



**COUNCIL OF
THE EUROPEAN UNION**

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PECHE 539

"A" ITEM NOTE

From:	General Secretariat of the Council
To:	Council
No. Cion doc.:	14622/13 PECHE 440 - COM(2013) 702 final
Subject:	Proposal for a Council Regulation amending Regulations (EC) No 754/2009, (EU) No 1262/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities - Adoption

COUNCIL STATEMENT

"The Council recognises the need for further discussions on how best to apply the flexibility possibilities arising from consultations with Coastal States. In doing so account will be taken of experience acquired to date and from the implementation of this amending Regulation as well as its interaction with existing rules relating to flexibility."

STATEMENT BY THE POLISH DELEGATION

Poland thanks Presidency for a contribution to finding a solution to an important technical problem related to inter-annual flexibility caused by changing interpretations of Article 7 of 2012 External Fishing Opportunities Regulation.

However, we regret to note that the proposed solution does not precise how the swapped quotas are to be treated in the future application of the new Article 6a by the Commission. Given the above, Poland cannot support it and abstains from voting.'

COMMISSION STATEMENT ON ARTICLE 6A

The Commission regrets that the Council has chosen to reintroduce in Article 6a a special flexibility mechanism for seven pelagic stocks shared with Norway by modifying the international fishing opportunities regulation for 2013 (Regulation (EU) No 40/2013).

The Commission draws the attention of the Council to the fact that a more stable solution should be envisaged in order to provide for such mechanism.

The Commission also draws the attention of the Council to the risks of applying the flexibility mechanism described in Article 6a in practice, which will be assumed by the Member States who choose to make use of the Article. Under no circumstances should the application of Article 6a lead to unjustified quota increases, in particular as regards carryovers.
