



Brussels, 5 May 2022
(OR. en)

7595/22

LIMITE

PECHE 96

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

To: Delegations

Subject: Working Party on Fisheries Policy of 28 March 2022

- I. IOTC
- II. EU-UK: SCF
- III. EU-UK: seabream in Jersey waters
- IV. AOB: ClientEarth's request for internal review - Aarhus Regulation

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (10.06.2024)

I. Proposal for a Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007

– *Examination of the Presidency compromise*

1. The Presidency presented the Presidency compromise relating to the above-mentioned proposal concerning the transposition into EU law of resolutions adopted by the IOTC. The Presidency explained the main points of its compromise, including the addition of certain provisions and annexes, and the deletion of certain provisions. It explained that two of the underlying reasons for its modifications were to ensure legal clarity and to only transpose provisions included in IOTC resolutions.
2. The Council Legal Service representative reminded of the Commission's obligation to consult the EDPS on the proposal.

3. Three delegations intervened. Two delegations supported the Presidency compromise. One delegation requested more time for its analysis.
4. The Commission representative explained the reasons for including a provision that went beyond a mere transposition, raised questions about the legal implications of publishing forms in all EU languages in the Official Journal while requiring to only use the official languages of the IOTC, and questioned whether one Article contained a correct reference. He welcomed the Presidency proposal as regards IOTC Guidelines. He noted that the Commission would consult the EDPS in the course of the current week.
5. The Presidency asked delegations to provide comments, if any, by Wednesday 30 March, close of business. The Presidency concluded that the Working Party had examined the Presidency compromise and taken note of the positions of delegations and comments by the Commission.

II. EU-UK: Position of the European Union within the Specialized Committee on Fisheries

– *Examination of the Presidency compromise*

1. **DELETED**

DELETED

2 **DELETED**

3. The Commission representative expressed support for the Presidency compromise and responded to specific queries by Delegations, noting that the Working Group of the EU-UK Specialised Committee on Fisheries would start work already on the 30 March and would aim to discuss some of these topics.

4. The Presidency noted the general support to the compromise and concluded that the four additional changes agreed during the WP discussion would be circulated in a revised Presidency compromise, which would be subject to approval in the next meeting of the WP on the UK.

III. EU draft reply to the UK notification under the TCA (seabream in Jersey waters)

– *Examination of the draft response*

1. **DELETED**

2. **DELETED**
3. The Presidency concluded that the Working Party on Fisheries had supported the draft reply as prepared by the Commission, which would be subject to approval by the WP on the UK the day after.

IV. Any other business

- *Information from the Council Legal Service concerning ClientEarth's request for internal review under Title IV of the Aarhus Regulation in relation to Council Regulation (EU) 2022/109 of 27 January 2022 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*
1. The Council Legal Service representative explained that this request was the first one of that type received by the Council and that it follows the adoption of certain amendments to the Aarhus Regulation last year, which broadened the kind of acts in respect of which an internal review may be requested. The Council has to reply within sixteen weeks. The Working Party will need to revert to this after an analysis of the request.
 2. The Presidency noted that, apart from the main request which had already been issued to delegations, all the annexes would follow in due time. The Presidency concluded that the Working Party on Fisheries Policy had taken note of the Information from the Council Legal Service concerning ClientEarth's request for internal review of the TACs and Quota Regulation 2022/109.