Amendments to fishing opportunities for 2023 in non-EU waters

Published by AGRINFO on 20 Jun 2023

Council of the EU amends Regulation on total allowable catches following consultations with Regional Fisheries Management Organisations

Council Regulation (EU) 2023/730 of 31 March 2023 amending Regulation (EU) 2023/194 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks, and Regulation (EU) 2022/109

Update

This new Regulation carries over unused quota for certain stocks and sets 2023 fishing effort limits for EU fishing for bluefin tuna in the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention area. It also revises the quota for yellowfin tuna in the Indian Ocean Tuna Commission (IOTC) Area of Competence; and sets catch limits for jack mackerel adopted by the South Pacific Regional Fisheries Management Organisation (SPRFMO).

Impacted products

albacore, bigeye tuna, bluefin tuna, yellowfin tuna, jack mackerel, swordfish, toothfishes

What is changing?

- The International Commission for the Conservation of Atlantic Tunas (ICCAT) has adjusted the 2023 EU quota for stocks in its Convention area. Quotas for individual EU Member States include carry-over of unused EU quotas allowed by ICCAT before the start of the fishing seasons for those stocks. Annex ID of Regulation 2023/194 is amended accordingly (Table 1).
- The South Pacific Regional Fisheries Management Organisation (SPRFMO) has adopted catch limits for jack mackerel, maintained exploratory fisheries for toothfishes, and removed fishing effort limits for pelagic fisheries. Annex IH of Regulation 2023/194 is amended accordingly (Table 2).
- The Indian Ocean Tuna Commission (IOTC) has revised the EU quota for yellowfin tuna downwards for 2023. Annex IJ of Regulation 2023/194 is amended accordingly (Table 3).

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Why?

- Regulation (EU) 2023/194 established individual EU Member States' quotas of fishing opportunities for albacore, bigeye tuna and swordfish stocks in the Atlantic Ocean, based on the total EU quota for 2023 before any adjustments for overfishing or underfishing. EU quotas for stocks in the ICCAT Convention area for 2023 were adjusted at ICCAT's annual meeting in November 2022. The EU is allowed to carry over a percentage of unused quota from 2021 to 2023.
- The SPRFMO adopted these measures at its 11th annual meeting in 2023. The provisions apply retroactively.
- The EU's quotas for yellowfin tuna are revised downwards in line with its stock rebuilding plan.

Timeline

The fishing opportunities provided for in Regulation (EU) 2023/194 apply from 1 January 2023. To avoid any interruption of fishing activities, Regulation 2023/730 also applies retroactively from **1 January 2023**. The Regulation entered into force on 4 April 2023.

What are the major implications for exporting countries?

The proposed amendments will apply to EU fleets fishing in waters managed by RFMOs. There are no implications for exporting countries.

Background

Regulation (EU) 2023/194 fixes fishing opportunities in 2023. Total allowable catches can be amended during that period, taking into account scientific advice and outcomes of consultations with non-EU countries and Regional Fisheries Management Organisations (RFMOs). Catch and effort limits, as well as revised quotas adopted by RFMOs that the EU participates in, must be implemented in EU law.

For stocks subject to an analytically determined total allowable catch (TAC), an EU Member State may ask the European Commission, before 31 October of the year in which it applies, to transfer a maximum of 10% of its allocated quota to the following year (Regulation 847/96, Art. 4). Unused Member States' quotas for stocks regulated by RFMOs cannot be transferred that

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way because quotas for such stocks are set by RFMO rules. Withholding and transfer of these quotas under Regulation 847/96 (Art. 4) is not permitted for these stocks.

Under ICCAT recommendations, the EU may carry over a percentage of its unused quota of fishing opportunities from 2 years ago or 1 year ago to a given year. Regulation 2023/194 set EU quota for ICCAT stocks for 2023. These quotas were adjusted by ICCAT in November 2022, allowing the EU to request to carry over any of its unused EU quota from 2021 to 2023 at a set percentage.

Resources

European Commission: Regional Fisheries Management Organisations (RFMOs)

Proposal for a Council Regulation amending Regulation (EU) 2022/109 and Regulation (EU) 2023/194

Regulation (EU) 2023/730

Regulation (EU) 2023/194

Regulation (EC) No 847/96

Sources

Regulation 2023/730 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks

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Tables & Figures

Table 1
Amendments to Annex ID

Country/region and TAC[1]	Old catch limits (mt)	New catch limits (mt)
ICCAT[2] Convention Area north of 5°N		
Albacore (*Thunnus alalunga*)		
Ireland	3,174.03	3,398.46
Spain	17,890.00	19,154.93
France	5,626.69	6,024.53
Portugal	1,962.13	2,100.86
EU	**28,652.85**	**30,678.78**
Analytical TAC	37,801	37,801
Swordfish (*Xiphias gladius*)		
Spain[3]	5,558.59	6,359.36
Portugal[3]	1,010.29	1,155.83
Other Member States (exclusively by-catches)[3]	108.45	129.84
EU	**6,677.33**	**7,645.03**
Analytical TAC	13,200	13,200
ICCAT Convention Area south of 5°N		
Albacore (*Thunnus alalunga*)		
Spain	870.10	1,051.29
France	286.00	345.49
Portugal	608.90	735.71
EU	**1,765.00**	**2,132.50**
Analytical TAC	28,000	28,000
Swordfish (*Xiphias gladius*)		
Spain[4]	4,525.88	5,002.72
Portugal[4]	298.12	329.53
EU	**4,824.00**	**5,332.26**
Analytical TAC	10,000	10,000
ICCAT Convention Area		
Bigeye tuna (*Thunnus obesus*)[5]		
Spain	7,438.09	8,181.90
France	3,159.38	3,475.31
Portugal	2,823.84	3,106.23
EU	**13,421.31**	**14,763.44**
Analytical TAC	62,000	62,000

1 TAC, total allowable catch.
2 ICCAT, International Commission for the Conservation of Atlantic Tunas.
3 Up to 2.39% may be fished south of 5°N (to be reported separately).
4 Up to 3.51% may be fished north of 5° (to be reported separately).
5 Catches by purse seiners and longliners with an overall length of 20 metres and above (to be reported separately). Member States must report catches for these vessels on a weekly basis when catches reach 80% of quota.

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Source: Regulation (EU) 2023/194, Annex ID

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Table 2 Amendments to Annex IH		
Country/region and TAC[1]	Allowable catch allocation (mt)	Comments
SPRFMO[2] Convention Area		
Toothfishes (*Dissostichus* spp.)		
Precautionary TAC	75	Exploratory fisheries only
Jack mackerel (*Trachurus murphyi*)		
Analytical TAC	Not relevant	Arts. 3 and 4 of Regulation (EC) No. 847/96 do not apply
Germany	15,280.63	
Netherlands	16,562.63	
Lithuania	10,632.66	
Poland	18,282.08	
EU	**60,758.00**	

1 TAC, total allowable catch.
2 SPRFMO, South Pacific Regional Fisheries Management Organisation.

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Source: Regulation (EU) 2023/194, Annex IH

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Table 3 Amendments to Annex IJ		
Country/region	Old catch limits (mt)	New catch limits (mt)
IOTC[1] Area of Competence		
Yellowfin tuna (*Thunnus albacares*)		
France	27,736	27,710
Italy	2,367	2,365
Spain	42,943	42,903
Portugal[2]	100	100
EU	**73,146**	**73,078**

1 IOTC, Indian Ocean Tuna Commission.
2 Exclusively by-catches.

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Source: Regulation (EU) 2023/194, Annex IJ

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