

Multiannual plans for certain stocks fished in the Baltic Sea, the North Sea and the Western Waters, and for fisheries exploiting those stocks: targets for fixing fishing opportunities

2023/0449(COD) - 06/12/2023 - Legislative proposal

PURPOSE: to ensure the internal consistency of the rules of the multiannual plans governing the fixing of yearly fishing opportunities by the Council.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: to achieve the objectives of the Common Fisheries Policy, Regulations (EU) 2016/1139, (EU) 2018/973 and (EU) 2019/472 of the European Parliament and of the Council established multiannual plans for the long-term management of certain stocks in the Baltic Sea, the North Sea, and the Western Waters, for fisheries exploiting those stocks and, where those stocks extend beyond the Western Waters, in their adjacent waters.

In accordance with the CFP Regulation, the multiannual plans set quantifiable targets in the form of target fishing mortality rates. These rates provide for flexibility by establishing a range of values (FMSY ranges with upper and lower limits) consistent with reaching and maintaining MSY for the target stocks.

In accordance with Articles 2(2) of Regulations (EU) 2016/1139 and (EU) 2019/472, and Article 2(1) of Regulation (EU) 2018/973, the FMSY range is calculated to deliver no more than a 5 % reduction in long-term yield compared to the MSY and it is capped so that the probability of the stock falling below Blim is no more than 5%.

The term 'Blim' is defined as the spawning stock biomass reference point provided for in the best available scientific advice, below which there may be reduced reproductive capacity.

However, under certain circumstances relating to the status of a given fish stock and the short-term forecast for its biomass development, the application of the 5% rule may result in a situation that would be inconsistent with the other rules of the multiannual plans governing the fixing of fishing opportunities and have potentially severe socioeconomic implications.

On the one hand, the 5% rule may mean that fishing opportunities cannot be set and the targeted fishery must be suspended. On the other hand, the safeguard provisions in the multiannual plans require the adoption of remedial measures to bring the stock above Btrigger, based on a case-by-case assessment on the appropriateness for choosing such measure, in accordance with the criteria set out in the multiannual plans. Moreover, the multiannual plans refer to the possibility, and not the obligation, to suspend the targeted fishery, provided that such a measure is considered appropriate in accordance with the criteria set out in the multiannual plans.

For those reasons, it is therefore appropriate to **delete the 5% rule** in the multiannual plans.

CONTENT: the objective of this proposal is to ensure the internal consistency of the rules of the multiannual plans governing the fixing of yearly fishing opportunities by the Council. With a view to addressing this inconsistency in the legal framework, it deletes the provisions in Regulations (EU) 2016/1139, (EU) 2018/973 and (EU) 2019/472 providing that fishing opportunities shall in any event be fixed in such a way as to ensure that the probability of the stock falling below Blim is no more than 5%.