
Germany	62	(1)	
France	109	(1)	
Netherlands	94	(1)	
Sweden	5	(1)	
Union	671	(1)	
United Kingdom	2 862	(1)	

TAC 3 533 (1)

(1) In Union and United Kingdom waters a maximum size of 100cm shall be respected and any catches above that size when caught accidentally, shall not be harmed and specimens shall be promptly released back into the sea.

**Table 113**

Species:	Picked dogfish	Zone:	6,7 and 8; United Kingdom and international waters of 5; International waters of 1, 12 and 14 (DGS/15X14)
	<i>Squalus acanthias</i>		
Belgium	701	(1)	Analytical TAC
Germany	150	(1)	Article 3(2) and (3) of Regulation (EC) No 847/96 shall not apply
Spain	363	(1)	Article 4 of Regulation (EC) No 847/96 shall not apply
France	2 989	(1)	
Ireland	1 887	(1)	
Netherlands	10	(1)	
Portugal	15	(1)	
Union	6 115	(1)	
United Kingdom	5 089	(1)	
TAC	11 204	(1)	

(1) In Union and United Kingdom waters a maximum size of 100cm shall be respected and any catches above that size when caught accidentally, shall not be harmed and specimens shall be promptly released back into the sea.

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## 2. AMENDMENTS IN RELATION TO EU-UK-NO SHARED STOCKS

### EXPLANATORY NOTE

The Commission proposal, as updated by the Commission services' non-papers of 9 December 2023, should be updated to correct errors in the Member States' quotas for several stocks trilaterally shared with the UK and Norway:

- In relation to Herring in area 4 and 7d (HER/4AB. and HER/4CXB7D), the internal allocations of Union quotas should be corrected.
- In relation to Haddock in area 4 (HAD/2AC4.), Member States' quotas should be corrected.

- In relation to Whiting in area 4 (WHG/2AC4.), Member States' quotas should be corrected.
- In relation to Saithe in area 3a and 4 (POK/2C3A4), the quota of the Union should be 22 870 tonnes instead of 22 582 tonnes. Member States' quota should be corrected accordingly.

## AMENDMENTS TO THE ANNEXES

In Annex IA, Tables 11, 15, 39, 46 and 87 are replaced by the following:

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<b>Table 11</b>		
Species:	Herring(1) <i>Clupea harengus</i>	Zone: Union, United Kingdom and Norwegian waters of 4 north of 53°30'N (HER/4AB.)
Denmark	77 892	Analytical TAC
Germany	48 5959	Article 7(2) of this Regulation applies
France	21 783	
Netherlands	56 422	
Sweden	4 765	
Union	209 457	
Faroe Islands	0	
Norway	147 994 <sup>(2)</sup>	
United Kingdom	96 736	
TAC	510 323	
(1)	Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.	
(2)	Catches taken within this quota are to be deducted from Norway's share of the TAC. Within the limit of this quota, no more than the following quantity may be taken in Union waters of 4b (HER/*04B-C): 2 700	
Special condition: within the limits of these quotas, no more than the quantities given below may be taken by the Union in Norwegian waters south of 62°N:		
Norwegian waters south of 62°N (HER/*4N-S62)		
Union	2 700	

**Table 15**

Species:	Herring(1) <i>Clupea harengus</i>	Zone:	4c and 7d(2) (HER/4CXB7D)
Belgium	9 170 <sup>(3)</sup>	Analytical TAC	
Denmark	1 223 <sup>(3)</sup>	Article 7(2) of this Regulation applies	
Germany	763 <sup>(3)</sup>		
France	13 741 <sup>(3)</sup>		
Netherlands	24 430 <sup>(3)</sup>		
Union	49 327 <sup>(3)</sup>		
United Kingdom	6 809 <sup>(3)</sup>		
TAC	510 323		

- (1) Exclusively for catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.
- (2) Except Blackwater stock, i.e. the herring stock in the maritime region of the Thames estuary within a zone delimited by a rhumb line running due south from Landguard Point (51°56'N, 1°19,1'E) to latitude 51°33'N and hence due west to a point on the coast of the United Kingdom.
- (3) Special condition: up to 50 % of this quota may be taken in 4b (HER/\*04B.).

**Table 39**

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	4; United Kingdom waters of 2a (HAD/2AC4.)
Belgium	601 <sup>(1)(2)</sup>	Analytical TAC	
Denmark	4 133 <sup>(1)(2)</sup>	Article 7(2) of this Regulation applies	
Germany	2 630 <sup>(1)(2)</sup>		
France	4 584 <sup>(1)</sup>		
Netherlands	451 <sup>(1)(2)</sup>		
Sweden	369 <sup>(1)(2)</sup>		
Union	12 768 <sup>(1)</sup>		
Norway	23 327 <sup>(3)</sup>		
United Kingdom	65 326		
TAC	101 421		
(1)	Special condition: of which up to 10% may be fished in United Kingdom, Union and international waters of 6a north of 58°30'N (HAD/*6AN58).		
(2)	Special condition: of which up to 5% may be fished in 3a (HAD/*03A.).		
(3)	Of which 19 410 tonnes may be taken in Union waters (HAD/*04-EU). Catches taken within this quota are to be deducted from Norway's share of the TAC.		
Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zones: Norwegian waters of 4 (HAD/*04N-)			
Union	7 907		

**Table 46**

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	4; United Kingdom waters of 2a (WHG/2AC4.)
Belgium	1 224	Analytical TAC	
Denmark	5 292	Article 7(2) of this Regulation applies	
Germany	1 377		
France	7 953		
Netherlands	3 059		
Sweden	7		
Union	18 912		
Norway	7 670 <sup>(1)</sup>		
United Kingdom	49 610		
TAC	76 697		

<sup>(1)</sup> Of which 6 382 tonnes may be taken in Union waters (WHG/\*04-EU). Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zone:

Norwegian waters of 4 (WHG/\*04N-)

Union	10 953
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**Table 87**

Species:	Saithe <i>Pollachius virens</i>	Zone:	3a and 4; United Kingdom waters of 2a (POK/2C3A4)
Belgium	20 <sup>(1)</sup>	Analytical TAC	
Denmark	2 373 <sup>(1)</sup>	Article 7(2) of this Regulation applies	
Germany	5 991 <sup>(1)</sup>		
France	14 100 <sup>(1)</sup>		
Netherlands	60 <sup>(1)</sup>		
Sweden	326 <sup>(1)</sup>		
Union	22 870 <sup>(1)</sup>		
Norway	35 901 <sup>(2)</sup>		



United Kingdom

8 105

TAC 66 876

- (1) Special condition: of which up to 15% may be fished in United Kingdom, Union and international waters of 6a north of 58°30'N (POK/\*6AN58).
- (2) Of which 28 937 tonnes may be taken in Union waters of 4 and in 3a (POK/\*3A4-C). Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special condition: within the limits of these quotas, no more than the quantity given below may be taken in the following zone: Norwegian waters of 4 (POK/\*04N-)

Union 19 976

### 3. AMENDMENTS IN RELATION TO EU-NO SHARED STOCKS

#### EXPLANATORY NOTE

The Commission proposal, as updated by the Commission services' non-papers of 9 December 2023, should be updated to correct errors in the Member States' quotas for several stocks shared with Norway:

- In relation to Herring in area 3a, the special condition should be corrected to reflect that for the quotas established for Skagerrak and Kattegat, Norway and the European Union should be able to fish up to 100% of their quotas in the North Sea, subject to any access restrictions, as reflected in the Agreed Record of fisheries consultations in Skagerrak and Kattegat for 2024.

#### AMENDMENTS TO THE ANNEXES

In Annex IA, Part B, Table 13 is replaced by the following:

Table 13			
Species:	Herring <i>Clupea harengus</i>	Zone:	3a (HER/03A-BC)
Denmark	5 692	(1)(2)(3)	Analytical TAC
Germany	51	(1)(2)(3)	Article 7(2) of this Regulation applies
Sweden	916	(1)(2)(3)	
Union	6 659	(1)(2)(3)	
TAC	6 659	(2)	

(1) Exclusively for catches of herring taken as by-catch in fisheries using nets with mesh sizes smaller than 32 mm.

(2) Only the following amounts of the herring stocks HER/03A. (HER/\*03A) and HER/03A-BC (HER/\*03A-BC) may be fished in 3a:

Denmark	554
Germany	8
Sweden	407
Union	969

(3) Special condition: up to 100% of this quota may be fished in Union waters of 4 (HER/\*4-EU-BC).

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#### 4. AMENDMENTS IN RELATION TO COASTAL STATES SHARED STOCKS

##### EXPLANATORY NOTE

The Commission proposal, as updated by the Commission services' non-papers of 9 December 2023, should be updated to correct errors in the quota of Sweden that should take into account the quantity of mackerel transferred from Norway to Sweden under the Protocol of Fisheries Consultations between Norway and the European Union, on behalf of Sweden, for 2024. The Union quota should be updated accordingly.

##### AMENDMENTS TO THE ANNEXES

In Annex IA, Part B, Table 99 is replaced by the following:

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<b>Table 99</b>			
Species:	Mackerel		Zone: 3a; United Kingdom and Union waters of 2a, 3b, 3c; 3d and 4 (MAC/2A34.)
	<i>Scomber scombrus</i>		
Belgium	476	(1)(2)	Analytical TAC
Denmark	16 292	(1)(2)	Article 7(2) of this Regulation applies
Germany	496	(1)(2)	
France	1 498	(1)(2)	
Netherlands	1 508	(1)(2)	
Sweden	4 569	(1)(2)(3)	
Union	24 839	(1)(2)	
Norway	Not relevant	(4)	
United Kingdom	Not relevant	(1)(2)	

(1) Special condition: up to 60% may be fished in United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14 (MAC/\*2AX14).

(2) Within the limits of these quotas, no more than the quantities given below may also be taken in the two following zones:

	Norwegian waters of 2a (MAC/*02 AN-)	Faroese waters (MAC/*FRO 1)
Belgium	0	To be established
Denmark	0	To be established
Germany	0	To be established
France	0	To be established
Netherlands	0	To be established
Sweden	0	To be established
Union	0	To be established

(3) Special condition: including the following tonnage to be taken in Norwegian waters of 2a and 4a (MAC/\*2A4AN):

322

When fishing under this special condition, by-catches of cod, haddock, pollack, whiting and saithe are to be counted against the quotas for these species.

(4) To be deducted from Norway's share of the TAC (access quota). This amount includes the following Norwegian share in the North Sea TAC:

0

This quota may be fished in 4a only (MAC/\*04A.), except for the following amount, which may be fished in 3a (MAC/\*03A.):

0

Special condition: within the limits of these quotas, no more than the quantities given below may be taken in the following zones:

	3a (MAC/*03A.)	United Kingdom and Union waters of 3a, 4b and 4c (MAC/*3A4BC)	4b (MAC/*04B.)	4c (MAC/*04C.)	United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14 (MAC/*2AX14)
Belgium	0	0	0	0	286
Denmark	0	4 130	0	0	9 775
Germany	0	0	0	0	298
France	0	490	0	0	899
Netherlands	0	490	0	0	905
Sweden	0	0	390	10	2 548
Union	0	5 110	390	10	14 710

United Kingdom	0	Not relevant	0	0	Not relevant
Norway	0	0	0	0	0

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## 5. AMENDMENTS IN RELATION TO FISHING OPPORTUNITIES IN GREENLAND WATERS

### EXPLANATORY NOTE

The Commission proposal, as updated by the Commission services' non-papers of 9 December 2023, should be updated to clarify that the level of the fishing opportunities established for shrimp (*Pandalus borealis*) in Greenland waters of ICES subareas 5 and 14 does not include a reserve of 150 tonnes to be considered as set out in the Agreed Record of the EU-NO fisheries consultations for 2024.

### AMENDMENTS TO THE RECITALS

Recital (60) is replaced by the following:

“(60) In accordance with the procedure provided for in the Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part, and the Protocol implementing that Agreement<sup>1</sup>, the Joint Committee established the level of fishing opportunities available for the Union in Greenland waters in 2024. The level of fishing opportunities available for the Union in Greenland waters in 2024 was documented in the minutes of the Joint Committee meeting held from 21 to 23 November 2023 in Brussels. The relevant fishing opportunities should therefore be fixed at the level set out in those minutes, and taking into account the transfers to Norway under the annual exchange of fishing opportunities. The level of the fishing opportunities established for shrimp (*Pandalus borealis*) in Greenland waters of ICES subareas 5 and 14 does not include a reserve of 150 tonnes to be considered as set out in the Agreed Record of the EU-NO fisheries consultations for 2024.

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<sup>1</sup> OJ L 175, 18.5.2021, p. 3.