

# Working Group 1



**MEDAC**

MEDITERRANEAN  
A D V I S O R Y  
C O U N C I L



Co-founded by the  
European Union

## Legislative corner Notes and questions on the compensation mechanism

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# From Regulation 2022/110.....

## Compensation measure in fishing opportunities regulation



Possibility of compensation for the first time in the annex to Reg. 2022/110 (Fishing possibilities for 2022)

MS may grant to vessels flying its flag an additional allocation of fishing days within an overall **2 %** of the fishing effort of that Member State for the fleet segment concerned.

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EN Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.  
The titles of all other Acts are printed in bold type and preceded by an asterisk.

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## Conditions:

- a) vessels use a trawl net with 45 mm square mesh size codend in order to reduce by at least 25 % of catches of the juveniles of hake; or**
- b) vessels use a trawl net with mesh size codend of 50 mm square mesh size for deep water fisheries in order to reduce by at least 25 % of catches of blue and red shrimps less than 25 mm CL in geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11 and to reduce by at least 25 % catches of giant red shrimps in the geographical subareas 8, 9, 10 and 11 less than 35 mm CL; or**
- c) vessels use a regulated highly selective gear, the technical specifications of which result in, according to the scientific study by STECF, at least a reduction of 25 % of juveniles or at least 20 % of catches of spawners of all demersal species compared to 2020; or**
- d) the Member State concerned has adopted temporary closure areas in order to reduce by at least 25 % the catches of juveniles of demersal species or at least 20 % of catches of spawners of all demersal species.**

❖ Reg. 2022/110 is referred to in the recitals:

- ❖ «In order to promote the use of the selectivity of fishing gear and to establish efficient closure areas to protect juveniles and spawners, Regulation (EU) 2022/110 established a compensation mechanism in relation to the effort regime for trawlers»
- ❖ «Based on the experience of the first year of application and in order to ensure the full efficiency of the compensation mechanism, it is necessary to clarify how that mechanism should be implemented, including retroactively from 1 January 2022, when Regulation (EU) 2022/110 entered into force.
- ❖ Based on scientific advice for 2023, it is necessary to allocate **3,5 %** of fishing days for trawlers, calculated from the baseline between 2015 and 2017.

Compensation measure moves from the annexes to the articles (art.8)

# The compensation mechanism in WEST MED (art.8) Reg 2023/195

- 1.** For the fleet segment concerned, a Member State may grant, in 2023, to vessels flying its flag an **additional allocation of fishing days of 3,5 % calculated from the baseline between 2015 and 2017**
- 2.** The Member State concerned shall notify to the Commission the list of the fishing vessels concerned by such an additional allocation of fishing days, as well as the related number of additional fishing days and the associated condition.
- 3.** The additional allocation shall be calculated from the maximum effort allowed in the baseline between 2015 and 2017 for the relevant fleet segment of the Member State concerned, as from 1 January 2023.

# The compensation mechanism in WEST MED (art.8) Reg 2023/195

**CONDITIONS, provided that a vessel fulfils one of the following:**

**(a) the vessel uses a trawl net with a 45 mm square-mesh codend in order to reduce by at least 25 % catches of the juveniles of hake;**

**(b) the vessel uses a trawl net with a 50 mm square-mesh codend for deep-water fisheries in order to reduce by at least 25 % catches of blue and red shrimps with a carapace length (CL) of less than 25 mm in geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11 and to reduce by at least 25 % catches of giant red shrimps with a CL of less than 35 mm in the geographical subareas 8, 9, 10 and 11;**

**(c) the vessel uses a regulated highly selective gear, the technical specifications of which result in, according to the scientific study by STECF, a reduction of at least 25 % of catches of juveniles of all demersal species or at least 20 % of catches of spawners of all demersal species compared to 2020, such as a sorting grid with 20 mm spacing;**

**(d) the Member State concerned has established temporary closure areas in order to reduce by at least 25 % catches of juveniles of all demersal species or by at least 20 % catches of spawners of all demersal species;**

# The compensation mechanism in WEST MED (art.8) Reg 2023/195

**e) The Member State concerned has adopted a new minimum conservation reference size for hake of at least 26 cm, in order to progressively reach the length at first maturity; or**

**(f) the Member State concerned has set a closure of at least four continuous weeks for fishing activities with trawlers in the areas and periods recognised as important, on the basis of the best available scientific advice, for the protection of spawners of hake stocks. Such areas shall also account for spatial patterns of spawners' distribution, including depths from 150 m to 500 m. The periods of the temporary fishing closure shall be from February to March and from October to November.**

# The compensation mechanism in WEST MED (art.7) Proposal of Council Reg. for 2024 (COM(2023) 578)



Yesterday the Commission adopted its **proposal for fishing opportunities for 2024 for the Mediterranean and the Black Seas (COM(2023) 578 final)**.

The proposal contains, for Westmed area, the compensation

**% to be decided**

**Baseline:2015 and 2017**



# The compensation mechanism in WEST MED (art.7) Proposal of Council Reg. for 2024 (COM(2023) 578)

**CONDITIONS, provided that a vessel fulfils one of the following:**

- (a) The same as Reg. 2022/195;
- (b) The same as Reg. 2022/195;
- (c) The same as Reg. 2022/195;
- (d) The same as Reg. 2022/195;



(e) The Member State concerned has adopted a new minimum conservation reference size for hake of at least 26 cm, and has secured the enforcement of appropriate technical measures to comply with this minimum conservation reference size, in order to progressively reach the length at first maturity and improve hake stocks status;

E bis) the Member State concerned has adopted a new minimum conservation reference size for blue and red shrimp (*Aristeus antennatus*) of at least 25 mm CL and for giant red shrimp (*Aristaeomorpha foliacea*) of at least 35 mm CL, and has secured the enforcement of appropriate technical measures to comply with those minimum conservation reference sizes, in order to progressively reach the length at first maturity and improve stocks status;

- (f) The same as Reg. 2022/195

- 1) Implementation of compensation mechanism in MEDAC MS (WESTMED area) in the year 2023
- 2) How to improve the applicability of the mechanism, also to apply it in other areas, in view of the Council Regulation fixing the fishing opportunities in the Mediterranean for 2024?
- 3) the percentage of 3.5 percent (in 2023) over the 2015/17 baseline level is sufficient relative to the commitments?

To You the answers!