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'I/A' ITEM NOTE

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

Subject: Draft Regulation of the European Parliament and of the Council establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 (**first reading**)

- Adoption of the legislative act
- Statements

Statement by the Commission

The Commission will request the ranges of FMSY and other biological reference points from the International Council for the Exploration of the Sea (ICES). The Commission considers that, as a general rule, the fishing opportunities should be based on the best available scientific advice provided by ICES. In the unlikely event that ICES is either unable to provide the ranges of FMSY and other biological reference points or where there are serious reasons to believe that the advice issued by ICES does not meet the requirement for the best available scientific advice, the fishing opportunities will be based on the best available scientific advice that has either been issued or reviewed by an independent scientific body that is recognised at the Union or international level.

Statement by Belgium, Denmark, France, Latvia and Spain

Belgium, Denmark, France, Latvia and Spain consider that the mechanism proposed for the updating of ranges of FMSY is a new tool that could represent a real improvement in the managing of the multi-annual plan and its flexibility. Nevertheless, this new tool also raised some concerns regarding the respect of institutional prerogative of each institution. In this regard, Belgium, Denmark, France, Latvia and Spain ask for an annual interim-evaluation in the Council each first quarter of the year to assess whether this tool attains those objectives and whether intermediary solutions should be looked for.

Statement by Denmark

Denmark welcomes the final compromise proposal for a multi-annual plan for the demersal stocks in the North Sea in which Denmark has considerable interests.

We are pleased to note the substantial improvements made to the proposal during the negotiations: These improvements have resulted in a final compromise proposal focussing on the relevant species. A solution has been found in order to take into account of the latest scientific advice on F-MSY ranges and reference points and the compromise refrains from including additional control measures and includes reference to management of stocks of common interest.

Throughout the negotiations on this proposal, Denmark has emphasized the need for a concrete reference to socio-economic concerns. Although, we would have preferred such a reference in the articles, we appreciate the reference in the recitals.

However, one issue of the utmost importance to Denmark remain:

It is crucial to allow for the necessary flexibility in the regulation in setting TACs, in particular making it possible for data limited stocks to take into account an increase in a stock and the fishery of this stock. This is to allow for the continued flexibility agreed by the European Parliament and the Council in the current long-term plan for cod stocks in the North Sea, Skagerrak and Kattegat among others (EU) 1342/2008, which has been applied for the specific circumstances in the case of cod in Kattegat. Denmark has proposed a provision in line with the current long-term plan for cod stocks to be included in the new North Sea multi-annual plan.

Since the compromise proposal does not include a specific reference in line with the flexibility in the cod plan, Denmark cannot support the final compromise to be adopted by the Council.
