Commission Implementing Regulation (EU) 2020/1247 of 2 September 2020 operating deductions from fishing quotas available for certain stocks in 2020 on account of overfishing in the previous years

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1247

of 2 September 2020

operating deductions from fishing quotas available for certain stocks in 2020 on account of overfishing in the previous years

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006[(1)], and in particular Article 105(1), (2) and (3) thereof,

Whereas:

(1) Fishing quotas for the year 2019 have been established by:
- Council Regulation (EU) 2018/1628[(2)],
- Council Regulation (EU) 2018/2025[(3)],
- Council Regulation (EU) 2018/2058[(4)], and
- Council Regulation(EU) 2019/124[(5)].

(2) Fishing quotas for the year 2020 have been established by:
- Council Regulation (EU) 2018/2025,
- Council Regulation (EU) 2019/1838[(6)],
- Council Regulation (EU) 2019/2236[(7)], and
- Council Regulation (EU) 2020/123[(8)].

(3) Pursuant to Article 105(1) of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, the Commission is to operate deductions from future fishing quotas of that Member State.

(4) Article 105(2) and (3) of Regulation (EC) No 1224/2009 provides that such deductions have to be operated in the following year or years by applying the respective multiplying factors as set out therein.

(5) Certain Member States have exceeded their fishing quotas for the year 2019. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2020 and, where relevant, in subsequent years, for the overfished stocks.

(6) Commission Implementing Regulation (EU) 2019/1726[(9)] and Commission Implementing Regulation (EU) 2020/112[(10)] have set out deductions from fishing quotas for certain Member States and species for 2019. However, for certain Member States, the deductions to be applied for some species were higher than the respective quotas available in 2019 and could therefore not be operated entirely in that year. To ensure that in such cases the full amount for the respective stocks be deducted, the remaining quantities should be taken into account when establishing deductions for 2020 and, where appropriate, from subsequent quotas.

(7) Deductions from fishing quotas, as provided for by this Regulation, should apply without prejudice to deductions applicable to 2020 quotas pursuant to Commission Implementing Regulation (EU) No 185/2013[(11)].

(8) Since quotas are expressed in tonnes, overfishing involving quantities of less than one tonne should not be considered,

HAS ADOPTED THIS REGULATION:

Article 1

1 The fishing quotas fixed in Regulations (EU) 2018/2025, (EU) 2019/1838, (EU) 2019/2236 and (EU) 2020/123 for the year 2020 shall be reduced as set out in the Annex to this Regulation.

2 Paragraph 1 shall apply without prejudice to deductions provided for in Implementing Regulation (EU) No 185/2013.

Article 2

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

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

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1247. (See end of Document for details)*

[F1 ANNEX

DEDUCTIONS FROM FISHING QUOTAS FOR THE YEAR 2020 FOR STOCKS WHICH HAVE BEEN OVERFISHED

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2020/2006 of 8 December 2020 operating deductions from fishing quotas available for certain stocks in 2020 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2020/1247.

Member State	Species code	Area code	Species name	Area name	Initial quota 2019 (in kilograms)	Permitted landings 2019 (Total amount in quantity in kilograms)	Total catches 2019 (quantity in kilograms)	Quota consumption relative to permitted landings	Overfishing related to permitted landings (quantity in kilograms)	Multiplying factor[a]	Additional Multiplying factor[b]	Outstanding deductions from previous year(s) (quantity in kilograms)	Deductions from fishing quotas for 2020 and subsequent years (quantity in kilograms)	Deductions from fishing quotas for the overfished stocks (quantity in kilograms)	Deductions from fishing quotas for alternative fisheries (quantity in kilograms)	Deductions to be deducted from fishing quotas for 2021 and subsequent years (quantity in kilograms)
DE	HER	4AB.	Herring	Union and Norwegian waters of 4 north of 53° 30′ N	39 404 000	25 460 900	27 182 070	106,76 %	1 721 170	/	/	/	1 721 170	1 721 170	/	/
DE	MAC	2CX14-	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	441 000	14 859 024	15 542 581	104,60 %	683 557	/	/	/	683 557	683 557	/	/
DK	MAC	2CX14-	Mackerel	6, 7, 8a,	/	2 688 463	2 693 920	100,20 %	5 457	/	/	/	5 457	5 457	/	/

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1247. (See end of Document for details)*

				8b, 8d and 8e; Union and international waters of 5b; international waters of 2a, 12 and 14												
DK	MAC	2A34	Mackerel	3a and 4; Union waters of 2a, 3b, 3c and Subdivisions 22-32	14 480 000	13 330 744	14 022 305	105,16 %	691 561	/	/	/	691 561	691 561	/	/
DK	MAC	2A4AN	Mackerel	Norwegian waters of 2a and 4a	10 342 000	10 252 106	11 197 228	109,22 %	945 122	/	/	/	945 122	945 122	/	/
DK	POK	1N2AS	Saithe	Norwegian waters of 1 and 2	/	17 000	50 968	299,83 %	33 968	1,00	/	/	33 968	/	33 968	/
ES	BET	ATLAN	Bigeye tuna	Atlantic Ocean	9 415 300	8 941 151	9 090 055	101,67 %	748 904	/	C[h]	/	148 904	148 904	/	/
ES	COD	1/2B.	Cod	1 and 2b	11 562 000	8 455 844	8 463 118	100,09 %	7 274	/	/	/	7 274	7 274	/	/
ES	GHL	1N2AG	Greenland halibut	Norwegian waters of 1	/	2 000	14 225	711,25 %	52 225	1,00	A	/	18 338	/	18 338	/

				and 2												
ES	OTH	1N2AB	Other species	Norwegian waters of 1 and 2	/	31 800	35 695	112,25 %	3 895	1,00	/	/	3 895	/	3 895	/
ES	POK	1N2AS	Saithe	Norwegian waters of 1 and 2	/	196 000	198 607	101,33 %	2 607	/	/	/	2 607	/	2 607	/
ES	RED	N3LN	Redfish	NAFO 3LN	0	515 100	517 806	100,53 %	2 706	/	/	/	2 706	2 706	/	/
ES	RJU	9-C.	Undulate ray	Union waters of 9	15 000	15 000	15 511	103,41 %	511[i]	N/A	N/A	2 067	2 067	0	/	2 067
FR	BET	ATLA	Bigeye tuna	Atlantic Ocean	4 167 700	4 167 700	4 687 551	112,47 %	519 851	1,20	C	/	883 747	883 747	/	/
FR	RJE	7FG.	Small-eyed ray	Union waters of 7f and 7g	79 000	90 399	91 485	101,20 %	1 086	/	/	/	1 086	1 086	/	/
FR	RJU	7DE.	Undulate ray	Union waters of 7d and 7e	103 000	168 000	177 718	105,78 %	9 718	/	/	/	9 718	9 718	/	/
FR	SWO	AS05S	Swordfish	Atlantic Ocean, South of 5° N	/	/	3 500	N/A	3 500	/	/	/	3 500	/	3 500	/
GB	COD	N1GL	Cod	Greenland waters of NAFO 1F and Greenland waters of 5,	364 000	353 500	353 500	100 %	0	/	/	4 167	4 167	4 167	/	/