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ANNEXES 1 to 2

ANNEXES

to the

Proposal for a COUNCIL DECISION

on the position to be taken on behalf of the European Union at meetings of the Parties to the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean

ANNEX I

The position to be taken on the Union's behalf at meetings of the Parties to the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (Agreement)

1. PRINCIPLES

In the framework of the meetings of the Parties to the Agreement, the Union shall:

a) act in accordance with the objectives and principles pursued by the Union within the common fisheries policy as laid down in Regulation (EU) 1380/2013, notably through the precautionary approach as laid down in Article 2(2) of that Regulation, to promote the implementation of an ecosystem-based approach to fisheries management, and to minimise the impact of fishing activities on marine ecosystems and their habitats, as well as, through the promotion of economically viable 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, including relevant scientific and technical organizations, bodies and programs, as well as indigenous and local knowledge, in the preparation phase of measures of the meetings of the Parties, including in the meetings of scientific experts under the Agreement, and ensure that these measures are in accordance with the Agreement;

c) ensure that measures adopted under the Agreement are consistent with international law, and in particular with the provisions of the United Nations Convention on the Law of the Sea (UNCLOS)[1], the 1995 Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA)[2], the 1993 Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas[3], and the 2009 Food and Agriculture Organization Port State Measures Agreement[4];

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 the field of external relations, employment, environment, trade, development, research and innovation;

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

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1 OJ L 179, 23.6.1998, p. 3.
2 OJ L 189, 3.7.1998, p. 16.
3 OJ L 177, 16.7.1996, p. 26.
4 OJ L 191, 22.7.2011, p. 3.

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[5];

h) aim to create a level playing field for the Union fleet within the Agreement 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 Council conclusions on Oceans and Seas, including the Arctic[6], the Joint communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission on 'An integrated European Union policy for the Arctic'[7], the Council conclusions[8] on 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'[9], and promote measures to support and enhance the effective implementation of the Agreement as a contribution to sustainable management of oceans in all its dimensions;

j) promote coordination between the Agreement and existing RFMOs and regional sea conventions (RSCs), in particular the North East Atlantic Fisheries Commission (NEAFC), and cooperation with global organisations, as applicable, within their mandates, where appropriate;

k) actively support the establishment of a Joint Program of Scientific Research and Monitoring with the aim of improving Parties' collective understanding of the ecosystems in the High Seas of the Central Arctic Ocean and, in particular, of determining whether fish stocks might exist in now or in the future that could be harvested on a sustainable basis and the possible impacts of such fisheries on these ecosystems;

l) ensure compatibility between conservation and management measures established for the same stocks in the waters under national jurisdiction and the measures adopted in respect of the high seas in accordance with Article 118 UNCLOS and Article 8 UNFSA;

m) ensure consistency with the Union's interest in the Arctic as a region of growing strategic importance.

2. ORIENTATIONS

Where appropriate, the Union shall endeavour to support the adoption of conservation and management measures, based on the best scientific advice available and the precautionary approach, by the meetings of the Parties to the Agreement.

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5 7087/12 REV 1 ADD 1 COR 1.
6 14249/19 of 19.11.2019.
7 JOIN(2016) 21 final of 27.4.2016.
8 7348/1/17 REV 1 of 24.3.2017.
9 JOIN(2016) 49 final of 10.11.2016.

ANNEX II

Year to year specification of the Union's position to be taken in the meetings of the Parties to the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (Agreement)

Before each meeting of the Parties to the Agreement, when that body is called upon to adopt decisions having legal effects on 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 in sufficient time before each meeting of the Parties to the Agreement, 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 meeting of the Parties to the Agreement 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.