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PECHE 137

DECLASSIFICATION

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Subject: Adoption, in the languages of the Communities, of the Council Decision authorising the Commission to open negotiations with the interested parties with a view to establishing a regional fisheries organisation for the South-East Atlantic (SEAFO)

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

7348/98

RESTREINT

PECHE 137

"I/A" POINT NOTE

to: Committee of Permanent Representatives / Council

Cion Prop. No.: 6607/98 PECHE 96 - SEC(1998) 371 final

Subject : Adoption, in the languages of the Communities, of the Council Decision authorising the Commission to open negotiations with the interested parties with a view to establishing a regional fisheries organisation for the South-East Atlantic (SEAFO)

1. The Commission submitted the Recommendation for the above Decision to the Council on 9 March 1998.
2. At its meeting of 2 April 1998, the Working Party on External Fisheries Policy reached an agreement on this Recommendation on the basis of the appended text. On that occasion, the Commission representative, in response to a concern expressed by the French delegation, confirmed that the principle of cooperation between regional fisheries organisations, including joint efforts with a view to preventing illegal fishing, was duly covered by the reference made in the negotiating directives to the "Agreement on the application of the relevant provisions of the 1982 United Nations Convention on the Law of the Sea relating to the conservation and management of fish stocks which move both within and outside the exclusive economic zones (straddling stocks) and stocks of highly migratory fish".
3. In these circumstances, the Permanent Representatives Committee is invited to confirm the Working Party's agreement on the above Recommendation on the basis of the text set out in Annex and to invite the Council to adopt the corresponding Decision, in the languages of the Communities, as an "A" item at one of its forthcoming meetings.

COUNCIL DECISION

The Council authorises the Commission to:

- open negotiations with the other interested parties with a view to establishing a regional fisheries organisation for the South-East Atlantic;
 - conduct the negotiations, in consultation with an "ad hoc" committee set up by the Council to assist it in this task, within the framework of the directives set out in the Annex.
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NEGOTIATING DIRECTIVES

with a view to establishing a regional fisheries organisation for the Sout-East Atlantic

1. As part of the negotiations with the interested parties with a view to establishing a regional fisheries organisation for the management and conservation of living marine resources occurring in the high seas in the South-East Atlantic, the Commission will make every effort to ensure that any outcome of the negotiations:
 - is fully consistent with the provisions of the United Nations Convention on the Law of the Sea;
 - is in line with the principles set out in the Agreement on the application of the relevant provisions of the 1982 United Nations Convention on the Law of the Sea relating to the conservation and management of fish stocks which move both within and outside the exclusive economic zones (straddling stocks) and stocks of highly migratory fish;
 - takes full account of the Code of Conduct for responsible fishing and in particular the FAO Agreement to encourage compliance by fishing vessels operating on the high seas with international conservation and management measures.
2. The fish population referred to in the context of the negotiation does not comprise stocks of highly migratory species, as listed in Annex I to the United Nations Convention on the Law of the Sea.
3. All the States which have shown interest in the conservation and management of living marine resources in the area in question must be consulted and invited to take part in the negotiations.
4. Any conservation or management measure to be applied, even on a temporary basis, to the fishery resources concerned and to associated species as part of the arrangements must be based on the most reliable scientific advice available. In the absence of pertinent scientific data, the precautionary principle is to be applied.
5. The geographical area to be considered is bounded by a line joining the points along parallels and meridians:

beginning at the west coast of the African continent at a point 6° South, thence due west along this parallel to the meridian 10° West, thence due north along this meridian to the equator, thence due west along this parallel to the meridian 20° West, thence due south this meridian to a parallel 50° South, thence due east along this parallel to the meridian 30° East, thence due north along this meridian to the coast of the African continent.