

# Procedure file

Basic information		
CNS - Consultation procedure Regulation	<a href="#">2006/0002(CNS)</a>	Procedure completed
Fisheries resources: recovery of the stocks of plaice and sole in the North Sea		
Amended by <a href="#">2008/0216(CNS)</a> Repealed by <a href="#">2016/0238(COD)</a>		
Subject 3.15.01 Fish stocks, conservation of fishery resources		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		15/02/2006
		PPE-DE <a href="#">MAAT Albert Jan</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2806</a>	11/06/2007
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2774</a>	19/12/2006
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2724</a>	25/04/2006
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	BORG Joe	

Key events			
10/01/2006	Legislative proposal published	<a href="#">COM(2005)0714</a>	Summary
02/02/2006	Committee referral announced in Parliament		
25/04/2006	Debate in Council	<a href="#">2724</a>	Summary
28/08/2006	Vote in committee		Summary
31/08/2006	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0265/2006</a>	
27/09/2006	Debate in Parliament		
28/09/2006	Results of vote in Parliament		
28/09/2006	Decision by Parliament	<a href="#">T6-0383/2006</a>	Summary

19/12/2006	Debate in Council	<a href="#">2774</a>	Summary
11/06/2007	Act adopted by Council after consultation of Parliament		
11/06/2007	End of procedure in Parliament		
19/06/2007	Final act published in Official Journal		

### Technical information

Procedure reference	2006/0002(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2008/0216(CNS)</a> Repealed by <a href="#">2016/0238(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/33116

### Documentation gateway

Legislative proposal	<a href="#">COM(2005)0714</a>	10/01/2006	EC	Summary
Committee draft report	<a href="#">PE369.844</a>	19/05/2006	EP	
Amendments tabled in committee	<a href="#">PE376.591</a>	18/07/2006	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0265/2006</a>	31/08/2006	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0383/2006</a>	28/09/2006	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2006)4772</a>	19/10/2006	EC	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2007/676](#)  
[OJ L 157 19.06.2007, p. 0001](#) Summary

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

**PURPOSE:** to establish a management plan for the fishing of plaice and sole in the North Sea in order to rebuild safe biological limits and to guarantee future sustainable fishing.

**PROPOSED ACT:** Council Regulation.

**CONTENT:** this proposal is being presented on the basis that currently there is no established management plan for the fishing of sole and plaice in the North Sea. This, in spite of the fact, that the fishing mortality rate of both plaice and sole is of serious concern. The proposal is

broadly similar to management plans proposed for sole stocks in the Bay of Biscay and the Western Channels. The proposal has been designed according to the objectives of the Common Fisheries Policy, the biodiversity Action Plan and the Implementation Plan agreed at the 2002 World Summit on Sustainable Development.

The Commission is presenting this proposal having consulted interested parties and stakeholders. For scientific advice it has relied on input from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF). Whilst the exact risk to existing plaice and sole stock is difficult to define, the scientific committees have advised the Commission that both plaice and sole need to be brought within biologically safe limits. Plaice and sole, for example, are mainly caught together in mixed fisheries and are therefore at risk of being harvested unsustainably. A very large proportion of the plaice caught is being discarded. As a result in 2003, the Committees advised that a recovery plan for plaice was needed. In 2004 it re-issued this advice suggesting that the stock size should be rebuilt to above 230 000 t in 2006 (a 24% increase). Similar advice was given for 2005. As far as sole is concerned the Committees issued similar statements. In the North Sea sole is at full reproductive capacity but nevertheless remains at risk of being harvested in an unsustainable manner. As a result the ICES suggested a reduction in the catch by 36% to allow sole to remain within safe biological limits in 2007.

The fishing of plaice and sole in the North Sea is of particular relevance to Belgian, Dutch, British, German and Danish fishermen even though studies indicate that many fishermen catch plaice at a loss. Thus, given that the fleets currently exploiting plaice and sole operate at a loss or with a very low profit margin, measures to restore profitability are urgently needed, quite apart from their conservation merits. In summary the main elements of the proposal are as follows:

The objective of the management plan is to ensure continued exploitation of North Sea plaice and sole compatible with sustainable economic, environmental and social conditions. These objectives are to be realised by maintaining the fishing mortality rate on plaice in the North Sea at a rate equal to or no lower than 0.3 and for sole at a rate equal to or no lower than 0.2. On an annual basis the Council will establish the Total Allowable Catches (TACs) for the following year based on a proposal from the European Commission.

In addition to setting TACs, the management plan will be complemented by a system of fishing effort limitation, which is based on geographical areas and groupings of fishing gear. The Council will decide, on an annual basis, the maximum number of days at sea available for Community fishing vessels deploying beam trawl gear of mesh size. Specific measures are also proposed on the weighing of landings, the separate storage of plaice and sole, its transport and the specific monitoring programme.

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

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The Council held a policy debate on the draft proposal establishing a management plan for fisheries exploiting stocks of plaice and sole in the North Sea, on the basis of the following questionnaire drawn up by the Presidency. These questions reflected the concerns expressed by the interested delegations, namely the fishing mortality rates proposed, the proposed rate of reduction of the fishing mortality rates, the fishing effort, and the issue of landings.

The discussions can be summarised as follows:

- fishing mortality targets proposed : three delegations considered the fishing mortality rates proposed for sole and plaice as too ambitious. In the proposal, the mortality rate as proposed by the Scientific Technical and Economic Committee for Fisheries (STECF) would be 0.2 for sole and 0.3 for plaice in the North Sea;
- proposed progressive reduction in the fishing mortality rates and proposed boundaries for inter annual TAC fluctuations : three delegations asked for a more gradual and progressive reduction of the fishing mortality rates, stressing that a legislative change would require a general debate in the Council and a preassessment taking into account the social and economic consequences of the proposal in the fisheries sector. The draft proposal foresees the setting of variable TAC +/-15% for plaice and sole depending on either the mortality reduction of the past year or a TAC which would reach the target of mortality rate(0.3 for plaice and 0.2 for sole);
- proposed fleet segments other than the one deploying beam trawl gear of mesh size equal to or greater than 80 mm : although beam trawlers were identified as the predominant fishing vessels for sole and plaice, a few delegations found it hard to target a particular type of fleet in order to reducing the fishing effort;
- proposed margin of tolerance and other effective alternatives to the proposed measure on the weighing of landings : an 8% margin of tolerance in estimation of quantities in kilograms live weight is permitted. Some delegations asked for a higher margin of tolerance, up to 10% of the quantities.

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

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The committee adopted the report by Albert Jan MAAT (EPP-ED, NL) amending - under the consultation procedure - the proposed fisheries management plan for plaice and sole in the North Sea. MEPs criticised the Commission for not sufficiently involving the North Sea Regional Advisory Council (RAC) in its drafting of the proposal, and said that Community policy should be partly based on the latter's recommendations. The main amendments were as follows:

- in order to make regulations more predictable for the sector, the total allowable catches (TAC) should be set for a 3-year period to replace the Commission's yearly definition;
- the committee also voted for a minimum precautionary tonnage (230 000 tons for plaice, 35 000 tons for sole) to be the threshold for a management plan, instead of the percentage-based system proposed by the Commission that looked at the changes in stock from year to year for its indications;
- in line with the approach adopted for the cod recovery plan, the maximum number of days at sea should be decided for types of fishing in which plaice and cod are caught, either deliberately or as by-catch;
- as there may be Community fishing vessels which fall under both this regulation and the cod recovery regulation, the Council should have the option of clarifying which "days at sea" rules apply;

- lastly, the committee introduced a new Article 13a stipulating that the Commission should draw up an action plan for the development and use of low-impact fishing methods and gear.

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

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The European Parliament adopted, by 554 votes in favour to 12 against with 6 abstentions, a resolution drafted by Albert Jan MAAT (EPP-ED, NL), and made some amendments to the Commission's proposal. (Please see the summary of 28/08/2006.) In addition, Parliament inserted a recital stating that there is a need to reduce the potential negative consequences of the use of beam trawls on ecosystems and the marine environment. Accordingly, immediately after the entry into force of this Regulation, the Commission should carry out a study of the impact of beam trawl fishing on ecosystems and the marine environment in the areas where this fishing method is used and of the alternative fishing methods for beam trawl fishing that are sustainable in economic, ecological and social terms. On the basis of that study, an action plan should be drawn up for the gradual phasing-out of fishing methods and gear which have a negative impact on ecosystems and the marine environment in favour of lower-impact fishing methods and gear.

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

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The Council held an exchange of views on a proposal for a regulation aimed at establishing a management plan for fisheries exploiting stocks of plaice and sole in the North Sea, with a view to facilitating the incoming presidency to take work forward.

The Council agreed on the following joint statement by the Council and the Commission on this plan to be entered into the minutes of the Council meeting:

"The Council and the Commission agreed on the following outline for a 2-stage multi-annual plan for North Sea plaice and sole in order to facilitate its adoption as early as possible in 2007.

The first stage shall provide for an automatic reduction of fishing mortality of 10% with a maximum TAC variation of 15% per year until safe biological levels are reached for both stocks. The plan will establish initial long term objectives. Once safe biological levels have been reached and having completed an impact assessment, a definitive decision shall be taken on quantitative long-term reference points on the basis of Maximum Sustainable Yield. These references will guide fishing management for the two stocks during the second stage.

Effort management shall restrict fisheries in order to ensure no captures beyond the TAC. It shall, at the same time, be sufficient to catch the TAC allowed on the basis of the fishing mortality rates established in the plan where this can be done without increasing the fishing effort above the level allocated in 2006.

Effort management within this multi-annual plan will cover all flatfish fisheries having a significant impact on the fishing mortality of the flatfish, however, Member States that have been less than 5% of the TACs of plaice and sole shall be exempted from the effort management regime.

Control and enforcement shall be proportional to the status of the multi-annual plan.

In the context of the revision of the technical measures during 2007, attention will be given to ways to improve the selectivity of gears targeting flatfish, including the 80 mm beam trawl. This plan shall be the main instrument for flatfish management on the North Sea, and will contribute to the recovery of other stocks such as cod".

## Fisheries resources: recovery of the stocks of plaice and sole in the North Sea

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**PURPOSE:** to establish a multiannual plan for the fisheries exploiting the stocks of plaice and sole that inhabit the North Sea.

**LEGISLATIVE ACT:** Council Regulation (EC) No 676/2007 establishing a multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea.

**CONTENT:** the Council adopted a Council Regulation establishing a multi-annual plan for fisheries exploiting the stocks of plaice and sole in the North Sea.

This Regulation will aim at gradually implementing progressively an ecosystem-based approach to fisheries management, and will contribute to efficient fishing activities within an economically viable and competitive fisheries industry, providing a fair standard of living for those who depend on fishing North Sea plaice and sole and taking into account the interests of consumers. The plan will cover all flatfish fisheries having a significant impact on the fishing mortality of the plaice and sole stocks concerned. However, Member States whose quotas for either stock are less than 5 % of the European Community's share of the TAC should be exempted from the provisions of the plan concerning effort management. This plan should be the main instrument for flatfish management in the North Sea, and is expected to contribute to the recovery of other stocks such as cod.

For the purposes of this Regulation, the stocks of plaice and sole shall be deemed to be within safe biological limits in those years in which, according to the opinion of the Scientific, Technical, and Economic Committee for Fisheries (STECF), all of the following conditions are fulfilled:

- a) the spawning biomass of the stock of plaice exceeds 230 000 tonnes;
- b) the average fishing mortality rate on ages two to six years experienced by the stock of plaice is less than 0.6 per year;
- c) the spawning biomass of the stock of sole exceeds 35 000 tonnes;

d) the average fishing mortality rate on ages two to six years experienced by the stock of sole is less than 0.4 per year.

The objective of the plan is to ensure, in a first stage, that stocks of plaice and sole in the North Sea are brought within safe biological limits, and in a second stage and after due consideration by the Council on the implementing methods for doing so that those stocks, are exploited on the basis of maximum sustainable yield and under sustainable economic, environmental and social conditions:

- in its first stage, ensure the return of the stocks of plaice and of sole to within safe biological limits. The objective shall be attained by reducing the fishing mortality rate on plaice and sole by 10 % each year, with a maximum TAC variation of 15 % per year until safe biological limits are reached for both stocks;

- in its second stage, ensure the exploitation of the stocks of plaice and sole on the basis of maximum sustainable yield. The objective shall be attained while maintaining the fishing mortality on plaice at a rate equal to or no lower than 0.3 on ages two to six years. The objective shall be attained while maintaining the fishing mortality on sole at a rate equal to or no lower than 0.2 on ages two to six years.

ENTRY INTO FORCE: 09/07/2007.