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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	8 May 2017
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEXES to the Proposal for a COUNCIL DECISION establishing the position to be adopted, on behalf of the European Union, in the South Pacific Regional Fisheries Management Organisation (SPRFMO) and repealing Decision 14405/12

Delegations will find attached document COM(2017) 216 final - ANNEXES 1 to 2.

Encl.: COM(2017) 216 final - ANNEXES 1 to 2



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Brussels, 8.5.2017
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ANNEXES 1 to 2

ANNEXES

to the

Proposal for a COUNCIL DECISION

**establishing the position to be adopted, on behalf of the European Union, in the South
Pacific Regional Fisheries Management Organisation (SPRFMO) and repealing
Decision 14405/12**

ANNEX I

The Union position in the Commission of the South Pacific Regional Fisheries Management Organisation

(1) Principles

In the framework of the SPRFMO, the Union shall:

- a) ensure that measures adopted within the SPRFMO are in accordance with the objectives and principles pursued by the Union within the Common Fisheries Policy, notably through the precautionary approach and the aims related to the maximum sustainable yield as laid down in Article 2(2) of Regulation (EU) No 1380/2013, to promote the implementation of an ecosystem-based approach to fisheries management and limiting environmental impacts of fishing activities, to avoid and reduce as far as possible unwanted catches, and gradually eliminate discards, and to minimise the impact of fishing activities on marine eco-systems, as well as, through the promotion of economically viable and competitive Union fisheries, to provide a fair standard of living for those who depend on fishing activities and taking account of the interests of consumers;
- b) ensure that measures adopted within the SPRFMO are in accordance with the objectives of the SPRFMO Convention;
- c) ensure that measures adopted within the SPRFMO are consistent with international law, and in particular with the provisions of the UN Convention on the Law of the Sea, the UN Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas and the 2009 Food and Agriculture Organization Port State Measures Agreement;
- d) promote positions consistent with those taken within other Regional Fisheries Management Organisations and, where applicable, with Regional Sea Conventions in the same area;
- e) seek synergy with the policy that the Union is pursuing as part of its bilateral fisheries relations with third countries, and ensure coherence with its other policies notably in external relations, environment, trade, development, research and innovation and others;
- f) ensure that the Union's international commitments are respected;
- g) follow the Council Conclusions of 19 March 2012 on a Communication on the External dimension of the Common Fisheries Policy¹;
- h) aim to create a level playing field for the Union fleet within the Convention area based on the same principles and standards as those applicable under Union law, and to promote the uniform implementation of resolutions and recommendations.

¹ cf. doc. 7086/12 PECHE 66

(2) Orientations

The Union shall, where appropriate, endeavour to support the adoption of the following actions by the SPRFMO:

- a) conservation and management measures for fisheries resources in the SPRFMO Convention Area based on the best scientific advice available, including total allowable catches (TACs) and quotas or effort regulation for species regulated by the SPRFMO, which would bring or maintain the production to the maximum sustainable yield based on Harvest Control Rules (HCRs) on a progressive incremental basis at the latest by 2020;
- b) where necessary, specific measures for stocks which suffer from overfishing in order to keep the fishing effort in line with available fishing opportunities, as well as complementary measures concerning deep-sea fish stocks as resources particularly vulnerable to over-fishing;
- c) measures to reinforce fisheries' scientific data collection and promote better cooperation between the industry and scientists;
- d) measures to prevent, deter and eliminate IUU fishing activities in the SPRFMO Convention area, including IUU listing and Port State Measures;
- e) monitoring, control and surveillance measures in the SPRFMO Convention Area in order to ensure efficiency of control and compliance with measures adopted within the SPRFMO, including the implementation of a SPRFMO Vessel Monitoring System;
- f) measures to minimize the negative impact of fishing activities on marine biodiversity, including seabirds, and protective measures for vulnerable marine ecosystems (VMEs), including identification of new of potential VMEs, in the SPRFMO Convention Area in line with United Nations General Assembly Resolutions, and marine eco-systems, comprising measures to avoid and reduce as far as possible unwanted catches, including catches of ecologically related species, and gradually eliminate discards;
- g) measures aimed at the prohibition of fisheries conducted solely for the purpose of harvesting shark fins and, to require that all sharks be landed with each fin naturally attached;
- h) development of common approaches with other Regional Fisheries Management Organisations involved in the management of fisheries in the SPRFMO;
- i) contribute to the establishment of an observer programme by developing and contributing to the drafting of the relevant observation scheme;
- j) supporting the undertaking of regular reviews to assess the performance of the SPRFMO in due time and the implementation of its recommendations;

- k) measures to ensure over the medium-term a more balanced redistribution of the SPRFMO budget;
- l) additional technical measures based on advice from subsidiary bodies of the SPRFMO.

ANNEX II

Year to year specification of the Union position to be taken at the annual meeting of the Commission of the South Pacific Regional Fisheries Management Organisation

Before each annual Meeting of the SPRFMO Commission, the necessary steps shall be taken to ensure that the position to be expressed on the Union's behalf takes account of the latest statistical, biological and other relevant information transmitted to the European Commission, in accordance with the principles and orientations set out in Annex I.

To this effect and based on that information, the European Commission shall transmit to the Council or to its preparatory bodies in sufficient time before each annual meeting of the SPRFMO Commission a written document setting out the particulars of the proposed specification of the Union position for discussion and endorsement.

If, in the course of further meetings, including on the spot, it is impossible to reach an agreement in order for the Union position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.