

COMMISSION DELEGATED REGULATION (EU) 2021/2062
of 23 August 2021
amending Delegated Regulation (EU) 2020/2014 specifying details of implementation of the landing
obligation for certain fisheries in the North Sea for the period 2021-2023

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2020/2014 ⁽²⁾ provides details on how to implement the landing obligation for certain fisheries in the North Sea for the period 2021-2023, following a joint recommendation submitted by Belgium, Denmark, Germany, France, the Netherlands and Sweden ('Scheveningen Group').
- (2) Under Delegated Regulation (EU) 2020/2014, certain exemptions to the landing obligation are provisionally applicable until 31 December 2021. In these cases, Member States having a direct management interest should submit, as soon as possible and not later than 1 May 2021, additional scientific evidence supporting the exemption. The Scientific, Technical and Economic Committee for Fisheries ('STECF') should assess the submitted evidence by 31 July 2021.
- (3) The Scheveningen Group, after consulting the North Sea Advisory Council and the Pelagic Advisory Council, submitted a joint recommendation to the Commission on 30 April 2021, requesting the continuation of certain exemptions to the landing obligation beyond 2021 and providing additional scientific information. The Scheveningen Group submitted a revised version of the joint recommendation on 26 July 2021.
- (4) The STECF ⁽³⁾ reviewed the joint recommendation in May 2021. The Commission presented the draft delegated act to an expert group consisting of representatives of the Member States on 16 July 2021 in a meeting attended by the European Parliament as an observer.
- (5) Article 6(1), point (c)(ii), of Delegated Regulation (EU) 2020/2014 includes a survivability exemption for plaice caught with bottom trawls (OTB, PTB) with a mesh size of 90 to 119 mm and equipped with certain panels in the Union waters of International Council for the Exploration of the Sea ('ICES') division 3a. The Scheveningen Group requested to broaden the exemption to allow a square mesh panel of at least 120 mm on trawls in ICES sub-division Kattegat from 1 October to 31 December of each year. The STECF noted ⁽⁴⁾ that the additional scientific information provided by Denmark confirms that the discard survival of plaice will be similar or better for larger mesh sizes, including the SELTRA and 120mm square mesh panels, compared to the 80-99 mesh size allowed for otter trawl fishery. The exemption should therefore be broadened to include a square mesh panel of at least 120 mm on trawls in sub-division Kattegat.

⁽¹⁾ OJ L 179, 16.7.2018, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/2014 of 21 August 2020 specifying details of implementation of the landing obligation for certain fisheries in the North Sea for the period 2021-2023 (OJ L 415, 10.12.2020, p. 10).

⁽³⁾ <https://stecf.jrc.ec.europa.eu/documents/43805/2874177/STECF+21-05+-+Ev+JR+LO+and+TM+Reg.pdf/caa87b65-ea4a-491a-8e59-4111e01e1c1d>

⁽⁴⁾ <https://stecf.jrc.ec.europa.eu/documents/43805/2874177/STECF+21-05+-+Ev+JR+LO+and+TM+Reg.pdf/caa87b65-ea4a-491a-8e59-4111e01e1c1d>, p. 23-24.

- (6) Article 11, paragraph 11, of Delegated Regulation (EU) 2020/2014 includes a *de minimis* exemption for whiting below the minimum conservation reference size caught by vessels using beam trawls with mesh size 80 to 119 mm in ICES subarea 4. The Scheveningen Group requested that the exemption be extended until 31 December 2023 and submitted new scientific information. The STECF assessed that evidence and concluded ⁽⁵⁾ that the joint recommendation addresses to a large degree the issues identified by STECF in its previous assessments. In particular, the estimated costs of landing unwanted catches are significant and would require substantial additional labour on board. The STECF also recognised the issues and challenges involved in improving selectivity in this fishery. The exemption should therefore be maintained until 31 December 2023.
- (7) As the measures provided for in this Regulation have a direct impact on the planning of the fishing season for Union vessels and on related economic activities, this Regulation should enter into force immediately upon publication. It should apply from 1 January 2022,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation 2020/2014 is amended as follows:

- (1) Article 6, paragraph 1, point (c)(ii) is replaced by the following:
- ‘(ii) with a mesh size of 90 to 119 mm equipped with a Seltra panel with a top panel of 140 mm mesh size (square mesh), 270 mm mesh size (diamond mesh), 300 mm mesh size (square-mesh), or in sub-division Kattegat, a square mesh panel of at least 120 mm in the period from 1 October to 31 December every year which target flatfish or roundfish in the Union waters of ICES division 3a;’;
- (2) Article 11, point (11) is replaced by the following:
- ‘(11) in the demersal mixed fishery by vessels using beam trawls with a mesh size of 80-119 mm in Union waters of ICES subarea 4:
- a quantity of whiting below the minimum conservation reference size, which shall not exceed 2 % of the total annual catches of plaice and sole;’.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2022 until 31 December 2023.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁵⁾ <https://stecf.jrc.ec.europa.eu/documents/43805/2874177/STECF+21-05+-+Ev+JRs+LO+and+TM+Reg.pdf/caa87b65-ea4a-491a-8e59-4111e01e1c1d>, p. 20-21.