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"I/A" ITEM NOTE

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

Subject: Proposal for a Council Regulation fixing for 2015 and 2016 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks
- Adoption

COUNCIL AND COMMISSION STATEMENT

Red seabream in areas VI, VII, VIII, IX, X

Council and Commission acknowledge that Member States commit to putting in place measures by 31 May 2015 to limit by-catches of red seabream in EU and international waters of VI, VII, and VIII. Council and Commission commit to have these measures evaluated by the appropriate scientific bodies in the course of 2015, to assess the effectiveness of the measures put into place and whether additional measures may be needed.

Council and Commission acknowledge that red seabream in area IX may be distributed in the Atlantic and the Mediterranean and therefore it is likely being fished by Member States and third countries. In view of this, the Commission will continue to support the on-going cooperation with the relevant third countries in order to improve scientific assessment of the stock and to agree a joint management approach as soon as possible. The Commission commits to have the measures agreed under the joint management approach scientifically assessed by the appropriate scientific bodies and to evaluate the scientific assessment with a view to making a proposal to adapt catch levels and the area covered by the TAC in line with the scientific assessment. Concerning the issue of the minimum size for red seabream, such a minimum size exists for red seabream caught in the Mediterranean Sea. Therefore undersized red seabream may not, in particular, be sold or offered for sale in the EU. The Commission will examine the most effective way to achieve an equivalent minimum size for red seabream caught in the Atlantic.

Council and the Commission acknowledge that national measures are in place for the management of red seabream in area X. Council and Commission commit to have these measures scientifically evaluated as soon as possible in order to assess whether these measures are effective and whether additional measures are needed.

COMMISSION STATEMENT

Grenadiers

During 2015, the Commission will monitor the evolution of catches under the combined TACs for roundnose grenadier and roughhead grenadier and, if necessary, seek further scientific advice on the stocks of grenadiers and the distribution of catches per species. On that basis, the Commission will consider the need for possible adaptations of those TACs.

**STATEMENT OF THE KINGDOM OF SPAIN AND THE PORTUGUESE REPUBLIC TO
THE PRESIDENCY PROPOSAL CONCERNING THE PROPOSAL ON FISHING
OPPORTUNITIES FOR CERTAIN DEEP-SEA FISH STOCKS FOR 2015 AND 2016**

The Kingdom of Spain and the Portuguese Republic deeply regret the final results of the Council of Ministers, which took place on 10 November, fixing TACs and quotas for certain deep-sea fish stocks for the next two years, 2015 and 2016.

The Governments of Spain and Portugal consider that the final compromise should have followed certain essential principles that should have been applied to all the concerned stocks:

- To ensure equal treatment to all Member States in the implementation of the new CFP.
- That decisions are based on sound scientific advice.
- To include not only biological but also socio-economic parameters, and
- To take into account the activity of third countries in the management of shared species.

In particular, the Kingdom of Spain and the Republic of Portugal have had no choice but to vote against the compromise proposal since these general principles of consistency between zones and regulations for fixing the quotas -in the particular case of the Red Sea Bream of the ICES area IX and X- have not been observed by the Commission.

- Neither the initial proposal for a quota reduction of 62% nor the final 52% adopted, but also the reduction of 25% decided for area X, were in line with the scientific advice for a fishery of this type (data poor). This reduction is clearly discriminatory with respect to those decided for other species and areas in a similar biological situation. It is not justified because it will not achieve by itself the recovery of the stock and it will have serious impacts on local populations.
- The ICES report on RSB IX did not take into account third countries catches and so the result is biased.

- Since the Red Sea Bream is a fishery shared with third countries, the single action of reducing catches by the European fleet does not allow the recovery of the resource. Since the Council held in November 2012, Spain has been unsuccessfully requesting the European Commission to engage this third country in the management of the fishery, as it has done with other shared stocks (Norway, Iceland, Faroe Islands for mackerel, blue whiting, herring, etc.). The result of this inaction has led to a proposal for a unilateral reduction of the quotas leading to the progressive eviction of the European fleet which will only benefit a third country, with the aggravating circumstance that their catch will still be sold in the European market, without achieving the recovery of this species and without having in consideration national management measures already adopted by Portugal and Spain.

As regards to the inclusion of the Roughhead Grenadier in the Roundnose Grenadier TACs, the rejection of the compromise proposal is based on two grounds:

- Spain considers that the basic principles of distribution of new fishing possibilities, as is the principle of relative stability based on historical catches of each Member State, have not been complied with.
- Spain also considers that the Commission has not included in its calculations all catches of this species made historically by the Spanish fleet.

Spain and Portugal expect that future proposals will be the result of consistent positions, based solely on the best fisheries management practices, on the best available science and with consideration of socio-economic aspects, along the lines of the principles embodied in the new CFP that took effect on 1 January this year.