

COMMISSION SERVICES NON-PAPER

17 JUNE 2024

*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 and correcting Regulation (EU) 2024/257 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 Regulation (EU) 2023/194 fixing for 2023
such fishing opportunities [COM(2024) 213 final]**

Contents

1. AMENDMENTS IN RELATION TO COMMON SOLE IN THE IRISH SEA.....	2
---	----------

1. AMENDMENTS IN RELATION TO COMMON SOLE IN THE IRISH SEA

EXPLANATORY NOTE

Regulation (EU) 2024/257 set a TAC for common sole (*Solea solea*) in ICES division 7a (Irish Sea) of 203 tonnes exclusively for by-catches for 2024, due to the zero-catch advice received from ICES for 2024.

The EU and the UK agreed in paragraph (m) of the EU-UK Written Record of fisheries consultations between the United Kingdom and the European Union for 2024, to submit a joint request to ICES to publish a revised advice based on the outcome of the benchmark and to amend, pursuant to the Trade and Cooperation Agreement, the TAC for 2024 for sole in the Irish Sea (SOL/07A) in line with the revised advice. On 31 May 2024, ICES published its revised advice for that stock for 2024¹, in which ICES advised that the amended TAC should be set at no more than 625 tonnes and that directed fisheries could be permitted. Following the publication of that advice, the EU held bilateral consultations with the UK with the aim of agreeing an amended TAC for 2024, pursuant to Article 498(5) of the Trade and Cooperation Agreement.

Those consultations were conducted on 13 June 2024, on the basis of the EU position outlined in the Commission services non-paper endorsed by the Council on 3 June 2024. The outcome of those consultations was documented in a Written Record signed on 17 June. The EU and UK agreed to set an amended TAC for 2024 at the level of 625 tonnes and to delete the footnote indicating that the TAC for 2024 was exclusively for by-catches.

It is therefore proposed to amend, with retroactive effect from 1 January 2024, the level of that TAC for 2024, set it at the level agreed with the UK and delete the footnote indicating that the TAC for 2024 was exclusively for by-catches.

The landing obligation exemptions deduction, as set out in the Commission services supporting document of 29 November 2023², has been applied to the EU quota.

AMENDMENTS TO THE RECITALS

The following recital (6a) is inserted:

“

- (6a) The EU and the UK agreed in paragraph (m) of the EU-UK Written Record of fisheries consultations between the United Kingdom and the European Union for 2024, to submit a joint request to ICES to publish a revised advice based on the outcome of the benchmark

¹ <https://doi.org/10.17895/ices.advice.25921399.v1>

² https://oceans-and-fisheries.ec.europa.eu/document/download/fb2e7f71-b504-4c18-8921-9df35e72fe8b_en?filename=Atlantic-FOs-2024-regulation-Supporting%20document-Deductions.pdf

and to amend the TAC for sole in the Irish Sea (SOL/07A) in line with the revised advice. On 13 June the Union and the United Kingdom held consultations pursuant to Article 498(5) of the Trade and Cooperation Agreement with the aim of agreeing on an amended TAC for common sole (*Solea solea*) in ICES division 7a for 2024. The outcome of those consultations was documented in a Written Record signed on 17 June. It is therefore proposed to amend the level of that TAC and set it at the level agreed with the UK.

”

Recital (15) is replaced by the following:

“

(15) Certain provisions of this Regulation correcting provisions of Regulation (EU) 2024/357 concerning certain fishing opportunities in the SIOFA area should apply from 1 December 2023, in line with the application period of the amended provisions. In addition the provisions of this Regulation amending or correcting provisions of Regulations (EU) 2023/194 and (EU) 2024/257 concerning: (i) pollack in ICES divisions 8a, 8b, 8d and 8e; (iii) common sole in ICES division 7a; (iv) bluefin tuna in the Atlantic Ocean, east of 45°W, and the Mediterranean; and (v) the corrections of errors, should apply from 1 January 2024, in line with the application period of the provisions concerned. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations, as the level or area of application of the fishing opportunities or farming limits are increased.

”

AMENDMENTS TO THE ANNEXES

In Annex I, the following point (5a) is inserted:

“

(5a) In Annex IA, Part B, Table 108 is replaced by the following:

“

Table 108			
Species:	Common sole	Zone:	7a
	<i>Solea solea</i>		(SOL/07A.)
Belgium	280	Analytical TAC	
France	4		

Ireland	95	Article 4 of Regulation (EC) No 847/96 shall not apply
Netherlands	89	
Union	468	
United Kingdom	145	
TAC	625	

”