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NOTE

From:	Presidency
To:	Permanent Representatives Committee/Council
Subject:	Council Regulation fixing for 2022 the fishing opportunities in the Mediterranean and Black Seas - Political agreement

I. INTRODUCTION

1. The Commission submitted to the Council the above mentioned proposal, based on Article 43(3) TFEU, on 17 September 2021¹. The proposal is aimed at setting fishing opportunities for 2022 in line with the multiannual plan for demersal stocks in the western Mediterranean and the recommendations of the General Fisheries Commission for the Mediterranean. The Commission updated the proposal with a non-paper submitted on 24 November 2021².
2. The Working party on fisheries policy examined the proposal at its meeting on 7 October 2021 and the non-paper at its meeting on 25 November. Several delegations entered scrutiny reservation and one delegation was very critical with the Commission proposal and asked for a more gradual approach to alleviate the negative socioeconomic impact on fishermen. Other comments referred to the need to ensure level playing field with third countries fishing in the same sea basins and to enhance control to ensure that everyone respects their obligations.

¹ ST 11955/21 + ADD 1

² ST 13799/21

3. The Presidency issued a consolidated compromise proposal³ on 1 December which was discussed in the Working Party on 2 December. Delegations supported the proposal which contains some minor changes suggested by the legal service and the inclusion of an additional provision that is part of the GFCM measures which the proposal aims to implement. The Presidency compromise indicated the following elements, relevant to the fisheries in the western Mediterranean Sea, would remain open for political discussion - recitals 7, 8, 8a, 8b, 8c, article 8 and annex III.

II. OUTSTANDING ISSUES

4. The main outstanding issue is the reduction in fishing effort for demersal stocks in the western Mediterranean Sea provided for in annex III. Some delegations call for a more gradual approach than the 7.5% proposed by the Commission, indicating that other measures aiming at increasing selectivity could be more effective. Some delegations also question the fact that the reduction in fishing effort shall apply not only to trawlers but also to longliners.
5. Another element under discussion is the Commission suggestion to introduce TACs for the first time in the western Mediterranean Sea, which would apply to blue and red shrimp as well as to giant red shrimp. One delegation fully rejects this proposal and questions the legality of introducing TACs under the Western Mediterranean multiannual plan.
6. The Commission maintains that the proposal for the Mediterranean is to be considered as a package in which all elements are needed in order to attain the target of maximum sustainable yield by 1 January 2025. And confirms that the introduction of TACs in this case is compatible with the Western Mediterranean multiannual plan.

III. CONCLUSION

7. The Permanent Representatives Committee/Council is invited to address the outstanding issues outlined under point II above, with a view to reaching a political agreement at the AGRIFISH Council scheduled for 12-13 December 2021.

³ ST 14390/21