



C/2024/1503

26.2.2024

Judgment of the Court (Fifth Chamber) of 11 January 2024 (request for a preliminary ruling from the High Court — Ireland) — Friends of the Irish Environment CLG v Minister for Agriculture, Food and the Marine, Ireland, Attorney General

(Case C-330/22, ⁽¹⁾ Friends of the Irish Environment (Fixing fishing quotas above zero))

(Reference for a preliminary ruling — Common fisheries policy — Conservation of resources — Total allowable catches (TACs) applicable to stocks of cod in the West of Scotland and the Celtic Sea, whiting in the Irish Sea and plaice in the Celtic Sea South — Regulation (EU) 2020/123 — Annex IA — TACs above zero — Expiry of the period of application — Assessment of validity — Regulation (EU) No 1380/2013 — Article 2(2), second subparagraph — Objective of achieving a maximum sustainable yield (MSY) exploitation rate at the latest by 2020 for all stocks — Articles 2, 3, 9, 10, 15 and 16 — Socioeconomic and employment objectives — Best available scientific advice — Landing obligation — Mixed fisheries — ‘Choke species’ — Regulation (EU) 2019/472 — Articles 1 to 5, 8 and 10 — Target stocks — By-catches — Remedial measures — Discretion)

(C/2024/1503)

Language of the case: English

Referring court

High Court (Ireland)

Parties to the main proceedings

Applicant: Friends of the Irish Environment CLG

Defendant: Minister for Agriculture, Food and the Marine, Ireland, Attorney General

Operative part of the judgment

The examination of the second question referred for a preliminary ruling has disclosed no factor of such a kind as to affect the validity of Annex IA to Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, in so far as that annex set, for the year 2020, the total allowable catches (TACs) for cod (*Gadus morhua*), first, in zone 6a and in European Union and international waters of zone 5b east of 12°00' W (COD/5BE6A) and, second, in zones 7b, 7c, 7e to 7k and 8 to 10 and in European Union waters of Fishery Committee for the Eastern Central Atlantic (CECAF) zone 34.1.1 (COD/7XAD34), for whiting (*Merlangius merlangus*) in zone 7a (WHG/07A) and for plaice (*Pleuronectes platessa*) in zones 7h, 7j and 7k (PLE/7HJK).

⁽¹⁾ OJ C 284, 25.7.2022.