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From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 11735/18 PECHE 320 + ADD 1 - COM (2018) 608 final + Annex
Subject:	Proposal for a COUNCIL REGULATION fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea

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Delegations will find attached written comments by the Danish delegation on the above-mentioned proposal.

**Comments from the Danish delegation on the Proposal for a Council Regulation fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea, COM (2018) 608**

The Danish delegation welcomes the Commission's proposal for a Council Regulation fixing for 2019 the fishing opportunities in the Baltic Sea.

In general, the Danish delegation supports the principle to manage fisheries on a sustainable basis in accordance with the objectives to achieving maximum sustainable yield (MSY) for all stocks at the latest by 2020. This approach is in line with the Basic Regulation (EP/Council Regulation (EU) No 1380/2013) as well as EP/Council Regulation (EU) No 2016/1139.

It is indeed positive that the cod stock in the Western Baltic Sea has improved considerably over the past year. Denmark welcomes that the Commission does not propose a closure period for the cod fishery in the Western Baltic Sea for 2019. The Danish delegation notes with concern the continued negative development in particular for the cod stock in the Eastern Baltic Sea and even more seriously for herring in the Western Baltic Sea.

For cod in the Western Baltic Sea, the Commission has proposed a TAC corresponding to an increase of 31 %. According to the ICES advice, it will be scientifically justified to establish a higher TAC and at the same time to have a stock development resulting in a spawning stock biomass, SSB, in 2019 well above the trigger level. Therefore, Denmark would like to see the TAC for 2019 set at a substantially higher level compared to the TAC for this year.

With regard to the restriction proposed for the recreational fishery in the form of a baglimit of five specimens per day, Denmark believes that the scope of this restriction must be seen in relation to the TAC to be established for cod in the Western Baltic Sea.

For cod in the Eastern Baltic Sea, Denmark has concerns about the basis the Commission has applied for establishing the TAC. The principle of relative stability must be respected. It seems that the Commission in order to avoid to taking into consideration the mixing element as such, this year has decided on a relatively higher TAC compared to the TAC established for the Western Baltic Sea. Denmark appreciates to leave out this element in discussions this year, but this approach should not prevent to establish a higher TAC for the Western Baltic Sea.

With regard to the proposed closure period for the cod fishery in ICES Subdivisions 25-26, Denmark would prefer to see this provision left out of the proposal. For the proposal as such, Denmark appreciates to see the derogations proposal for vessels below 12 meters included.

Herring in the Western Baltic Sea is of very serious concern for Denmark. Denmark notes that the Commission applies  $F=0.1$  as a remedying measure because the SSB is below the new trigger value that ICES applied for its advice for 2019. The trigger value in the multiannual plan is lower than the one applied by ICES. Denmark finds that the values given in the multiannual plan should be the basis for the proposal. Denmark would like to see a higher TAC than 6.404 tons.

With regard to herring in the Central Baltic Sea, Denmark would like to see a higher TAC than proposed by the Commission in order to maintain a balanced fishery between the sprat and herring fishery.

For plaice, Denmark maintains a scrutiny reservation with regard to the split between the Western Baltic Sea and Kattegat.

Once again, Denmark urges the Commission to reintroduce the footnote related to the fishery for sprat. Previously, the Regulation has contained a footnote linked to sprat in the Baltic Sea dealing with associated by-catches of herring. A formulation similar to the formulation in the general regulation on fishing opportunities for 2018, Council Regulation (EU) No 2018/120, should also be introduced for the Baltic Sea. In this respect, Denmark repeats that inextricably mixed by-catches in the small meshed fisheries since 1982 has been an integral part of the Common Fisheries Policy. When the footnotes were introduced in the North Sea and the Skagerrak/Kattegat from 2011 and in the Baltic Sea from 2012, it was a strengthening of the former regime. The footnotes ensure that relative stability is maintained by keeping the possibility for counting these inextricably mixed by-catches against the quotas of the target species in unsorted landings.

Please note that the Danish delegation at this stage maintains its parliamentary as well as its general scrutiny reservations and thus reserves its right to submit additional comments at a later stage.

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