Basic information

2009/0039(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Conservation of fishery resources: northern stock of hake and the fisheries exploiting that stock **Subject** 3.15.01 Fish stocks, conservation of fishery resources	

Key players

Council of the European Union	
European Commission	Commission DG: Maritime Affairs and Fisheries Commissioner: DAMANAKI Maria

Key events

Date	Event	Reference	Summary
17/03/2009	Legislative proposal published	COM(2009)0122	Summary
14/07/2009	Committee referral announced in Parliament, 1st reading		
02/12/2009	Additional information		Summary
30/07/2011	Proposal withdrawn by Commission		Summary

Technical information

Procedure reference	2009/0039(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	PECH/7/00273

Documentation gateway

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2009)0122	17/03/2009	Summary
Document attached to the procedure	SEC(2009)0300	17/03/2009	
Document attached to the procedure	SEC(2009)0301	17/03/2009	

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Conservation of fishery resources: northern stock of hake and the fisheries exploiting that stock

2009/0039(COD) - 17/03/2009 - Legislative proposal

PURPOSE: to establish a long-term plan for the management of the northern stock of hake and the fisheries exploiting this stock.

PROPOSED ACT: Council Regulation.

BACKGROUND: in view of the Implementation Plan adopted at the UN World Summit on Sustainable Development adopted at Johannesburg in 2002, the European Community is committed inter alia to maintaining or restoring fisheries stocks to levels that can produce the maximum sustainable yield with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015. Moreover, during the 2002 reform of the Common Fisheries Policy, the Commission and Council agreed to implement progressively multi-annual plans and recovery plans concerning fisheries resources of interest to the Community.

The existing hake recovery plan stipulates that when the size of the hake stock has exceeded its recovery target for two consecutive years, the recovery plan should be replaced with a management plan. In 2007, scientific advice indicated that that target had been reached, after which the preparation of the proposal started. More recent scientific advice indicates that the state of the stock has changed and that the stock can no longer be considered to have exceeded its recovery target during two consecutive years. It is therefore appropriate to replace the recovery plan by a plan which is applicable when the stock is either above or below the target level.

IMPACT ASSESSMENT: three main scenario options were considered: (1) *No policy change*, based on the current fishing mortality as set in the recovery plan; (2) *Management plan* providing for gradual adjustments in fishing mortality to let the stock rebuild towards maximum sustainable yield (MSY) levels; (3) *Decommissioning of fleet*. The Commission concludes that **Option 3 should be the chosen action**. Adjusting fishing mortality to maximum sustainable yield (MSY) levels through a short-term voluntary decommissioning of fleet, followed by fishing at a stable rate thereafter would best address the problem faced by the northern hake fishery.

CONTENT: the proposed plan replaces and repeals Council Regulation (EC) No 811/2004 establishing measures for the recovery of the Northern hake stock. The main new elements to introduce in the new plan are as follows:

The need to revise the objectives: in the light of the scientific advice, rather than targeting specific biomass levels it has proven necessary to provide for a situation where the stock may fluctuate unpredictably around the recovery target, and to obviate making separate recovery or long-term plans. It is therefore proposed to fix the objective of exploiting the stock at a fishing mortality rate of 0.17 per year. This in accordance with scientific advice that fishing at this rate will provide the highest yields from the stock.

The adaptation of the plan to current social and economic conditions: the fishing sector is currently undergoing a period of rapid restructuring caused by the high fuel prices in 2008 and due to low profitability. The new plan should take account of these changes and should focus on returning the fishery to as profitable a level as possible in the shortest reasonable time-frame.

The provision for harvest rules in data-poor situations: recent experience concerning other stocks has shown that data may not always be available to provide the parameters to apply the plan. It is necessary to provide clear rules to apply when and where scientists cannot provide precise estimates of stock status.

The need to reduce hake discards: a reduction in the fishing mortality rate used to target hake to that necessary to take the highest yields will lead to lower discarding rates, both of hake and of other species caught together with hake.

Control provisions: control provisions must also be adapted to the new structure and provisions. In view of the proposed changes to hake management, certain control measures laid down in Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy should be improved to ensure compliance with the new measures.

The proposed target fishing mortality rates are based on scientific advice from the Scientific, technical and Economic Committee for Fisheries (STECF) and ICES and reflect the current biological situation. An evaluation clause is included in the proposal to ensure that the target fishing mortality rates can be amended if appropriate in the light of new scientific information and advice.

BUDGETARY IMPLICATION: the proposal has no implication for the Community budget.