



Council of the
European Union

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PECHE 222

'I/A' ITEM NOTE

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

No. Cion doc.: 8978/17 PECHE 194 + ADD 1 - COM(2017) 215 final

Subject: Proposal for a COUNCIL DECISION establishing the position to be adopted, on behalf of the European Union, in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, and repealing Decision 11724/12
- *Adoption*

1. On 11 May 2017 the Commission submitted a proposal for a Council Decision establishing the position to be adopted, on behalf of the European Union, in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea¹.

¹ Cf. doc. 8978/17 + ADD 1.

2. The Working Party on Internal and External Fisheries policy examined the proposal on 18 May 2017 and reached an agreement on the text on the basis of Presidency suggestions² on 24 May 2017. The changes made include a change in the substantive legal basis from Article 43(2) TFEU to Article 43 TFEU, while maintaining Article 218(9) TFEU as procedural legal basis. The Commission representative expressed the Commission's disagreement with the change to the legal basis, considering that the correct substantive legal basis was Article 43(2) TFEU.
3. Consequently, COREPER is invited
- to confirm the agreement reached at the Working Party on 18 May;
 - to recommend that the Council
 - adopts the Decision as set out in doc. 9782/17 PECHE 221;
 - decides not to publish the Decision in accordance with Article 17(2)(b) of its Rules of Procedure;
 - notes that the European Parliament will be informed in accordance with Article 218(10) TFEU, and therefore a copy of the Decision including the Annexes will be transmitted to the Parliament;
 - enters the Commission statement(s) in the addendum to this note in the minutes of the Council.
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² Cf. doc. 9092/1/17 REV 1.