DECISIONS

COUNCIL DECISION (EU) 2023/1227

of 20 June 2023

on the position to be taken on behalf of the European Union within the Commission established by the Convention for the Protection of the Marine Environment of the North-East Atlantic as regards amendments to OSPAR Decision 2021/01 on the establishment of the North Atlantic Current and Evlanov Sea basin Marine Protected Area and OSPAR Recommendation 2021/01 on the Management of the North Atlantic Current and Evlanov Sea basin Marine Protected Area

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Convention for the Protection of the Marine Environment of the North-East Atlantic ([1]) ('the Convention'), to which the Union is a Contracting Party, entered into force on 25 March 1998.

(2) Pursuant to Article 10(3) of the Convention, the Commission established by Article 10(1) of the Convention ('the OSPAR Commission') is able to adopt decisions and recommendations in accordance with Article 13 of the Convention.

(3) During the ministerial segment of its 24th annual meeting on 1 October 2021, the OSPAR Commission adopted OSPAR Decision 2021/01 on the establishment of the North Atlantic Current and Evlanov Sea basin Marine Protected Area ('OSPAR Decision 2021/01') and OSPAR Recommendation 2021/01 on the Management of the North Atlantic Current and Evlanov Sea basin Marine Protected Area ('OSPAR Recommendation 2021/01'). At the same time, it was also decided that the conservation scope of the North Atlantic Current and Evlanov Sea basin Marine Protected Area ('the NACES MPA') would need to be reviewed, with a view to expanding it.

(4) A review of the conservation scope of the NACES MPA has been carried out and has resulted in two proposed acts of the OSPAR Commission: a decision amending OSPAR Decision 2021/01 and a recommendation amending OSPAR Recommendation 2021/01. The OSPAR Commission is to adopt the envisaged decision and the envisaged recommendation during its 26th regular meeting on 26 June 2023.

(5) The envisaged decision of the OSPAR Commission extends the conservation scope of the existing NACES MPA and indicates the geographical coordinates (latitude and longitude) of its boundaries.

(6) The envisaged recommendation of the OSPAR Commission aims to guide Contracting Parties in their actions and in the adoption of measures to achieve the revised conservation objectives, in accordance with the extended conservation scope of the envisaged decision.

(7) As there is a close link between the two envisaged OSPAR Commission acts, it is appropriate for them to be covered by the same position of the Union.

([1]) OJ L 104, 3.4.1998, p. 2.

(8) The envisaged acts relate to the protection of the environment, which is a shared competence between the Union and its Member States under Article 4(2), point (e), of the Treaty. The envisaged acts do not fall within an area which is largely covered by Union rules concerning such protection. The Union does not intend to make use of the possibility to exercise its external competence with regard to areas covered by those acts in relation to which its competence has not yet been exercised internally.

(9) It is appropriate to establish the position to be taken on the Union's behalf within the OSPAR Commission with regard to the proposed amendments to OSPAR Decision 2021/01 and OSPAR Recommendation 2021/01, as the decision to be taken by the OSPAR Commission will be binding on the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the 26th meeting of the OSPAR Commission shall be to support the adoption of a decision amending OSPAR Decision 2021/01 on the establishment of the North Atlantic Current and Evlanov Sea basin Marine Protected Area as regards the extension of its conservation scope, and to support the adoption of a recommendation amending OSPAR Recommendation 2021/01 on the Management of the North Atlantic Current and Evlanov Sea basin Marine Protected Area as regards the extension of its conservation objectives.

Article 2

Refinement of the position referred to in Article 1 may be agreed to, in the light of developments at the 26th meeting of the OSPAR Commission, by the representatives of the Union, in consultation with Member States during on-the-spot coordination meetings, without a further decision of the Council.

Article 3

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

Done at Luxembourg, 20 June 2023.

For the Council
The President
R. POURMOKHTARI