Long-term plan for cod stocks and the fisheries exploiting those stocks: management

2012/0236(COD) - 30/09/2016 - Commission communication on Council's position

The Commission adopted a communication on the position of the Council on the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EC) 1342/2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks.

The position of the Council reflects the political agreement reached by the European Parliament and the Council on 29 June 2016. **The Commission supports this agreement**.

However, since the publication of the 2012 Commission proposal, **circumstances have dramatically changed**. The new Basic Regulation of the CFP (Regulation (EU) No 1380/2013) has introduced an **obligation to land** by 2019 all catches of species which are subject to catch limits ("landing obligation") which obliges fishermen to stop discarding and to count all catches against their quota shares (the progressive dates of entry into force of this obligation depend on the fishery and species defining fishery).

Where the landing obligation applies, the effort regime, which also aims at reducing discards, has now become an unnecessary additional layer of regulation. For this reason, the Commission decided to **abandon the effort regime** in its proposal for a Baltic Sea Management Plan.

The new Basic Regulation also introduced a provision which obliges the Council to set TACs based on the **MSY** (maximum sustainable yield) approach. This makes the TAC setting rules in the cod recovery plan obsolete.

The Commission has **significantly amended the Council text** and reduced it to very few remaining provisions (except definitions, closing Articles, etc.):

- on objectives, referring to the MSY objective in line with the Basic Regulation and the agreed Baltic MAP;
- on minimum and precautionary measures, referring to the need to take into account "appropriate minimum and precautionary biomass levels" in line with the Basic Regulation, without specifying these levels;
- on setting TACs in data poor conditions, referring to the precautionary approach set out in the Basic Regulation, without setting out any detailed rules;
- to maintain the obligation for Member States to make sure that in each of the areas covered by the plan, the fishing capacity does not exceed the fishing capacity that could be observed in 2006 or 2007;
- obligation to land cod in designated ports;
- assistance under the EFF/EMFF enabling payments from the EMFF.

The compromise text departs significantly from the Commission’s 2012 initial proposal but **it is in line with the new rules set in the new Basic Regulation and Commission's new approach for the multiannual plans**. The Commission can accept all changes.