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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	10 July 2019
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 concerning the position to be taken on behalf of the European Union in the Western Central Atlantic Fishery Commission

Delegations will find attached document COM(2019) 284 final - ANNEXES 1 to 2

Encl.: COM(2019) 284 final - ANNEXES 1 to 2



EUROPEAN
COMMISSION

Brussels, 10.7.2019
COM(2019) 284 final

ANNEXES 1 to 2

ANNEXES

to the proposal for a

COUNCIL DECISION

**concerning the position to be taken on behalf of the European Union in the Western
Central Atlantic Fishery Commission**

ANNEX I

The position to be taken on the Union's behalf in the Western Central Atlantic Fishery Commission (WECAFC)

1. PRINCIPLES

In the framework of the WECAFC, the Union shall:

- a) act in accordance with the objectives and principles pursued by the Union within the common fisheries policy (CFP), 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, to avoid and reduce, as far as possible, unwanted catches, and gradually eliminate discards, and to minimise the impact of fishing activities on marine ecosystems and their habitats, 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 take account of the interests of consumers;
- b) work towards an appropriate involvement of stakeholders in the preparation phase for WECAFC resolutions and recommendations adopted within the WECAFC in accordance with its Revised Statutes;
- c) ensure that resolutions and recommendations adopted within the WECAFC are consistent with international law, and in particular with the provisions of the 1982 UN Convention on the Law of the Sea, the 1995 UN Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the 1993 Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, the 1995 Code of conduct for responsible fisheries and the 2009 Food and Agriculture Organization Port State Measures Agreement;
- d) promote positions consistent with the best practices of regional fisheries management organisations (RFMOs) and regional fisheries bodies (RFBs) in the same area, and ensure the promotion of coordination between RFMOs and relevant organisations such as subregional fisheries organisations and regional sea conventions (RSCs), and cooperation with global organisations, as applicable, within their mandates, where appropriate, including cooperation mechanisms amongst non-tuna RFMOs similar to the so-called Kobe process for tuna RFMOs;
- e) seek consistency and 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 the field of external relations, employment, environment, trade, development, research and innovation;
- f) ensure that the Union's international commitments are respected;

- g) act in line with the Council Conclusions of 19 March 2012 on the Commission Communication on the external dimension of the CFP¹;
- h) aim to create a level playing field for the Union fleet within the area under the competence of WECAFC, based on the same principles and standards as those applicable under Union law, and to promote the uniform implementation of those principles and standards;
- i) act in line with the Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the Commission on *International ocean governance: an agenda for the future of oceans*², as well as the Council conclusions on that Joint Communication³ and promote measures to support and enhance the effectiveness of the WECAFC and, where relevant, improve its governance and performance, notably by supporting the reform of the WECAFC to become a fully fledged RFMO, as a contribution to the sustainable management of oceans in all its dimensions;

2. ORIENTATIONS

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

- a) resolutions and recommendations for the conservation and management of living marine resources in the area under the competence of the WECAFC based on the best scientific advice available;
- b) resolutions and recommendations on monitoring, control and surveillance activities in the area under the competence of the WECAFC, including to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing activities;
- c) resolutions and recommendations to minimise the negative impact of fishing activities and aquaculture on marine biodiversity and marine ecosystems and their habitats, including measures to reduce marine pollution and prevent the discharge of plastics at sea and reduce the impact on marine biodiversity and ecosystems of plastics present at sea, protective measures for vulnerable marine ecosystems in the area under the competence of the WECAFC in line with the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas and measures to avoid and reduce as far as possible unwanted catches, including in particular vulnerable marine species, and to gradually eliminate discards;
- d) resolutions and recommendations to reduce the impact of Abandoned, Lost or Otherwise Discarded Fishing Gear (ALDFG) in the ocean and to facilitate the identification and recovery of such gear;
- e) resolutions and recommendations aimed at the prohibition of fisheries conducted solely for the purpose of harvesting shark fins and requiring that all sharks are landed with all fins naturally attached;

¹ 7087/12 REV 1 ADD 1 COR 1.

² JOIN(2016) 49 final of 10.11.2016.

³ 7348/1/17 REV 1 of 24.3.2017.

- f) common approaches with other RFBs and RFMOs, where appropriate, in particular those involved in fisheries management in the same area;
- g) recommendations, where appropriate and to the extent permitted under the relevant constituent documents, encouraging the implementation of the Work in Fishing Convention of the International Labour Organisation (ILO);
- h) additional technical resolutions and recommendations based on advice from the subsidiary bodies and working groups of the WECAFC.

ANNEX II

Year to year specification of the Union's position to be taken in sessions of the Western Central Atlantic Fishery Commission

Before each session of the WECAFC, when that body is called upon to adopt decisions capable of decisively influencing the content of the legislation adopted by the Union legislature, the necessary steps shall be taken so that the position to be expressed on the Union's behalf takes account of the latest scientific and other relevant information transmitted to the Commission, in accordance with the principles and orientations set out in Annex I.

To this effect, and based on that information, the Commission shall transmit to the Council, or to its preparatory bodies, in sufficient time before each session of the WECAFC, a written document setting out the particulars of the proposed specification of the Union's position for discussion and endorsement of the details of the position to be expressed on the Union's behalf.

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