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European Union

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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Fishing opportunities 2022: Fish stocks shared with the UK

- Exchange of views

1. The Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, entered into force on 1 May 2021, setting out a new framework for the joint management of fish stocks in EU and UK waters. The Parties have agreed on shared objectives and on a set of principles as regards the exploitation of shared stocks in their respective waters (Heading V, Part II, TCA).
2. Under the terms of the TCA (Article 498), the two Parties hold annual consultations to determine the total allowed catch limit for each fish species and their respective fishing rights. Approximately 100 fish stocks are considered as a shared resource in the Atlantic and North Sea (they are listed in Annex 35 of TCA).
3. The European Commission conducts the annual consultations with the UK on behalf of the Union, in accordance with the TCA, and in line with UNCLOS and the Common Fisheries

Policy ('CFP') basic Regulation¹, on the basis of the Union position defined by the Council. The Council should also approve the agreement on the TACs for 2022 before the formal conclusion of the consultations with the United Kingdom is done through the signing of the written record.

4. On 23 September 2021, the European Commission adopted a Proposal for a Council Decision concerning the position to be taken on behalf of the Union in the annual consultations with the United Kingdom to agree total allowable catches (COM(2021) 595), set out in documents ST 12062/21 and 12062/21 ADD 1. This proposal seeks to establish the principles and orientations to guide the annual consultations on the fish stocks shared between the EU and the UK in the years to come, on a multiannual basis with a process to specify the position each year. The Commission proposal is currently under examination within the Council. The Commission has yet to present a document proposing the more detailed EU position for the consultations with the UK on the fishing opportunities for 2022.
5. In light of the above, the Council is invited to provide guidance ahead of the fisheries consultations on the fish stocks shared between the EU and the United Kingdom for 2022.

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).