



Brussels, 27 September 2022  
(OR. en)

12166/22

LIMITE

PECHE 304

## OUTCOME OF PROCEEDINGS

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Working Party on Fisheries Policy of 8 September 2022

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I.	NAFO Annual meeting
II.	CCAMLR Annual meeting
III.	GFCM Annual meeting
IV.	Control
V.	Baltic TACs
VI.	Tariff Quotas
VII.	December Council

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### I. 44th Annual meeting of the Northwest Atlantic Fisheries Organisation (NAFO), (Porto, Portugal, 19-23 September 2022)

#### – Preparation

1. The Commission representative presented the Commission's proposed approach of the Union for the 44<sup>th</sup> Annual Meeting of the Northwest Atlantic Fisheries Organisation (NAFO) as set out in doc. 11942/22.
2. Several delegations intervened to express their support for the proposed approach. Two delegations focused on the TAC for cod in Division 3M and the importance of negotiating a TAC that ensures long-term lucrative fishing activities in line with scientific advice.
3. On the question of the TAC for cod in Division 3M, the Commission representative mentioned the importance of the Union being a broker for a compromise in NAFO.

4. The Presidency concluded that the Working Party on Fisheries Policy supported the Commission's non-paper set out in document 12942/22 and that the 44<sup>th</sup> Annual Meeting of NAFO was thereby prepared.

## **II. Annual meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)**

### *– Preparation*

1. The Commission representative presented the non-paper, highlighting the resubmission of proposals for creation of the two MPAs in the Weddell sea and East Antarctica. She recalled that the meeting would be held in Hobart, Australia, from 24 October – 4 November, following two previous annual meetings which had been organised in a virtual format.
2. Several delegations expressed support for the non-paper.
3. The Presidency concluded that the Working Party on Fisheries Policy had approved the non-paper and that the 41<sup>st</sup> Annual Meeting of CCAMLR had thereby been prepared.

## **III. 45th GFCM Annual session (Tirana, Albania, 7-11 November 2022)**

### *– Preparation*

1. The Commission representatives presented the non-paper and Declaration of Competences in preparation for the GFCM Annual Session which is to take place on 7-11 November in Tirana. They elaborated on the 19 proposals in the non-paper and further explained the reasoning behind the Declaration of Competences.
2. The Council Legal Service representative intervened on the Declaration of Competences to say that competences as regards some agenda items have been updated in line with case-law of the Court of Justice. She also drew the attention of delegations to the fact that a single declaration of competence and voting rights had been submitted to the GFCM at the time of accession and had been amended in 2004.
3. On the non-paper, a few Member States introduced scrutiny reservations. Several Member States made remarks on the proposal relating to recreational fisheries and the proposal on eel. A number of Member States could support the non-paper.

4. On the Declaration of Competences, most Member States could support it, whereas a few Member States presented scrutiny reservations.
5. To answer Member States concerns, the Commission representatives explained that for eel a management plan is already in place at GFCM level. This plan allows for a tightening of the measures therein agreed, if scientific advice shows a need for it, which is what the Commission now proposes.
6. The Presidency concluded that the Working Party had taken note of the non-paper and Declaration of Competences and invited the Member States to send written comments until 14 September cob.

**IV. 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**

– *Debriefing on the outcome of the political trilogue held on 14 July 2022*

1. The Presidency provided a detailed debrief on the outcome of the 8<sup>th</sup> political trilogue on the revision of the fisheries control system that was held on 14 July 2022. The Presidency mentioned that the discussions focussed on elements of sequences 8, 9, 11 and 15. The Presidency explained that agreement was reached on the threshold for purchases of fishery products by private actors without need for sales notes and the exemption from the obligation of having a transport document within a certain distance from ports. On sequences 9, 11 and 15, progress was achieved on better understanding the positions of each institution and discussions would continue at technical level.
2. The Commission representative expressed concern about a particular element of the agreement on private purchases and the solution found for exemptions for transport documents. She mentioned that the Commission was ready to continue discussion at technical level.
3. The Presidency concluded that the Working Party had taken note on the outcome of the 8<sup>th</sup> political trilogue on the revision of the fisheries control system as presented by the Presidency.

**V. Proposal for a Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea, and amending regulation (EU) 2022/109 as regards certain fishing opportunities in other waters**

– *Presentation of the proposal and exchange of views*

1. The Commission representative presented the proposal stressing that in spite of the actions taken the situation in the Baltic has not improved. Therefore for most of the stocks the suggestion is carry over the quantities and the accompanying measures agreed last year. He indicated that there was a clerical mistake on the TAC for herring in Gulf of Bothnian where it should read 80.047 instead of 80.074.
2. Delegations made preliminary remarks, pending more detailed positions to be presented in writing in the following days. Delegations referred to the need to take into account the work done in Baltfish and refer to the difficulties caused by the lack of cooperation from Russia. Several delegations entered scrutiny reservations and DK parliamentary reservation.
3. The Presidency asked delegations to submit written comments by 16 September and concluded indicating that the Working Party has examined the Commission proposal and a second round of discussion will take place at the Working Party on 22 September.

**VI. Proposal for a Council Regulation amending council Regulation (EU) 2020/1706 opening and providing for the management of autonomous union tariff quotas for certain fishery products for the period 2021-2023**

– *Presentation of the Proposal and exchange of views*

1. The Commission representative presented the above-mentioned proposal explaining that it aims at extending the validity of certain quotas which expire at the end of October until the end of 2023.
2. The Council Legal Service representative suggested to add a new recital justifying the urgency of the entry into force of the Regulation.
3. Several delegations intervened, stressing the importance of these quotas for their processing sector and supporting the suggestion of the Council Legal Service representative. Delegations equally insisted that negotiations with Northern partners

should be pursued and a possible link between the market access and new fisheries agreements should not be neglected. Four delegations entered a scrutiny reservation.

4. DK entered a parliamentary scrutiny reservation.
5. The Presidency concluded that the Working Party had taken note of the presentation by the Commission and the comments made by Member States and invited delegations to send their written comments by 12 September cob.

## **VII. Presidency reflection paper on the organisation of the December Council and multiannual TACs**

### *– Exchange of views*

1. The Presidency presented its reflections on potential options for improving the organisation of the December AGRIFISH Council in view of reaching a swift, well-prepared and timely agreement. The Presidency further elaborated on the possibility of setting TACs and quotas on a multiannual basis.
2. The Commission representative agreed with the need to look into ways to improve the organisation of the December Council meeting. The Commission representative expressed its readiness to take part in such a discussion and outlined its views on the presented options. On multiannual TACs, the Commission representative noted that it has been useful for some stocks, such as the deep sea stocks, however more time is needed to reflect if it can be used for other stocks.
3. Many Delegations welcomed the initiative of the Presidency to hold such an exchange of views and seek ways to improve current practices and expressed their views on the presented options. On multiannual TACs, some Delegations were very much in favour of moving to such a management model for some fisheries, while other Delegations called for further reflection on this.
4. The Presidency concluded that the Working Party had taken note of the reflections presented by the Presidency and the comments of Delegations.