

Multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks

2014/0285(COD) - 06/07/2016 - Final act

PURPOSE: to establish a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks.

LEGISLATIVE ACT: Regulation (EU) 2016/1139 of the European Parliament and of the Council 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.

CONTENT: the Regulation establishes a multiannual plan for **stocks of cod, herring and sprat in the Union waters of the Baltic Sea** and for the fisheries exploiting the stocks concerned. It also applies to **by-catches of plaice, flounder, turbot and brill** caught when fishing for the stocks concerned.

The plan:

- contributes to the achievement of the objectives of the [common fisheries policy](#) (CFP), in particular by applying the precautionary approach to fisheries management and aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce **maximum sustainable yield (MSY)**;
- contributes to the elimination of discards by avoiding and reducing, as far as possible, unwanted catches, and to the implementation of the **landing obligation** for the species which are subject to catch limits and to which the Regulation applies;
- implements the **ecosystem-based approach** to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised.

Target fishing mortality: the target fishing mortality shall be achieved as soon as possible and, on a progressive, incremental basis, by 2020 for the stocks concerned.

The target fishing mortality (F) corresponds to the objective of reaching and maintaining MSY as ranges of values that are consistent with achieving maximum sustainable yield (F MSY). Those ranges, based on **scientific advice**, are necessary in order to provide flexibility to take account of developments in the scientific advice, to contribute to the implementation of the landing obligation and to take into account the characteristics of mixed fisheries.

Where, on the basis of scientific advice, the Commission considers that the fishing mortality ranges no longer correctly express the objectives of the plan, the Commission may as a matter of urgency submit a proposal for revision of those ranges.

Fishing opportunities shall in any event be fixed in such a way as to ensure that there is less than a 5 % probability of the spawning stock biomass falling below the limit spawning stock biomass reference point.

Safeguards: appropriate safeguard measures should be envisaged in case the stock size falls below such critical spawning stock biomass levels. Safeguard measures include the **reduction of fishing opportunities and specific conservation measures** when scientific advice indicates that a stock is under threat.

Where, on the basis of scientific advice, the Commission considers that the conservation reference points no longer correctly express the objectives of the plan, the Commission may, as a matter of urgency, submit a proposal for the revision of those conservation reference points.

The plan also provides for:

- the Commission to adopt delegated acts regarding **exemptions from the application of the landing obligation** for species for which scientific evidence demonstrates high survival rates, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem, to facilitate the implementation of the landing obligation;
- the adoption of certain accompanying technical measures, by means of delegated acts, in order to contribute to the achievement of the objectives of the plan, in particular as regards the **protection of spawning and juvenile fish** or to improve selectivity.

Regionalisation: the rules should take account of the regionalisation principle set out in Article 18 of the CFP Regulation.

Accordingly, the Member States concerned may submit joint recommendations for the first time not later than 12 months after the date of entry into force of the Regulation and thereafter 12 months after each submission of the evaluation of the plan. They may also submit such recommendations when deemed necessary, in particular in the event of an abrupt change in the situation for any of the stocks to which the Regulation applies.

Prior notifications: the requirement on prior notification established in Article 17 of Regulation (EC) No 1224/2009 shall apply to masters of Union fishing vessels of an overall length of 8 metres or more retaining on board at least **300 kg of cod or 2 tonnes** of pelagic stocks.

Evaluation of the plan: by 21 July 2019, and every five years thereafter, the Commission shall report to the European Parliament and to the Council on the results and impact of the plan on the stocks to which the Regulation applies and on the fisheries exploiting those stocks.

ENTRY INTO FORCE: 20.7.2016.

DELEGATED ACTS: the Commission may adopt delegated acts as regards remedial measures concerning plaice, flounder, turbot and brill, implementation of the landing obligation and technical measures. The power to adopt delegated acts is conferred on the Commission for a period of **five years (which may be tacitly extended) from 20 July 2016**. The European Parliament or the Council may raise objections to a delegated act within 2 months from the date of notification (which may be extended by two months). If parliament or council raise objections, the delegated will not enter into force.