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From: General Secretariat of the Council
To: Council

No. Cion doc.: 11636/16 PECHE 293 CODEC 1142 IA 62 + ADD 1 - 3 - COM(2016) 493 final

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks and repealing Council Regulation (EC) 676/2007 and Council Regulation (EC) 1342/2008
- *General approach*

1. On 3 August 2016, the Commission submitted to the European Parliament and the Council a proposal for a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks.
2. The objective of this proposal is to implement in the North Sea key aspects of the reform of the Common Fisheries Policy, namely the achievement of exploitation rates above maximum sustainable yield, the establishment of safeguard measures linked to biomass, the move towards long-term multi-species management, the full implementation of the landing obligation and the regionalisation of technical measures.
3. The Working Party on Internal and External Fisheries Policy discussed the proposal between 15 September 2016 and 16 March 2017. DK and UK entered parliamentary scrutiny reservations.

4. The Council had a first exchange of views on the proposal on 14 November 2016. North Sea riparian delegations welcomed the proposal, but expressed concerns on a number of issues such as the wide scope of the proposal and the complex categorisation of fish stocks, the lack of flexibility within the proposal to deal with mixed fisheries in the context of the landing obligation and the disproportionate nature of control provisions.
5. On the basis of the discussions by the Working Party, a final Presidency compromise, as set out in doc. 7339/17 PECHE 106 CODEC 399 + COR 1, was examined on 16 March 2016 and received broad support from delegations, with the exception of DK. This delegation voiced concerns on several issues and requested, in particular, the inclusion of a reference to socio-economic aspects in Articles 3 and 4 and to the consideration of trends for data-poor stocks.
6. The Presidency compromise¹ follows the jointly-agreed provisions from the Multi-annual plan for the stocks of cod, herring and sprat in the Baltic Sea². It aims to narrow the scope to a number of main targeted fisheries and their bycatches and to provide greater flexibility in the management of such bycatch stocks in the case of mixed fisheries.
7. The compromise provides a legal basis on the basis of Article 15(5) of Regulation 1380/2013 to enable the adoption of discard plans by means of delegated acts for species in all sea basins. Furthermore, it aims at significantly reducing the administrative burden that would stem from additional control provisions. It finally addresses the concerns of some delegations as regards the consultations with third countries for jointly-managed stocks to ensure a level-playing field for Union operators.
8. On 22 March 2017, the Permanent Representatives Committee confirmed its support to the Presidency compromise and agreed to submit it to the Council for adoption of a General Approach as an "A" item (doc. 7338/17 PECHE 105 CODEC 398).
9. UK and DK lifted their parliamentary scrutiny reservations.

¹ Doc. 7339/17 PECHE 106 CODEC 399 + COR 1.

² Regulation (EU) 2016/1139 of the European Parliament and of the Council establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007, OJ L 191, 15.7.2016, p. 1–15.

10. DK has expressed its intention to vote against the draft General Approach and has submitted the statement set out in Addendum 1 to this Note for inclusion in the minutes of the Council.

11. Against this background, the Council is invited:

- to agree, as an "A" item, on the General Approach as set out in doc. 7339/17 PECHÉ
106 CODEC 399 + COR 1;

- to decide to start negotiations with the European Parliament on the basis of this General Approach.
