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NOTE
From: General Secretariat of the Council
To: Delegations
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ST 12996/23
Subject: Proposal for a COUNCIL REGULATION fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2024 and amending Regulation (EU) 2023/194 as regards certain fishing opportunities in other waters
- Written comments by Germany

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (08.08.2024)

Delegations will find attached written comments by the German delegation on the abovementioned proposal.
Written comments by Germany on

Proposal for a

COUNCIL REGULATION

fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the
Baltic Sea for 2024 and amending Regulation (EU) 2023/194 as regards certain fishing
opportunities in other waters

(ST 12451/2023 + ADD 1; ST 12996/2023)

16 October 2023

I. General comments

The environmental situation of the Baltic Sea remains worrying. Past overfishing as well as other
stressors like pollution, eutrophication, low salinity and climate change influence the complex
situation significantly. Germany therefore remains committed to improve sustainable fisheries as
well as the environmental situation of the Baltic Sea. We are ready to continue working with the
Commission and all Baltic Sea Member States on these goals in the relevant fora.

For the fishing opportunities for 2024, Germany aims to set total allowable catches and related
measures in line with the principles of the Common Fisheries Policy and the Baltic Sea Multiannual
Plan. All decisions must be in line with the best available scientific advice and allow stocks which
are currently not within safe biological limits to recover.

Baltic Sea fisheries, especially in Germany, face many challenges and are undergoing a difficult
process of adaptation and transformation. Germany is actively consulting with all relevant
stakeholders on a future model of the Baltic Sea fisheries within a special commission set up for
this purpose. In order to save and rebuild the socioeconomic and sociocultural impact of fisheries
on our shores, this process can only be successful if the sector is protected from scenarios that
could lead to an end of artisanal coastal fisheries along the German Baltic Sea coast line, to which
a further depletion of essential fish stocks would also contribute. We therefore support
proportionate measures that enable fish stocks outside safe biological limits to recover as well as
artisanal fishermen to stay in business.
II. Specific comments

For **Western herring**, **DELETED**

We note that the Commission’s proposal to delete the relevant exemption is based on a new legal interpretation of the Baltic Sea Multiannual Plan, which has not been applied in the years before and also is the basis for the proposed closure of targeted fisheries for Central and Bothnian Bay herring. We are currently analyzing the situation and reserve our position. At this state, we have doubts regarding this legal interpretation, as it does not leave any room for applying Article 5 of the Multiannual Plan, which is taylor-made for the current situation of the herring stocks.

With regards to **Western cod**, we support to continue the closure of targeted fishery. For the bycatch TAC, we notice that the Commission applies a different approach than for Eastern cod. While we see room for a decrease of the current TAC based on the critical state of the stock, we also need to strike an appropriate balance between protecting the stock and keeping the flatfish fisheries open. We thus strongly urge the Commission to publish the delegated and implementing regulations for the mandatory use of selective gears in the flatfish fisheries, which will further
reduce bycatches of cod. The closure of the recreational fisheries on cod, despite being a highly political issue for Germany, could be acceptable to support a balanced approach between the very poor stock situation and commercial fisheries.

Germany supports the Commission’s proposal to roll-over the TAC for plaice, in order to protect the cod stock and apply a precautionary approach. For sprat, we also support to follow a precautionary approach and thus to reduce the TAC to the lowest point of FMSY lower, to account for the bycatches of Central herring and the not yet quantifiable problem of species misreporting.

We reserve our right to specify our positions for the upcoming October Council.