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REPORT

From: General Secretariat of the Council
To: Council

Subject: Proposal for a Regulation of the European Parliament and of the Council establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007
- General Approach

I. INTRODUCTION

1. On 7 October 2014, the European Commission adopted the above-mentioned proposal. This proposal was officially presented to the Council during the "Agriculture and Fisheries" Council on 26 January 2015.
2. Between January and April 2015, the Working Party on Internal and External Fisheries Policy undertook a reading of the proposal and a detailed examination of draft amendments proposed by the Presidency.
3. The European Parliament's Fisheries Committee adopted a report on 31st March 2015, which will be presented to the Plenary session on 27 April 2015.¹

¹ Cf. doc. 7892/15 PECHE 125 CODEC 484.

4. The European Economic and Social Committee gave its opinion on the proposal on 10 December 2014. The Committee of the Regions has not yet issued an opinion.

II. OUTSTANDING ISSUES

5. On the basis of the results of the Working Party discussions, the Presidency submitted a compromise text² to COREPER on 15 April 2015.
6. The discussions at the level of COREPER showed support for the efforts of the Presidency and the approach proposed in the Presidency compromise. A number of delegations nevertheless voiced concerns which can be summarized as follows:

Some delegations have expressed concerns as regards the timing of the Presidency compromise, and advocated waiting for the outcome of the ongoing legal proceedings before the Council can adopt a final position on the issue of the appropriate **legal basis for the adoption of the target fishing mortality ranges** in the proposal. Some of these delegations consider that ranges should be adopted in a separate act with a different legal basis (Article 43(3) TFEU) than the one proposed by the Commission (Article 43(2) TFEU).

A number of delegations have expressed support to proceeding ahead with the legal basis as proposed by the Commission and maintained in the Presidency compromise.

- A majority of delegations can support the **figures defining the target fishing mortality ranges** proposed in the Presidency compromise on the basis of the scientific advice delivered by ICES. In this context, the importance of the precautionary approach being applied to fisheries management was highlighted. Delegations have also underlined the need for additional information concerning currently undefined figures, to clarify whether and when they could be included in the plan.

² Cf. doc. 7259/3/15 REV 3 PECHE 96 CODEC 361 + ADD 1 REV1.

- A number of delegations have stressed that the present approach on the Baltic Sea Multiannual Plan had taken account of the specificities of the Baltic Sea, and that the solutions put forward in the Presidency compromise could not prejudge **other solutions developed in other regional frameworks** to take account of the specificities of the concerned fisheries.

7. The Council is hence invited :

- to discuss the above-mentioned issues with a view to reaching a general approach on the proposed Regulation, as set out in doc. 7259/3/15 REV 3;
- enter into the Council minutes the statement set out in the addendum to this document.
