

Basic information	
<p><b>2014/0285(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	<p>Procedure completed</p>
<p>Multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks</p> <p>Repealing Regulation (EC) No 1098/2007 <a href="#">2006/0134(CNS)</a> Amending Regulation (EC) No 2187/2005 <a href="#">2005/0014(CNS)</a> Amended by <a href="#">2017/0348(COD)</a> Amended by <a href="#">2018/0074(COD)</a> Amended by <a href="#">2018/0193(COD)</a> Amended by <a href="#">2019/0246(COD)</a></p> <p><b>Subject</b></p> <p>3.15.01 Fish stocks, conservation of fishery resources 3.15.04 Management of fisheries, fisheries, fishing grounds</p> <p><b>Geographical area</b></p> <p>Baltic Sea area</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	PECH	Fisheries	WAŁĘSA Jarosław (PPE)	21/10/2014
		Shadow rapporteur		
		<a href="#">RODUST Ulrike (S&amp;D)</a>		
		<a href="#">VAN DALEN Peter (ECR)</a>		
		<a href="#">TORVALDS Nils (ALDE)</a>		
		<a href="#">HAZEKAMP Anja (GUE/NGL)</a>		
		<a href="#">ENGSTRÖM Linnéa (Verts/ALE)</a>		
		<a href="#">AFFRONTÉ Marco (EFDD)</a>		
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Agriculture and Fisheries		3479	2016-06-27
	Agriculture and Fisheries		3365	2015-01-26
	Agriculture and Fisheries		3381	2015-04-20
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	

## European Economic and Social Committee

## Key events

Date	Event	Reference	Summary
06/10/2014	Legislative proposal published	COM(2014)0614 	Summary
20/10/2014	Committee referral announced in Parliament, 1st reading		
26/01/2015	Debate in Council		Summary
31/03/2015	Vote in committee, 1st reading		
09/04/2015	Committee report tabled for plenary, 1st reading	A8-0128/2015	Summary
27/04/2015	Debate in Parliament		
28/04/2015	Decision by Parliament, 1st reading	T8-0104/2015	Summary
28/04/2015	Results of vote in Parliament		
28/04/2015	Matter referred back to the committee responsible		
19/04/2016	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
23/06/2016	Decision by Parliament, 1st reading	T8-0287/2016	Summary
27/06/2016	Act adopted by Council after Parliament's 1st reading		
06/07/2016	Final act signed		
06/07/2016	End of procedure in Parliament		
15/07/2016	Final act published in Official Journal		

## Technical information

<b>Procedure reference</b>	2014/0285(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Regulation
<b>Amendments and repeals</b>	Repealing Regulation (EC) No 1098/2007 <a href="#">2006/0134(CNS)</a> Amending Regulation (EC) No 2187/2005 <a href="#">2005/0014(CNS)</a> Amended by <a href="#">2017/0348(COD)</a> Amended by <a href="#">2018/0074(COD)</a> Amended by <a href="#">2018/0193(COD)</a> Amended by <a href="#">2019/0246(COD)</a>
<b>Legal basis</b>	Treaty on the Functioning of the European Union TFEU 043-p2
<b>Other legal basis</b>	Rules of Procedure EP 165
<b>Mandatory consultation of other institutions</b>	<a href="#">European Economic and Social Committee</a>
<b>Stage reached in procedure</b>	Procedure completed

## Documentation gateway

## European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE546.811</a>	10/02/2015	
Amendments tabled in committee		<a href="#">PE551.757</a>	05/03/2015	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0128/2015</a>	09/04/2015	<a href="#">Summary</a>
Text adopted by Parliament, partial vote at 1st reading /single reading		<a href="#">T8-0104/2015</a>	28/04/2015	<a href="#">Summary</a>
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0287/2016</a>	23/06/2016	<a href="#">Summary</a>

## Council of the EU

Document type	Reference	Date	Summary
Draft final act	<a href="#">00015/2016/LEX</a>	06/07/2016	

## European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2014)0614</a> 	06/10/2014	<a href="#">Summary</a>
Document attached to the procedure	<a href="#">SWD(2014)0290</a> 	06/10/2014	
Document attached to the procedure	<a href="#">SWD(2014)0291</a> 	06/10/2014	
Commission response to text adopted in plenary	<a href="#">SP(2016)487</a>	14/07/2016	
Follow-up document	<a href="#">COM(2020)0494</a> 	14/09/2020	
Follow-up document	<a href="#">SWD(2020)0171</a> 	14/09/2020	
Follow-up document	<a href="#">COM(2024)0703</a> 	04/09/2024	
Follow-up document	<a href="#">SWD(2024)0703</a> 	04/09/2024	

## Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES6093/2014</a>	10/12/2014	

Additional information		
Source	Document	Date
EP Research Service	Briefing	
European Commission	EUR-Lex	

Final act	
<a href="#">Regulation 2016/1139</a> <a href="#">OJ L 191 15.07.2016, p. 0001</a>	<a href="#">Summary</a>

Delegated acts	
Reference	Subject
<a href="#">2017/2949(DEA)</a>	Examination of delegated act
<a href="#">2017/3027(DEA)</a>	Examination of delegated act
<a href="#">2021/2770(DEA)</a>	Examination of delegated act
<a href="#">2023/2635(DEA)</a>	Examination of delegated act

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

2014/0285(COD) - 06/10/2014 - Legislative proposal

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

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

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: at the World Summit on Sustainable Development at Johannesburg in 2002, the Union and its Member States committed themselves to act against the continued decline of many fish stocks.

Cod, herring and sprat are the subject of important fisheries in the Baltic Sea. They are also important components of the Baltic ecosystem and there are also strong biological interactions between them. Scientific advice from the International Council for the Exploration of the Sea ('ICES') has indicated that the current exploitation rates for some of these stocks are **not consistent with achieving maximum sustainable yield**.

A management plan for the Baltic Sea cod stocks has been in place since 2007 but the stocks of herring and sprat are not yet subject to a management plan. This hinders the sustainable management of these fisheries, and does not provide stability of fishing opportunities for the fishermen operating in these fisheries.

In addition, Member States and stakeholders have expressed support for the development and implementation of management plans for the key Baltic stocks.

**In order to increase predictability for fishermen and to ensure high, stable and sustainable catches**, the proposal is the first multiannual plan adopted in accordance with the new [Common Fisheries Policy](#) which entered into force in January 2014.

IMPACT ASSESSMENT: three options were analysed from biological, environmental and economic-social aspects. The option with most beneficial impact has been then developed into the present multiannual plan:

- **to ensure sustainable fisheries at MSY level by 2015** for the stocks concerned is to achieve biological and environmental benefits. The probable reduction in the overall amount of fishing would also imply a reduction in emissions from vessel engines;
- **as for the economic-social impact**, bringing the herring and sprat stocks under a management plan would provide a systematic basis for setting annual TACs in a way which would provide the pelagic sector with predictability of catches which would help support business planning and stability of supply;
- the abolishment of fishing effort system and of requirement of single area fishing will **simplify the legal framework and reduce administrative burden** on Member State and industry.

CONTENT: the Commission proposes, in the framework of the new Common Fisheries Policy (CFP), a **multiannual fisheries management plan for the Baltic Sea that applies to cod, herring and sprat stocks**. This plan replaces the management plan in place for the two Baltic cod stocks.

The plan will ensure the **sustainable exploitation of these Baltic Sea stocks**, and provide stability of fishing opportunities, while ensuring that management is based on the most up to date scientific information on interactions within and between the stocks and with other aspects of the ecosystem and environment.

In accordance with the overall ambition of the CFP on the conservation of fisheries resources, the main elements of the plan are:

- **objectives and targets** (Achieve levels of fishing mortality consistent with the principle of maximum sustainable yield);
- **conservation reference points** expressed in spawning biomass levels and specific conservation measures;
- provisions related to the **landing obligation**;
- framework of technical measures;
- periodic evaluation of the plan based on scientific advice.

The plan does not include annual limits on fishing effort. It establishes **regional cooperation** in respect of adopting technical measures, provisions for the landing obligation and specific conservation measures for the by catches in the fisheries for the stocks concerned.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the treaty on the Functioning of the European Union.

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

2014/0285(COD) - 28/04/2015 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted **amendments** on the proposal for a regulation 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.

The matter was **referred back to the committee responsible for reconsideration**. The vote has been postponed.

**Scope:** the Commission proposal provides for the plan to also apply to plaice, flounder, turbot and brill (flat fish) in the Union waters of the Baltic Sea caught when fishing for the stocks concerned (that is, cod, herring and sprat).

Parliament seeks to shift the importance from flatfish to the main species covered. Therefore, it is suggested that the regulation provides, in addition, **technical measures relating to by-catches of plaice, flounder, turbot and brill**, which apply when fishing activities targeting the stocks concerned.

The technical conservation measures relating to plaice, flounder, turbot and brill may be adopted by **delegated acts including the participation of the European Parliament and the consultation committees concerned**. The Commission shall, in consultation with the Member States concerned, analyse the impact of the delegated acts one year after their adoption, and every year thereafter.

**Plan objectives:** the plan shall ensure the achievement of the objectives of the common fisheries policy (CFP), in particular:

- **restoring and maintaining the stocks** concerned above biomass levels that can produce maximum sustainable yield;
- contributing to the **conservation of the stocks** of plaice, brill, flounder and turbot through management of by-catches, in line with the precautionary approach;
- contributing to the **elimination of discards**, taking into account the best available scientific advice, by avoiding and reducing unwanted catches.

**Coherence with Union environmental legislation:** Members demanded that the plan apply the **ecosystem-based approach** to fisheries management. In order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, the plan shall contribute to achievement of the objectives of, the [Marine Strategy Framework Directive](#) so as to achieve good environmental status by 2020.

**Objectives targeted:** the fishing mortality target shall take into account the **most recent scientific advice** and shall, where possible, be achieved by **2015 and, on a progressive, incremental basis, by 2020 at the latest**, and shall be maintained thereafter for the stocks concerned.

Members suggested that values for FMSY (fishing mortality consistent with achieving maximum sustainable yield) shall be taken from the latest reliable scientific advice available and Fishing mortality (F) should aim at 0.8 x FMSY.

Fishing opportunities shall be set in such a way as to ensure that there is less than a 5% probability that they are in excess of the F-MSY values.

Moreover, this Regulation shall provide for the temporary cessation of fishing activities as defined in Regulation (EU) 508/2014 on the European Maritime and Fisheries Fund (EMFF), with financial support being provided under that Regulation.

**Minimum spawning biomass level:** when the spawning biomass of any of the stocks concerned for a certain year is below the minimum spawning biomass levels set out in the Regulation, appropriate remedial measures shall be adopted to ensure that the stocks concerned return to levels above those capable of producing maximum sustainable yield (MSY) as soon as possible.

**Technical measures:** Members requested that during the cod spawning season, pelagic fishing using stationary gear with a mesh size of less than 110 mm, or 120 mm in the case of outrigger gear, shall be prohibited.

**Specific measures:** the resolution indicated that any fishing activity should be prohibited from 1 May to 31 October within the areas enclosed by rhumb lines successively connecting certain following positions noted in the amended regulation.

**Regional cooperation:** Parliament considered that the rules should take account of the principle of regionalisation outlined in Article 18 of the base CFP regulation PCP ([Regulation \(EU\) No 1380/2013](#)).

Any joint recommendations concerning the specific conservation measures or technical measures may be submitted by the Member States concerned, **after having consulted the regional advisory councils**. The Member States may also submit such recommendations **in the event of any abrupt change in the situation for any of the stocks covered by the plan**, if the measures recommended are deemed necessary or justified by scientific advice.

Any deviations by the Commission from the joint recommendations would be presented to the European Parliament and to the Council and should be capable of being scrutinised.

**Review: three years** after the entry into force of this Regulation, and every **five years** thereafter, the Commission shall evaluate the impact of this multiannual plan on the stocks covered by this Regulation and on the fisheries exploiting those stocks, in particular as regards the progress achieved towards restoring and maintaining fish stocks above levels capable of producing maximum sustainable yield.

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

2014/0285(COD) - 26/01/2015

The Council held an **exchange of views** on a proposal for a regulation establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea.

Member states generally welcomed the proposal considering that it would be a test case for a new generation of multiannual management plans.

Some issues need further discussion, such as the **legal basis or the detail of the acts delegated** to the Commission.

Accordingly, the Presidency hoped to reach a draft Council position on the proposal before the end of the Presidency in order to launch the negotiations with the Parliament as soon as possible.

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

2014/0285(COD) - 09/04/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Jarosław WALESA (PPE, PL) on the proposal for a regulation 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.

The parliamentary committee recommends that the European Parliament position adopted at first reading following the ordinary legislative procedure modify the Commission's proposal as follows:

**Scope:** the Commission proposal provides for the plan to also apply to plaice, flounder, turbot and brill (flat fish) in the Union waters of the Baltic Sea caught when fishing for the stocks concerned (that is, cod, herring and sprat).

The report wants to shift the importance from flatfish to the main species covered; otherwise the proportionality of the whole proposal might be disturbed. Therefore, it is suggested that the regulation provides, in addition, **technical measures relating to by-catches of plaice, flounder, turbot and brill**, which apply when fishing activities targeting the stocks concerned.

The technical conservation measures relating to plaice, flounder, turbot and brill may be adopted by **delegated acts including the participation of the European Parliament and the consultation committees concerned**.

**Plan objectives:** the plan shall ensure the achievement of the objectives of the common fisheries policy (CFP), in particular:

- restoring and **maintaining the stocks concerned above biomass levels** that can produce maximum sustainable yield;

- contributing to the **conservation of the stocks of plaice, brill, flounder and turbot** through management of by-catches, in line with the precautionary approach;
- contributing to the **elimination of discards**, taking into account the best available scientific advice, by avoiding and reducing unwanted catches.

**Coherence with Union environmental legislation:** the Members demanded that the plan apply the **ecosystem-based approach** to fisheries management. In order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, the plan shall contribute to achievement of the objectives of, the [Marine Strategy Framework Directive](#) so as to achieve good environmental status by 2020.

**Objectives targeted:** the fishing mortality target shall **take into account the most recent scientific advice** and shall, where possible, be achieved by 2015 and, on a progressive, incremental basis, by 2020 at the latest, and shall be maintained thereafter for the stocks concerned. Values for FMSY (fishing mortality consistent with achieving maximum sustainable yield) should aim at 0.8 x FMSY.

**Specific measures:** Members indicated that any fishing activity should be prohibited from 1 May to 31 October within the areas enclosed by rhumb lines successively connecting certain following positions noted in the amended regulation.

**Regional cooperation:** Members considered that the rules should take account of the principle of regionalisation outlined in Article 18 of the base CFP regulation PCP ([Regulation \(EU\) No 1380/2013](#)). Any joint recommendations concerning the specific conservation measures or technical measures may be submitted by the Member States concerned, **after having consulted the regional advisory councils**. The Member States may also submit such recommendations **in the event of any abrupt change in the situation for any of the stocks covered by the plan**, if the measures recommended are deemed necessary or justified by scientific advice.

Any deviations by the Commission from the joint recommendations would be presented to the European Parliament and to the Council and should be capable of being scrutinised.

**Review:** the first review of the plan should take place **three years** after its entry into force, and if the plan will have positive effects, to revise it again after five years. This will also provide a much needed flexibility to the plan.

**Support from the European Maritime and Fisheries Fund:** Members proposed to set rules to ensure that financial support under [Regulation \(EU\) No 508/2014](#) of the European Parliament and of the Council can be provided in the event of temporary cessation of fisheries.

In this context, the multi-annual plan provided for by this Regulation should be regarded as a multi-annual plan pursuant to the base CFP regulation.

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

2014/0285(COD) - 23/06/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 480 votes to 38 with 39 abstentions a legislative resolution on the proposal for a regulation 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.

The matter had been sent back to the competent committee for re-examination at the sitting of 28.4.2015.

Parliament's position adopted in first reading following the ordinary legislative procedure, amended the Commission proposal as follows:

**Scope:** 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.

The Regulation also applies to **by-catches** of plaice (*Pleuronectes platessa*), flounder (*Platichthys flesus*), turbot (*Scophthalmus maximus*) and brill (*Scophthalmus rhombus*) caught when fishing for the stocks concerned.

**Objectives:** the plan shall:

- contribute to the achievement of the objectives of the [common fisheries policy](#) (CFP), in particular by applying the **precautionary approach** to fisheries management;
- aim 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);
- contribute 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.

Furthermore, the plan shall implement the **ecosystem-based approach** to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. It shall be coherent with Union **environmental legislation**, in particular with the objective of achieving good environmental status by 2020 as set out in [Directive 2008/56/EC](#).

**Target fishing mortality:** Parliament stressed the need to establish the target fishing mortality (F) that corresponds to the objective of reaching and maintaining MSY as **ranges of values** which 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.

Accordingly, the text stipulates that the target fishing mortality shall be achieved as soon as possible and, on a progressive, incremental basis, by 2020 for the stocks concerned, and it shall be **maintained thereafter within the ranges set out in Annex I of the Regulation**.

Where, on the basis of scientific advice, the Commission considers that the fishing mortality ranges set out in Annex I 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. When scientific advice indicates that the spawning stock biomass of any of the stocks concerned is below the minimum spawning stock biomass reference point as set out in Annex II to the Regulation, all appropriate remedial measures shall be adopted to ensure rapid return of the stock concerned to levels above the level capable of producing MSY.

Remedial measures may include suspending the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities.

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.

**Measures for plaice, flounder, turbot and brill caught as a by-catch:** when scientific advice indicates that remedial measures are needed to ensure that the Baltic stocks of plaice, flounder, turbot or brill, caught as by-catch when fishing for the stocks concerned, are managed in accordance with the objectives of the Regulation, the Commission is empowered to adopt delegated acts regarding:

- characteristics of fishing gear, in particular mesh size, hook size, construction of the gear, twine thickness, size of the gear or **use of selectivity devices**, to ensure or improve selectivity ;
- prohibition or limitation on fishing in specific areas, to **protect spawning and juvenile fish** or fish below the minimum conservation reference size or non-target fish species.

**Provisions linked to the landing obligation:** the Commission is empowered 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.

**Technical measures:** the plan should also provide for certain accompanying technical measures to be adopted, 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**.

**Regional cooperation:** Parliament considered that the rules should take better account of the regionalization principle set out in Article 18 of the CFP Regulation

Member States concerned may submit joint recommendations for the first time not later than 12 months after the date of entry into force of this 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.

**Logbooks:** masters of Union fishing vessels of an **overall length of eight metres or more engaged in targeted fishing for cod** shall keep a fishing logbook of their operations. Furthermore, for catches that are landed unsorted the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be **10 %** of the total quantity retained on board.

**Review:** three years after the date of entry into force of the Regulation], 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.

## 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.