



Council of the
European Union

Brussels, 26 October 2020
(OR. en)

11886/20

**Interinstitutional File:
2020/0208(NLE)**

PECHE 321

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 10274/20 + ADD 1 PECHE 205 - COM(2020) 436 final
Subject:	COUNCIL REGULATION fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea, and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in other waters - Statements

Joint Statement by Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden and the Commission on swaps of Eastern Baltic cod quota

In a spirit of solidarity, those Member States who do not need their entire by-catch quota for Eastern Baltic cod will endeavour to agree on quota exchanges with a Member State which can demonstrate that it will be confronted with a choke effect due to its limited Eastern Baltic cod quota.

The Member States in the Baltic Sea and the Commission will assess the adequacy of these swaps ahead of the fixing of the fishing opportunities for 2022.

Joint Statement by Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden on the management of the eastern Baltic cod quota by the Russian Federation

Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Sweden and Poland urge the Commission to take all possible steps to reach an agreement with the Russian Federation on the management of the eastern Baltic cod quota in line with the scientific advice.

Given the current condition of the eastern Baltic cod stock, it is imperative that the responsibility of rebuilding of the stock is shared fairly among all states having an interest in the management of cod. Taking necessary measures for the restoration of the stock solely by the European Union without the participation of the Russian Federation will not ensure that negative impacts of fishing activities on the cod stock are minimised.

Joint Statement by Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden on the need to find the cause of the increase of natural mortality of cod

Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Sweden and Poland will take necessary actions to investigate the increase of natural mortality of cod, which is higher than fishing mortality. Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Sweden and Poland urge the Commission also to increase the EMFF funding from its financial envelope on joint scientific research projects intended for investigation of natural mortality growth of the cod in the Baltic Sea.

Joint Statement by the Commission, Estonia and Finland on survivability of salmon in the Gulf of Finland

Finland and Estonia commit to providing ICES with the relevant scientific information to address the reported uncertainty around salmon discarding and survival. The Commission will request ICES to better develop the science and understanding concerning the reported uncertainty around salmon discarding and survival.

Joint Statement by the Commission, Finland and Sweden on herring in the Gulf of Bothnia

The Commission will encourage ICES to finalise an analytical assessment for herring in the Gulf of Bothnia and to produce new advice for that stock in 2021. Where justified on the basis of that advice, the Commission will consider submitting a proposal for an in-year amendment of the 2021 TAC for herring in the Gulf of Bothnia.

Joint Statement by the Commission, Denmark, Germany, Poland and Sweden on herring in the Western Baltic Sea

The stock of Spring Spawning Herring is managed in two areas: The Western Baltic Sea (subdivisions 22 - 24) and Skagerrak and Kattegatt (subarea 3a). Therefore, consistency of TAC setting between the two management areas is needed.

Joint Statement by Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden and the Commission on the stocks shared with Russia

Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden find that scientific advice should be handled separately from sharing arrangement. Therefore, aforementioned Member States consider that all biological components of the scientific advice such as migration, seal damaged fish and other stock specific components should be taken into account before applying sharing arrangements.

The Commission will initiate discussions on an appropriate methodology reflecting the above issues in the context of the Joint Baltic Sea Fisheries Committee.

Joint Statement by Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden on the application of Article 15(9) in the Basic Regulation for Eastern cod in 2021

Given that the biomass of the stock of eastern Baltic cod is below B_{lim} and that only by-catch and scientific fisheries will be permitted in 2021, in order to ensure the recovery of the stocks in accordance with Regulation (EU) 2016/1139, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 for transfers from 2020 to 2021. This undertaking is a response to the current exceptional circumstances for the eastern cod stock.

Joint Statement by the Commission and Germany on the option of support for the temporary cessation of fishing activities by the European Maritime and Fisheries Fund (EMFF)

1. Point (b) of Article 5(4) of Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks allows the Member States to adopt emergency measures in accordance with Article 13 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy.
2. Given the assessment of the International Council for the Exploration of the Sea (ICES) on cod and the herring in in Subdivisions 22-24 Germany therefore deems it necessary to adopt emergency measures in accordance with Article 13(1) of Regulation 1380/2013. The emergency measures consist of limitation of fishing activities in Subdivisions 22-24 by additional 30 days for German fishing vessels fishing for cod and 20 days for vessels fishing for herring.
3. The Commission and Germany agree that this emergency measure under point (a) of Article 33(1) of Regulation (EU) No 508 /2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 2328/2003 is eligible for funding from the EMFF and might also be eligible under the forthcoming EMFF Regulation, in accordance with the conditions therein.

Joint statement by Latvia and Lithuania regarding the 2021 TAC variation for herring in subdivisions 25-27, 28.2, 29, 32 for 2021

Lithuania and Latvia understand the rationale of the proposal by the Commission, which is in line with the latest ICES advice, issued in May 2020, and the provisions of the Baltic Sea multiannual plan.

However, Lithuania and Latvia consider that a stepwise approach would take into account the specificities of the pelagic fisheries in the Baltic Sea and avoid drastic TAC fluctuations.

Therefore, Lithuania and Latvia regret that the TAC for central herring, one of the most important stocks for the Baltic pelagic fleet, has been set without providing stability for the sector.

Lithuania and Latvia urge the Commission and the Council to explore possible legal solutions in a future legal framework to ensure that yearly fluctuations of fishing opportunities would not exceed 20%, especially given the difficult fisheries situation in the Baltic Sea.
