Council of the European Union

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PECHE 346

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION concerning the accession of the European Union to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean

COUNCIL DECISION (EU) …/…

of …

concerning the accession of the European Union to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean

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(6), second subparagraph, point (a), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament[1],

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

Whereas:

(1) On 22 June 2018, the Council authorised the Commission to open negotiations with the North Pacific Fisheries Commission for the Union to accede to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (the 'Convention').

(2) The Union is competent to adopt measures for the conservation of marine biological resources under the common fisheries policy and to enter into agreements with third countries and international organisations.

(3) Pursuant to Council Decision 98/392/EC[1], the Union is a contracting party to the United Nations Convention on the Law of the Sea ('UNCLOS') of 10 December 1982, which requires all contracting parties to UNCLOS to cooperate in conserving and managing the biological resources of the sea.

[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).

(4) Pursuant to Council Decision 98/414/EC[1], the Union is a contracting party to the Agreement on 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 stocks.

(5) At its sixth annual session from 23 to 25 February 2021, the North Pacific Fisheries Commission invited the Union to accede to the Convention.

(6) Accession to the Convention should promote consistency in the Union's conservation approach across the world's oceans and reinforce its commitment to the long-term conservation and sustainable use of fisheries resources globally. In accordance with the joint communication of the High Representative of the Union for Foreign Affairs and Security Policy and the Commission of 10 November 2016 on 'International ocean governance: an agenda for the future of our oceans' and the Council conclusions of 3 April 2017 on that joint communication, promoting measures to support and enhance the effectiveness of regional fisheries management organisations and, where relevant, improve their governance is a central feature of the Union's action in those organisations.

[1] 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).

(7) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1], and delivered formal comments on 27 August 2021. Personal data processed by Member States or by the Commission in the framework of the Convention is to be treated in accordance with the applicable provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council[2] and Regulation (EU) 2018/1725.

(8) The Union should therefore accede to the Convention,

HAS ADOPTED THIS DECISION:

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1 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

2 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

Article 1

The accession of the European Union to the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean is hereby approved on behalf of the Union.

The text of the Convention is attached to this Decision.*

Article 2

The President of the Council shall designate the person(s) empowered to deposit, on behalf of the Union, the instrument of accession provided for in Article 24(4) of the Convention.

Article 3

This Decision shall enter into force on the date of its adoption.[1]

Done at …,

For the Council
The President

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* Delegations: see document ST 12617/2021 ADD1.

1 The date of entry into force of the Convention for the Union will be published in the Official Journal of the European Union by the General Secretariat of the Council.