



Brussels, 15 May 2025
(OR. en)

8664/1/25
REV 1

LIMITE

PECHE 109
CODEC 557

Interinstitutional File:
2024/0224 (COD)

NOTE

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 8664/25

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing

- 4-column document for a revised mandate with a view to holding interinstitutional negotiations
-

Delegations will find attached the 4-column document on the above-mentioned proposal. The fourth column sets out the Presidency's proposed way forward following interinstitutional negotiations at technical level on 13 May 2025.

This document will be discussed in the Working Party on Fisheries Policy on 16 May 2025.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish
stocks in relation to countries allowing non-sustainable fishing
2024/0224(COD)**

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|-------------------------|--|--|--|--|
| Formula | | | | |
| 1 | 2024/0224 (COD) | 2024/0224 (COD) | 2024/0224 (COD) | 2024/0224 (COD) |
| Document Stage | | | | |
| 2 | Proposal for a | Proposal for a | Proposal for a | Proposal for a |
| Document Type | | | | |
| 3 | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (EU) .../... of ... | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (EU) .../... of ... |
| Document Purpose | | | | |
| 4 | amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing | amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing | amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing | amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing |
| Formula | | | | |
| 5 | THE EUROPEAN PARLIAMENT AND THE | THE EUROPEAN PARLIAMENT AND THE | THE EUROPEAN PARLIAMENT AND THE | THE EUROPEAN PARLIAMENT AND THE |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|------------|--|---|--|--|
| | COUNCIL OF THE EUROPEAN UNION, | COUNCIL OF THE EUROPEAN UNION, | COUNCIL OF THE EUROPEAN UNION, | COUNCIL OF THE EUROPEAN UNION, |
| Citation 1 | | | | |
| 6 | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and 207 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 207 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and 207 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 207 thereof, |
| Citation 2 | | | | |
| 7 | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, |
| Citation 3 | | | | |
| 8 | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, |
| Citation 4 | | | | |
| 9 | Having regard to the opinion of the European Economic and Social Committee, | Having regard to the opinion of the European Economic and Social Committee, | Having regard to the opinion of the European Economic and Social Committee, | Having regard to the opinion of the European Economic and Social Committee, |
| Citation 5 | | | | |
| 10 | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, |
| Formula | | | | |
| 11 | Whereas: | Whereas: | Whereas: | Whereas: |
| Recital 1 | | | | |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|----|---|---|--|---|
| 12 | <p>(1) In line with the United Nations Convention on the Law of the Sea of 10 December 1982¹ ('UNCLOS') and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995² ('UNFSA'), the management of certain straddling and highly migratory fish stocks requires the cooperation of all the countries whose fleets exploit that stock.</p> <p>1. United Nations Convention on the Law of the Sea, OJ L 179, 23.6.1998, p. 3, ELI: http://data.europa.eu/eli/convention/1998/392/oj. 2. Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks, OJ L 189, 3.7.1998, p. 17.</p> | <p>(1) In line with the United Nations Convention on the Law of the Sea of 10 December 1982¹ ('UNCLOS') and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995² ('UNFSA'), the management of certain straddling and highly migratory fish stocks requires the cooperation of all the countries whose fleets exploit that stock.</p> <p>1. United Nations Convention on the Law of the Sea, OJ L 179, 23.6.1998, p. 3, ELI: http://data.europa.eu/eli/convention/1998/392/oj. 2. Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks, (OJ L 189, 3.7.1998, p. 17).</p> | <p>(1) In line with the United Nations Convention on the Law of the Sea of 10 December 1982¹ ('UNCLOS') and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995² ('UNFSA'), the management of certain straddling and highly migratory fish stocks requires the cooperation of all the countries whose fleets exploit that stock.</p> <p><u><i>Such cooperation may be established in the framework of regional fisheries management organisations ('RFMOs') or by means of ad hoc arrangements among the countries having an interest in the fishery concerned.</i></u></p> <p>1. United Nations Convention on the Law of the Sea, OJ L 179, 23.6.1998, p. 3, ELI: http://data.europa.eu/eli/convention/1998/392/oj. 2. Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10</p> | <p>Accept EP amendment (as the new text is copied from current recital (1) of Regulation 1026/2012 (slightly shortened)).</p> <p>(1) In line with the United Nations Convention on the Law of the Sea of 10 December 1982¹ ('UNCLOS') and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995² ('UNFSA'), the management of certain straddling and highly migratory fish stocks requires the cooperation of all the countries whose fleets exploit that stock.</p> <p><i>Such cooperation may be established in the framework of regional fisheries management organisations ('RFMOs') or by means of ad hoc arrangements among the countries having an interest in the fishery concerned.</i></p> <p>1. United Nations Convention on the Law of the Sea, OJ L 179, 23.6.1998, p. 3,</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|-----------|---|---|---|--|
| | | | December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks, OJ L 189, 3.7.1998, p. 17. | ELI: http://data.europa.eu/eli/convention/1998/392/oj . 2. Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks, OJ L 189, 3.7.1998, p. 17. |
| Recital 2 | | | | |
| 13 | <p>(2) Regulation (EU) No 1026/2012¹ of the European Parliament and of the Council establishes a framework to allow for the identification and the adoption of measures with regard to third countries which fail to cooperate and allow unsustainable fishing of a stock of common interest for the Union.</p> <p>¹ Regulation (EU) No 1026/2012 of the European Parliament and of the Council of 25 October 2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing (OJ L 316, 14.11.2012, p. 34, ELI: http://data.europa.eu/eli/reg/2012/1026/oj .)</p> | <p>(2) Regulation (EU) No 1026/2012¹ of the European Parliament and of the Council establishes a framework to allow for the identification and the adoption of measures with regard to third countries which fail to cooperate and allow unsustainable non-sustainable fishing of a stock of common interest for the Union.</p> <p>¹ Regulation (EU) No 1026/2012 of the European Parliament and of the Council of 25 October 2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing (OJ L 316, 14.11.2012, p. 34, ELI: http://data.europa.eu/eli/reg/2012/1026/oj .)</p> | <p>(2) Regulation (EU) No 1026/2012¹ of the European Parliament and of the Council establishes a framework to allow for the identification and the adoption of measures with regard to third countries which fail to cooperate and allow unsustainable fishing of a stock of common interest for the Union.</p> <p>¹ Regulation (EU) No 1026/2012 of the European Parliament and of the Council of 25 October 2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing (OJ L 316, 14.11.2012, p. 34, ELI: http://data.europa.eu/eli/reg/2012/1026/oj .)</p> | <p>EP is willing to accept Council mandate (linguistic change).</p> <p>(2) Regulation (EU) No 1026/2012¹ of the European Parliament and of the Council establishes a framework to allow for the identification and the adoption of measures with regard to third countries which fail to cooperate and allow non-sustainable fishing of a stock of common interest for the Union.</p> <p>¹ Regulation (EU) No 1026/2012 of the European Parliament and of the Council of 25 October 2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing (OJ L 316, 14.11.2012, p. 34, ELI: http://data.europa.eu/eli/reg/2012/1026/oj .)</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|-----------|---|--|---|--|
| Recital 3 | | | | |
| 14 | (3) In accordance with Regulation (EU) No 1026/2012 a country may be identified as allowing non-sustainable fishing if, among others, it fails to cooperate in the management of a stock of common interest in full compliance with the provisions of the UNCLOS and the UNFSA, or any other international agreement or norm of international law and if it fails to adopt necessary fishery management measures. | (3) In accordance with Regulation (EU) No 1026/2012 a country may be identified as allowing non-sustainable fishing if, among others, it fails to cooperate in the management of a stock of common interest in full compliance with the provisions of the UNCLOS and the UNFSA, or with any other international agreement or norm rule of international law, and if it fails to adopt necessary fishery management measures. | (3) In accordance with Regulation (EU) No 1026/2012 a country may be identified as allowing non-sustainable fishing if, among others, it fails to cooperate in the management of a stock of common interest in full compliance with the provisions of the UNCLOS and , the UNFSA, or any other international agreement or norm of international law and if it fails to adopt necessary relevant fishery management measures. | <p>EP is willing to accept Council mandate (linguistic change) and to withdraw its amendment.</p> <p>(3) In accordance with Regulation (EU) No 1026/2012 a country may be identified as allowing non-sustainable fishing if, among others, it fails to cooperate in the management of a stock of common interest in full compliance with the provisions of the UNCLOS and the UNFSA, or with any other international agreement or rule of international law, and if it fails to adopt necessary fishery management measures.</p> |
| Recital 4 | | | | |
| 15 | (4) A definition of “failure to cooperate” should be introduced, to better define, for the purposes of Regulation (EU) No 1026/2012, the scope and meaning of the requirement to cooperate pursuant to UNCLOS and UNFSA. | (4) A definition of “failure to cooperate” should be introduced; in order to better define, for the purposes of Regulation (EU) No 1026/2012, the scope and meaning of the requirement to cooperate pursuant to UNCLOS and UNFSA. | (4) A definition of “failure to cooperate” should be introduced, to better define, for the purposes of Regulation (EU) No 1026/2012, the scope and meaning of the requirement to cooperate pursuant to UNCLOS and UNFSA. | <p>EP is willing to accept Council mandate (linguistic change).</p> <p>(4) A definition of “failure to cooperate” should be introduced in order to better define, for the purposes of Regulation (EU) No 1026/2012, the scope and meaning of the requirement to cooperate pursuant to UNCLOS and UNFSA.</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|------------|--|--|---|--|
| Recital 4a | | | | |
| 15a | | | <u>(4a) 'Best available scientific advice' should be understood to refer to publicly available scientific advice that is supported by the most up-to-date scientific data and methods and that has either been issued or reviewed by an independent scientific body that is recognised at Union or international level.</u> | Accept EP amendment. This is important for the EP and the same recital is already included in recitals of three regulations (Western Waters MAP, West MED MAP, and North Sea MAP). (4a) 'Best available scientific advice' should be understood to refer to publicly available scientific advice that is supported by the most up-to-date scientific data and methods and that has either been issued or reviewed by an independent scientific body that is recognised at Union or international level. |
| Recital 5 | | | | |
| 16 | (5) It is also necessary to clarify that a country may be considered as allowing non-sustainable fishing if it does not implement the necessary fishery management measures, and that those measures include control measures. | (5) It is also necessary to clarify that a country may be considered as allowing non-sustainable fishing if it does not implement the necessary fishery management measures, and that those measures include control measures. | (5) It is also necessary to clarify that a country may be considered as allowing non-sustainable fishing if it does not implement, <u>comply with or enforce the relevant</u> the necessary fishery management measures, and that those measures include, <u>conservation or</u> control measures, <u>including</u> | Accept compromise proposal as follows: (5) "It is also necessary to clarify that a country may be considered as allowing non-sustainable fishing if it does not implement or enforce the necessary fishery management measures, and that those measures include control measures, |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|------------|---|---|---|--|
| | | | <u>those agreed in the framework of a RFMO.</u> | including in the framework of RFMOs". |
| Recital 6 | | | | |
| 17 | (6) It is also appropriate to reinforce the procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing. | (6) It is also appropriate to reinforce the procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing. | (6) It is also appropriate to reinforce the procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing, <u>including for countries within the framework of RFMOs.</u> | Accept EP amendment. (6) It is also appropriate to reinforce the procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing, including for countries within the framework of RFMOs. |
| Recital 6a | | | | |
| 17a | | | | Accept the following new recital as compromise solution. The EP is willing to drop its amendment in row 38b (that is, the addition of a reference to Regulations 2016/1036 and 2016/1037) in exchange for including this recital. It would meet the same aim: stressing that trade patterns with the third country need to be given sufficient attention in assessing appropriate measures. “(6a) In order to assess the appropriate measures with regard to a country allowing non-sustainable fishing, it is necessary |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|---|---|---|---|
| | | | | to provide for an accurate understanding of the trade relations with the third country under evaluation, including by assessing historical data for imported products that reflect the real import patterns in relation to that country." |
| Recital 7 | | | | |
| 18 | (7) Regulation (EU) No 1026/2012 should therefore be amended accordingly, | (7) Regulation (EU) No 1026/2012 should therefore be amended accordingly, | (7) Regulation (EU) No 1026/2012 should therefore be amended accordingly, | (7) Regulation (EU) No 1026/2012 should therefore be amended accordingly, |
| Formula | | | | |
| 19 | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: |
| Article 1 | | | | |
| 20 | Article 1 | Article 1 | Article 1 | Article 1 |
| Article 1, first paragraph | | | | |
| 21 | Regulation (EU) No 1026/2012 is amended as follows: | Regulation (EU) No 1026/2012 is amended as follows: | Regulation (EU) No 1026/2012 is amended as follows: | Regulation (EU) No 1026/2012 is amended as follows: |
| Article 1, first paragraph, point (-1) | | | | |
| 21a | | | <u><i>(-1) in Article 2, point (b) is replaced by the following: "(b) 'associated species' means any fish that belongs to the same ecosystem as the stock</i></u> | Accept compromise proposal as follows (refer to "..., including as by-catch".) Note that only the words in italics are newly added to the point. |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|---------------------|-----------------|---|---|
| | | | <p><u>of common interest and that preys upon that stock, is preyed on by it, competes with it for food and living space or co-occurs with it in the same fishing area, and that is exploited, bycatch or accidentally taken in the same fishery or fisheries;"</u>;</p> | <p>(-1) in Article 2, point (b) is replaced by the following: "(b) 'associated species' means any fish that belongs to the same ecosystem as the stock of common interest and that preys upon that stock, is preyed on by it, competes with it for food and living space or co-occurs with it in the same fishing area, and that is exploited or accidentally taken, <i>including as by-catch</i>, in the same fishery or fisheries;"</p> |
| Article 1, first paragraph, point (-1a) | | | | |
| 21b | | | <p><u>(-1a) in Article 2, point (f) is replaced by the following: "(f) 'unsustainable state' means the condition where the stock is not continuously maintained at or above the levels that can produce maximum sustainable yield or, if these levels cannot be estimated, where the stock is not continuously maintained within safe biological limits in line with the precautionary approach to fisheries management as referred to in Article 6 of UNFSA; the stock levels determining whether</u></p> | <p>Accept EP amendment, as also the CFP regulation refers to Art. 6 of UNFSA (see Art. 4(1)(8) of Regulation 1380/2013). Note that only text in italics is newly added to the point.</p> <p>(-1a) in Article 2, point (f) is replaced by the following: "(f) 'unsustainable state' means the condition where the stock is not continuously maintained at or above the levels that can produce maximum sustainable yield or, if these levels cannot be estimated, where the</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|---|---|--|--|
| | | | <u>the stock is in an unsustainable state are to be determined on the basis of best available scientific advice;"</u> ; | stock is not continuously maintained within safe biological limits <i>in line with the precautionary approach to fisheries management as referred to in Article 6 of UNFSA</i> ; the stock levels determining whether the stock is in an unsustainable state are to be determined on the basis of best available scientific advice;" |
| Article 1, first paragraph, point (1) | | | | |
| 22 | (1) in Article 2, the following point (i) is added: | (1) in Article 2, the following point (i) is added: | (1) in Article 2, the following point (i) is added: | (1) in Article 2, the following point (i) is added: |
| Article 1, first paragraph, point (1), amending provision, first paragraph | | | | |
| 23 | “ | | “ | “ |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i) | | | | |
| 24 | (i) ‘failure to cooperate’ means the failure to engage in good faith and have meaningful consultations, in which substantial effort is made, with a view to reaching an agreement on the adoption of necessary fishery management measures; examples of failure to cooperate include, but are not limited to: | “ (i) ‘failure to cooperate’ means the failure to engage in good faith and have meaningful consultations, in which substantial effort is made, with a view to reaching an agreement on the adoption of necessary fishery management measures; examples of failure to cooperate include, but are not limited to: | (i) ‘failure to cooperate’ means the failure <u>by third countries</u> to engage in good faith and have meaningful consultations <u>with all the relevant coastal States and/or fishing parties, including within RFMOs</u> , in which substantial effort is made , with a view to reaching an agreement on the adoption of necessary fishery | Accept the following compromise proposal: (i) ‘failure to cooperate’ means the failure <i>by third countries</i> to engage in good faith and have meaningful consultations, <i>including within RFMOs</i> , in which substantial effort is made, with a view to reaching an agreement on the |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|---|---|---|--|
| | | | management measures; examples of failure to cooperate include, but are not limited to: | adoption of necessary fishery management measures; examples of failure to cooperate include, but are not limited to: |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (1) | | | | |
| 25 | (1) refusal to consult; | (1) refusal refusing to consult or to involve in the consultations all the relevant coastal States and/or fishing States; | (1) refusal to consult; | EP is willing to accept Council mandate. (1) refusing to consult or to involve in the consultations all the relevant coastal States and/or fishing States; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (2) | | | | |
| 26 | (2) refusal to involve in the consultations all the relevant coastal States and/or fishing parties; | (2) refusal to involve in the consultations all the relevant coastal States and/or fishing parties; | (2) refusal to involve in the consultations all the relevant coastal States and/or fishing parties; | EP is willing to accept Council mandate. |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (3) | | | | |
| 27 | (3) unjustified unilateral breaking off of consultations; | (3) unjustified unilateral breaking off of consultations; | (3) unjustified unilateral breaking off of consultations; | (3) unjustified unilateral breaking off of consultations; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (4) | | | | |
| 28 | (4) undue delays; | (4) undue delays in replying to information requests; | (4) undue delays <u>in replying to requests or engaging in consultations;</u> | Accept the following compromise proposal: (4) undue delays, including in replying to requests or engaging in consultations; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (a) | | | | |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|--|---|--|---|
| 28a | | | | Accept the following compromise proposal. In exchange, the EP is willing to withdraw its amendment in row 34c (on lack of transparency): (a) withholding information relevant for consultations; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (5) | | | | |
| 29 | (5) unreasonable information requests; | (5) making unreasonable information requests; | (5) unreasonable <u>requests for information requests or actions to be taken, including unreasonable deadlines to reply or act</u> ; | EP is willing to accept Council mandate. (5) making unreasonable information requests; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (6) | | | | |
| 30 | (6) disregard of agreed procedures; | (6) disregard disregarding of agreed procedures; | (6) disregard of agreed procedures; | EP is willing to accept Council mandate (linguistic improvement, with small change - remove "of"). (6) disregarding agreed procedures; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (7) | | | | |
| 31 | (7) systematic refusal to take into consideration counter proposals or other parties' interests; | (7) refusal systematically refusing to take into consideration counter proposals counter-proposals or other parties' interests; | (7) systematic refusal to take into consideration counter proposals or other parties' interests; | EP is willing to accept Council mandate (linguistic improvement). (7) systematically refusing to take into consideration counter- |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|--|---|--|---|
| | | | | proposals or other parties' interests; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (8) | | | | |
| 32 | (8) systemically insisting upon own positions; | (8) systemically systematically insisting upon own positions for an extended period, irrespective of flexibilities and accommodations offered by other parties in the consultations; | (8) systemically insisting upon consistently maintaining their own positions over an extended period, regardless of the flexibilities and concessions offered by other parties during the consultations; | Accept the following compromise proposal, based on the Council mandate without the reference to "and accommodations". (8) systematically insisting upon own positions for an extended period, irrespective of flexibilities offered by other parties in the consultations; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (9) | | | | |
| 33 | (9) refusal to take into account the best available scientific advice regarding the relevant stock or stocks. | (9) refusal refusing to take into account the best available scientific advice or historic fishing activities regarding the relevant stock or stocks-; | (9) refusal to take into account the best available scientific advice regarding the relevant stock or stocks. | EP is willing to accept Council mandate. (9) refusing to take into account the best available scientific advice or historic fishing activities regarding the relevant stock or stocks; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (10) | | | | |
| 34 | (10) pursuing consultations with a view to concluding partial sharing arrangements excluding some relevant coastal States and/or fishing parties, for stocks of common interest, while | (10) pursuing consultations with a view to concluding partial sharing arrangements and/or, subsequently, concluding partial sharing arrangements excluding some relevant coastal States | (10) pursuing consultations with a view to concluding partial sharing arrangements excluding some relevant coastal States and/or fishing parties, for stocks of common interest, while | EP is willing to accept Council mandate. (10) pursuing consultations with a view to concluding partial sharing arrangements and/or, |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|---|--|---|---|
| | consultations for comprehensive sharing arrangements are still on-going.. ” | and/or fishing parties, States for stocks of common interest, while consultations for comprehensive sharing arrangements are still on-going.;; ” | consultations for comprehensive sharing arrangements are still on-going.. ” | subsequently, concluding partial sharing arrangements excluding some relevant coastal States and/or fishing States for stocks of common interest, while consultations for comprehensive sharing arrangements are on-going.; |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (b) | | | | |
| 34a | | | <u>(10a) adopting unreasonable and unjustified unilateral measures or quotas which are not in line with the measures or quotas agreed bilaterally or multilaterally;</u> | EP is willing to withdraw its amendment, if text in new row 36b is accepted. |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (c) | | | | |
| 34b | | | <u>(10b) implementing discriminatory measures that impact the fleets of third countries, while granting a partial or full exemption from those measures for their own fleet, leading to stocks being in an unsustainable state;</u> | EP is willing to withdraw its amendment, if text in new row 36b is accepted. |
| Article 1, first paragraph, point (1), amending provision, numbered paragraph (i), point (d) | | | | |
| 34c | | | <u>(10c) lack of transparency in the consultations with all the relevant coastal States or fishing</u> | EP is willing to withdraw its amendment, if new row 28a is accepted. ” |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|---|---|---|--|
| | | | <u>parties, including within RFMOs.</u> | |
| Article 1, first paragraph, point (2) | | | | |
| 35 | (2) in Article 3(b), point (i) is replaced by the following: | (2) in Article 3(b), point (i) is replaced by the following: | (2) in Article 3(b), point (i) is replaced by the following: | Adjustment, as new row 36b has been introduced. (2) in Article 3(b), points (i) and (ii) are replaced by the following: |
| Article 1, first paragraph, point (2), amending provision, numbered paragraph (i) | | | | |
| 36 | “(i) it fails to adopt or implement necessary fishery management measures, including control measures in order to ensure the effective conservation and management of stocks of common interest; or;” | “(i) it fails to adopt or implement necessary fishery management measures, including control measures in order to ensure the effective conservation and management of stocks of common interest; or;” | “(i) it fails to adopt or , implement, <u>comply with or enforce relevant</u> necessary fishery management measures, <u>or those agreed bilaterally or multilaterally</u> , including control measures in order to ensure <u>ensuring</u> the effective conservation and management of stocks of common interest <u>or associated species, including measures adopted in the framework of an RFMO</u> ; or;” | Accept the following compromise proposal: “(i) it fails to adopt, implement or enforce necessary fishery management measures, including control measures, ensuring the effective conservation and management of stocks of common interest, including in the framework of an RFMO or agreed bilaterally or multilaterally; or” |
| Article 1, first paragraph, point (2a) | | | | |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|---------------------|-----------------|---|---|
| 36a | | | <p><i>(2a) in Article 3, point (b), the following point is inserted:</i> <i>“(ia) it systematically fails to comply with bilateral or multilateral agreements, by failing to take effective or timely action against its nationals or flagged vessels, which were deemed to have carried out illegal, unreported and unregulated fishing or acted contrary to the fishery management measures established by such agreements, leading to stocks being in an unsustainable state; or”</i></p> | <p>EP is willing to withdraw its amendment.</p> |
| Article 1, first paragraph, point (2b) | | | | |
| 36b | | | | <p>Linked to rows 34a and 34b. Accept the following compromise proposal. Note that only text in italics is newly inserted.</p> <p>(ii) it adopts fishery management measures, <i>such as quotas or discriminatory measures</i>, without due regard to the rights, interests and duties of other countries and the Union, and those fishery management measures, when considered in conjunction with</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|--|---|--|---|
| | | | | measures taken by other countries and the Union, lead to fishing activities which could result in the stock being in an unsustainable state. This condition is considered to be complied with also where the fishery management measures adopted by that country did not lead to the stock being in an unsustainable state solely due to measures adopted by others." |
| Article 1, first paragraph, point (3) | | | | |
| 37 | (3) Article 6 is amended as follows: | (3) Article 6 is amended as follows: | (3) Article 6 is amended as follows: | (3) Article 6 is amended as follows: |
| Article 1, first paragraph, point (3)(a) | | | | |
| 38 | (a) the heading is replaced by "Procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing"; | (a) the heading title is replaced by the following: "Procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing"; | (a) the heading is replaced by "Procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing"; | EP is willing to accept Council mandate (linguistic change). (a) the title is replaced by the following: "Procedures prior and subsequent to the adoption of measures in respect to countries allowing non-sustainable fishing"; |
| Article 1, first paragraph, point (3)(aa) | | | | |
| 38a | | | <u><i>(aa) the following paragraph is inserted:</i></u> <u><i>"-1. The Commission shall respond within 90 days of receiving a request, from a</i></u> | EP is willing to withdraw its amendment. |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|---------------------|-----------------|---|--|
| | | | <u>Member State or the European Parliament, to identify a country as a country allowing non-sustainable fishing and shall outline what actions it intends to take, if any.</u> "; | |
| Article 1, first paragraph, point (3)(ab) | | | | |
| 38b | | | <u>(ab) paragraph (1) is replaced by the following: "1. Where the Commission considers that it is necessary to adopt measures referred to in Article 4, it shall notify the country concerned of the intention to identify it as a country allowing non-sustainable fishing. Prior to that notification, the Commission shall also register, as set out in Regulations (EU) 2016/1036¹ and (EU) 2016/1037² of the European Parliament and of the Council, all imports of products of the country under investigation that may be targeted pursuant to Article 4. In such cases, the European Parliament and the Council shall be immediately informed."</u> ; | Accept the following compromise proposal. Note that only text in italics is newly added to the paragraph. (ab) paragraph (1) is replaced by the following: "Where the Commission considers that it is necessary to adopt measures referred to in Article 4, it shall notify the country concerned of the intention to identify it as a country allowing non-sustainable fishing. In such cases, the European Parliament and the Council shall be immediately informed and regularly updated on the developments and actions taken."; |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---|---------------------|-----------------|---|---|
| | | | <p><u>1. Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (codification) (OJ L 176, 30.6.2016, p. 21, ELI: http://data.europa.eu/eli/reg/2016/1036/oj).</u></p> <p><u>2. Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union (codification) (OJ L 176, 30.6.2016, p. 55, ELI: http://data.europa.eu/eli/reg/2016/1037/oj).</u></p> | |
| Article 1, first paragraph, point (3)(ac) | | | | |
| 38c | | | <p><u>(ac) the following paragraph is inserted:</u></p> <p><u>"2a. When the stock of common interest falls under the scope of an RFMO and the non-compliance by a third country results in that country being identified as a country allowing non-sustainable fishing under Article 3, prior to adopting measures referred to in Article 4, the Commission shall raise the matter of a third country allowing non-compliance within the relevant body, to seek timely</u></p> | <p>Accept the following compromise proposal. This is a key concern of the EP! The objective is to ensure that, before the Union takes action under this regulation, the relevant body of the RFMO shall be involved in line with the applicable rules of the RFMO.</p> <p>(ac) the following paragraph is inserted:</p> <p>"2a. Where the stock of common interest falls under the scope of an RFMO, the Commission shall</p> |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|--|--|---|--|
| | | | <u>rectification of the non-compliance.</u> "; | raise the matter of a third country allowing non-sustainable fishing practices at the compliance body of that RFMO prior to the notification under paragraph 1, as applicable, with a view to remedying the situation."; |
| Article 1, first paragraph, point (3)(ad) | | | | |
| 38d | | | <u>(ad) the following paragraph is inserted:</u> <u>2b. In the event that, despite the actions taken under paragraph 2a, the country is still identified as a country allowing non-sustainable fishing in accordance with Article 3, the Commission shall take action on the basis of the measures referred to in Article 4.</u> | The EP is willing to withdraw its amendment (linked to row 38c). |
| Article 1, first paragraph, point (3)(b) | | | | |
| 39 | (b) paragraph (3) is replaced by the following: | (b) paragraph (3) is replaced by the following: | (b) paragraph (3) is replaced by the following: | (b) paragraph (3) is replaced by the following: |
| Article 1, first paragraph, point (3)(b), amending provision, numbered paragraph (3) | | | | |
| 40 | “ 3. Prior to adopting measures referred to in Article 4, the Commission shall provide the country concerned with a reasonable opportunity to respond | “ 3. Prior to adopting measures referred to in Article 4, the Commission shall provide the country concerned with a reasonable opportunity to respond | “ 3. Prior to adopting measures referred to in Article 4, the Commission shall provide the country concerned with a reasonable <u>the</u> opportunity to | EP is willing to withdraw its amendment. “ 3. Prior to adopting measures referred to in Article 4, |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|---|--|---|--|
| | to the notification in writing and to provide any relevant information.; | to the notification in writing and to provide any relevant information.; | respond to the notification in writing and to provide any relevant information.; | the Commission shall provide the country concerned with a reasonable opportunity to respond to the notification in writing and to provide any relevant information.; |
| Article 1, first paragraph, point (3)(c) | | | | |
| 41 | (c) the following paragraphs (4), (5) and (6) are inserted: | (c) the following paragraphs (4), (5) and (6) are inserted are added: | (c) the following paragraphs (4), (5) and (6) are inserted: | (c) the following paragraphs are added: |
| Article 1, first paragraph, point (3)(c), amending provision, first paragraph | | | | |
| 42 | “ | | “ | “ |
| Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (4) | | | | |
| 43 | 4. The Commission shall give to the country concerned adequate time to reply to the notification and a reasonable time to remedy the situation. | “ 4. The Commission shall give to the country concerned adequate time to reply to the notification and a reasonable time to remedy the situation. | 4. The Commission shall give to the country concerned adequate time <u>a maximum of 90 days</u> to reply to the notification and a reasonable time <u>further maximum of 90 days from the date of that reply</u> to remedy the situation. | Accept the following compromise proposal. 4. The Commission shall give to the country concerned a maximum of 90 days to reply to the notification and a reasonable time to remedy the situation. |
| Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (5) | | | | |
| 44 | 5. Following the adoption of measures pursuant to Article 4, the Commission shall continue to | 5. Following the adoption of measures pursuant to Article 4, the Commission shall continue to | 5. Following the adoption of measures pursuant to Article 4, the Commission shall continue to | Accept the following compromise proposal. |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|--|--|---|--|---|
| | engage with the country concerned, with a view to that country ceasing to allow non-sustainable fishing. | engage with the country concerned, with a view to that country ceasing to allow non-sustainable fishing. | engage <u>and maintain an open dialogue and shall promote cooperation bilaterally, multilaterally, or with the compliance body of the relevant RFMO, with a view to</u> with the country concerned, with a view to that country ceasing to allow non-sustainable fishing. | 5. Following the adoption of measures pursuant to Article 4, the Commission shall continue to engage and maintain an open dialogue and shall promote cooperation bilaterally and multilaterally, with a view to the country concerned ceasing to allow non-sustainable fishing. |
| Article 1, first paragraph, point (3)(c), amending provision, numbered paragraph (6) | | | | |
| 45 | 6. Where the country concerned enters into consultations with the Union in good faith, the Commission shall engage in such consultations expeditiously.. ” | 6. Where the country concerned enters into consultations with the Union in good faith, the Commission shall engage in such consultations expeditiously .without delay. ” | 6. Where the country concerned enters into consultations with the Union in good faith, the Commission shall engage in such consultations expeditiously <u>promptly</u> .- ” | EP is willing to accept Council mandate. 6.Where the country concerned enters into consultations with the Union in good faith, the Commission shall engage in such consultations without delay. ” |
| Article 1, first paragraph, point (3a) | | | | |
| 45a | | | <u>(3a) in Article 7, paragraph (1) is replaced by the following :</u> <u>“1. The measures referred to in Article 4 shall cease to apply when the country allowing non-sustainable fishing adopts appropriate corrective measures necessary for the conservation</u> | Accept EP mandate. Comment: The EP amendment only adds the following phrases to Article 7(1)(a) and (b) (EP additions are in <i>italics</i>). The rest of the text is a copy of current Article 7(1)(a) and (b) of |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|-----------|---------------------|-----------------|---|---|
| | | | <p><u>and management of the stock of common interest and those corrective measures:</u> <u>(a) have either been adopted autonomously or have been agreed in the context of consultations with the Union and, where applicable, other countries concerned or within the framework of RFMOs; and</u> <u>(b) do not undermine the effect of measures taken by the Union either autonomously, or in cooperation with other countries or within the framework of RFMOs, for the purpose of the conservation of the fish stocks concerned."</u></p> | <p>Regulation (EU) No 1026/2012 and remains unchanged.</p> <p>(3a) in Article 7, paragraph (1) is replaced by the following : "1. The measures referred to in Article 4 shall cease to apply when the country allowing non-sustainable fishing adopts appropriate corrective measures necessary for the conservation and management of the stock of common interest and those corrective measures: (a) have either been adopted autonomously or have been agreed in the context of consultations with the Union and, where applicable, other countries concerned <i>or within the framework of RFMOs</i>; and (b) do not undermine the effect of measures taken by the Union either autonomously, or in cooperation with other countries <i>or within the framework of RFMOs</i>, for the purpose of the conservation of the fish stocks concerned."</p> |
| Article 2 | | | | |
| 46 | Article 2 | Article 2 | Article 2 | Article 2 |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|-----------------------------|--|--|--|---|
| Article 2, first paragraph | | | | |
| 47 | This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union. | This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union. | This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union. | <p>Accept the following modification, which is in line with usual deadlines ("twentieth day"). There is no real justification for faster entry into force, as this is an amending regulation; Regulation 1026/2012 is in force and can be applied. Measures under Regulation 1026/2012, once amended, would in any case not be applied within twenty days.</p> <p>This Regulation shall enter into force on the <i>twentieth</i> day following that of its publication in the Official Journal of the European Union.</p> |
| Article 2, second paragraph | | | | |
| 48 | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. |
| Formula | | | | |
| 49 | Done at Brussels, | Done at Brussels , | Done at Brussels, | Done at , |
| Formula | | | | |
| 50 | For the European Parliament | For the European Parliament | For the European Parliament | For the European Parliament |
| Formula | | | | |

| | Commission Proposal | Council Mandate | EP Mandate | Presidency's proposed way forward (following the ITM on 13.5.2025) |
|---------|----------------------------|------------------------|-------------------|---|
| 51 | The President | The President | The President | The President |
| Formula | | | | |
| 52 | For the Council | For the Council | For the Council | For the Council |
| Formula | | | | |
| 53 | The President | The President | The President | The President |