



**REPORT OF DISCUSSION IN THE COUNCIL WORKING PARTY REGARDING THE PROPOSAL FOR  
FISHING OPPORTUNITIES FOR CERTAIN FISH STOCKS AND GROUPS OF FISH STOCKS  
(ATLANTIC) FOR 2017**

**Two meetings on 4 and 9 November 2016**

Brussels,  
09/11/2016  
C.2

**KEY OUTCOMES**

- **COM presented the proposal and annex for fishing opportunities for 2017.**
- **MS welcomed the early arrival of the proposal.**
- **MS asked for the top-ups calculation process to be more transparent and speedier than last year.**
- **On sea bass fisheries measures, MS considered that a monthly limit would be difficult to control.**
- **HR and SI were critical about the implementation of the GFCM Agreement into EU law through a TAC.**
- **FR, ES and IE considered the cut for cod in VIIb, VIIc, VIIe-k, VIII, IX and X; Union waters of CECAF to severe, it would result into a choke species.**

**1. General comments**

**MS** welcomed the early arrival of the proposal. **COM** reminded that the proposal came out earlier this year as it does not include the top-ups which are not yet available.

**MS** asked for the top-ups calculation process to be more transparent and speedier than last year, and what the basis of principle for top-ups calculation will be. **DK** asked if top-up calculations would take into account the discard rate.

**COM** took note and underlined the fact that the top-up calculation process can only start when all necessary data from the **MS** is received.

**FR** and **IE** welcomed the tables from the press-release, showing how many stocks are stable or increasing. **FR** would like additional information on complex TACs.

**DK** expressed the need to address the choke species problem and to come up with a solution for such stocks. **COM** provided a general overview of this issue and that the Commission is looking for solutions.

**IE** supported the case-by-case approach for data limited stocks, and supported the importance of reaching MSY by 2020. However, implementing MSY must be done in a rational manner, taking into account the socio-economic impacts on coastal communities.

## **2. Recitals examination**

On the fact that it is appropriate to allow for the implementation of a flexible arrangement between some of the TAC areas where the same biological stock is concerned, **UK** asked to look into appropriate cases.

On the fact that the measures adopted for certain pelagic stocks in for 2017 and 2018 in the GFCM Agreement Area should be implemented in the law of the Union, **HR** and **SI** considered the COM went beyond the measures of the GFCM. They were not in favour of the concept of TAC being used in this case. **SI** thanked the **COM** for taking into account their small fishing activity.

On snow crab, **LV** and **PL** asked if there would be a proposal. **COM** answered that a non-paper would be issued by the end of November.

## **3. Articles examination**

**COM** presented the articles and the changes made from 2 years ago.

**FR** expressed that mixed fishing and choke species are cross-cutting issues that have to be taken considered together. **FR** expressed that a lot of efforts have been done by FR fleets on a number of stocks that they should be taken into account.

On skates and rays, **FR** is waiting for a TAC proposal. **COM** answered that a non-paper will be issued in the coming days.

On art.6 TACs to be determined by the COM through implementing acts for some short lived species: **FR, UK and DE** found the article to be appropriate. **DK** wondered if time could be saved with this procedure, and if ICES advice could come earlier. **ES** proposed to re-word the article by dividing the TACs that are set by the COM and the ones set by delegations. **BE** placed a reservation for procedure of implementing acts.

**DE** expressed its concern that sprat in IIa and IV TAC was decreased in the middle of last year. This situation was difficult for the fishermen to adapt to. **COM** explained that the TAC is set for the calendar year, but the advice cover the period from July to June. It was looking into the best way address this.

On art.8 – Fishing effort limits, **BE, UK and DK** asked if the article would be deleted when the cod plan is amended. **DE** proposed to create an Annex IIA for this topic. **COM** answered that the article will be modified when the cod plan is voted by the Parliament.

On art.9 – Catch and effort limits for deep-sea fisheries, **UK** asked if the article would be deleted after the deep-sea access regulation is adopted. **COM** confirmed that it would be modified in line with the new regulation.

On art.10 - Measures on Sea bass fisheries, **UK** placed a scrutiny reservation. **FR** placed a reservation as the proposal is excluding the net vessels. **FR** underlined that trawlers have large discards rates of sea bass due to by-catches and this issue cannot be ignored.

On recreational fisheries of sea bass, **DE, BE, UK and FR** found that 10 fish/fisherman/month limit is difficult to control. **IE** expressed that they already have a daily

limit established, and found that the proposal could be confusing for them. **COM** took note of the comments.

**UK** added that commercial ban only applies for Union vessels and does not limit commercial fisheries from the shore.

**DE** placed a reservation on allowing catch-and-release fishing for sea bass.

On art. 24 – Drifting fish aggregating devices (FADs) in IOTC, **FR** and **ES** placed a scrutiny reservation.

On art. 37 - GFCM Agreement Area, and to response to **HR** and **SI**, **COM** underlined that the proposal is to implement only in 2017 and not in 2018. **COM** expressed that the proposal is a simple implementation of a part of the recommendation. Furthermore, **COM** did not mention TACs in the proposal but is opened to do so if **MS** are willing to. The current formulation is not acceptable for **IT**, **HR**, **SI**.

#### **4. Annex IA examination**

The comments made by each country are provided in the table below.

**ES** asked to explain the reasoning behind footnotes allowing by-catches to be counted against the main quota. **COM** will be sending written explanations.

**NL** asked to add hake on both footnotes.

#### **5. Annex IC – NAFO Convention Area examination**

On redfish in NAFO 3LN, **ES** placed a reservation.

#### **6. Annex VI – IOTC – examination**

**ES** placed a reservation.

## Annex IA examination

Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Boarfish	Union and international waters of VI, VII and VIII	42637	27288	-36.0%	<b>DE:</b> It is a by-catch for them.
Anchovy	IX and X; Union waters of CECAF 34.1.1	10622	10622	0.0%	<b>PT</b> and <b>ES:</b> The TAC is too tight and ANE is increasing in their waters. Asked for a TAC of 15000t.
Cod	Kattegat	370	370	0.0%	<b>DK:</b> The TAC should take into account accidental by-catches. A lot of discards happen. Last year, a model was used to establish the TAC. <b>DK</b> asked to use that same model this year so that the methodology stays the same. <b>DK</b> will be sending more information on this to the <b>COM</b> .
Cod	Vla; Union and international waters of Vb east of 12° 00' W	0	0	0.0%	<b>IE:</b> A 0 TAC does not help in case of a choke species, so have to take it into consideration. Maybe should be managed through technical measures.
Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; Union waters of CECAF	4565	1447	-68.3%	<b>FR:</b> The cut in TAC is not acceptable. <b>FR</b> understands it is a choke species and that we need to tackle them, but this is a major fisheries and the cut would have a big socio-economic impact. <b>FR</b> asked to take a different approach for this stock. Plus, <b>FR</b> underlined that there is a problem with the estimates for cod (recruitment). The biomass is now improving and the TAC proposed is lower than what it should be. Mortality ranges should be used. <b>ES:</b> Formal request will come. <b>IE:</b> This is a huge priority for them. This cut can have devastating socio-economic impacts.

Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Megrims	Union and international waters of Vb; VI; VII and XIV.	5214	4900	-6.0%	<b>COM:</b> Will be modifying the TAC value to add the Porcupine bank section.
Megrims	VII	18254	13099	-28.2%	<b>ES</b> and <b>FR:</b> Difficult to follow the scientific advice because there are different species of megrims. <b>ICES</b> assessed the stock in a different way than the <b>COM</b> . <b>ES</b> asked the <b>COM</b> to explain how it fixed that TAC in that regard. <b>COM</b> will be giving more information to <b>ES</b> bilaterally. <b>FR</b> welcomed the fact that the stock is now analytical, but placed a negative reservation on this stock. <b>FR</b> and <b>IE</b> asked the <b>COM</b> for a written note on what the calculation method is for this TAC as there are 2 species of megrims. <b>COM</b> will be providing an explanation.
Megrims	VIIIabde	1802	1513	-16.0%	<b>ES:</b> Same as above. Asked for a smaller cut.
Megrims	VIIIc, IX and X; Union waters of CECAF 34.1.1	1363	1013	-25.7%	<b>ES:</b> 2 stocks in 1 zone. <b>ES</b> scientists say the TAC could result in choke species. <b>ES</b> said a -10% cut would be better. <b>ES</b> asked for a written note. <b>PT:</b> Placed a reservation on the cut. Asked for a status quo by working with the existing TAC. <b>COM</b> explained that the calculation is different from above. For this stock, the values for landings should be used instead of catches.
Dab and flounder	Union waters of IIa and IV	18434	pm		<b>DK:</b> It is a by-catch, the stock is doing well, no landing obligation and a lot of discards for this stock. <b>COM:</b> it is now in 'pm', will be included in a non-paper. <b>BE</b> was interested in the outcome of the experts consultation.
Anglerfish	VII	33516	29534	-11.9%	<b>FR</b> asked for a roll-over as there are no new assessments.
Anglerfish	VIIIabde	8980	7914	-11.9%	<b>ES</b> asked for a roll-over. <b>IE</b> asked for the decision to be the same as last year.

Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Anglerfish	VIIIc,IX,X,CEC AF 34.1.1	2569	3955	54.0%	<b>ES</b> welcomed the TAC increase.
Haddock	Union and international waters of VIb, XII and XIV	3225	4130	28.1%	<b>DE</b> placed a reservation.
Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	7258	7751	6.8%	<b>FR</b> was happy to see an increase in TAC. Reflects the abundance of this stock.
Whiting	VI; Union and international waters of Vb; international waters of XII and XIV	213	0	-100.0%	<b>IE</b> : The stock is recovering. A 0 TAC does not help, it will be a choke species.
Whiting	VIII	2540	2032	-20.0%	<b>FR</b> disagreed with the reasoning. This stock is very important for them. <b>FR</b> is against a -20% cut only based on precautionary approach. There was already a 20% cut last year. <b>ES</b> supports <b>FR</b> , and asked for a roll over. <b>COM</b> responded that they welcome any data that MS have on this stock.
Hake (overall N. TAC)	overall northern TACs (IIIa / IIa and IV / Vb, VI, VII, XII and XIV / VIIIabde)	108784	111865	2.8%	<b>ES</b> was expecting a higher increase in TAC, i.e. +10%, on the basis of scientific advice. <b>ES</b> asked for the <b>COM</b> to do a written note on this subject. <b>COM</b> responded that no top-ups figures were available for now. <b>UK</b> asked how did the <b>COM</b> reach this TAC as there is 1 advice for 4 TACs <b>COM</b> answered that the usual calculation method was used.

Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Hake	VIIIc, IX and X; Union waters of CECAF 34.1.1	10674	6838	-35.9%	<b>PT</b> and <b>ES</b> do not agree with this big cut. <b>ES</b> : Already had a -25% cut last year and the stock is recovering. <b>ES</b> asked for more flexibility and a smaller cut. <b>FR</b> placed a scrutiny reservation on hake.
Blue ling	Int waters of XII	446	357	-20.0%	<b>ES</b> asked for a roll over.
Norway lobster	IX and X; Union waters of CECAF 34.1.1	320	336	5.0%	<b>ES</b> welcomed the proposal.
Plaice	Skagerrak	11531	pm		<b>DK</b> place a scrutiny reservation.
Plaice	VIIde	12446	10022	-19.5%	<b>BE</b> : A decrease of 20% will only increase the problems with this stock.
Plaice	VIIIfg	420	405	-3.6%	<b>BE</b> , <b>FR</b> and <b>IE</b> : A decrease in TAC will only lead to an increase in discards as this species is a by-catch. <b>FR</b> proposed a rollover as it is not a targeted species and the biomass is increasing. <b>IE</b> proposed a rollover and asked for more information on the stock.
Plaice	VIIhjk	135	108	-20.0%	<b>COM</b> explained that this was taken out from the list of the statement stocks as advice was indicating the deterioration in the stock. <b>UK</b> would prefer to keep is a statement stock. <b>COM</b> answered that if the perception of the stock changes, the <b>COM</b> is allowed to propose a different TAC. <b>IE</b> asked for a rollover.
Pollack	VII	13495	10796	-20.0%	<b>FR</b> asked for a rollover. Landings are very close to <b>ICES</b> advice, so <b>FR</b> asked for a degree of flexibility.
Pollack	VIIIabde	1482	1186	-20.0%	<b>FR</b> , <b>ES</b> and <b>EI</b> asked for a rollover. It is an important fishery for small coastal communities in <b>FR</b> . <b>EI</b> underlined that this stock is fished in shore so does not see why there is a decrease.
Pollack	IX ans X; CECAF 34.1.1	282	282	0.0%	<b>ES</b> placed a scrutiny reservation on the footnote allowing <b>PT</b> to fish a maximum of 98 tonnes in addition to the TAC.

Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Saithe	IIIa and IV; Union waters of IIa, IIIb, IIIc and subdivisions 22-32	31284	pm	/	<b>DK:</b> Reference should be added that the stock is within safe biological limits.
Turbot and Brill	Union waters of IIa and IV	4488	4488	0.0%	<b>BE, NL and DE:</b> There has been a quick take up for this stock, and it has been a problem this year. A rollover next year will only make the problem greater. Scientists are meeting this week for this stock and will hopefully come up with a figure.
Common sole	IIIa; Union waters of subdivisions 22-32	391	534	36.6%	<b>DK:</b> Reference should be added that the stock is within safe biological limits.
Common sole	VIIa	40	0	-100.0%	<b>BE</b> thanked the <b>COM</b> for including the footnote on allocating an overall total of 7 tonnes to vessels carrying out scientific research. <b>BE</b> will be sending the results of the investigation on common sole briefly. <b>BE</b> mentioned that last year a TAC by-catches was established. <b>IE</b> asked for a rollover.
Common sole	VIIId	3258	2257	-30.7%	<b>FR</b> was preoccupied by the variation of the TAC between years and to keep that variation at a maximum of 15%. Plus, <b>FR</b> has already implemented management plan, and a minimum reference size of 25cm will be implemented. <b>BE</b> expressed that a minimum size of 25cm is not a proper solution for this stock and it will lead to inspection and control problems. <b>BE</b> took measures on mesh size. <b>UK</b> placed a reservation as a management plan is in place.
Common sole	VIIIab	3420	3420	0.0%	<b>FR</b> expressed that it counts on roll-over.



Common name	TAC Unit	TAC 2016	TAC 2017 proposal	TAC change proposal (2016-2017) (%)	MS comments
Sprat	VIIde	5150	4120	-20.0%	<b>UK</b> was concerned about having exceptions from the list of statement stock.
Picked dogfish	Union waters of IIIa	0	pm	/	<b>DK</b> expressed that frequently a 0 TAC is given to this stock, but it is a by-catch for them so a more feasible solution has to be found.
Horse Mackerel	Western stock	combined	pm	pm	<b>NL</b> asked for hake to be added in the footnotes allowing for by-catches to be counted against the quota.
Horse Mackerel	IX	68583	73349	6.9%	<b>ES</b> welcomed the proposal and asked for more information for the other stocks still under pm.