

# **Questions and Answers – Emergency measures eastern Baltic cod**

## **Why did the Commission adopt emergency measures?**

Scientists discovered recently that the stock was doing a lot worse than expected. It has been below safe biological limits for two years and will stay there at least in the medium term even without any fishing. The stock is widely distributed in the Baltic Sea and all Member States in the region participate in the fishery. Earlier this year, the Commission had invited Member States to take action. Some did, others did not. Faced with the urgency and in light of the latest scientific assessment, the Commission has decided to take action at EU level.

## **So what are these emergency measures?**

Targeted cod fishing is prohibited in those areas where eastern Baltic cod is found, meaning ICES areas 24-26. Conversely, areas where there is little eastern Baltic cod are not subject to the prohibition, i.e. areas 27-32 and the shallow coastal waters of area 24.

We have proposed proportionate measures with derogations for by-catches in two types of fisheries. The pelagic fisheries have very small unavoidable by-catches of cod, which cannot be sorted on board. Therefore, these fisheries have a derogation from the prohibition, because otherwise they would not be able to fish at all. Similarly, small-scale coastal fisheries that use passive gears to target mostly flatfish like plaice, flounder and turbot, have some by-catches of cod. They should be allowed to land some by-catches and, hence, have a derogation from the prohibition. However, they should strive to minimize such by-catches and the overall fishing effort shouldn't increase. Therefore, their by-catches are limited to 10% of the catches, and the number of vessels allowed to land such by-catches should remain stable, as compared to the last 18 months.

Those fisheries subject to the prohibition but not benefitting from a derogation will have to discard any catches of eastern Baltic cod.

## **On what grounds is the Commission allowed to adopt such drastic measures?**

The Regulation on the [Common Fisheries Policy 1380/2013](#) provides in its article 12 that, in case of evidence of a serious threat to the conservation of a stock, and on imperative grounds of urgency, the Commission can adopt emergency measures to alleviate the threat. In the same line, the Multiannual Plan for the fisheries in the Baltic Sea obliges the EU to take remedial measures when a stock's biomass is below safe biological limits; such remedial measures may be suspending the targeted fishery and the adoption of emergency measures by the Member States and/or the Commission.

## **We are already in July – why did the Commission not adopt emergency measures**

**earlier in the year?**

The Commission can only act upon scientific evidence. The scientific evidence of the situation was published by the International Council for the Exploration of the Sea (ICES) on 29 May, and the Commission has taken swift action since then.

**The International council for the Exploration of the Sea (ICES) states that the impact of the emergency measures is marginal. Hence, is it at all worth adopting emergency measures for 2019?**

ICES states that taking emergency measures in 2019 will lead to an estimated increase of about 4% of the stock's biomass in 2020 compared to a scenario where no action is taken. In the latter case, ICES estimates that the stock's biomass would decrease by -2% in 2020. Moreover, ICES clearly states that "fishing at any level targets the remaining few commercial sized cod (> 35cm), thus further deteriorating the stock structure and reducing its reproductive potential". Therefore, waiting is not an option and would only make the starting position in 2020 even worse.

**ICES states that eastern Baltic cod mostly dies from factors other than fisheries – what's the merit then to close the fishery?**

ICES indeed estimates that natural mortality, meaning mortality factors other than fisheries, are about three-times more important than fishing mortality. Hence, there is obviously a need to take a more comprehensive and long term approach to this. This, however, should not be taken as an excuse for not acting upon the factor we fully control and which over the decades has contributed to the current situation – fisheries.

**The cod stock needs long-term measures – what are the next steps after the expiry of the emergency measures at year-end?**

The situation of the eastern Baltic cod stock does indeed need a long-term and comprehensive approach. The legislation in place provides that emergency measures can only last for a maximum of six months, after which they may be prolonged once for another six months maximum if the conditions are still met.

On the fisheries side the existing Multiannual Plan from 2016 provides the necessary rules for the longer run. Indeed, as long as a stock is below safe biological limits all appropriate remedial measures have to be adopted to ensure the rapid return of the stock to safe biological levels. In such a situation, the annual quotas have to be set in the lower part of the ranges provided by scientific advice, and further remedial measures have to be adopted. The additional measures can be further reductions of the quota, seasonal or permanent closures, modifications of the allowed gear types or fishing techniques.

**How many fleets and vessels are affected by these emergency measures?**

All Member States of the Baltic Sea participate – to different extent – in the fishery of eastern Baltic cod. Also, the emergency measures cover those

areas with an important cod abundance which are in the southern part of the Baltic Sea. The overall economic impact is estimated to be moderate as the overall dependency on eastern Baltic cod is low. There are, however, important variations from one Member State to another and from one fleet segment to another. The most affected are those, which usually target cod, lack the flexibility to redirect their fishery and are already facing structural difficulties.

### **Are there ways to compensate the fishermen for their economic losses?**

The European Maritime and Fisheries Fund (EMFF) provides for the possibility to compensate, under certain conditions and up to certain limits, economic losses due to the temporary impossibility to fish (so-called “temporary cessation”). The impossibility to fish due to emergency measures adopted by a Member State or by the Commission is an eligible case for the compensation scheme.

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## **African Peace Facility: African Union Peace & Security Operations boosted by an additional €800 million from the European Union**



The Chairperson of the African Union Commission, Moussa **Faki Mahamat**, and the EU Commissioner for International Cooperation and Development, Neven **Mimica**, today announced the signing of an agreement through which the EU commits a further €800 million to support the African Union in its efforts to promote peace, security and stability in Africa within the context of the continued implementation of the African Peace and Security Architecture.

*“This is a commendable milestone in a long history of EU support to Africa, and is in line with the African Peace and Security Architecture and African-led efforts to silence the guns,”* said Chairperson Moussa **Faki Mahamat**. *“I also commend the African contributions to the recently revitalized Peace Fund, which demonstrates the commitment to African ownership of peace and security operations on the continent.”*

Commissioner Neven **Mimica** said: *“Europe remains Africa’s first partner in the*

*area of peace and security. Since 2004, the African Peace Facility has provided €2.7 billion to support African solutions to African problems. Most of the additional €800 million announced today will go to peace support operations led by our African partners.”*

Under this phase of the African Peace Facility, the EU will support (i) the strengthening of conflict prevention, management and resolution structures and mechanisms of the [African Peace and Security Architecture](#); (ii) AU efforts to establish a continental Human Rights and international humanitarian law compliance framework; (iii) an [Early Response Mechanism](#) which will provide the African Union with quick funding for preventive diplomacy initiatives, mediation, fact-finding missions, and the first stages of peace support operations; (iv) the financing of [African-led peace support operations](#), such as the Multinational Joint Task Force (MNJTF) against Boko Haram, the African Union Mission to Somalia (AMISOM) or the G5 Sahel Joint Force specifically, with regards to capacity building, troop allowances, non-lethal equipment. It will also support efforts of the AU to promote gender and human rights principles and practices in peace support operations.

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## [EIOPA examines national general good rules](#)

The European Insurance and Occupational Pensions Authority (EIOPA) published today a [Report analysing national General Good rules](#) in the context of the proper functioning of the Insurance Distribution Directive (IDD) and the internal market.

The report provides

- a factual description of the types of rules which are published on the websites of the national competent authorities (NCAs) and are applicable to insurance distribution activities, and
- a general assessment, facilitating the checking of main areas of divergence and impact of the general good provisions on the proper functioning of the IDD and the internal market more broadly.

EIOPA's main findings – as of 31 May 2019 – are the following:

- Out of the 28 NCAs, which have implemented the IDD, EIOPA identified two where further steps are necessary to ensure the appropriate publication of the national general good rules
- Collectively, the quantity and level of diversity of information

requirements contained in general good rules, present significant challenges for entities seeking to carry out cross-border business in terms of additional entry costs

- Some Member States have published general good rules on registration and organisational requirements, which allow the NCAs of the host Member States to impose additional requirements on incoming insurance distributors where within the IDD those rules are under the competence of the home Member State. This approach is detrimental to the proper functioning of the IDD and the Single Market. The principle under the IDD is that the “single registration” in the home Member State triggers the provision of the European Union passport to the insurance distributor subject to the appropriate notification procedures

To address the issues, EIOPA’s follow-up actions include:

- Issuing recommendations on an individual basis to NCAs how the information on general good rules should be published to enable passporting insurance distributors to easily access and understand such information
- Consulting external stakeholders to collect feedback to findings and suggestions presented in this report and any general good provisions which they consider to be disproportionate with regard to consumer protection and have an adverse impact on cross-border business activities
- Analysing further from a legal and supervisory perspective the general good rules imposed on incoming insurance distributors in areas of the home Member State competence such as registration and organisational requirements and, where appropriate, making use of the tools at EIOPA’s disposal under its Founding Regulation

[The Report](#) analysing national General Good rules including the [Annex](#) with a country-by-country analysis can be obtained via EIOPA’s website.

EIOPA invites all interested stakeholders to fill in an [online survey on the Insurance Distribution Directive \(IDD\) – Report analysing national General Good rules](#) by **Sunday, 22 September 2019**.

## **Background**

Article 11(5), IDD provides that *“EIOPA shall examine in a report, and inform the Commission about, the ‘general good’ rules published by Member States as referred to in this Article in the context of the proper functioning of this Directive and of the internal market”*.

General good rules are provisions, which are part of the legal system of the host Member State. Neither the IDD, nor any other European legislation entail a precise definition of what general good rules consist of. The concept of general good has evolved through Court of Justice of the European Union (CJEU) case-law and only applies in non-harmonised fields. In its Interpretative Communication of 2000, the European Commission reviewed the requirements developed by the CJEU, which a national provision has to satisfy, if it is to validly obstruct or limit the exercise of the freedom of

establishment and the freedom to provide services.

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## **EASO and IOM sign Working Arrangement**

***The European Asylum Support Office (EASO) and the International Organization for Migration (IOM) have established a formal cooperation framework to guide the relevant areas of common work in the fields of international protection and migration management.***

The [Working Arrangement](#) was signed today by the Executive Director of EASO, **Nina Gregori**, and the Director General of the IOM, **António Vitorino**, in Paris.

The Working Arrangement covers cooperation in several areas where EASO and the IOM's mandates converge in ensuring that the rights of migrants and applicants for international protection are safeguarded, while supporting national governments in meeting their obligations and needs. These areas include early warning, preparedness and contingency, the reception conditions of applicants, returns to countries of origin, resettlement, voluntary relocation and supporting migrants with vulnerabilities and specific protection needs.

Cross-cutting areas of cooperation are also included in the Working Arrangement, such as training initiatives, exchange of expertise and joint work on capacity-building activities for national authorities.

Commenting on the signing of the Working Arrangement, **Nina Gregori** stated: *"EASO and the IOM have worked together for several years in helping authorities safeguard the rights of migrants and applicants for international protection. I welcome today's formalization of this cooperation, which strengthens the important work both parties carry out and is another example of the EU's emphasis on strong international synergies in migration and asylum management."*

**António Vitorino** said: *"Partnership between IOM and EASO has seen significant expansion in the last few years, reflecting the growth and complexity of needs in the field of asylum and migration in the EU and neighbouring countries. Establishing cooperation for complementarity is a pre-cursor for ensuring highest-quality support to migrants, asylum-seekers and our shared Member States."*

EASO and the IOM also work together to support countries in the European neighbourhood in managing migration and asylum procedures in line with international and, where applicable, EU law. This includes joint training to national authorities, the coordination of resettlement from non-EU countries to the EU as well as the exchange of data, information and documentation.

Any further information may be obtained by contacting: [press@easo.europa.eu](mailto:press@easo.europa.eu) or [jmillman@iom.int](mailto:jmillman@iom.int).

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## Daily News 22 / 07 / 2019

### **Le Plan Juncker soutient 180 millions d'euros de financement pour un programme d'économie circulaire en France et l'innovation industrielle en Espagne**

La Banque Européenne d'Investissement (BEI) finance deux projets innovants en France et en Espagne à hauteur de 180 millions d'euros, avec le soutien du Fonds européen pour les investissements stratégiques (EFSI), aussi appelé Plan Juncker. Le premier projet est un prêt de 130 millions d'euros destiné au groupe Derichebourg afin de soutenir son programme pluriannuel d'investissements en France dans le domaine du recyclage et de l'économie circulaire. Le deuxième projet concerne 50 millions d'euros de financement pour la société espagnole Sidenor, spécialisée dans l'acier, pour encourager ses efforts dans l'efficacité énergétique, la digitalisation, et l'innovation. Concernant le projet français, Pierre **Moscovici**, commissaire européen en charge des affaires économiques et financières, de la fiscalité et des douanes, a déclaré: « *Je me réjouis de la signature de cet accord, car c'est une étape supplémentaire vers une Europe plus durable. Grâce au Plan Juncker, l'entreprise Derichebourg pourra développer un programme de financements destiné à améliorer ses services dans le domaine du recyclage et de l'économie circulaire. C'est une première en France !* » Les communiqués de presse sont disponibles [ici](#). En juin 2019, le plan Juncker a mobilisé près de 410 milliards d'euros d'investissements supplémentaires dans toute l'UE, dont 69,3 milliards en France et 43,5 milliards en Espagne. Le plan soutient actuellement 952 000 petites et moyennes entreprises en Europe. (Pour plus d'informations: Annika Breidthardt – Tél.: +32 229-56153; Siobhan Millbright – Tél.: +32 229 57361)

### **Commissioner Mimica in Ethiopia to sign a new EU funding package for the African Peace Facility**

Commissioner for International Cooperation and Development Neven **Mimica** is visiting Addis Ababa, Ethiopia, today where he will meet with Mr Moussa Faki Mahamat, Chairperson of the African Union Commission to sign a new EU funding package for the African Peace Facility. During his visit, Commissioner **Mimica** also signed a €36 million budget support contribution to support Ethiopia's green growth, and reduce its greenhouse gas emissions. The bulk of the EU's contribution, €33 million in budget support, aims to reduce greenhouse gas emissions from forestry and industry. An additional €3 million will enhance the country's measurement, reporting and verification systems, making them compliant with Paris Agreement standards. The Commissioner also met with



Ethiopian Prime Minister Abiy Ahmed to discuss ongoing reforms in the country and in the region. He will also meet Parfait Oninga, UNSG Special Representative for the Horn of Africa. *(For more information: Carlos Martin Ruiz De Gordejuela – Tel.: +32 229 65322; Daniel Puglisi – Tel.: +32 229 69140)*

### **Humanitarian Aid: €10.5 million for South and South East Asia**

To help the most affected communities in South and South East Asia hit by natural disasters and humanitarian crises, the European Commission has mobilised a new humanitarian funding package worth €10.5 million. This includes €1.5 million in emergency aid for the victims of ongoing monsoons in India and Bangladesh, where more than 500,000 people have been displaced. The remaining funds will be provided in Nepal and the Philippines as well as for disaster risk reduction initiatives in the region. *"The countries in South Asia are facing an increasingly worse monsoon season. Heavy rains and flooding have created a large-scale humanitarian situation in India and Bangladesh. During these difficult times, EU solidarity makes a difference: our support will reach those most in need providing water, sanitation and essential supplies. In the wider region, the EU is also supporting Nepal and the Philippines to be better prepared for natural disasters and get aid to those most in need,"*said Commissioner for Humanitarian Aid and Crisis Management Christos **Stylianides**. More details are available in the press release [here](#). *(For more information: Carlos Martin Ruiz De Gordejuela – Tel.: +32 229 65322; Daniel Puglisi – Tel.: +32 229 69140)*

### **Ebola: l'UE en contact avec l'Organisation mondiale de la santé pour renforcer l'aide humanitaire**

Le commissaire chargé de l'aide humanitaire et de la gestion des crises, Christos **Stylianides**, a été en contact ce week-end avec le Directeur de l'Organisation mondiale de la Santé (OMS), le Dr Tedros Adhanom Ghebreyesus, pour discuter des derniers développements de l'épidémie d'Ebola en République démocratique du Congo. À la suite du communiqué publié par l'OMS la semaine dernière, déclarant que l'épidémie d'Ebola en RDC était devenue une urgence sanitaire mondiale, le commissaire **Stylianides**, également coordinateur de l'UE contre Ebola, a réaffirmé l'engagement de l'UE à poursuivre son soutien à la lutte contre le virus et à intensifier son aide. *« En ce moment critique, la communauté internationale doit redoubler d'efforts pour lutter contre Ebola. Nous devons tirer les leçons de la situation en Afrique de l'Ouest pour éviter toute propagation supplémentaire. Le temps presse. L'Union européenne est à la pointe de la réponse internationale pour soutenir les autorités congolaises et l'OMS. Nous sommes prêts à fournir une aide supplémentaire, que ce soit par le déploiement du Corps médical européen ou par un soutien financier additionnel »,* a déclaré le commissaire **Stylianides**. L'UE a été l'un des principaux donateurs depuis le déclenchement de l'épidémie l'année dernière, [apportant une aide humanitaire](#) (17 millions d'euros) ainsi que des experts, mobilisant les services aériens humanitaires



ECHO pour livrer des fournitures, investissant dans la recherche et le développement de vaccins, et soutenant le secteur de la santé en RDC. En outre, l'UE apporte son aide à travers le mécanisme de protection civile de l'UE, tout en aidant les pays voisins, l'Ouganda, le Soudan du Sud, le Rwanda et le Burundi, à mettre en place des mesures de prévention et de préparation. Une fiche d'information sur [la réponse de l'UE à l'épidémie d'Ebola](#) est disponible en ligne. *(Pour plus d'informations : Carlos Martin Ruiz de Gordejuela – Tél.: +32 229 65322; Daniel Puglisi – Tél.: +32 229 69140)*

## **Security Union: EU-U.S. cooperation on tackling terrorist financing continues to produce results**

Cooperation between the EU and the U.S. on tracking terrorist financing has continued to yield positive results with over 70,000 leads generated between 2016 and 2018 – some of which were instrumental in bringing forward investigations relating to terrorist attacks on EU soil, including those in Stockholm, Barcelona and Turku. According to the Joint Report published today, the Commission is satisfied with EU-U.S. cooperation under the Terrorist Finance Tracking Programme (TFTP) and the essential safeguards and controls, such as data protection, continue to be properly implemented. The TFTP is a key instrument to provide timely, accurate and reliable information to identify and track terrorists and their support networks worldwide. EU Member States and Europol have increasingly used the mechanism and the number of leads generated by TFTP soared between 2016 and 2018 to 70,991 as compared to 8,998 in the previous reporting period. In the report published today, the Commission suggests that Member States provide regular feedback on the leads received from the U.S. and encourages Europol's continued efforts in providing support to Member States. The next Joint Review of the Agreement is expected in 2021. The full [Report](#) and [Staff Working Document](#) are available online. *(For more information: Natasha Bertaud – Tel.: +32 229 67456; Markus Lammert – Tel.: +32 229 80423).*

## **Fighting unfair contract terms: Commission issues guidance to better protect consumers**

The European Commission adopted today a [guidance note](#) on unfair contract terms. This guidance should ensure that consumer associations and legal practitioners, including judges, will be better equipped to protect EU consumers from unfair contract terms. Commissioner for Justice, Consumers and Gender Equality Věra **Jourová** said: *"Every time a consumer buys a product or a service from a professional trader, they enter into a contract. Contracts must be transparent and must not give traders unfair advantages over consumers. The new guidance notice will be a valuable tool for consumer right defenders and legal practitioners."* The guidance note is based on the rich amount of case law of the [European Court of Justice](#), referring to existing rulings on unfair terms in mortgage credit contracts, in loans taken out in foreign currencies, as well as in mortgage enforcement that affect a high number of consumers in the EU. As a complement to the guidance note, European

businesses organisations have drawn up [recommendations on how mandatory consumer information as well as terms and conditions can be presented to consumers](#) in a more user-friendly and transparent way. Both initiatives follow up on the REFIT Fitness Check of EU consumer and marketing law, as announced in the Commission's [Communication on a New Deal for Consumers](#). (For more information: Nathalie Vandystadt – Tel.: +32 229 67083; Mélanie Voin – Tel.: +32 229 58659)

## **Trade: EU agri-food exports continue growing at record pace**

The latest monthly [agri-food trade report](#) published today shows that a strong increase in exports observed from the beginning of the year continues. According to the latest monthly data available (May 2019), agri-food exports are now doing 13% better than a year ago. The best performing exports include pork meat, spirits and liqueurs, wine and vermouth, and infant food. The most significant export growth was register for the U.S., China, as well as Japan and Canada, two partners with whom the EU has recent trade agreements in place. A less significant (6%) increase in import value was mostly due to trends for oilcakes, cocoa beans, tropical fruit and vegetable oils and imports from the U.S., China and Ukraine. See the full report for more details including evolution of trade balance for each product category and the main trading partners from June 2018 to May 2019.(For more information: Daniel Rosario – Tel.: +32 2 295 61 85; Kinga Malinowska – Tel.:+32 2 295 13 83 )

## **State aid: Commission adopts new Notice on recovery of illegal State aid**

The European Commission has adopted a new Notice on the implementation of Commission decisions ordering Member States to recover unlawful and incompatible State aid (the “Recovery Notice”). The new Recovery Notice replaces the 2007 Recovery Notice. As the 2007 Recovery Notice, the new Notice is primarily addressed to the authorities of the Member States in charge of implementing Commission decisions ordering recovery of illegal State aid. It explains the European rules and procedures governing the recovery of State aid and how the Commission works with Member States to ensure compliance with their obligations with respect to recovery. Since the adoption of the [2007 Recovery Notice](#) the Commission's practice and the case law of the Union Courts has evolved. The new Recovery Notice takes stock of those developments. It explains in greater detail how the Commission may assist Member States during the recovery phase, for instance by organising kick-off meetings, as well as by sharing documents and working methods plans. Furthermore, compared to the existing Notice, the new Notice provides specific guidance to Member States on the quantification of the aid to be recovered and on the identification of the “beneficiaries”, i.e. the companies that benefitted from the illegal State aid. It also includes specific sections with detailed explanations on how to implement recovery in case of tax reliefs, insolvency proceedings and restructuring. Finally, a new contact point is available for queries: [comp-recovery-state-aid@ec.europa.eu](mailto:comp-recovery-state-aid@ec.europa.eu).

The new Recovery Notice takes into account comments received in a [public consultation](#) that ended in April 2019. The Commission has also consulted the Member States and the EFTA Surveillance authority. *(For more information: Lucía Caudet – Tel.: +32 229 56182; Maria Tsoni – Tel.: +32 229 90526)*

### **State aid: Commission approves €171.7 million compensation to Poste Italiane for distributing newspapers at reduced tariffs**

The European Commission has approved under EU State aid rules a €171.74 million public service compensation granted by Italy to Poste Italiane for distributing, at reduced tariffs, newspapers and publications of book publishers and non-profit organisations in the period 2017-2019. Italy entrusted Poste Italiane with the obligation of providing this service of general economic interest (“SGEI”), which aims at preserving and fostering media plurality and diversity of views by charging reduced rates to publishers and newspapers for the distribution of certain categories of press. The Commission assessed the measure under the [EU State aid rules on public service compensation](#). The Commission found that the level of compensation did not exceed the amount needed to cover the net cost borne by Poste Italiane for providing the service. Furthermore, in 2018, the Italian authorities carried out a public consultation, which confirmed that the SGEI consisting in the reduced tariffs offered to publishers and not-for-profit organizations is considered as important by users. The Commission concluded that the Italian measure is in line with EU State aid rules, as it fosters a service of general public interest and promotes media plurality, without unduly distorting competition. The full press release is available online in [EN](#), [FR](#), [DE](#) and [IT](#). *(For more information: Lucía Caudet – Tel.: +32 229 56182; Maria Tsoni – Tel.: +32 229 90526)*

## **ANNOUNCEMENTS**

### **Commissioner Avramopoulos participates in ministerial meeting on migration in Paris**

Commissioner **Avramopoulos** is in Paris today to participate in an informal ministerial meeting on migration in the Mediterranean, organised by the French Minister of Foreign Affairs Jean-Yves Le Drian and Minister of the Interior Christophe Castaner. The meeting is being attended by foreign affairs ministers and ministers of interior of the EU, the European Border and Coast Guard, the European Asylum Support Office, the UNHCR, the International Organisation for Migration, and the African Union. Topics for discussion include temporary arrangements following disembarkation, measures to improve returns and cooperation with countries of origin and of transit, resettlement and the situation in Libya. *(For more information: Natasha Bertaud – Tel.: +32 229 67456; Markus Lammert – Tel.: +32 229 80423).*

[Upcoming events](#) of the European Commission (ex-Top News)