



Council of the
European Union

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PECHE 246

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION authorising Poland to ratify, in the interest of the European Union, the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea

COUNCIL DECISION (EU) 2022/...

of ...

**authorising Poland to ratify, in the interest of the European Union,
the amendment to the Convention
on the Conservation and Management of Pollock Resources
in the Central Bering Sea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with point (v) of Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) The Union is a Contracting Party to the United Nations Convention on the Law of the Sea of 10 December 1982¹, which requires all members of the international community to cooperate in conserving and managing the living resources of the sea.
- (2) The Union is also a Contracting Party to the Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks².
- (3) The Union has exclusive competence in the field of conservation of marine biological resources under the Common Fisheries Policy. The powers thus conferred on the Union on the internal level also include the Union's power to cooperate in international organisations, including in the framework of regional fisheries management organisations.

¹ Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

² Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14).

- (4) Poland is a Contracting Party to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (the ‘Convention’). The Union is not a party to the Convention. By virtue of Article 6(9) of the 2003 Act of Accession, as from the date of accession, fisheries agreements concluded by acceding Member States with third countries are to be managed by the Union. The Union should therefore implement in its legal order any decisions established under the Convention.
- (5) It is in the Union's interest to play an effective role in the implementation of the Convention. Such a course of action will also promote consistency in the Union's conservation approach across oceans and reinforce its commitment to the long-term conservation and sustainable use of fisheries resources globally.

- (6) By its Decision of 11 April 2016 the Council authorised Poland to negotiate, in the interest of the Union, an amendment to the Convention that would allow the participation of the Union as a full party to the Convention. To that end, Poland was to propose an amendment to the Convention in order to allow the participation of regional economic integration organisations and to allow for the Union to become a party to the Convention.
- (7) In October 2016, Poland proposed such an amendment to the Convention to the Depositary of the Convention.
- (8) Poland should therefore be authorised to ratify the amendment to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

Poland is hereby authorised to ratify, in the interest of the European Union, the amendment to Article XVI.4 of the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea enabling regional economic integration organisations to become party to that Convention.

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 3

This Decision is addressed to the Republic of Poland.

Done at ...,

For the Council

The President
