



2023/0353(NLE)

11.4.2024

ÆNDRINGSFORSLAG

1

Udkast til henstilling
Silvia Modig
(PE760.940v01-00)

om forslag til Rådets afgørelse om indgåelse på Den Europæiske Unions vegne af aftalen inden for rammerne af De Forenede Nationers havretskonvention om bevarelse og bæredygtig udnyttelse af havets biologiske mangfoldighed i områder uden for national jurisdiktion

Forslag til Rådets afgørelse
(COM(2023)0580 – C9-0135/2024 – 2023/0353(NLE))

Ændringsforslag 1
Mathilde Androuët

Forslag til lovgivningsmæssig beslutning
Punkt 1

Forslag til lovgivningsmæssig beslutning

1. **godkender** indgåelsen af aftalen;

Ændringsforslag

1. **nægter at godkende** indgåelsen af aftalen;

Or. en

Justification

The very point of this agreement is less the protection of biodiversity than the rules governing the exploitation of the marine environment on the high seas, beyond any jurisdiction (BBNJ). Moreover, the high seas are not exempt from legal rules. Although no territorial jurisdiction is possible, the legal system is based on personal jurisdiction, the law of the flag of the vessels or the law of registration of the platform. This system could be improved, however, given the abuses that already exist. The only tool slightly more developed in the BBNJ agreement as a Zone management tool is the MPA (Marine Protected Area). MPAs in exclusive economic zones (EEZs) are most often of the "no take" type, i.e. they restrict or prohibit fishing, and may allow other activities (tourism or industrial). In many cases, the sovereignty of coastal states is no longer exercised, as in the case of the Seychelles and Kiribati Islands, to the benefit of an ENGO managing the MPA, which may receive all or part of the revenues. In the case of the Chagos Islands, the existence of an MPA even prevents the Chagos inhabitants from returning home. On the high seas, the status of MPAs will necessarily be similar to the status of EEZ MPAs, except that the Authority to which MPA managers are accountable is the Conference of the Parties, in conjunction with private stakeholders, which leaves a grey area for countries that are not party to the treaty. Finally, the question of revenue from the commercialization of products derived from marine genetic resources raises the ethical issue of patents on living organisms.

Furthermore, as the 27 member states have already signed the agreement on the protection and sustainable management of biodiversity beyond national jurisdiction, there is no need for the European Union to do so as well.

Risks to the sovereignty of states, especially small island states, risks of privatizing the high seas, risks of creating patents on living organisms, risks of evicting fishermen, especially small-scale fishermen, from the high seas, risks of interference by the European Union in the maritime policies of member states - these are all reasons to reject ratification of this text