



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 January 2012**

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**Interinstitutional File:**  
**2011/0255 (NLE)**  
**2011/0317 (NLE)**

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**5247/2/12**  
**REV 2**

**PECHE 17**

**NOTE**

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from: General Secretariat  
to: Delegations

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No. Cion prop.: 14751/11 PECHE 253 (J/L doc. 18591/11 PECHE 398)  
16650/11 PECHE 334 (J/L doc. 18592/11 PECHE 399)

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Subject: Proposal for a Council Regulation fixing for 2012 the fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements  
Proposal for a Council Regulation fixing for 2012 the fishing opportunities available in Union waters and, to Union vessels, in certain non-Union waters for certain fish stocks which are subject to international negotiations or agreements  
- Statements by delegations

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Delegations will find attached statements made by delegations.

Council and Commission statements will appear in a separate document (5231/12 PECHE 16).

**STATEMENT BY THE UNITED KINGDOM**

**1. Ad UK Selectivity Measures**

The UK has been at the forefront of initiatives to improve selectivity and reduce cod mortality. In the context of securing a satisfactory agreement on the operation of effort restrictions under the cod plan, and in order to improve cod stocks, further reduce discards and enable the UK fleets to take their full relative stability shares, the UK administrations are committed to work with their fishing industry to develop and introduce by 1 July 2012 additional selectivity measures reflecting the circumstances of different areas and different fisheries.

In the Nephrops fishery (TR2) the UK administrations will work with fishers to deploy measures that result in significant reductions in cod catches. For the Irish Sea the UK agrees as an objective that by 1 July 2012 the Nephrops fleet will fish with gears which will enable them to secure an exemption from the effort regime as laid down in Article 11 of Regulation (EC) No 1342/2008 (the "cod plan").

For other areas, fleets fishing with TR2 gears will adopt by 1 July 2012 similar measures when targeting Nephrops to achieve exemption from the cod plan for at least part of the year.

The UK administrations will set down a clear timetable, milestones and deliverables. In the case of the West of Scotland fishery, gear selectivity measures will be introduced and in addition spatial measures will be introduced from 1 January 2012 which will reduce cod mortality to significantly lower levels in line with the objectives of the cod recovery plan.

For TR1 vessels in the North Sea the UK administrations will work with fishers to advance gear selectivity measures by July 2012 to reduce discards, building on the current cod avoidance schemes (conservation credit scheme and fully documented fisheries).

There is no expectation that those vessels participating in a fully documented fishery will be subject to the above additional measures as cod mortality is fixed and there are no cod discards from these vessels.

## **JOINT STATEMENT BY THE UNITED KINGDOM AND IRELAND**

### **2. Ad Hague preferences**

The United Kingdom and Ireland consider that the Hague Preference constitutes an integral part of relative stability, reflecting the need to safeguard the special needs of regions where local populations are especially dependent on fisheries and related industries. This is specifically recognised in Community fisheries policy and was set down in Council Regulation No 170/83 and Council Regulation No 3760/92. It has again been restated in Council Regulation No 2371/2002.

## **JOINT STATEMENT BY BELGIUM, DENMARK, GERMANY, FRANCE AND THE NETHERLANDS**

### **3. Ad Hague preferences**

Belgium, Denmark, Germany, France and the Netherlands are of the opinion that the scales for the allocation of quotas for Member States were finally agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.

**STATEMENT BY MALTA**

**1. Ad Annex IV**

Malta declares that in its fishing plan for 2012, out of the 73 authorised fishing vessels that hold a licence for bluefin tuna fishing and which are included in the Maltese fishing register, a maximum of 28 longliners and one purse seiner, or a maximum of 38 longliners will be included in the 2012 authorised list of vessels fishing for Bluefin tuna.

The Commission takes note of this statement.

**STATEMENT BY THE UNITED KINGDOM**

**2. Ad UK Selectivity Measures**

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For other areas, fleets fishing with TR2 gears will adopt by 1 July 2012 similar measures when targeting Nephrops to achieve exemption from the cod plan for at least part of the year.

The UK administrations will set down a clear timetable, milestones and deliverables. In the case of the West of Scotland fishery, gear selectivity measures will be introduced and in addition spatial measures will be introduced from 1 January 2012 which will reduce cod mortality to significantly lower levels in line with the objectives of the cod recovery plan.

For TR1 vessels in the North Sea the UK administrations will work with fishers to advance gear selectivity measures by July 2012 to reduce discards, building on the current cod avoidance schemes (conservation credit scheme and fully documented fisheries).

There is no expectation that those vessels participating in a fully documented fishery will be subject to the above additional measures as cod mortality is fixed and there are no cod discards from these vessels.

**JOINT STATEMENT BY SPAIN, IRELAND, PORTUGAL, NETHERLANDS, GERMANY, DENMARK, UNITED KINGDOM, FRANCE, POLAND AND BELGIUM**

**3. Ad Fixing definitive fishing opportunities**

The fixation of definitive fishing opportunities, including unallocated opportunities for certain fish stocks and groups of fish stocks in the 2012 TAC Regulation, which are the subject of bilateral fisheries consultations with Faroe Islands should be adopted by the Council no later than on 31 March 2012. However, for mackerel stocks, this adoption will take place no later than on 29 February 2012, on the same basis as adopted for the year 2011, following the indications of point 6 of the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic for 2012, signed in Clonakilty on 9 December 2011.

## **JOINT STATEMENT BY THE UNITED KINGDOM AND IRELAND**

### **4. Ad Hague preferences**

The United Kingdom and Ireland consider that the Hague Preference constitutes an integral part of relative stability, reflecting the need to safeguard the special needs of regions where local populations are especially dependent on fisheries and related industries. This is specifically recognised in Community fisheries policy and was set down in Council Regulation No 170/83 and Council Regulation No 3760/92. It has again been restated in Council Regulation No 2371/2002.

## **JOINT STATEMENT BY BELGIUM, DENMARK, GERMANY, FRANCE AND THE NETHERLANDS**

### **5. Ad Hague preferences**

Belgium, Denmark, Germany, France and the Netherlands are of the opinion that the scales for the allocation of quotas for Member States were finally agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.

## **JOINT STATEMENT BY FRANCE AND BELGIUM**

### **6. Ad North Sea herring**

France and Belgium request that, from 2013, the TAC allocation for herring between zones IVa,b and IVc/VIIId be based on that used for 2011.

## **JOINT STATEMENT BY FRANCE, IRELAND, POLAND, PORTUGAL, SPAIN, UNITED KINGDOM AND GERMANY**

### **7. Ad haddock in the Svalbard area**

France, Ireland, Poland, Portugal, Spain, the United Kingdom and Germany invite the Commission to engage in further discussions with Norway in 2012 to address the issue of haddock in the Svalbard area, in close cooperation with Member States.