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From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control - 4-column document - Danish comments

Delegations will find attached written comments by the Danish delegation on the above-mentioned document.

July 23rd, 2021

Comments from the Danish delegation to

4-column document regarding

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control 2018/0193(COD)

Doc: ST 10406/21, ST 10406/21 ADD 1, ST 10406/21 ADD 2, ST 10406 ADD 3 REV 1 and ST 10406/21 ADD 3 COR 1

General comments

The following represents the preliminary comments from the Danish delegation and is the result of an initial reading of the 4 column document excluding the recitals. The Danish delegation maintains a general scrutiny reservation and reserves the right to return with further and/or more elaborated comments in the coming process.

As a package, Denmark supports the Council General Approach. Notwithstanding this, we are open to further discussions with a view to reaching an overall compromise with Commission and European Parliament.

From the Danish side, we find it to be especially important that the Council position, as laid out in the General Approach, is maintained on the following subjects:

- Sanctions (Articles 89-93 and Annexes III and IV)
- Margin of tolerance in the logbook (Bulk) (Article 14, 4(a))

Furthermore, Denmark has a general reservation towards centralisation of data on e.g. infringements etc. due to issues on competences, the extra administrative burdens and cost and the risk of double reporting.

Specific comments

The Control Regulation

Article Article 1, first paragraph, point (1)(e), amending provision(14)

Row: 142

Denmark wishes the text of the Council mandate to be maintained. “temporarily” should be replaced by “temporarily”.

Article 1, first paragraph, point (1)(fb)

Row: 144b

EP mandate acceptable to Denmark, if “the presentation of” is inserted in front of “the fishery or aquaculture products”. It is important to maintain “presentation” in the text because implementing rules will establish presentation codes. It is a concept used today.

Article 1, first paragraph, point (1)(fc)

Row: 144c

Denmark cannot support the EP mandate. This is not the common and normal understanding of “landing”.

Article 1, first paragraph, point (1)(ia)

Row: 149a

Denmark is opposed to the EP mandate. It is unnecessary.

Article 1, first paragraph, point (1)(ib)

Row: 149b

Denmark is opposed to the EP mandate. It is unnecessary.

Article 1, first paragraph, point (1)(ka)

Row: 153d

Denmark is opposed to the EP mandate. The definition is not used anywhere in the provisions of the EP mandate except in the considerations and the definition.

Article 1, first paragraph, point (3), amending provision(3)

Row: 160

Denmark supports the Council mandate and is opposed to the EP mandate.

Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (fa)

Row: 181a

Denmark finds that it is not appropriate to mandate the Commission to lay down implementing rules for this in the Control Regulation as it is covered by other non-fisheries Union legislation and it is not the fisheries authorities who are responsible for this overall but other authorities in the Member States. Therefore, Denmark cannot support the EP mandate.

Article 1, first paragraph, point (6), amending provision(1)

Row: 186

Denmark supports the Council mandate. The difference to the EP mandate is very small but text is clearer.

Article 1, first paragraph, point (6), amending provision(2), first subparagraph

Row: 187

Denmark supports the Council mandate. However, the EP mandate can without problems be integrated in the Council mandate.

Article 1, first paragraph, point (6), amending provision(2), second subparagraph

Row: 188

Denmark supports the Council mandate. Under EP mandate, Denmark assesses that polling is impossible if land based mobile networks are used.

Article 1, first paragraph, point (6), amending provision(3), first subparagraph

Row: 189

Denmark supports the Council mandate, which is clearer and more complete than the EP mandate.

Article 1, first paragraph, point (6), amending provision(4)

Row: 190

Denmark supports the Council mandate. It rectifies existing text as regards automatic transmission of future vessel position data, which is impossible.

Article 1, first paragraph, point (6), amending provision(5)

Row: 191

Denmark supports the Council mandate. However, acceptable to insert “automatically”.

Article 1, first paragraph, point (6), amending provision, numbered paragraph (6a)

Row: 192a

Denmark cannot support the EP mandate. It already follows from the fact that this Article applies to fishing vessels and not only catching vessels.

Article 1, first paragraph, point (6), amending provision(7)

Row: 193

Denmark supports the Council mandate. EP mandate is unacceptable.

Article 1, first paragraph, point (6), amending provision(8), first subparagraph(c)

Row: 197

Denmark supports the Council mandate. EP mandate cannot be supported.

Article 1, first paragraph, point (7), amending provision(1)

Row: 203

Denmark supports the Council mandate. EP mandate is not acceptable.

Article 1, first paragraph, point (7), amending provision(2)

Row: 204

Denmark supports the Council mandate. EP mandate is unnecessary.

Article 1, first paragraph, point (7), amending provision(3)

Row: 205

Denmark supports the Council mandate. EP mandate unnecessary, as it is covered by the previous amendment.

Article 1, first paragraph, point (7), amending provision, numbered paragraph (3a)

Row: 205a

Denmark finds that the EP mandate is unnecessary.

Article 1, first paragraph, point (8), amending provision, third paragraph

Row: 214

Denmark supports the Council mandate. EP mandate not acceptable as it regulates the remit of another authority.

Article 1, first paragraph, point (8), amending provision, third paragraph a

Row: 214a

Concerns on too many loopholes concerning the possibility to switch off AIS. Denmark cannot support the EP mandate. This is already regulated under the remit of another competent authority.

Article 1, first paragraph, point (8), amending provision, third paragraph b

Row: 214b

Denmark cannot support the EP mandate. Already covered by the Council mandate.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (1a)

Row: 223a

Denmark cannot support the EP mandate. Necessary to record and report the same data for small and large vessels.

Article 1, first paragraph, point (11), amending provision(2), introductory part

Row: 224

Denmark cannot support the EP mandate. It is the data that is important not the format of the logbook.

Article 1, first paragraph, point (11), amending provision(2)(d)

Row: 228

Denmark supports the Council mandate. This includes simplification for small vessels.
Denmark cannot support this for the large vessels.

Article 1, first paragraph, point (11), amending provision(2)(f)

Row: 230

Denmark supports the Council mandate. EP mandate not acceptable as it is difficult in relation to enforcement. Furthermore, technical specifications become increasingly more important with the increased use of more selective gears, which have to be identifiable in the logbook, if data are to be available for use in the scientific stock estimates.

Article 1, first paragraph, point (11), amending provision(2)(g)

Row: 231

Denmark supports the Council mandate. Necessary to record catches per fishing operation in order to monitor landing obligation and also to allow scientists to study discard practices. EP mandate, therefore, not acceptable.

Article 1, first paragraph, point (11), amending provision(2)(h)

Row: 232

Denmark supports the Council mandate. Wording of EP mandate imprecise.

Article 1, first paragraph, point (11), amending provision(3)(a)

Row: 237

Denmark supports the Council mandate. Wording of EP mandate understandable but difficult for enforcement.

Article 1, first paragraph, point (11), amending provision(3)(b)

Row: 238

Denmark supports the Council mandate. Wording of EP mandate understandable but difficult for enforcement.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3a)

Row: 240a

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary, but could be merged.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(a)

Row: 240b

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary, but could be merged.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(b)

Row: 240c

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary, but could be merged.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(c)

Row: 240d

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary, but could be merged.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(d)

Row: 240e

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary and only dead individual may be retained on board. Number of live individuals caught also have to be recorded as discarded.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(e)

Row: 240f

Denmark considers that this is covered by the Council mandate. Thus, this insertion is unnecessary, but could be merged.

Article 1, first paragraph, point (11), amending provision, numbered paragraph (3b)(f)

Row: 240g

Denmark is uncertain about the necessity to include this wording. Further deliberation and discussion is required before possible acceptance of this proposal. It is anyway very complicated to enforce.

Article 1, first paragraph, point (11), amending provision(4), first subparagraph

Row: 241

Denmark supports the Council mandate. The EP mandate is unacceptable.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph, introductory part

Row: 242

Council general approach (Article 4a) is in general of utmost importance for Denmark. Denmark supports the Council mandate. Substance of the EP mandate is the same, but wording of the Council mandate is strongly preferred.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)

Row: 243

Denmark supports the Council mandate. Substance of the EP mandate will deliver the same result, but wording of the Council mandate is strongly preferred.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)(1)

Row: 243a

Denmark cannot support the EP mandate.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)(2)

Row: 243b

Denmark cannot support the EP mandate.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)

Row: 244

Denmark supports the Council mandate and cannot support the EP mandate.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(i)

Row: 244a

Denmark cannot support the EP mandate.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(ii)

Row: 244b

Denmark cannot support the EP mandate. Substance is, however, close to the Council mandate indicated in another row.

Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(iii)

Row: 244c

Denmark cannot support the EP mandate. Substance is, however, close to the Council mandate indicated in another row.

Article 1, first paragraph, point (11), amending provision(7)

Row: 257

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (12), amending provision

Row: 268

Denmark supports the Council Mandate. EP mandate is unnecessary.

Article 1, first paragraph, point (12), amending provision

Row: 269

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (12), amending provision(2)

Row: 270

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (12), amending provision(4)

Row: 272

Denmark supports the Council Mandate. EP Mandate is unnecessary.

Article 1, first paragraph, point (12), amending provision(5)

Row: 273

Denmark supports the Council Mandate. EP Mandate can be accepted.

Article 1, first paragraph, point (13), amending provision(2), first subparagraph, point (g)

Row: 288

Denmark supports the Council Mandate. EP Mandate cannot be accepted.

Article 1, first paragraph, point (15)(a), amending provision(1), introductory part

Row: 293

Denmark supports the Council Mandate. EP Mandate cannot be accepted.

Article 1, first paragraph, point (15)(b), amending provision(1a)

Row: 303

Denmark supports the Council Mandate. EP Mandate cannot be accepted.

Article 1, first paragraph, point (15)(ba), introductory part

Row: 303a

Denmark can accept the EP Mandate as part of a general compromise.

Article 1, first paragraph, point (15)(ba), amending provision, first paragraph

Row: 303b

Denmark can accept the EP Mandate as part of a general compromise. However, important a deadline is set for the additional reporting, e.g. 15 minutes before entering into port.

Article 1, first paragraph, point (15)(c), amending provision(6), point (a)

Row: 306

Denmark supports the Council Mandate. Denmark can accept the EP Mandate as part of a general compromise.

Article 1, first paragraph, point (18), amending provision(4)

Row 327

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (20), amending provision(1)

Row 341

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (20), amending provision(3)

Row 351

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (20), amending provision(6)

Row 354

Denmark wishes to maintain the Council Mandate addition to the Commission text, but Denmark is flexible about also including the proposed EP text.

Article 1, first paragraph, point (21), amending provision(1)

Row 390

Denmark wishes to maintain the Council Mandate but supports the part of the EP mandate, which says “as soon as possible and in any event within 24 hours after completion of the landing”. “Deadline of 24 hours for submitting information after completion of landing is better than 24 hours after weighing as some buyers want to postpone weighing until immediately before production. For frozen fish, it may take a while, which is not acceptable in relation to submitting a landing declaration.

Article 1, first paragraph, point (23), amending provision(1)

Row 412

As mentioned in negotiations of the General Approach, Denmark supports the mandatory use of REM systems, including as a mandatory element the use of CCTV cameras, cf. EFCA Technical Guidelines and Specifications for Implementing REM in EU Fisheries, 2019. A length criteria should not be included in the provision. Solely, a risk based analysis should define which vessels are to be equipped with a REM system ensuring a level playing field. The EP text includes the mandatory element of CCTV and includes a larger part of vessels sizes. Therefore, Denmark supports in general these parts of the EP proposal. Specific text needs further elaboration.

Article 1, first paragraph, point (23), amending provision, numbered paragraph (3c)

Row 414c

Denmark is of the opinion that the use of CCTV should be accompanied by simplification of control rules and technical measures, both where it is used mandatory and voluntary. Possible simplified rules should not only be for elements, Member States can offer, but more general simplification of rules of measures. Thus, Denmark supports the idea behind the EP proposal, but the text needs careful elaboration.

Article 1, first paragraph, point (23), amending provision, numbered paragraph (3d)

Row 414d

For the Danish position on CCTV in general, see row 412. Scrutiny reservation at this stage, but could be considered. If taken into account, it should be limited to 12 or 24 months. Otherwise, there is a risk of an uneven implementation.

Article 1, first paragraph, point (23), amending provision, numbered paragraph

Row 416a

According to Article 15 (14) of the Basic Regulation (1380/2013), an annual report shall be submitted by the Commission based on information transmitted by among others the Member States on the implementation of the landing obligation, including information on control of compliance with the landing obligation. Thus, the EP proposal could be sufficiently covered already by this reporting.

Article 1, first paragraph, point (27), amending provision(3)

Row 427

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (27), amending provision(4)

Row 428

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (35), amending provision(1)(a)

Row: 476

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (35), amending provision(1)(b)

Row: 477

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (35), amending provision, numbered paragraph (1a)

Row: 477a

Denmark has a reservation as to the EP Mandate.

Article 1, first paragraph, point (35), amending provision(2)

Row: 478

Denmark supports the Council Mandate. EP Mandate, however, in substance very close to Council Mandate.

Article 1, first paragraph, point (35a), introductory part

Row: 480b

Denmark is prepared to consider the EP Mandate as part of a general compromise.

Article 1, first paragraph, point (35a), amending provision, numbered paragraph

Row: 480i

Denmark can support that those, who carry out the certification – whether that be the competent authorities or classification societies, only conclude that the given engine is not capable of exceeding the certified engine power, if this is indeed true. However, we wonder if it is possible at all to make that conclusion today with modern electronically controlled engines and other ways of enhancing power.

Article 1, first paragraph, point (36), amending provision(6)

Row: 482

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (37), amending provision, fourth paragraph a

Row: 487d

Denmark prefers the general approach.

Article 1, first paragraph, point (37), amending provision, fourth paragraph b

Row: 487e

Denmark is prepared to consider the EP Mandate as part of a general compromise.

Article 1, first paragraph, point (39a), introductory part

Row: 492b

EP Mandate is acceptable (Similar to Council Mandate in another row).

Article 1, first paragraph, point (39a), amending provision, article 44, introductory part

Row: 492i

EP Mandate is acceptable (Similar to Council Mandate in another row).

Article 1, first paragraph, point (39a), amending provision, article 44, paragraph 1

Row: 492j

Denmark cannot support the EP Mandate. The wording is unnecessary long and open to interpretation as regards what a target species is, which will make enforcement difficult and unequal between Member States.

Article 1, first paragraph, point (39a), amending provision, article 44, paragraph 2

Row: 492k

EP Mandate is acceptable (Similar to Council Mandate in another row).

Article 1, first paragraph, point (42)(b), amending provision(5)

Row 499

DK has a strong reservation towards the establishment of a Union register of infringements.

Article 1, first paragraph, point (43), amending provision, second paragraph

Row 502

Marine protected areas are subcategories of fishing restricted areas, and therefore not necessary to mention specifically.

Article 1, first paragraph, point (43), amending provision(1)-(3)

Row 503-505

Same comment as for 502.

Article 1, first paragraph, point (44), amending provision(1), first subparagraph

Row: 512

Denmark supports the Council Mandate. EP Mandate is not acceptable as it is superfluous and might limit the scope.

Article 1, first paragraph, point (44), amending provision(1), second subparagraph(a)

Row: 514

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (44), amending provision(1), second subparagraph

Row: 515

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (44), amending provision(2), introductory part

Row: 516

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (44), amending provision(2), first subparagraph

Row: 517

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (44), amending provision, numbered paragraph (3a)

Row: 519a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (44), amending provision(4)

Row: 520

As the Council Mandate and the EP Mandate are similar, Denmark supports this.

Article 1, first paragraph, point (44), amending provision(5), first subparagraph, introductory part

Row: 521

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (44), amending provision(5), first subparagraph(aa)

Row: 522a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (44), amending provision(5), first subparagraph(b)

Row: 523

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (44), amending provision(5), first subparagraph(c)

Row: 524

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (44), amending provision(5), first subparagraph(d)

Row: 525

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (44), amending provision(5), second subparagraph

Row: 526

As the Council Mandate and the EP Mandate are similar, Denmark supports this.

Article 1, first paragraph, point (44), amending provision(6)

Row: 527

Denmark supports the Council Mandate. EP Mandate is not acceptable.

Article 1, first paragraph, point (46), amending provision(1)

Row: 540

It is important to DK that processed fish is not included. So maintain to the position in the Council Mandate.

Article 1, first paragraph, point (46), amending provision(2)

Row 541

Keep general approach.

Article 1, first paragraph, point (46), amending provision(6)

Row 548

Same as for row 540.

Article 1, first paragraph, point (46), amending provision(7)

Row 582

Flexible. However, 15 kg seems reasonable.

Article 1, first paragraph, point (46), amending provision(9)

Row 589

Same as for row 540.

Article 1, first paragraph, point (46), amending provision(11)

Row 590a

It is important to maintain the obligation for the Commission to evaluate the feasibility to develop a harmonised digital system. Therefore, it is important to add a new point 11 as written in the Council Mandate.

Article 1, first paragraph, point (48), amending provision, numbered paragraph (1a)

Row: 596a

Denmark can support the EP Mandate but has to be replaced as Council Mandate has reordered provision.

Article 1, first paragraph, point (48), amending provision(2)

Row: 597

Denmark supports the Council Mandate. EP Mandate solved in reordered provisions in Council Mandate and therefore unnecessary.

Article 1, first paragraph, point (48), amending provision, numbered paragraph (3a)

Row: 598a

EP Mandate solved in reordered provisions in Council Mandate and therefore unnecessary.

Article 1, first paragraph, point (48), amending provision(4)

Row: 599

The Council Mandate and the EP Mandate are similar. Denmark supports the amendment.

Article 1, first paragraph, point (48), amending provision, numbered paragraph (4a)

Row: 599a

Denmark supports Council mandate, cf. row 606. EP proposal almost the same.

Article 1, first paragraph, point (49), amending provision, numbered paragraph (1a)

Row: 603i

Denmark cannot support the EP Mandate. However, substance is partly covered by Council Mandate.

Article 1, first paragraph, point (49), amending provision(3)

Row: 605

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (49), amending provision(4)

Row: 606

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (49), amending provision(5)(c)

Row: 610

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (49), amending provision, numbered paragraph (5a)

Row: 610a

Denmark has sympathy for the EP Mandate. Substance partly covered by moved provision in Council Mandate.

Article 1, first paragraph, point (49), amending provision, numbered paragraph (5b)

Row: 610b

Denmark has sympathy for the EP Mandate. In case, substance has to be worked into reordered Council Mandate.

Article 1, first paragraph, point (49), amending provision(6)

Row: 611

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (50), amending provision(2)(c)

Row: 626

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (54), amending provision, third paragraph, point (d)

Row: 655

FAO alpha-3 code is a unique ID for the species. The EP proposal including scientific name and common commercial name seems not to add value.

Article 1, first paragraph, point (54), amending provision(3)(d)

Row: 675

FAO alpha-3 code is a unique ID for the species. The EP proposal including scientific name and common commercial name seems not to add value.

Article 1, first paragraph, point (56), amending provision(2)

Row: 687

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (56), amending provision(4)(c)

Row: 692

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (56), amending provision(4)(d)

Row: 693

Denmark supports the Council Mandate. EP Mandate cannot be supported. Tolerance might be considered but at a lower level and with another placing of the provision.

Article 1, first paragraph, point (56), amending provision(5)

Row: 699

Denmark is flexible towards the EP proposal of 50 km.

Article 1, first paragraph, point (56), amending provision, numbered paragraph (6a)

Row: 700b

Denmark cannot support the EP Mandate. However, substance partly in Council Mandate in another provision of the Article.

Article 1, first paragraph, point (57a)

Row: 701a

Denmark can support the EP Mandate.

Article 1, first paragraph, point (57b)

Row: 701b

Denmark cannot support the EP Mandate. Denmark can support that a Union format for exchange of sighting data is established but not for the national sighting reports of Member States. Work on this is already taking place under the ERS implementation of the present Control Regulation.

Article 1, first paragraph, point (59)(a), amending provision(1)

Row: 706

Denmark supports the Council Mandate. EP Mandate cannot be supported and is considered to be unnecessary. Furthermore, it risks limiting the scope of the provision.

Article 1, first paragraph, point (59)(a), amending provision(2)(a)

Row: 708

Denmark supports the Council Mandate. EP Mandate cannot be supported and is considered to be unnecessary. Furthermore, it risks limiting the scope of the provision.

Article 1, first paragraph, point (59)(a), amending provision(2)(aa)

Row: 708a

EP Mandate cannot be supported. Substance already covered by Article 73(2a).

Article 1, first paragraph, point (59)(ba)

Row: 714a

Denmark cannot support the EP Mandate. Denmark has sympathy for the substance of the EP Mandate but there may still be situations where RFMO's etc. do not have electronic reports.

Article 1, first paragraph, point (59)(bb)

Row: 714b

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (59)(bc)

Row 714c

Denmark can support the EP Mandate.

Article 1, first paragraph, point (59)(bd)

Row: 714d

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (59)(c), amending provision(9)(b)

Row: 718

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (59)(c), amending provision(9)(fa)

Row: 722b

The amendment is covered by Council Mandate (letter g) and Denmark prefers that text.

Article 1, first paragraph, point (60), amending provision(2)

Row: 729

Denmark can support the Council Mandate. EP Mandate can be accepted if “along the shoreline,” is replaced by “along the shoreline of the sea,”

Article 1, first paragraph, point (60), amending provision(3)(b)

Row: 732

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (60), amending provision(3)(d)

Row: 734

Denmark supports the Council Mandate. EP Mandate appears to be unnecessary and not really adding anything.

Article 1, first paragraph, point (60), amending provision(3)(f)

Row: 736

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (60), amending provision(3)(g)

Row: 737

Denmark supports the Council Mandate. EP Mandate cannot be supported. Substance of EP Mandate covered by letter b of Council Mandate.

Article 1, first paragraph, point (60), amending provision(4)

Row: 738

Denmark supports the Council Mandate. EP Mandate may be integrated in Council Mandate. EP proposal of “used gear” should be replaced by “gear” – all gear on board is relevant as it is not always possible to determine what has been used.

Article 1, first paragraph, point (60), amending provision, numbered paragraph (4a)

Row: 738a

Denmark cannot support the EP Mandate. Substance covered by paragraph 6(a) of Council Mandate and Article 5(3) of existing Control Regulation.

Article 1, first paragraph, point (60), amending provision(5)

Row: 739

Denmark cannot support the EP Mandate as it risks to reduce the protection of the control object.

Article 1, first paragraph, point (60), amending provision(6)(b)

Row: 742

Denmark supports the Council Mandate. EP mandate cannot be supported. In Council Mandate the provision is moved to paragraph 5a.

Article 1, first paragraph, point (60), amending provision(6)(g)

Row: 747

Denmark supports the Council Mandate. EP Mandate can be accepted if “, along the shoreline” is replaced by “, along the shoreline of the sea”

Article 1, first paragraph, point (60), amending provision(1)

Row: 750

Denmark supports the Council Mandate. EP Mandate cannot be supported. Substance of EP Mandate may be integrated in the Council Mandate except the wording “or facilities where fishing gears are stored or repaired”.

Article 1, first paragraph, point (60), amending provision(1), first subparagraph

Row: 754

Denmark cannot support the EP Mandate. In general, EP proposes to widen and deepen the MS requirement to provide data to EFCA in a large number of areas. It is not clear how EFCA will use this data, or if they have the mandate or personal to process all this data. Denmark supports the development of standardized reporting formats, and the possibility to add additional requirements nationally. But there is a need for a thorough analysis of these additional requirements – based on an assessment of both needs and associated cost. Denmark wishes to maintain the Council Mandate.

Article 1, first paragraph, point (60), amending provision(1), second subparagraph

Row: 755

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (60), amending provision(1), third subparagraph

Row: 756

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (60), amending provision(3)

Row: 758

Denmark can support the EP Mandate.

Article 1, first paragraph, point (60), amending provision(1)

Row: 765

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (60), amending provision, numbered paragraph (2a)

Row: 770a

Denmark cannot support the EP Mandate. Superfluous, as covered by transposition of RFMO rules to Union legislation.

Article 1, first paragraph, point (60), amending provision(3)(ba)

Row: 773a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (60), amending provision(4), first subparagraph(b)

Row: 776

Denmark supports the Council Mandate. However, EP Mandate can also be supported.

Article 1, first paragraph, point (60), amending provision, numbered paragraph (6a)

Row: 779a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (60), amending provision(7), first subparagraph(fa)

Row: 786a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (68), amending provision(3)

Row: 821

Denmark can support the EP Mandate.

Article 1, first paragraph, point (69), amending provision(1)

Row 827

Flexibility concerning the EP mandate's last paragraph in restricting proceedings and sanctions to one MS per infringement.

Article 89-93: Sanctions

General comment from Denmark: Denmark maintains its previous submitted comments regarding this section on sanctions in the Council Mandate.

Notwithstanding this, Denmark has the following specific comments to the EP mandate in the 4-column document:

Article 1, first paragraph, point (69), amending provision(3)

Row 833

Denmark wishes to maintain the position in the Council Mandate.

Article 1, first paragraph, point (69), amending provision(4)

Row 834

Denmark can go along with the proposed last line in the EP mandate, that is: "taking into account the seriousness of the offence".

Article 1, first paragraph, point (69), amending provision(2)(d)

Row 842

Denmark wishes to maintain the Council mandate. We do not see the need to make a derogation, as these situations would not fall under the category.

Article 1, first paragraph, point (69), amending provision, numbered paragraph (3a)

Row 865e

Denmark is positive towards the idea that guidelines is established, but not in the legal text. Member States should be involved in establishing these.

Article 1, first paragraph, point (69), amending provision, numbered paragraph (3b)

Row 865f

Refer to amendment 865e.

Article 1, first paragraph, point (69), amending provision(1), first indent

Row 883

It is of highest priority to Denmark that the Commission text is deleted, so maintain the position in the Council Mandate.

Article 1, first paragraph, point (69), amending provision(2), first indent

Row 886

Same as for row 883.

Article 1, first paragraph, point (69), amending provision(5)

Row 889a

It is of highest priority to Denmark that the new paragraph 5 is added, so maintain the position in the Council Mandate.

Article 1, first paragraph, point (69), amending provision(3)

Row 908

Very important to maintain general approach.

Points are attached to the vessel involved in the serious infringement – also when transferring ownership.

If not maintained then there is a risk of creating a system where it is possible to avoid the consequences of points by selling, buying and creating holding companies. Furthermore, it will be harder to manage.

Article 1, first paragraph, point (69), amending provision(4)

Row 909

Denmark wishes to maintain the Council mandate.

It is not clear what an “official certification document” is. All points are or should be reflected in the national register of infringements.

Article 1, first paragraph, point (69), amending provision, numbered paragraph (7a)

Row 912a

Denmark wishes to maintain Council mandate.

Article 1, first paragraph, point (69), amending provision(13)(b)-(e)

Row 920-923

Denmark wishes to maintain the position in Council Mandate that is to delete the Commission text.

Article 1, first paragraph, point (69), amending provision, numbered paragraph (14a)

Row 929a

Denmark is positive towards the idea that guidelines is established, but not in the legal text. Member States should be involved in establishing these.

Article 1, first paragraph, point (69), amending provision(2)

Row 946

Ref. row 754.

Article 1, first paragraph, point (69a), amending provision, article, numbered paragraph

Row 949b-949n

Denmark cannot support the EP mandate proposing a new Union register of infringements.

Article 1, first paragraph, point (70), amending provision(1), first subparagraph

Row: 953

Denmark supports the Council Mandate. EP Mandate can be accepted.

Article 1, first paragraph, point (70), amending provision(1), second subparagraph

Row: 954

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (70), amending provision(2)

Row: 956

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a), introductory part

Row: 956a

Denmark cannot support the EP Mandate. Denmark prefers establishing detailed rules on reporting in implementing rules as provided for in the Council Mandate (Par. 3).

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(a)

Row: 956b

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(b)

Row: 956c

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(c)

Row: 956d

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(d)

Row: 956e

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (70), amending provision, numbered paragraph (2b)

Row: 956f

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (71a), introductory part

Row: 959a

Denmark cannot support the EP Mandate. EP Mandate overlaps Article 102.

Article 1, first paragraph, point (71a), amending provision, numbered paragraph

Row: 959b

Denmark cannot support the EP Mandate. EP Mandate overlaps Article 102.

Article 1, first paragraph, point (77)(a), amending provision(1)

Row: 993

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (77)(a), amending provision(2)(b)(x)

Row: 1009

Denmark supports the Council Mandate in row 1009. However, substance of EP Mandate similar.

Article 1, first paragraph, point (78), amending provision(4), second subparagraph

Row: 1038

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (78), amending provision, numbered paragraph (5a)

Row: 1039b

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (81), amending provision(3)

Row: 1084

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (80a)

Row: 1099a

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (80b)

Row: 1099b

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (80c)

Row: 1099c

Denmark cannot support the EP Mandate.

Article 1, first paragraph, point (82), amending provision, third paragraph

Row: 1103

Denmark supports the Council Mandate. EP Mandate cannot be supported.

Article 1, first paragraph, point (82), amending provision, sixth paragraph, introductory part

Row: 1106

Denmark cannot support the EP Mandate.

The EFCA Regulation

Article 2(1a)

Row: 1151b

EP Mandate is corresponding to existing Regulation (EU) No 2019/473.

Article 2(2), point (a), amending provision, first paragraph

Row: 1154

Denmark supports the Council Mandate. EP mandate is unnecessary as sustainability and external dimension are included in the Common Fisheries Policy.

Article 2(2), point (ba)

Row: 1156a

Denmark cannot support the EP Mandate. It is a policy task, which in case should be regulated in the Control Regulation, not the Agency Regulation.

Article 2(2), point (ca), introductory part

Row: 1158a

Denmark cannot support the EP Mandate.

Article 2(2), point (ca), amending provision, first paragraph

Row: 1158b

Denmark cannot support the EP Mandate.

Article 2(3), amending provision, numbered paragraph (4a)

Row: 1165a

Denmark can support the EP Mandate.

Article 2(3), amending provision, numbered paragraph (5a)

Row: 1166a

Denmark can support the EP Mandate.

Article 2(3), amending provision, numbered paragraph (5b)

Row: 1166b

Denmark can support the EP Mandate.

Article 2(5a)

Row: 1178a

Denmark cannot support the EP Mandate. Denmark is open to consider observer status for the European Parliament.

Article 2(7), amending provision, first paragraph

Row: 1191

Denmark can support the EP Mandate.

The IUU Regulation

Article 4, first paragraph, point (12), amending provision, third paragraph

Row 1288

Denmark maintains its previous submitted comments regarding the sanctions regime.

Article 4, first paragraph, point (14), amending provision(1)

Row 1296

Very important for Denmark to maintain the position in the Council Mandate, where “administrative” is deleted in the line “apply ~~administrative~~ measures and sanctions”.

Article 6, second paragraph

Row: 1318

Denmark can support the Council Mandate. EP Mandate cannot be supported.

Annexes III and IV

Regarding Annexes III and IV, it is important for Denmark to maintain the position in the Council Mandate.

Annex – document ST 10406/21 ADD 2

Amendment 300

Row 5

Denmark cannot support that use of illegal gears is not viewed as a serious infringement. Denmark wishes to maintain the Council mandate.

Amendment 301

Row 6

Denmark does not see an added value in the definition – but we can be flexible as it is already listed above in the Council mandate (Article 90(3)(k)).