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ANNEXES 1 to 2

ANNEXES

to the

Proposal for a Council Decision

**on the position to be adopted, on behalf of the European Union, in the Indian Ocean
Tuna Commission (IOTC)**

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ANNEX I

The Union position in the Commission of the Indian Ocean Tuna Commission

1. PRINCIPLES

In the framework of the IOTC, the Union shall:

- a) act in accordance with the objectives pursued by the Union within the framework of the Common Fisheries Policy, notably through the precautionary approach to provide for the sustainable exploitation at levels which can produce the maximum sustainable yield of species regulated by the IOTC, 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 eco-systems, 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 IOTC are in accordance with the objectives of the IOTC Agreement;
- c) ensure that measures adopted within the IOTC are consistent with international law, and in particular with the provisions of the UN Convention on the Law of the Sea, the UN Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and 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 consistent positions within Regional Fisheries Management Organisations, and, where applicable, with Regional Sea Conventions in the same area;

- e) seek 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, environment, trade, development, research and innovation and others;
- 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 Policy¹.

2. ORIENTATIONS

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

- a) conservation and management measures for fisheries resources in the IOTC Area of Competence based on the best scientific advice available, including TACs and quotas or effort regulation for species regulated by the IOTC, which would bring or maintain the production to the maximum sustainable yield in 2020 at the latest. 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 IUU fishing activities in the IOTC Area of Competence, including IUU listing;
- c) monitoring, control and surveillance measures in the IOTC Area of Competence in order to ensure efficiency of control and compliance with measures adopted within the IOTC;
- d) measures to minimize the negative impact of fishing activities on marine biodiversity and marine eco-systems, including protective measures for vulnerable marine ecosystems in the IOTC Area of Competence in line with UNGA Resolutions, comprising measures to avoid and reduce as far as possible unwanted catches, especially ecologically related species, and to gradually eliminate discards.
- e) measures aimed at the prohibition of fisheries conducted solely for the purpose of harvesting shark fins and, to require that all sharks be landed with each fin naturally attached;
- f) development of common approaches with other Regional Fisheries Management Organisations, in particular those involved in the management of fisheries in the Indian Ocean and adjacent waters and in tuna fisheries;
- g) additional technical measures based on advice from the subsidiary bodies of the IOTC.

¹ cf. doc. 7086/12 PECHE 66

ANNEX II

Year to year specification of the Union position to be taken at the annual meeting of the Commission of the IOTC

Before each annual Meeting of the Commission of the IOTC, the necessary steps shall be taken so that the position to be expressed on the Union's behalf takes account of the latest statistical, biological and other relevant information transmitted to the European Commission, in accordance with the principles and orientations set out in Annex I.

To this effect and based on that information, the European Commission shall transmit to the Council or to its preparatory bodies in sufficient time before each annual Meeting of the Commission of the IOTC a written document setting out the particulars of the proposed specification of the Union position for discussion and endorsement of the details of the position to be expressed on the Union's behalf.

If, in the course of further meetings, including on the spot, it is impossible to reach an agreement in order for the Union position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.