



Council of the
European Union

Brussels, 10 October 2022
(OR. en)

13187/22

LIMITE

PECHE 374
CODEC 1424

**Interinstitutional File:
2021/0176(COD)**

NOTE

From:	Presidency
To:	Permanent Representatives Committee
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013, as regards restrictions to the access to Union waters <ul style="list-style-type: none">• Analysis of the final compromise text with a view to agreement

1. On 5 July 2021, the Commission presented its Proposal for a Regulation amending Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013, as regards restrictions to the access to Union waters. The main objectives of the proposal are to extend the current regime of restrictions to the access to the 12-mile zone in Union waters beyond 2022 and to adapt the relevant rules to the withdrawal of the United Kingdom from the European Union, before the expiry of the provisions in Article 5 of the Regulation. The new act should be in force by 1 January 2023.
2. The mandatory consultation of the European Economic and Social Committee (Article 43(2) TFEU) was completed on 22 September 2021. The Committee endorsed the content of the proposal without making any comments.

3. Following examination of the proposal by the Working Party on Fisheries Policy, on 1 June 2022¹ the COREPER confirmed its agreement on a Council position with a view to starting negotiations with the European Parliament and took note of the statements by two Delegations².
4. On 14 September 2022, the European Parliament finalised its mandate for negotiations. An interinstitutional technical meeting took place on 15 September 2022 in the EP premises.
5. The Permanent Representatives Committee revised its mandate on 28 September 2022³ with a view to reaching a provisional agreement in the Political trilogue on 29 September 2022.
6. The single Political trilogue was conclusive, and the co-legislators reached a provisional political agreement fully within the revised Council mandate. The provisionally agreed text contains the following elements:
 - a) the duration of the extension of the access regime for 10 years has been confirmed;
 - b) the three amendments proposed by the Council have been agreed;
 - c) the EP amendment on the need to report on the rules of access to waters before their expiry has been accepted.
7. The Commission intends to issue a Statement in relation to additional reporting and impact assessments in case of a review of the CFP.
8. The European Parliament and the Commission intend to make a Statement taking note of the situation of fisheries in the Channel, committing to encourage cooperation between stakeholders and to ensure funding for scientific research and advice is available for any future initiatives⁴.
9. On 5 October, the Permanent Representatives Committee was debriefed on the outcome of the negotiations. On 6 October, the Working Party on Fisheries Policy examined the final compromise text⁵, which was broadly supported by Delegations.

¹ ST 9714/22.

² ST 8065/22 REV3 ADD1 + ADD2 COR1

³ ST 12691/22

⁴ ST 12950/22 ADD1 + ADD2

⁵ ST 12950/22

10. In light of the above, the Permanent Representatives Committee is invited to:

- analyse the final compromise text with a view to agreement and confirm its approval of the text as set out in document ST 12950/22;
 - authorise the Presidency to send a letter to the Chair of the European Parliament's Committee on Fisheries confirming that, should the European Parliament adopt its position at first reading, in accordance with Article 294, paragraph 3, of the Treaty on the Functioning of the European Union, in the form set out in the final compromise text (subject to revision by the legal linguists) annexed to that letter, the Council would, in accordance with Article 294, paragraph 4, of that Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position.
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