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European Union

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## WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 11418/20 + COR 1 + ADD 1 + ADD1 COR 1
Subject:	Recommendation for a Council Decision to authorise the Commission to open negotiations on behalf of the European Union for the conclusion of the Fisheries Agreement with the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway

**DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (02.05.2023)**

Delegations will find hereto a draft COUNCIL DECISION to authorise the Commission to open negotiations on behalf of the European Union for the conclusion of a Fisheries Agreement with the United Kingdom and the Kingdom of Norway. The draft includes some changes compared to the previous document to reflect recent practice in similar cases and to take into account the initial discussion at the Working Party and the written comments received.

In addition, discussions in the Working Party should focus on the following points:

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Changes are marked in ***bold - italics*** (new text) and ~~striketrough~~ (deleted text).

This document will be discussed in the Working Party on Internal and External Fisheries Policy on 6 November 2020.

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Recommendation for a

## COUNCIL DECISION

**to authorise the Commission to open negotiations on behalf of the European Union for the conclusion of the Fisheries Agreement with the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway**

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* Article 218 paragraphs 3 and 4,

Having regard to the recommendation from the Commission<sup>1</sup>,

Whereas,

- (1) After the withdrawal of the United Kingdom of Great Britain and Northern Ireland (hereafter: United Kingdom) from the European Union a number of fish stocks in the North Sea can no longer be considered as stocks shared bilaterally between the European Union and the Kingdom of Norway only. These stocks occur in Union waters and in the waters under the sovereignty and jurisdiction of the United Kingdom and of the Kingdom of Norway,
- (2) In accordance with Article 63(1) of the United Nations Convention of the Law of the Sea<sup>2</sup>, and considering the overall relationship between the European Union, the United Kingdom and the Kingdom of Norway, it is important to cooperate in securing continued responsible fisheries to ensure the long-term conservation and sustainable exploitation of marine living resources,
- (3) For this purpose, the European Union *should* seeks to conclude a fisheries agreement with the United Kingdom and the Kingdom of Norway,
- (4) Negotiations should therefore be opened with the United Kingdom and with the Kingdom of Norway, with a view to conclude the fisheries agreement between the European Union and the United Kingdom and the Kingdom of Norway,

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<sup>1</sup> Cf. doc. 11418/20 + COR 1 + ADD 1 + COR 1

<sup>2</sup> United Nations Convention of the Law of the Sea, *OJ L 179*, 23.6.1998, p. 3.

HAS ADOPTED THIS DECISION:

*Article 1*

The Commission is hereby authorised to open negotiations with the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway with a view to concluding a fisheries agreement.

*Article 2*

These negotiations shall be conducted in consultation with the Council Working Party on External Fisheries Policy on the basis of the negotiating directives of the Council ~~and set out in the Annex~~ ***addendum*** to this Decision.

*Article 3*

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council*  
*The President*

## **ANNEX**

### **DIRECTIVES FOR THE NEGOTIATION OF A FISHERIES AGREEMENT WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF NORWAY**

#### **I. GENERAL CONTEXT AND PURPOSE OF THE FISHERIES AGREEMENT**

After the withdrawal of the United Kingdom of Great Britain and Northern Ireland (hereafter: United Kingdom) from the European Union a number of fish stocks in the North Sea can no longer be considered as stocks shared bilaterally between the European Union and the Kingdom of Norway only. These stocks occur in Union waters and in the waters under sovereignty and jurisdiction of the United Kingdom and of the Kingdom of Norway.

In accordance with Article 63(1) of the United Nations Convention of the Law of the Sea<sup>3</sup>, the European Union, the United Kingdom and the Kingdom of Norway should agree upon the measures necessary to co-ordinate and ensure the conservation and development of the stocks concerned in the North Sea.

For this purpose, the European Union seeks to conclude a fisheries agreement (the Agreement) with the United Kingdom and the Kingdom of Norway.

#### **II. CONTENT OF THE FISHERIES AGREEMENT**

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<sup>3</sup> United Nations Convention of the Law of the Sea, *OJ L 179*, 23.6.1998, p. 3.

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