



Brussels, 5 December 2022
(OR. en)

15393/22

LIMITE

PECHE 486

Interinstitutional File:
2022/0325(NLE)

NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Proposal for a Council Regulation on fixing for 2023 the fishing opportunities for certain stocks and groups of fish stocks applicable in the Mediterranean and Black Seas and amending Council Regulation (EU) 2022/110 as regards the fixing of fishing opportunities for 2022 applicable in the Mediterranean and the Black Seas
- Political agreement

I. INTRODUCTION

1. The Commission submitted to the Council the above-mentioned proposal, based on Article 43(3) TFEU, on 14 October 2022¹. The proposal is aimed at setting fishing opportunities for 2023 in line with the multiannual plan for demersal stocks in the western Mediterranean and the recommendations of the General Fisheries Commission for the Mediterranean (GFCM). The Commission updated the proposal with a non-paper submitted on 23 November 2022².
2. The Working Party on Fisheries Policy examined the proposal at its meeting on 20 October 2022 and the non-paper at its meeting on 24 November 2022. Delegations entered scrutiny reservations and several delegations were very critical with the proposed measures implementing the multi-annual plan for the Western Mediterranean and asked for a more

¹ ST 13592/22 + ADD 1

² ST 14899/21

gradual approach to alleviate the negative socioeconomic impact on fishers also in the context of ongoing inflation and high energy costs. Other comments referred to the need to ensure a level playing field with third countries fishing in the same sea basin also through enhanced controls.

3. A consolidated version of the proposal was issued on 30 November 2022³ and discussed at the Working Party on 1 December 2022. Delegations generally supported the proposed text including some minor changes correcting technical or linguistic errors and the clarification of the scope suggested by the Council Legal Service. The consolidated version indicated elements, relevant to the fisheries in the western Mediterranean Sea, that would remain open for political discussion: Recitals 7, 8, 9, 19, 12, 14, 14a, 31, Articles 7, 8, 8a and Annex III.
4. In general, the Presidency believes that the following principles should guide the discussions and the final decision:
 - A strong commitment to the objectives of the Common Fisheries Policy (CFP) as laid down in art. 39 of the TFEU and art. 2 of the CFP⁴;
 - The compliance with the provisions of the multi-annual plan for demersal stocks in the western Mediterranean, including the achievement of MSY by 2025;
 - Basing decisions on the best available scientific advice.
5. The Presidency organised technical trilaterals on 2 December with the Commission and delegations in order to clarify the outstanding issues. These issues are presented in part II below. More details regarding delegations' positions on these issues can be found in their written comments⁵.

³ ST 15115/22

⁴ 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).

⁵ ST 15283/22

II. OUTSTANDING ISSUES

6. The main outstanding issue is the reduction in fishing effort for demersal stocks in the western Mediterranean Sea provided for in annex III. Delegations call for a more gradual approach than the 7.5 % for trawlers proposed by the Commission taking into account continued reductions on the fisheries community and highlight that other measures aiming at increased selectivity could be more effective in reaching MSY.
7. In this context, delegations welcome the continuation of the compensation mechanism that has given good results in 2022 but argue for a higher percentage of the overall fishing effort for trawlers that could then be allocated in addition to its vessels if certain conditions are met. Delegations argue that a higher percentage would create a real incentive for their fleets to increase selectivity and hence the protection of the stock.
8. Another element under discussion is the proposed 7 % reduction of the maximum allowable catch limits for blue and red shrimp and for giant red shrimp. One delegation opposes the setting of such catch limits as they overlap with the effects of the fishing days reduction, while another delegation would like a smaller decrease and a third delegation cannot agree to the reduction in certain management areas.
9. Finally, delegations question the proposal of an additional closure of four continuous weeks for gillnets and longliners to protect hake during its peak spawning season given the lack of scientific information on migratory routes. One delegation also questions the increase of the minimum conservation reference size for hake.

III. CONCLUSION

1. The Permanent Representatives Committee 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 11-12 December 2022.