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(OR. en)

5011/1/23  
REV 1

LIMITE

PECHE 1  
UK 2

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#### 'I' ITEM NOTE

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| From:    | General Secretariat of the Council   |
| To:      | Permanent Representatives Committee (Part 1)   |
| Subject: | COUNCIL REGULATION fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks<br>- Political agreement<br>- Adoption |

1. According to the EU-UK Trade and Cooperation Agreement (TCA), the EU and the UK hold annual consultations on the fishing opportunities for shared stocks. The main orientations and principles of the EU position to take in those consultations are set out in Council Decision 2021/1875 of 22 October 2021. The Union position is further specified ahead of the start of the annual consultations every year, on the basis of a position proposed by the Commission and agreed by the Working Party of Fisheries Policy.
2. For the fishing opportunities for 2023 and, for certain deep-sea stocks, for 2023 and 2024, the Union position as set out in doc. ST 13309/3/22 REV 3 and ST 14201/22 was approved by the Working Party on Fisheries Policy.
3. Given that the EU-UK consultations on fishing opportunities were not finalised by the deadline of 10 December 2022, set in the TCA, to avoid a legal gap, the Agriculture and Fisheries Council on 11-12 December reached a political agreement on the main TACs and Quotas Regulation<sup>1</sup> with provisional TACs and quotas for, inter alia, the stocks in shared

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<sup>1</sup> Cf. docs. ST 15967/22 + ADD 1-2

management with the UK that would apply from January to March 2023. At this occasion, the Council mandated Coreper to replace these provisional TACs with the final tables corresponding to the TACs agreed between the EU and the UK, once detailed in the outcome of those consultations.

4. The EU-UK consultations on fishing opportunities for 2023 and, for certain deep-sea stocks, for 2023 and 2024 were successfully concluded on 19 December 2022. The Council approved the specification of the Union position in the bilateral EU-UK consultations on fishing opportunities for 2023 and, for certain deep-sea stocks, for 2023 and 2024 by means of a written procedure on 20 December.
5. After subsequent signature of the Written Record on the same day<sup>2</sup>, the Commission services transmitted to the Council a non-paper<sup>3</sup> containing the necessary updates to the main TACs and Quotas Regulation for 2023. These updates include the tables with the fishing opportunities that can replace the relevant tables with provisional fishing opportunities previously agreed on that matter and were included in a consolidated version on 22 December 2022 as set out in docs. 16267/22 + ADD 1-2.
6. In light of minor technical errors and inconsistencies spotted and in the interest of legal certainty and clarity, a revised version (of doc. 16267/22 and doc. 16267/22 ADD1) of that consolidated version is issued on 9 January 2022.
7. Therefore, the Committee of the Permanent Representatives is invited to:
  - confirm the revised political agreement set out in docs. 16267/1/22 REV 1 + ADD 1 REV 1 and ADD 2; and
  - recommend that the Council adopts, at one of its forthcoming sessions, this Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks as finalised by the legal-linguistic experts.

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<sup>2</sup> Cf. doc. ST 15807/22

<sup>3</sup> Cf. doc. ST 15805/22