



Council of the  
European Union

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#### 'I/A' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	XXXVIth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) (Hobart, Australia, 16-27 October 2017) <i>- Establishment of the position of the Union and its Member States</i>

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#### Commission Statement

In line with the position defended in cases C-626/15 and C-659/16, the Commission cannot agree with the Council's conclusion that the proposal for an East Antarctic Marine Protected Area (EAMPA) by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) should be submitted by the European Union and its Member States, as this measure falls, in view of their aim, content and context, within the Union's exclusive competence for the conservation of marine biological resources (Article 3(1)(d) TFEU).

While the Commission will, in accordance with the Council's position, inform the CCAMLR Secretariat that the submission of the proposals to CCAMLR is made on behalf of the European Union and its Member States so as not to prevent the Union from playing its role on this issue, it reserves its position.