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Eingelangt am 30/11/11

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 July 2011

**10314/11
ADD 1**

**PV/CONS 28
AGRI 382
PECHE 127**

ADDENDUM to DRAFT MINUTES

Subject: **3087th** meeting of the COUNCIL OF THE EUROPEAN UNION
(**AGRICULTURE AND FISHERIES**), held in Brussels on 17 May 2011

PUBLIC DELIBERATION ITEMS¹

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"A" ITEMS LIST (doc. 10101/11 PTS A 41)

- Item 1. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and amending Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 20113

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

- 1. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and amending Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011**

PE-CONS 9/11 PECHE 63 CODEC 338

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Portuguese and the United Kingdom delegations voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU)

Statement by the United Kingdom

"The UK accepts the need to ensure that there is no legal vacuum as regards technical measures legislation. However, the UK is voting against the proposal for the same reasons which led it to vote against the same regulation in 2009, namely that proposed UK amendments to the West of Scotland whitefish protection measures have not been addressed. The Commission is fully aware of UK views on the legal process and delayed assessment of scientific advice, where the timing has left little opportunity to submit further evidence to support our case.

This example clearly demonstrates the need to improve the way fisheries legislation is developed, particularly on technical matters. A regionalised approach would allow for such decisions to be made in a timely and responsive way, in order to reach our objective of sustainable fisheries: a key UK aim for CFP reform."

Council statement on transitional technical measures

"The Council invites the Commission to examine requests from Member States to changes to the transitional technical measures. These requests will have to be scientifically assessed. Where there is favourable advice from the Scientific Technical and Economic Committee for Fisheries (STECF), the Commission will examine such requests with a view to proposing appropriate changes at the earliest opportunity. Where there is no such advice Member States will provide evidence, as soon as possible, so that the request can be examined by the STECF."

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