Council Decision (EU) 2019/1563 of 16 September 2019 on the position to be taken on behalf of the European Union within the Western Central Atlantic Fishery Commission (WECAFC)

COUNCIL DECISION (EU) 2019/1563

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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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Union is a member of the Western Central Atlantic Fishery Commission (WECAFC), a regional fishery commission of the Food and Agriculture Organization of the United Nations (FAO), established under Article VI (1) of the FAO Constitution.

(2) The Union is a member of the FAO.

(3) The WECAFC aims to promote the effective conservation, management and development of the living marine resources in its area of competence. Pursuant to point (h) of Article 6 of its revised statutes, the WECAFC provides advice on management measures (recommendations and resolutions). Because of its advisory status, the WECAFC's recommendations and resolutions are not binding on its members.

(4) As stated in the Joint communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission ‘International ocean governance: an agenda for the future of our oceans’, and the Council conclusions on that Joint communication, the promotion of measures to support and enhance the effectiveness of the Regional fisheries management organisations (RFMOs) and, where relevant, improve their governance and strengthen cooperation in key ocean areas in order to fill regional governance gaps, is central to the Union's action in those fora.

(5) The Communication from the Commission to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions ‘A European strategy for plastics in a circular economy’, refers to specific measures to reduce plastics and marine pollution as well as the loss or abandonment at sea of fishing gear.

(6) It is appropriate to establish the position to be taken on the Union's behalf in the WECAFC for the period 2019-2023, as the WECAFC is called upon to adopt non-binding acts that are capable of decisively influencing the content of Union law. Most Council Decisions establishing the Union's position within RFMOs to which

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the Union is a member are due for revision before the 2024 annual meetings of those RFMOs. Therefore, to improve coherence among the Union's positions in all RFMOs and Regional Fishery Bodies (RFBs) and to streamline the revision process, this Decision should be revised before the session of the WECAFC in 2024.

(7) In view of the evolving nature of fishery resources in the WECAFC area and the consequent need for the position of the Union to take account of new developments, including new scientific and other relevant information presented before or during the sessions of the WECAFC, procedures should be established, in line with the principle of sincere cooperation among the Union institutions enshrined in Article 13(2) of the Treaty on European Union, for the year-to-year specification of the Union's position for the period 2019-2023,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the sessions of the Western Central Atlantic Fishery Commission (WECAFC) is set out in Annex I.

Article 2

The year-to-year specification of the Union's position to be taken in the sessions of the WECAFC shall be conducted in accordance with Annex II.

Article 3

The Union's position set out in Annex I shall be assessed and, where appropriate, revised by the Council upon a proposal from the Commission, before the session of the WECAFC in 2024.

Article 4

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

Done at Brussels, 16 September 2019.

For the Council

The President

T. TUPPURAINEN

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ANNEX I

The position to be taken on the Union's behalf in the Western Central Atlantic Fishery Commission (WECAFC)

1. PRINCIPLES

In the framework of the WECAFC, 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, 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 take account of the interests of consumers;

b) work towards an appropriate involvement of stakeholders in the preparation phase for WECAFC resolutions and recommendations adopted within the WECAFC in accordance with its Revised Statutes;

c) ensure that resolutions and recommendations adopted within the WECAFC are consistent with international law, and in particular with the provisions of the 1982 UN Convention on the Law of the Sea, the 1995 UN Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the 1993 Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, the 1995 Code of conduct for responsible fisheries 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) and regional fisheries bodies (RFBs) in the same area, and ensure the promotion of coordination between RFMOs and relevant organisations such as subregional fisheries organisations and regional sea conventions (RSCs), and cooperation with global organisations, as applicable, within their mandates, where appropriate, including cooperation mechanisms amongst non-tuna RFMOs similar to the so-called Kobe process for tuna RFMOs;

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;

g) act in line with the Council Conclusions of 19 March 2012 on the Commission Communication on the external dimension of the CFP[(1)];

h) aim to create a level playing field for the Union fleet within the area under the competence of WECAFC, based on the same principles and standards as those applicable under Union law, and to promote the uniform implementation of those principles and standards;