



2022/0177(NLE)

27.10.2022

DRAFT RECOMMENDATION

on the draft Council decision authorising the Republic of Poland to ratify, in the interest of the European Union, the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (10918/2022 – C9-0293/2022 – 2022/0177(NLE))

Committee on Fisheries

Rapporteur: Elzbieta Rafalska

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision authorising the Republic of Poland to ratify, in the interest of the European Union, the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (10918/2022 – C9-0293/2022 – 2022/0177(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (10918/2022),
 - having regard to the request for consent submitted by the Council in accordance with Article 43(2) and Article 218(6), second subparagraph, point (a) of the Treaty on the Functioning of the European Union (C9-0293/2022),
 - having regard to Rule 105(1) and (4), and Rule 114(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Fisheries (A9-0000/2022),
1. Gives its consent to the authorisation of the Republic of Poland to ratify the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Poland.

EXPLANATORY STATEMENT

- **Reasons for and objectives of the proposal**

Poland, China, Japan, the Republic of Korea, Russia and the United States signed the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea ('CCBSP' or 'the Convention') in 1994. The Convention has the following aims: (i) to establish an international regime for conservation, management and optimum utilisation of pollock resources in the Convention Area; (ii) to restore and maintain pollock resources in the Bering Sea at levels which will permit their maximum sustainable yield; (iii) to cooperate in the gathering and examining of factual information concerning pollock and other living marine resources in the Bering Sea; and (iv) to provide, if the Parties agree, a forum in which to consider the establishment of necessary conservation and management measures for living marine resources other than pollock in the Convention Area as may be required in the future.

The commercial fishing in the Convention Area, which peaked in 1989 with catches of up to 1 447 600 tonnes/year, has been closed since 1993 by way of a moratorium. The continuing moratorium is supported by scientific evidence, which has consistently pointed to an extremely slow recovery of pollock stocks, and this is not without its impact on the entire Bering Sea ecosystem. Nevertheless, the commercial fishery continues in the United States and Russia's exclusive economic zones.

The European Union participation in the Convention

Poland has been a contracting party to this organisation since 1994. After Poland joined the EU in 2004, the conservation and management of pollock resources in the Central Bering Sea was set to be managed by the EU by virtue of Article 6 (9), paragraph 1 of the Accession Act. However, the Convention text currently only envisages the membership of States. It would therefore need to be amended to allow the EU to become a contracting party as a regional economic integration organisation. A Council Decision authorised the Republic of Poland to negotiate, in the interest of the European Union, an amendment to the Convention that would allow the participation of the European Union as a full party to the Convention. To that end, the Republic of Poland proposed an amendment to the Convention in order to allow participation of regional economic integration organisations and to allow for the European Union to become party to the Convention. The Republic of Poland proposed the amendment to the Convention to the Depository of the Convention in October 2016. The Depository sent the amendment in 2017 to the Contracting Parties.

The implications of the EU membership

There are limited implications for the EU joining the Convention given that membership does not require any budgetary contributions (the organisation does not have a Secretariat), and the moratorium is expected to continue in the near future. However, should the area be re-opened to fishing, the EU's role would be to promote the principles and standards of the Common Fisheries Policy in this international organisation, in particular the adoption of management measures based on best science and the conservation of resources.

The EU's interest in the Convention stems primarily from its responsibility to ensure the conservation and management of living marine resources within and outside the EU.

- **Consistency with existing policy provisions in the policy area**

Regional fisheries management organisations (RFMOs) are: international organisations of countries, some of which are coastal states; regional economic integration organisations such as the EU; and fishing bodies with fishing interests in a given area. Some RFMOs manage all the fish stocks within a specific area, while others focus on particular highly migratory species, notably tuna, throughout vast geographical areas. While some are purely advisory, most have management powers to set catch limits and fishing effort limits, technical measures and control obligations.

In line with the Commission Communication ‘Participation in Regional Fisheries Organisations (RFOs)’¹, Articles 28 and 29 of Regulation (EU) No 1380/2013 on the Common Fisheries Policy² and the Council conclusions of 19 March 2012 regarding the Commission Communication on the ‘External dimension of the Common Fisheries Policy’³, the EU, represented by the Commission, plays an active role in six tuna organisations and 11 non-tuna organisations.

The Joint Communication by the High Representative of the EU for Foreign Affairs and Security Policy and the Commission on ‘International ocean governance: an agenda for the future of oceans’⁴ and the Council conclusions of 3 April 2017 on it promote measures to support and improve the effectiveness of RFMOs and, where relevant, improve their governance. This is a central feature of the EU’s action in these fora.

¹ COM(1999) 613 final, 8.12.1999.

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

³ Ref: COM(2011) 424 final of 13.07.2011.

⁴ JOIN(2016) 49 final of 10.11.2016.