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"I/A" ITEM NOTE

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

Subject: Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

Commission Declaration

Draft Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

The Commission takes note that the Council endorses the inclusion of a reference to “matters pertaining to the Common Fisheries Policy (CFP)” in Article 1 of the Draft Council Decision in relation to positions to be taken by the European Union in the annual Meeting of the CCAMLR when that body is called upon to adopt decisions having legal effects.

However, the Commission is of the opinion that such wording is unnecessary as Article 43 (2) TFEU on the CFP constitutes, in conjunction with Article 218(9) thereof, the legal basis specifically mentioned in the Draft Proposal for the Council Decision.

Moreover in the light of Council Decision 81/691/EEC¹ by which the European Community concluded the Convention on the Conservation of Antarctic Marine Living Resources, the Commission considers that EU positions to be taken in the CCAMLR Annual Meetings cover matters falling under the competence of the Union for the conservation of marine biological resources.

¹ OJ L 24, 27.1.1983, p. 1