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ANNEXES 1 to 2

ANNEXES

to the

**Proposal for a
COUNCIL DECISION**

establishing the position to be adopted, on behalf of the European Union, in the Meeting of the parties to the Southern Indian Ocean Fisheries Agreement (SIOFA) and repealing Decision 14404/12

ANNEX I

The Union position in the Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement

(1) Principles

In the framework of the SIOFA, the Union shall:

- a) ensure that measures adopted within the Meeting of the Parties to the SIOFA are in accordance with the objectives and principles pursued by the Union within the Common Fisheries Policy, 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 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 Meeting of the Parties to the SIOFA are in accordance with the objectives of the SIOFA;
- c) ensure that measures adopted within the Meeting of the Parties to the SIOFA 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, 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 positions consistent with those taken within other 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) follow the Council Conclusions of 19 March 2012 on a Communication on the External dimension of the Common Fisheries Policy¹;
- h) aim to create a level playing field for the Union fleet within the SIOFA Area based on the same principles and standards as those applicable under Union law, and to promote the uniform implementation of resolutions and recommendations.

(2) Orientations

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

¹ cf. doc. 7086/12 PECHE 66

- a) conservation and management measures for fisheries resources in the SIOFA Area based on the best scientific advice available, including total allowable catches (TACs) and quotas or effort regulation for species regulated by the Meeting of the Parties to the SIOFA, which would bring or maintain the achievement of the maximum sustainable yield exploitation rate at the latest by 2020;
- b) 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 and to safeguard the marine ecosystems;
- c) monitoring, control and surveillance measures in the SIOFA Area in order to ensure efficiency of control and compliance with measures adopted within the Meeting of the Parties to the SIOFA, including the implementation of a SIOFA Vessel Monitoring System;
- d) measures to prevent, deter and eliminate IUU fishing activities in the SIOFA Area, including IUU listing and Port State Measures;
- e) measures to minimize the negative impact of fishing activities on marine biodiversity, including seabirds, and protective measures for vulnerable marine ecosystems in the SIOFA Area in line with United Nations General Assembly Resolutions, and marine eco-systems, comprising measures to avoid and reduce as far as possible unwanted catches, including catches of ecologically important species, and gradually eliminate discards;
- f) 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;
- g) development of common approaches with other Regional Fisheries Management Organisations involved in the management of fisheries in the SIOFA Area;
- h) contribute to the establishment of an observer programme by developing and contributing to the drafting of the relevant observation scheme;
- i) supporting the undertaking of regular reviews to assess the performance of the SIOFA in due time and the implementation of its recommendations;
- j) measures to ensure over the medium-term a more balanced redistribution of the budget of the SIOFA;
- k) additional technical measures based on advice from the subsidiary bodies established by the Meeting of the Parties to the SIOFA.

ANNEX II

Year to year specification of the Union position to be taken at the annual Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement

Before each annual Meeting of the Parties to the SIOFA, the necessary steps shall be taken to ensure 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 Parties to the SIOFA a written document setting out the particulars of the proposed specification of the Union position for discussion and endorsement.

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.