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Non-legislative activities

AGRICULTURE

4. Market situation in particular following the invasion of Ukraine 5457/23

*Information from the Commission and the Member States
Exchange of views*

The Council took note of the information provided by the Commission on the situation on key agricultural markets and of delegations' comments and requests and the Commission's replies.

The Council took note of the information provided under Any other business by the Polish delegation, on behalf of the Bulgarian, the Czech, the Hungarian, the Romanian and Slovak delegations, on problems with increasing agricultural imports from Ukraine, as set out in 5722/23.

The Council also took note of the information provided under Any other business by the Hungarian delegation, supported by the Bulgarian, Croatian, Cyprus, Finnish, Greek, Polish, Slovak and Slovenian delegations, on a request for a temporary derogation from the maximum threshold for coupled income support in 2023, as set out in 5627/23.

5. Opportunities of the bioeconomy in the light of current challenges with special emphasis on rural areas 5658/23

Exchange of views

The Council exchanged views on “opportunities of the bioeconomy in the light of current challenges with special emphasis on rural areas” with a view to adopting updated Council conclusions on the subject.

Any other business

Agriculture

6. b) Problems with increasing agricultural imports from Ukraine 5722/23

*Information from the Polish delegation, on behalf of the
Bulgarian, Czech, Hungarian, Polish, Romanian and
Slovak delegations*

Item 6(b) was taken together with item 4.

- c) **Temporary derogation from the maximum threshold allocated for coupled income support measures for claim year 2023**

5627/23

Information from the Hungarian delegation, supported by the Bulgarian, Croatian, Cyprus, Finnish, Greek, Polish, Slovak and Slovenian delegations

Item 6(c) was taken together with item 4.

Statements to the non-legislative “A” items set out in 5610/23**Ad “A” item 2:**

Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks and groups of fish stocks in the Mediterranean and Black Seas
Adoption

STATEMENT BY SPAIN (on the Mediterranean Regulation)

“Spain would like to state that there are two provisions on the regulation, related to the maximum limit of catches for blue and red shrimps and the fishing effort for longliners, against which the Kingdom of Spain has filed a lawsuit before the European Court of Justice that are pending of sentence yet.”

STATEMENT BY SPAIN (on negative vote on the Regulation on fishing opportunities for 2023 in the Mediterranean and the Black Sea)

“Spain regrets having to vote against the Presidency’s final compromise proposal regarding the Regulation on fishing opportunities for 2023 in the Mediterranean and the Black Sea at the Agriculture and Fisheries Council of 11-12 December for the second year in a row.

Although the previous proposal has been improved upon, which we appreciate, these improvements were not sufficient to enable Spain to vote in favour, despite the efforts made and proposals put forward by Spain, which have not ultimately been accepted.

The European Commission and the Kingdom of Spain clearly have two different approaches to the implementation of the multiannual plan for demersal resources in the Western Mediterranean and to achieving that plan’s objective of attaining the maximum sustainable yield for the various fishing stocks.

While the European Commission considers that it is still necessary to continue reducing the number of fishing days for towed gear in the Mediterranean, Spain, on the basis of the scientific reports available, both from the STECF and from other scientific bodies, continues to take the view that increasing the selectivity of towed gear is, from a socioeconomic perspective, the most appropriate and balanced way to make further progress in improving the biological status of the various stocks, which are already showing positive overall signs of recovery and reduced fishing mortality. In fact, there are STECF prediction scenarios that indicate that for red shrimp stocks in Spanish waters, if this selectivity measure were applied to half of the fleet, with no further reduction in fishing days in 2023, the maximum sustainable yield target would be reached in 2025.

However, in Spain’s view, the final compromise proposal does not provide sufficient incentive for improving the selectivity of towed gear to operators in the fishing sector, who need this incentive in order to cope, in the short and medium term, with the loss of income that implementing this measure would entail due to the reduction in catch weight it would cause. Under the final compromise proposal, the fishing sector would see its fishing days reduced once again in 2023 – a reduction in fishing activity of almost three months net per vessel on average since the plan was first implemented in 2020, which means that Spanish fishing vessels will spend more days berthed in ports than fishing next year.

This is seriously jeopardising the social and economic viability of these vessels and their fishing businesses, most of which are family-run, as well as the sustainability of the ports, markets and coastal communities of the Spanish Mediterranean which depend on this activity.

In any event, Spain will continue to work with the European Commission and the other Member States concerned by the multiannual plan and in achieving its objectives.”

Ad "A" item 3:
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
Adoption

STATEMENT BY BELGIUM, DENMARK, FRANCE, GERMANY, IRELAND, THE NETHERLANDS, LITHUANIA, ESTONIA, SPAIN, PORTUGAL AND SWEDEN (on the application of Article 15(9) in the Basic Regulation COD/03AS; RNG/03-; BLI/12INT-; BLI/24-; BLI/03A; COD/5BE6A; COD/07A; COD/7XAD34; HER/7G-K; PRA/2AC4-C; SOL/56-14; WHG/07A; JAX/2A-14; JAX/08C and SBR/678- in 2023)

“Given that the biomass of the stocks of COD/03AS; RNG/03-; BLI/12INT-; BLI/24-; BLI/03A; COD/5BE6A; COD/07A; COD/7XAD34; HER/7G-K; PRA/2AC4-C; SOL/56-14; WHG/07A; JAX/2A-14; JAX/08C and SBR/678- is below B_{lim} and that only by-catch and scientific fisheries will be permitted in 2023, in order to ensure the recovery of the stocks in accordance with Regulations (EU) 2018/973 and (EU) 2019/472, Belgium, Denmark, France, Germany, Ireland, the Netherlands, Lithuania, Estonia, Spain, Portugal and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 with regard to these stocks in 2023. This undertaking is a response to the current exceptional circumstances for these stocks.”

STATEMENT BY THE COMMISSION (on shared stocks managed under provisional TACs)

“Provisional TACs are established to allow fishing activities of EU fleets to continue while not prejudging the outcome of ongoing international consultations. The Commission will monitor the situation of the stocks shared with the United Kingdom and Norway and subject to provisional TACs. On the basis of the uptake of quotas reported by Member States and taking into account the results of consultations, the Commission will take stock and will present relevant suggestions for the way forward and possible revisions of the provisional TAC levels, especially concerning the seasonality of fishing activities, in order to address Member States’ needs, or to establish definitive TACs.”

STATEMENT BY BELGIUM, DENMARK, FRANCE, THE NETHERLANDS AND GERMANY (on Hague Preferences)

“Belgium, Denmark, Germany, The Netherlands and France are of the opinion that the scales for the allocation of quotas for Member States were agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.”

STATEMENT BY THE COMMISSION (on Norway lobster, 8c, FU 25, and 9a, FUs 26 and FU27)

“The Commission sent a request to ICES in 2022 on the appropriateness of conducting sentinel fisheries for Norway lobster in ICES division 8c, functional unit (FU) 25, and division 9a, FUs 26 and FU27, and under what conditions. ICES informed the Commission that sentinel fisheries are no longer needed for its assessment of those stocks, and noted that the biomass of those stocks are considered to be below Blim. The Commission will request ICES in the first quarter of 2023 to provide the level of fisheries that could enable the Member States to continue their fisheries dependent catch data series for Norway lobster in division 8c, functional unit (FU) 25, and division 9a, FUs 26 and FU27, and with a view to providing better input to scientific advice.”

JOINT STATEMENT BY THE COMMISSION AND PORTUGAL (on scientific information on red seabream in 10)

“Portugal commits to providing ICES with the relevant most up-to-date and complete scientific data for red seabream in ICES subarea 10 (Azores grounds) obtained through the bottom longline survey, so as to inform the index for stock development used by ICES. If and when Portugal provides such new data to ICES, the Commission will ask ICES to consider producing updated advice that incorporates that new data in 2023.”

JOINT STATEMENT BY THE COMMISSION AND PORTUGAL (on scientific information on sole in 8cde, 9 and 10)

“Portugal commits to providing ICES complete scientific data for *Solea senegalensis* and *Pegusa lascaris* in the Atlantic Iberian waters (ICES subarea 9), separately to such data it already provides for *Solea solea*. Sufficient scientific data would allow assessments also for *Solea senegalensis* and *Pegusa lascaris*. Currently all sole species are under a combined TAC for sole species in divisions 8cde, subareas 9 and 10 (southern Bay, Atlantic Iberian waters and Azores grounds) and ICES provides MSY advice for *Solea solea* in divisions 8c and 9a and for the other two species does not provide any advice. If and when Portugal provides such new data to ICES, the Commission will ask ICES to consider producing advice for all relevant sole stocks in the southern Bay of Biscay, Iberian waters and Azores grounds.”

STATEMENT BY THE COMMISSION (on scientific advice for sole in 8a and 8b)

“The Commission notes that ICES reported a decrease in the fishing mortality for sole in ICES divisions 8a and 8b (Bay of Biscay) for the intermediate year 2022 in its advice for 2023, and that ICES has revised the recruitment upward in recent years. The Commission also recalls that ICES conducted the last benchmark for that stock in 2013.

Based on those considerations, the Commission intends: (i) to ask ICES whether stock dynamics for sole may have changed based on the most recent assessment; and (ii) to ask ICES to consider, based on ICES’ benchmark prioritisation scheme, whether sole in the Bay of Biscay is a candidate for a benchmark. In that context of a possible benchmark, the Commission will also encourage ICES to: (i) consider new models available and include new information on length at maturity; (ii) explore environmental factors that could impact recruitment and natural mortality.”

COMMITMENT BY FRANCE AND SPAIN (for the seabass fishery in the Bay of Biscay)

“France and Spain welcome the good state of European seabass (*Dicentrarchus labrax*) stock in the ICES divisions 8a and 8b (Bay of Biscay) and the responsible measures implemented at national level.

Considering that the MSY value is set by ICES at the level of 3398 tons, France commits to maintain its national management scheme in 2023.”

JOINT STATEMENT BY THE COMMISSION AND BELGIUM (on possible support for the Belgian flatfish fisheries fleet)

“Due to the severe reduction in the fishing opportunities for plaice in the Bristol Channel (7FG) for 2023, the Commission and Belgium will explore, within the existing legal framework, possibilities to use relevant and appropriate support, including financial support, for the concerned Belgian flatfish fisheries fleet.”

STATEMENT BY GERMANY, SPAIN, FRANCE, POLAND AND PORTUGAL (on Svalbard cod)

“Germany, Spain, France, Poland and Portugal regret that Norway does not abide by the political understanding between the EU and Norway from April 2022, by not setting a quota for the EU for cod in Svalbard waters that corresponds to the EU historic rights and the EU share for this stock. The aforementioned Member States recall their long-standing historic fishing rights in the Svalbard area, as covered by the 1920 Treaty of Paris. They urge Norway to respect fully the EU and its Member States’ rights and interests in Svalbard, including fishing rights.

The aforementioned Member States invite Norway and the Commission to swiftly consult with the aim of establishing the full EU quota for 2023 no later than in March 2023. They also recall that in 2021, due to the fishing stops issued by Norway, a total of 5 143 tonnes of the EU cod quota could not be fished in the Norwegian Exclusive Economic Zone. The Member States express their disappointment that Norway has not yet made that quantity available to the EU in the bilateral exchanges for 2023. This issue should be resolved as soon as possible.

Germany, Spain, France, Poland and Portugal appreciate that the Commission stands ready for swift consultations with Norway on the above issues.”

STATEMENT BY FRANCE (on the allocation of bluefin tuna farming capacity)

“The application of a management strategy evaluation (MSE) for bluefin tuna, decided during the 23rd extraordinary meeting of the International Commission for the Conservation of Atlantic Tunas, has allowed an increase in the European Union's fishing opportunities from 19 311 tonnes in 2022 to 21 503 tonnes for the years 2023-2025. In order to cope with the resulting increase in supply, and to contribute to the positioning of its industry on the international markets, France considers that it ought to acquire a bluefin tuna farming and fattening capacity in proportion to its fishing opportunities. France is ready to work with the Commission and the Member States to obtain this capacity, in compliance with the rules of the Common Fisheries Policy.”

STATEMENT BY IRELAND (on the agreement of multi-annual Management Plan for Bluefin Tuna (BFT) adopted at last month's Annual ICCAT Meeting)

“Ireland welcomes the adoption of a new multi-annual Management Plan for Bluefin Tuna at last month's ICCAT meeting, noting the EU quota for the period 2023-2025 is now 21,503 tonnes and that the United Kingdom, now recognised as a contracting party, has received a total allocation of 63 tonnes.

Ireland considers that if there is a case for an allocation for the UK, there is an equally strong case for Ireland, as an EU Member State, for a share of the EU quota to allow a targeted fishery given the abundance of Bluefin Tuna in the waters around Ireland.”

STATEMENT BY THE COUNCIL AND THE COMMISSION (on carry over of mackerel from 2022 to 2023)

“The Commission and the Council note that in 2022, there is an unallocated quota within the EU of 12.460 t. Without prejudice to discussions of the internal mackerel allocation, the Council and the Commission will continue to explore all the possibilities so that the EU is in a position to make use of all its mackerel quota.”

JOINT DECLARATION BY THE COMMISSION AND AUSTRIA, CROATIA, CYPRUS, CZECH REPUBLIC, ESTONIA, FINLAND, GERMANY, GREECE, HUNGARY, IRELAND, LITHUANIA, LUXEMBURG, MALTA, PORTUGAL, ROMANIA AND SLOVAKIA (on strengthening the recovery for European eel)

“Acknowledging that despite EU and international efforts, the stock of European eel (*Anguilla anguilla*) remains in a critical condition, as confirmed by ICES' latest advice of 3 November 2022; Taking note that the conservation status of European eel has been reassessed by the International Union for Conservation of Nature (IUCN) as critically endangered and recalling that the species is listed in the European Red List of Freshwater Fishes, Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Appendix II of the Convention on the Conservation of Migratory Species (CMS), the List of Threatened Species of the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), and Annex III of the Barcelona Convention Protocol; Acknowledging that eel recruitment, whilst now stable, remains at a historic low level and does not show any particular sign of improvement; that the stock's stabilisation is likely to have been supported by the reduction of the fishing effort in many Member States; that recovering the stock is a long-term goal that requires addressing spawners escapement more comprehensively notably through habitat rehabilitation and improved river connectivity, and limiting the stock exploitation;

Acknowledging that eel mortalities are caused by a variety of pressures, such as hydropower and pumping stations and other barriers in rivers, by habitat loss and degradation, by commercial and recreational fishing in marine, coastal and inland waters, by pollution, contaminants, diseases, by predation, and due to climate change;

Recalling the commitments already taken under the Joint Declaration on strengthening the recovery for European eel (Commission and Member States) agreed in the 2017 AGRIFISH December Council, the GFCM Recommendation GFCM/42/2018/1 on a multiannual management plan for European eel in the Mediterranean Sea as amended by GFCM Recommendation GFCM/45/2022/1, the Our Baltic Conference Ministerial Declaration and the HELCOM Baltic Sea Action Plan, OSPAR Recommendation 2014/15 on furthering the protection and conservation of European eel (*Anguilla anguilla*), the CMS Concerted Action on European eel, and the Council Conclusions on the EU Biodiversity Strategy for 2030;

Noting that Member States are already undertaking efforts to rebuild/restore the European eel stock, and that the sharp decline of the stock was halted but that the stock remains at a historical minimum level;

Noting that the Commission's evaluation of the Eel Regulation, supported by the external evaluation study, concluded in 2020 that the implementation of the Eel Regulation needs to be improved and further ambition is required with a greater focus on non-fisheries-related impacts, and that good practices in the conservation and management of eels were identified in the Member States in the context of this evaluation;

Noting that there is no overall progress in achieving the objective of Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European eel (so-called 'Eel Regulation'), as confirmed by ICES in its advice of 30 May 2022 on the technical evaluation of the progress in implementing by Member States their Eel Management Plans;

Noting that transboundary agreements exist between Member States and/or their regions, and/or between Member States and third countries for the conservation and management of the transboundary natural eel habitats;

Reiterating that urgent action and further efforts are needed to ensure the recovery of the stock across its natural range and that measures need to be strengthened to further reduce eel mortality caused by all anthropogenic pressures during all eel life stages and to increase the escapement of mature adult eels to the open sea for spawning in the Sargasso Sea;

Considering that a temporary closure of eel fisheries in Union Waters of ICES areas and in the Mediterranean Sea has been established by the annual EU Regulations fixing fishing opportunities and that it was agreed to extend these closure period(s) in line with the migration patterns of the species and that the potential interaction with national eel management plans will have to be monitored;

Noting the need to work with third countries across the natural range of European eel to ensure a comprehensive and coordinated approach to the recovery of the stock among all stakeholders; Welcoming the GFCM decision to develop by 2023 and implement a long-term management plan for European eel in the Mediterranean together with non-EU States and underlining that the EU has committed to table a proposal to that end at the 2023 GFCM Annual Session;

Understanding that the recovery of the European eel that is a migratory and long-lived species requires a more comprehensive approach and wide-ranging measures in all eel habitats and during all stages of the eel life-cycle from the glass eel through the yellow eel to the silver eel stage;

Noting that the Commission adopted in June 2022 a proposal for a Nature Restoration Law under the Biodiversity Strategy for 2030 which aims to restore degraded ecosystems by 2050 and, inter alia, to restore 25.000km of rivers to free-flowing rivers, and to restore certain habitats in coastal and inland wetlands, lagoons and estuaries.

Noting that the Commission intends to discuss in early 2023 in cooperation with the Member States how to strengthen the implementation of their national eel management plans, the measures under the Eel Regulation and the relevant legislation.

Noting that depending on the actions to be undertaken, the cooperation approach includes financial support through various funding instruments for conservation measures in support of a wider biodiversity protection benefiting the recovery of European eel stock, including to restore rivers and remove barriers (LIFE, Horizon Europe, European Regional Development Fund, Cohesion Fund, European agricultural fund for rural development, EMFAF and Invest EU).

*Agree to strengthen the protection of the stock of European Eel (Anguilla anguilla)
To this effect:*

1. The Commission and Austria, Croatia, Cyprus, Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Lithuania, Luxemburg, Malta, Portugal, Romania and Slovakia agree on this Joint Declaration as a reinforced cooperation in rebuilding European eel. This reinforced cooperation contains measures for inland and marine waters to help restoring the stock and its habitats, which are the basis for future sustainable and profitable eel fisheries and farming.
2. These Member States will step up their efforts to fully implement their Eel Management Plans and measures under the Eel Regulation, prioritising effective conservation measures in all habitats addressing all anthropogenic mortality factors, and where appropriate, putting more focus to address pressures in inland waters and non-fisheries related mortalities. In doing so, these Member States will enhance the cooperation between various national and regional administrations responsible for establishing and implementing measures and actions to ensure a coordinated and coherent approach to the conservation and management of European eel stock.
3. Member States who have not yet established their Eel Management Plan, will do so where appropriate and without further delay, and submit them by mid-2023 for approval by Commission.
4. For the transboundary and transnational areas with natural eel habitats, and where appropriate and possible, Member States concerned will establish a transboundary eel management plan or plans and submit them for adoption by the Commission.
5. Where national eel management plans are not achieving their own targets in terms of fishing mortality and biomass escapement, Member States concerned will apply as soon as possible to their internal eel fisheries measures with equivalent effect to those agreed in the fishing opportunities regulation.
6. These Member States will review current restocking practices to ensure that public funds are used to support the true conservation measures that contribute to the recovery of eels.

7. These Member States will enhance the use of EU funds including for the wider biodiversity purposes benefiting the eel recovery.
8. These Member States will improve the control of eel fisheries as appropriate and further increase their efforts with respect to fighting against illegal eel fishing and illegal trade of eels in particular of glass eels and ensure compliance with the CITES restrictions on the international trade and EU Member States' decision on zero export and import quota for European eel. Member States will control each landing of glass eel.
9. These Member States will strengthen the control, the implementation and enforcement of the adopted measures on European eel in order to ensure level-playing field across the EU, and in order to fight against illegal fishing and poaching and illegal trade. The Commission will support these Member States in this endeavour by proposing a revision of the specific control and inspection programmes (SCIPs) that would reinforce the level of control for eels by target benchmarks for inspection at 100% for catches of eel brought to shore. In this context, the Commission will propose an amendment to the Commission Implementing Decision (EU) No 2018/1986 'Specific Control and Inspection Programme'. Furthermore, these Member States will increase the level of controls of illegal gears in their waters, as well as controls in the market and at their external borders, and they will collaborate among each other, with EFCA and with Europol, as necessary, to stop illegal fishing, poaching and illegal trade by appropriate control and enforcement measures. Moreover, the EU fisheries control Expert Group chaired by the Commission will be used as a forum for ensuring transparency as regards the choice of the closure periods by all Member States.
10. These Member States will improve the quality and completeness of data and information necessary to support: i) the scientific assessment of the stock carried out by appropriate scientific bodies, ii) the progress reports required under Article 9 of the Eel Regulation, iii) the monitoring of market prices for eels less than 12cm in length as required by Article 7(5) of the Eel Regulation under common agreed EU methodology.
11. These Member States will, within the limits of their institutional set-up, endeavour to provide progress reports on the implementation of their eel management plans every three years, with the next such report to be provided by 30 June 2024, until there is a strong scientific evidence of recovery signs for the eel population across Europe. The reports should be prepared in accordance to Article 9 of the Eel Regulation.
12. The Commission commits to include the eel concerns in the upcoming action plan to conserve fisheries resources and protect marine ecosystems stemming from the Biodiversity Strategy for 2030,

13. In 2023, the Commission and the Member States concerned will support the development of the GFCM long-term management plan for European eel and all related activities. Noting the advice of the GFCM Scientific Advisory Committee that all sources of anthropogenically induced mortality needed to be addressed, the Commission and Member States will work together on developing immediate actions for the improvement and maintenance of both habitats (with a priority on lagoons) and migratory routes. The Commission and Member States will notably participate actively in the second phase of the GFCM Research Programme, which is tasked to 1) conduct a socio-economic analysis of the proposed closure; 2) implement standard fishery-independent monitoring of all eel life stages coupled with long-term monitoring efforts for fishery-dependent data, involving fishers; 3) conducting stakeholder awareness activities; 4) working on modalities for compensation schemes for fishers; and 5) conducting pilot studies in key sites. The Commission and Member States will also participate and facilitate the work of the Compliance Committee in assessing the correct implementation of the closure periods by all Contracting Parties, thus contributing to ensure level-playing field.”

JOINT STATEMENT BY CYPRUS AND GREECE (on ICCAT stocks, control programs and IUU fishing)

“Cyprus and Greece express their disagreement on the recent agreement in ICCAT, specifically on the Mediterranean Albacore, which provides for unjustified increased quota allocation to Turkey. Bearing in mind the continuation of the Illegal, Unreported, and Unregulated (IUU) activities in the Aegean Sea and Eastern Mediterranean by Turkish fishing vessels, a due diligence approach and a stronger involvement of the European Commission and EFCA, in line with the relevant EU framework, is required in order to effectively combat IUU fishing activities in the area.

In this respect, it is also of utmost importance for the Commission to ensure effective implementation of the provisions of Council Regulation 1005/2008, which establishes a comprehensive and effective Community system to prevent, deter and eliminate IUU fishing.

Moreover, Cyprus and Greece request the European Fisheries Control Agency (EFCA) to provide additional dedicated operational support to Cyprus and Greece, including patrol vessels, aircraft deployment, as well as satellite imagery and relevant training, for the use of surveillance technologies. This should include all the maritime zones of Cyprus, as well as adjacent high seas in the north and north east of the island.

Cyprus and Greece request from the Commission to agree that such additional measures should be pursued under the EFCA coordination for the Mediterranean joint deployment programs (JDP), and should be developed in such a way as to cover the full extent of all the maritime zones of both countries, as well as the adjacent high seas, for full implementation of the conservation and management measures, as well as monitoring, control and compliance measures adopted by the International Convention for the Conservation of Atlantic Tunas (ICCAT), and the General Fisheries Commission for the Mediterranean (GFCM). These measures should be in line, with the relevant provisions of international and EU law and should aim in promoting a culture of compliance against IUU fishing activities and a level playing field.”

STATEMENT BY SPAIN, PORTUGAL AND GREECE

“Spain, Portugal and Greece regret the lack of extra allocation for artisanal vessels from specific archipelagos in Greece (Ionian Islands), Spain (Canary Islands) and Portugal (Azores and Madeira) which means a loss of the rights acquired in 2018 in the framework of ICCAT where the special condition of the mentioned fleets were recognized. We urge the Commission to find a compromise solution with the aim of maintaining the extra quota.

We consider that these fleets should continue to be supported by the Union, to be consistent with its policies in the different forums in which it defends artisanal coastal tuna fleets of the ultraperiferic regions.”

STATEMENT BY THE NETHERLANDS

“The Netherlands takes note of the European Commission Proposal for a 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.

Despite our agreement with the overall Regulation, the concerns of the Netherlands regarding the proportionality of the included eel measures, remain. The Netherlands is committed to the recovery of the eel stock. Therefore we have the national eel recovery plan in place. The closure of 6 months for fisheries on all life stages of eel, has severe socio-economic consequences. At the same time, the effect on the recovery of the eel stock will be limited as eel mortality is mostly caused by other factors than fisheries.

The Netherlands is in favor of a proportional and holistic approach through strengthening the Eel regulation. This way all mortality factors as well as social economic aspects can be taken into account.”

STATEMENT BY DENMARK, FRANCE, ITALY, GREECE, THE NETHERLANDS, POLAND, SPAIN AND SWEDEN (on eel)

“The result of the political agreement on Fishing Opportunities for 2023 on eel will impact Danish, Dutch, French, Greek, Italian, Polish, Spanish and Swedish fishermen and aquaculture sector severely. Denmark, France, Greece, Italy, the Netherlands, Poland, Spain and Sweden have a traditional artisanal small-scale eel fishery with low-impact gears that takes place in marine waters, transitional and adjacent brackish waters. Given the critical state of the European eel stock, appropriate long-term actions are needed for all stages of the eel life cycle and areas. The recovery of the European eel stock is a shared responsibility that requires action regionally as well as across the entire distribution area for European eel for these actions to have a positive effect. For Denmark, France, Greece, Italy, the Netherlands, Poland, Spain and Sweden it is important that effective measures to protect and rebuild the European eel are pan-European and that all anthropogenic mortalities are minimized.

Against this background Denmark, France, Greece, Italy, the Netherlands, Poland, Spain and Sweden do not find that measures limited to fisheries in marine, transitional and adjacent waters through an annual regulation are likely to be effective for the recovery of the European eel stock and therefore advocate a more holistic and long-term approach such as a revision of the European eel regulation.

With regard to the severe economic impact for the Danish, Dutch, French, Greek, Italian, Polish, Spanish and Swedish fishermen and aquaculture sector affected by the extended closing period, as many now risk losing their total income for themselves and their families, we ask the Commission to extend the possibilities for financial support under EMFAF to these fishermen and aquaculture companies.”

**STATEMENT BY CROATIA, FRANCE, ITALY, MALTA, PORTUGAL, AND SPAIN
(on the EU’s internal allocation key of Atlantic Bluefin Tuna (BFT))**

“Croatia, France, Italy, Malta, Portugal and Spain welcome the result of the 23rd special meeting of the International Commission for the Conservation of Atlantic Tunas, which took place from the 14th to the 21st of November 2022, and which has led to an increase of the EU’s quota of BFT for a three-year period, from 2023 to 2025.

The significant efforts that have been made over the years by our fishermen, through the reduction of the size of the BFT fisheries, played a significant role in the recovery of the species. Croatia, France, Italy, Malta, Portugal, and Spain consider it imperative for those fishermen that have been most impacted in the past by these conservation efforts to receive the increase in the BFT quota. In this respect, the aforementioned Member States call for the EU’s internal BFT allocation key to remain intact and unopened.”

STATEMENT BY SPAIN (on the increase in the farming and fattening input capacity of bluefin tuna)

“The European Union's fishing opportunities increased from 19 311 tonnes in 2022 to 21 503 tonnes for the years 2023-2025 as a result of the agreement adopted in the 23rd extraordinary meeting of the International Commission for the Conservation of Atlantic Tunas, based on the management strategy evaluation (MSE) for bluefin tuna.

Therefore, Spain asks for the increasement of its farming and fattening input capacity, proportionally to the fishing opportunities that has been increased, to be able to satisfy the necessities of the market and to maintain its industry positioning in international markets. Spain is ready to work with the Commission and the Member States in order to obtain this capacity, in compliance with the rules of the Common Fisheries Policy.”

STATEMENT BY SPAIN (on eel)

“Spain is committed with the actions towards the recovery of the eel population, taking also on board the socioeconomical impacts of such measures on the local communities depending on this small scale fishery. On that regard, we regret that a minor non commercial fishery that takes place in only one of our Atlantic regions, with an important cultural heritage regarding this tradition, has not been able to be maintained, regardless of the small impact on the stock it has if compared with the commercial activities or other anthropogenic mortalities, including in inland waters.

Nevertheless, we acknowledge that it has not such a socioeconomical impact as the commercial fisheries have. We hope the recovery of the stock at the long term will allow the possibility of reopening this historical tradition.”

JOINT STATEMENT BY THE COMMISSION AND SPAIN (on the option of support of the temporary cessation of fishing activities by the European Maritime, Fisheries and Aquaculture Fund (EMFAF))

“Given the assessment of the International Council for the Exploration of the Sea (ICES) on western horse mackerel (*Trachurus trachurus*), with an advice of zero TAC, Spain considers that the recovery of this stock of horse mackerel requires the temporary cessation of activity, in addition to the fishing opportunities for this stock established in Annex I to the Regulation fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.

The Commission and Spain agree that the temporary cessation of activity is eligible for funding from the EMFAF, provided that is in accordance with the conditions set out in Article 21(2)(c) of Regulation (EU) 2021/1139 of the European Parliament and the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004.”

Ad "A" item 5: **Council Recommendation on adequate minimum income ensuring active inclusion**
Adoption

STATEMENT BY POLAND

“Equality between women and men is enshrined in the Treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, Poland will interpret the term ‘gender equality’ as equality between women and men, in accordance with Articles 2 and 3 of the Treaty on European Union and Articles 8 and 157(3) of the Treaty on the Functioning of the European Union, and other terms containing the term ‘gender’ as referring to ‘sex’, in accordance with Article 10, Article 19(1) and Article 157(2) and (4) of the Treaty on the Functioning of the European Union.”

Ad "A" item 7: **Commission Delegated Regulation (EU) .../... of 18.11.2022 amending Regulation (EU) 2019/1009 of the European Parliament and of the Council as regards the minimum content of calcium oxide in straight solid inorganic macronutrient fertilisers**
Delegated act - Intention not to raise objections

JOINT STATEMENT BY SLOVAKIA AND SPAIN

“Slovakia and Spain welcome the opportunity of incorporating calcium chelates to Annex I of Regulation (EU) 2019/1009. In fact, as it happens with micronutrients, the use of chelating and complexing agents for Calcium and Magnesium is very useful as they help for a better application of these nutrients. However, we do not agree with the current wording of this delegated act.

The technical issues for our discrepancy are detailed below:

1. It implies lowering the quality of all calcium fertiliser products when, apparently, this change of concentration is aimed to allow fertiliser products based on chelated calcium.
2. The approach taken differs from the one used in the Regulation with micronutrient chelates, where there is a requirement for a minimum percentage of the chelated nutrient.
3. Thus, this delegated act is not coherent neither with the requirements for fertiliser products based on chelated micronutrients, nor with the function of a chelating agent itself. As pointed out by our experts, as far as the chelating agent is present, there is no need for the Calcium to be chelated.
4. The wording does not reflect either the provisions taken in Commission Regulation (EU) 2020/1666, where the 9% applied to “Chemically obtained product containing calcium chelate of iminodisuccinic acid as essential ingredient, without addition of organic nutrients of animal or vegetable origin” and it was asked that this 9 % CaO Calcium expressed as CaO was chelated by iminodisuccinic acid (IDHA) water-soluble.”
5. While Commission says that the amendment aims only to Calcium chelates, the truth is that, if there is any Mg chelating agent fulfilling CMC 1 requirements and complying with the minimum concentration set on PFC 1(C)(I)(a)(i), there is nothing to prevent it for being used, with the very same problems already expressed for calcium chelates.
6. Besides, we do not see any provision on the labelling, tolerances, etc. creating legal uncertainty.

Thus, while we would like to facilitate the marketing of fertiliser products based on Calcium and Magnesium chelates, we believe that the previous technical issues have not been addressed in the present Delegated Act, and we cannot endorse it.”

Ad "A" item 14: **Conclusions on EU priorities for cooperation with the Council of Europe 2023-2024**
Approval

STATEMENT BY HUNGARY

“Paragraph 26

With regard to the footnote calling forth “EU LGBTIQ Equality Strategy 2020-2025” attached to paragraph 26 of the Council Conclusions on EU priorities for cooperation with the Council of Europe in 2023-2024, we note that the Strategy mentioned in the footnote has never been adopted or endorsed by the Council.

In line with international law, Hungary interprets “persons belonging to minorities” according to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.”