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**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Proposal for a Council Regulation amending Regulation (EU) 2022/109 fixing for 2022 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  
- Commission non-paper

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Delegations will find attached a revised Commission non-paper on the above-mentioned proposal.

# COMMISSION SERVICES NON-PAPER

**22 MARCH 2022**

*This document serves as a basis for discussion at the Working Party on Internal and External Fisheries Policy.*

*It cannot in any circumstances be regarded as the official position of the Commission.*

*It is intended solely for those to whom it is addressed.*

## **Updates to the Commission Proposal for a Council Regulation amending Regulation (EU) 2022/109 fixing for 2022 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 (COM(2022) 54)**

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## **1. AMENDMENTS IN RELATION TO COD IN ICES SUBAREA 1 AND DIVISION 2B**

### **EXPLANATORY NOTE**

Council Regulation (EU) 2022/109 established for the first quarter of 2022 a provisional Union quota of 4 500 tonnes for Union fleets fishing for cod (*Gadus morhua*) in Spitzbergen (Svalbard) waters and in international waters of ICES subarea 1 and division 2b. As the discussions with Norway on equal and non-discriminatory access to Svalbard waters for Union fleets fishing for cod in that area are ongoing, the Commission proposes that the Council extends the period of application of that provisional Union quota of 4 500 tonnes to 30 April 2022. Norway intends to amend its legislation establishing catch limits for the EU for cod in Svalbard waters accordingly.

### **AMENDMENTS TO THE RECITALS**

The following recital is inserted:

“(11a) Council Regulation (EU) 2022/109 established for the first quarter of 2022 a provisional Union quota of 4 500 tonnes for Union fleets fishing for cod (*Gadus morhua*) in Spitzbergen (Svalbard) waters and international waters of ICES subarea 1 and division 2b. As the discussions with Norway on equal and non-discriminatory access to Svalbard waters for Union fleets fishing for cod are ongoing, it is appropriate that the Union extends the period of application of that Union quota of 4 500 tonnes to 30 April 2022.”

### **AMENDMENTS TO THE ARTICLES**

In Article 1, the following paragraph is inserted:

“(5a) Annex IB is amended in accordance with Annex IIa to this Regulation.”

### **AMENDMENTS TO THE ANNEXES**

The following annex is inserted:

**“ANNEX IIa”**

**Amendment to Annex IB to Regulation (EU) 2022/109**

In Annex IB, the fourth table is replaced by the following:

Species:	Cod <i>Gadus morhua</i>	Zone:	1 and 2b (COD/1/2B.)
Germany	923	(1)(2)	Analytical TAC
Spain	2 220	(1)(2)	Article 3 of Regulation (EC) No 847/96 shall not apply
France	407	(1)(2)	Article 4 of Regulation (EC) No 847/96 shall not apply
Poland	419	(1)(2)	
Portugal	463	(1)(2)	
Other Member States	68	(1)(2)(3)	
Union	4 500	(1)(2)	
TAC	Not relevant		
(1)	Shall apply provisionally from 1 January to 30 April 2022. The allocation of the share of the cod stock available to the Union in the zone Spitzbergen and Bear Island and the associated by-catches of haddock are entirely without prejudice to the rights and obligations deriving from the 1920 Treaty of Paris.		
(2)	By-catches of haddock may represent up to 14 % per haul. The by-catch quantities of haddock are in addition to the quota for cod.		
(3)	Except Germany, Spain, France, Poland and Portugal. Catches to be counted against this shared quota shall be reported separately (COD/1/2B_AMS).		

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