

**Question for written answer E-000782/2024
to the Commission**
Rule 138
Izaskun Bilbao Barandica (Renew)

Subject: Clarification of answer E-002042/2023 on cod fishing quotas in Spitzbergen after Brexit

Decision 90/655/EEC¹ amends Decision 87/277/EEC²³. The Council thereby ‘adapted’ the reference period used to calculate the German Democratic Republic’s quota and established a method⁴ for amending this allocation⁵ in the event of a change to the number of Member States⁶⁷ with a view to applying it in the future⁸. Proportional adjustments were ruled out as they risked jeopardising relative stability⁹. Since 2021, the Commission’s proposals to the Council have entailed combining the quotas of the EU and the United Kingdom before reallocating them in line with Decision 90/655/EEC, including the United Kingdom, and then applying the ‘Brexit effect’ by means of a proportional adjustment¹⁰. As a result, in 2021¹¹, only Spain’s and Portugal’s quotas were reduced, while those of other Member States increased¹². The other Member States did not reach the standard amount of one hundred tonnes allocated by Decisions 90/655/EEC and 87/277/EEC in 2023¹³ and 2024¹⁴. Since 2021, there have been changes to the relative positions of Member States, which has an effect beyond the total allowable catches (TACs).

1. Why has the Commission not applied the method accepted by the Council in 1990, which maintains relative stability?
2. Why has the Commission not proposed to the Council a regulation that avoids legal effects beyond what is established in connection with the TACs?

Submitted: 13.3.2024

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31990D0655>.

² Communication from the Commission to the Parliament, SEC (90) 2136 final – SYN 297 to 302.

³ Note for the attention of the Members of the Commission, Coreper meeting No 1448 on German unification, SI(90) 796.

⁴ 7771/90 Restreint PECHE 238, Working Party on External Fisheries Policy «Conséquences de l’unification allemande sur la politique commune de la Pêche» (Consequences of German unification on the Common Fisheries Policy).

⁵ 9534/90 Restreint UNIF 52. Item A, note to the Transport Council. Meeting of 30.10.1990. Subject: German unification.

⁶ Note for the attention of Manuel Marín, Vice-President of the Commission, note No 5461 of 1.10.1990, referring to note No 5244 of 25.9.1990. Subject: German unification – Spitzbergen.

⁷ Annex on the calculation for cod in Spitzbergen and Bear Island (ICES division II b), XIV-313-85. Reference: Ares(2023)6356226.

⁸ 9534/90 Restreint UNIF 52. Item A, note to the Transport Council of 30.10.1990. Subject: German unification.

⁹ Minutes of 17.9.1990 on German unification. Meeting of the ad hoc Council Working Party of 10.9.1990. Note for the attention of Manuel Marón, Commission Vice-President, of 13.7.1990. Subject: German unification.

¹⁰ Method for the calculation of Member States’ quotas for cod in subarea 1 and division 2b (Svalbard waters and international waters). Reference: Ares(2022)5077839, 12.7.2022.

¹¹ Council Regulation (EU) 2021/703 of 26 April 2021.

¹² Council Regulation (EU) 2020/123 of 27 January 2020.

¹³ Council Regulation (EU) 2023/1062 of 1 June 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.

¹⁴ Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194.