



EUROPEAN
COMMISSION

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Proposal for a

COUNCIL DECISION

to conclude, on behalf of the European Union, the Exchange of Letters to obtain membership of the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) is a Regional Fisheries Management Organisation (RFMO) responsible for the management of Southern Bluefin Tuna (SBF) throughout its distribution. The Convention for the Conservation of Southern Bluefin tuna entered into force on 20 May 1994.

The European Union has been a Cooperating Non-Member of the CCSBT Extended Commission since 2006. Cooperating Non-Members participate fully in the activities of the CCSBT but are not entitled to vote. The status of Cooperating Non-Member requires adherence to the management and conservation objectives and measures of the CCSBT.

After several years of discussions, the CCSBT amended the Resolution governing the Extended Commission during its 20th meeting in October 2013 to allow Regional Economic Integration Organisations (REIOs) to become a Member of the Extended Commission through Exchange of Letters in which the applicant shall give the CCSBT its firm commitment to respect the terms of the Convention and comply with decisions of the CCSBT Extended Commission.

By its Proposal for a Council Decision on the signing, on behalf of the European Union, and provisional application of the Exchange of Letters to obtain membership of the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna of [XXX], the European Commission recommended to the Council the signature and provisional application of the Exchange of Letters to obtain Membership of the CCSBT Extended Commission.

Upon completion of this procedure the EU would be entitled to membership and vote in the CCSBT Extended Commission and Extended Scientific Committee.

The main interest in the CCSBT for the EU lies in the similarities between the management of Southern Bluefin Tuna (CCSBT) and Atlantic Bluefin Tuna (ICCAT), and the wish to continue promoting consistency in the Union's conservation approach across oceans and reinforcing its commitment to the long-term conservation and sustainable use of fisheries resources globally.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Not applicable

3. LEGAL ELEMENTS OF THE PROPOSAL

This proposal seeks to conclude the legal process launched with the signature and provisional application of the Exchange of Letters to obtain membership of the CCSBT Extended Commission and Extended Scientific Committee after having obtained the consent from the European Parliament.

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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(2) in conjunction with Article 218(6) (a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

Whereas:

- (1) The Union is competent to adopt measures for the conservation of marine biological resources under the common fisheries policy and to enter into agreements with third countries and international organisations.
- (2) Pursuant to Council Decision 98/392/EC ⁽²⁾, the Union is a Contracting Party to the United Nations Convention on the Law of the Sea of 10 December 1982, which requires all members of the international community to cooperate in conserving and managing the biological resources of the sea.
- (3) Pursuant to Council Decision 98/414/EC ⁽³⁾, the Union is a Contracting Party to the Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.
- (4) On 1 December 2009 the Council authorised the European Commission to seek, on behalf of the European Union, an amendment to the rules of Convention for the Conservation of Southern Bluefin Tuna in order for the European Union to become a Contracting Party.
- (5) During its 20th meeting in October 2013, the CCSBT amended the Resolution governing the Extended Commission to allow the European Union to become a Member of the CCSBT Extended Commission through Exchange of Letters.
- (6) On [XXX] the Council authorized the signature and provisional application of the Exchange of Letters to obtain Membership of the CCSBT Extended Commission.
- (7) Since vessels flying the flags of Member States of the Union fish resources in the area of distribution of Southern Bluefin Tuna, it is in the Union's interest to play an effective role in the implementation of the Convention.

¹ OJ C , , p. .

² OJ L 179, 23.6.1998, p. 1.

³ OJ L 189, 3.7.1998, p. 14.

- (8) Such course of action will also promote consistency in the Union's conservation approach across oceans and reinforce its commitment to the long-term conservation and sustainable use of fisheries resources globally.
- (9) The Exchange of Letters text should therefore be concluded.

HAS ADOPTED THIS DECISION:

Article 1

The Exchange of Letters to obtain Membership of the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (hereinafter referred to as the 'Convention') is hereby concluded on behalf of the Union.

The Exchange of Letters is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the Union, the instrument of approval with the Executive Secretary of the CCSBT, on behalf of the CCSBT, in accordance with Article 10 of the Convention.

Done at Brussels,

For the Council
The President