



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy, amending Council Regulation (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002, (EC) No 639/2004 and Council Decision (EC) No 2004/585 (**first reading**)
- Adoption
a) of Council's position at first reading
b) of the statement of the Council's reasons
= Statements

Statement by France, Germany, Poland, Denmark, Belgium, Latvia, Portugal and Malta

France, Germany, Poland, Denmark, Belgium, Latvia, Portugal and Malta recall that Member States have the primary responsibility for the definition and management of national allocation systems of fishing opportunities and, therefore, consider that Article 16a should be interpreted in this context.

Statements by Spain

Ad Article 2

Spain considers that, since the maximum sustainable yield cannot be obtained simultaneously for all the species in a mixed fishery, a level that maximizes the yields of the different species of each fishery must be sought, keeping the stocks within safe biological limits.

Ad Articles 10(1) and 15(5)

Spain considers that *de minimis* exception, the upper limit of which is 5 % of the annual catches of species subject to an obligation to land, should be implemented in a flexible way by setting different percentages, either higher or lower than 5 %, in each of the different management plans at the time of their approval.

Ad Article 15

Spain would point out that a serious incentive for illegal trade in undersized catches is created by the obligation to land such catches in the Mediterranean and in the Gulf of Cádiz. For this reason, Spain will argue for the adoption of special measures in the management plans for these fisheries so that, within the current legal framework, they prevent this illegal trade.

Ad Article 28

Spain reaffirms that investments by EU companies in third countries constitute one of the instruments through which the objectives of the external fisheries policy of the EU are fulfilled and that, therefore, they must be defended by the institutions of the EU.
