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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	6 March 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 North Atlantic Salmon Conservation Organisation (NASCO) and repealing Decision 9450/1/14 REV 1

Delegations will find attached document COM(2019) 103 final - ANNEXES 1 to 2.

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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 North Atlantic Salmon Conservation Organisation (NASCO) and repealing Decision 9450/1/14 REV 1

ANNEX I

The position to be taken on the Union's behalf in the North Atlantic Salmon Conservation Organisation (NASCO)

1. PRINCIPLES

In the framework of the NASCO, 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 and limiting environmental impacts of fishing activities, 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 taking account of the interests of consumers;

b) ensure that measures adopted within the NASCO are in accordance with the NASCO Convention;

c) ensure that measures adopted within the NASCO are consistent with international law, and in particular with the provisions of the UN Convention on the Law of the Sea and its Article 66, the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas; 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) in the same area;

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 external relations, employment, environment, trade, development, research and innovation;

f) ensure that the Union's international commitments are respected;

g) be in line with the Council Conclusions of 19 March 2012 on the Commission Communication on the external dimension of the common fisheries policy[1];

h) aim to create a level playing field for the Union fleet within the Convention area 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) be in line with the Joint communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission on *International ocean governance: an agenda for the future of oceans*[2], as well as the Council conclusions on that Joint communication[3] and promote measures to support and enhance the effectiveness of the NASCO and, where relevant, improve its governance and performance (e.g. on science, compliance, transparency and

[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.

decision-making) as a contribution to the sustainable management of oceans in all its dimensions;

j) promote coordination between RFMOs and regional sea conventions (RSCs) and cooperation with global organisations, as applicable, within their mandates, and in particular promote coordination with OSPAR, to which the Union is also a contracting party;

k) promote cooperation mechanisms amongst non-tuna RFMOs similar to the so-called Kobe process for tuna RFMOs.

2. ORIENTATIONS

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

a) conservation and management measures for fisheries resources in the Convention area based on the best scientific advice available, including Total Allowable Catches (TACs) and quotas or effort regulation for living marine biological resources regulated by the NASCO, which would achieve the maximum sustainable yield exploitation rate on a progressive, incremental basis at the latest by 2020. Where necessary, specific measures for stocks, which suffer from overfishing shall be considered in order to keep the fishing effort in line with available fishing opportunities;

b) measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing activities in the Convention area, including IUU vessel listing;

c) monitoring, control and surveillance measures in the NASCO Convention area in order to ensure efficiency of control and compliance with measures adopted within the NASCO;

d) measures 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 NASCO Convention area in line the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas, measures to avoid and reduce as far as possible unwanted catches, including in particular vulnerable marine species, and to gradually eliminate discards;

e) measures 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;

f) measures aimed at the prohibition of fisheries conducted solely for the purpose of harvesting shark fins and requiring that all sharks are landed with each fin naturally attached;

g) common approaches with other RFMOs, where appropriate, in particular those involved in fisheries management in the same region;

h) 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);

i) additional technical measures based on advice from the subsidiary bodies and working groups of NASCO.

ANNEX II

Year to year specification of the Union's position to be taken at meetings of the North Atlantic Salmon Conservation Organisation

Before each meeting of the NASCO Council, when that body is called upon to adopt decisions that may become binding upon the Union, 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 meeting of the NASCO Council 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 NASCO Council meeting it is impossible to reach an agreement, including on the spot, in order for the Union's position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.