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REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	8341/15 PECHE 143 CODEC 605 + ADD 1 - COM(2015) 180 final + Annex
Subject:	Proposal for a Regulation of the European Parliament and the Council on a multiannual recovery plan for Bluefin tuna in the Eastern Atlantic and the Mediterranean repealing Regulation (EC) No. 302/2009 - analysis of the final compromise text with a view to agreement

1. The Commission submitted its proposal to the Council on 24 April 2015. The proposal aims at implementing into Union law measures of the multiannual Bluefin tuna recovery plan in the eastern Atlantic and the Mediterranean, adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) at its annual meetings between 2012 and 2014 (notably Recommendation 14-04).
2. The European Parliament adopted its opinion in first reading at its session in Strasbourg on 18-21 January 2016¹.

¹ Cf. doc. 5261/16.

3. Following a further examination by the Working Party of the opinion of the European Parliament, COREPER endorsed, on 17 February 2016, a mandate for an informal trilogue on 15 March 2016². The Commission recalled its reservations on the principle of deleting provisions on delegated acts as done by the European Parliament and the Council in their respective positions.
4. The informal trilogue of 15 March 2016 resulted in an agreement on all technical aspects, with the exception of the open political points (which are interrelated) in relation to Recital 3a (new) (AM 1) and Article 1(1) (AM 7), Article 5(1) (AM 9), Article 7(1) subpara 1 (new)(AM 10), Article 7 (1a) (AM 11) and Article 8, para 6a (new) (AM 41).
5. During the debriefing of COREPER on 16 March 2016, the Presidency highlighted, in relation to the open political issues, that the European Parliament insisted on a text in a recital and in an article making it clear that Member States have to give particular importance to artisanal and traditional fisheries when allocating quotas nationally. As announced then, the Presidency consulted further on how to address this wish of the European Parliament at the level of the Working Party on 17 March 2016.
6. At the informal trilogue on 6 April 2016 the negotiators agreed to address the European Parliament's political issue by inserting a new recital 3(a) and a new Article [X] to be inserted after Article 7 of the proposal (cf. text in Addendum to this report). This text should meet EP concerns while respecting MS competences as provided for in the Article 17 of the CFP Regulation.
7. The Permanent Representatives Committee is invited:
 - to confirm the approval of the final compromise text as set out in Addendum to this report;
 - to take note of the intentions of the Commission to make a statement relating to delegated acts at the time of the formal adoption; and

² Cf. doc. 5900/16.

- to authorise the Presidency to send a letter to the Chair of the European Parliament's Committee on Fisheries (PECH), confirming that, should the European Parliament adopt its position in first reading, in accordance with Article 294, paragraph 3 of the Treaty on the Functioning of the EU, in the form set out in the final compromise text contained in the Annex to that letter (subject to revision by the legal linguists of both institutions), the Council would, in accordance with Article 294 paragraph 4 of that Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position.
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