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**PECHE 273**

**PROPOSAL**

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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	5 July 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2018) 500 final
Subject:	Proposal for a COUNCIL REGULATION amending Regulation (EU) 2017/1970 fixing for 2018 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 document COM(2018) 500 final.

Encl.: COM(2018) 500 final

Brussels, 5.7.2018  
COM(2018) 500 final

2018/0264 (NLE)

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EU) 2017/1970 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea**

Delegations will find attached document COM(2018) 500 final.

Encl.: COM(2018) 500 final

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE PROPOSAL**

The Council, by Council Regulation (EU) 2017/1970, fixed the fishing opportunities for the Gulf of Bothnia herring (subdivisions 30-31) in 2018 based on and in line with the Baltic Sea Multi-annual Management Plan (Regulation (EU) 2016/1139). The EU quota was set at 84599 tonnes corresponding to the fishing mortality at MSY point value, i.e. 0.15 for the respective part of the stock with full analytical assessment that was provided by ICES.

In 2018 the amendment to Regulation (EU) 2016/1139 came into force as regards the MSY values for the Gulf of Bothnia herring stock in line with the latest advice provided by the International Council for the Exploration of the Sea (ICES). The amendment increases the numerical values of the MSY fishing mortality ranges from 0.11-0.15 to 0.15-0.21 and provides the legal basis to amend the respective fishing opportunities set in the Council Regulation (EU) 2017/1970.

This proposal sets the EU quota for the Gulf of Bothnia herring at the level of 95566 tonnes corresponding to the fishing mortality at MSY point value i.e. 0.21.

### **2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS**

The issue has been raised and discussed by the Member States concerned during the AGRIFISH Council on 9-10 October 2017. The Commission agreed to consider the submitting as a matter of urgency an appropriate proposal to adapt the ranges for herring in the Gulf of Bothnia in the Baltic Sea Multi-annual Management Plan with a view to amend consequently the respective Baltic fishing opportunities for 2018.

The Baltic Sea Advisory Council submitted its position to the Commission on 15 January 2018 indicating that it would welcome a fast amendment of the Baltic fishing opportunities reflecting the latest scientific advice following the adoption of the amended Baltic multiannual management plan. It further stated that timely changes to the Baltic fishing opportunities as regards the stock of Gulf of Bothnia herring would make it possible for the national administrations to allocate the quotas to their fishermen without any losses or interruptions before the trapnet season starts in May.

### **3. LEGAL ELEMENTS OF THE PROPOSAL**

The proposed amendment seeks to modify Council Regulation (EU) No 2017/1970 as described below.

The figures in the table pertaining to herring in zone: Subdivisions 30-31 (HER/30/31.) as established in the annex to the Regulation (EU) No 2017/1970 will have to be increased reflecting the changes to the fishing mortality as laid down in Regulation (EU) 2016/1139 as last amended by **Regulation (EU) 2018/YYYY**.

Proposal for a

## COUNCIL REGULATION

### amending Regulation (EU) 2017/1970 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2017/1970<sup>1</sup> establishes, among others, the fishing opportunities for herring in ICES Subdivisions 30-31 ('the Gulf of Bothnia herring stock') in accordance with the provisions of Regulation (EU) 2016/1139 of the European Parliament and of the Council<sup>2</sup>.
- (2) Regulation (EU) 2016/1139 has been amended by Regulation (EU) **YYYY/XXXX** of... as regards the Gulf of Bothnia herring stock, taking into account the latest scientific information provided by ICES<sup>3</sup>.
- (3) Following that amendment to Regulation (EU) 2016/1139, the fishing opportunities for the Gulf of Bothnia herring stock should be increased.
- (4) Regulation (EU) 2017/1970 should therefore be amended accordingly.
- (5) The main season for the herring fishery using trap nets starts in May. In order for Member States to allocate the fishing opportunities at national level in time before the season, this Regulation should enter into force on the day following that of its publication,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

In Annex to Regulation (EU) 2017/1970, the entry for herring in ICES Subdivisions 30-31 is replaced by the following:

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<sup>1</sup> Council Regulation (EU) 2017/1970 of 27 October 2017 fixing for 2018 the fishing opportunities for certain

fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2017/127 (OJ L 281, 31.10.2017, p. 1)

<sup>2</sup> 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, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (OJ L 191, 15.7.2016, p. 1)

<sup>3</sup> Regulation (EU) **2018/xxxx** of the European Parliament and of the Council of xx xxx 2018 amending Regulation (EU) 2016/1139 as regards fishing mortality ranges and safeguard levels for certain herring stocks in the Baltic Sea (OJ...)

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"Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 (HER/30/31.)
Finland	78351		
Sweden	17215		
Union	95566		
TAC	95566	Analytical TAC"	

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*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council  
The President*