Amending the International Convention for the Conservation of Atlantic Tunas (ICCAT). Protocol

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PURPOSE: to conclude the Protocol to amend the International Convention for the Conservation of Atlantic Tunas (ICCAT).

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the International Convention for the Conservation of Atlantic Tunas (ICCAT Convention) aims, by establishing the ICCAT, to promote cooperation in maintaining the populations of tuna and tuna-like fish in the Atlantic Ocean at levels that permit the maximum sustainable catch for food and other purposes. The Convention entered into force on 21 March 1969.

The Union is a party to the Convention, having approved it pursuant to the Council Decision of 9 June 1986.

The European Union, represented by the European Commission, supports and actively contributes to the work of the ICCAT, in line with Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy.

In order to increase its effectiveness, the ICCAT Committee agreed on the need to amend the Convention to ensure the sustainable exploitation, management and conservation of marine biological resources and the marine environment managed by the ICCAT, as well as of species caught in the context of fishing activities targeting ICCAT species.

On 13 May 2013, the Council authorised the Commission to negotiate, on behalf of the European Union, amendments to the Convention. From 2013 to 2018, discussions have taken place within the ICCAT Commission on the changes that are needed to the Convention. As a result, a Protocol has been drafted to amend to the Convention.

The Protocol fully meets the objectives set out in the Joint Communication by the High Representative of the EU for Foreign Affairs and Security Policy and the European Commission ‘International ocean governance: an agenda for the future of oceans’ and the Council conclusions on that Joint Communication, promoting measures to support and enhance the effectiveness of Regional Fisheries Management Organisations (RFMOs) and, where relevant, improve their governance is a central feature of the Union’s action in these fora.

CONTENT: the present proposal is for a Council Decision to authorise the conclusion, on behalf of the Union, of the Protocol to amend the International Convention for the Conservation of Atlantic Tunas.

The main amendments, once in force, shall:

- broaden the scope of the Convention as regards shark conservation and management;

- clarify voting rules and quorum in the ICCAT Commission, in particular majority requirements in situations where consensus cannot be achieved;

- define the principles according to which the ICCAT Commission and its Members shall act in conducting work under the ICCAT Convention;

- shorten the entry into effect period for recommendations adopted by the ICCAT Commission from six to four months after notification to ICCAT Members;

- clarify the use of the objection procedure for recommendations adopted by the ICCAT Commission;

- enable the enhanced participation of Cooperating Non-Contracting Parties and fishing entities in the work of the ICCAT Commission;

- introduce an ICCAT dispute settlement mechanism which is voluntary, but the outcome of which will be final and binding on the parties that have recourse to it.

The Protocol shall be adopted by the Contracting Parties at the 28th Regular meeting of the ICCAT Commission from 18 to 25 November 2019.

The Protocol forms part of a wider package that also includes:

- a Resolution by ICCAT clarifying Convention amendments on non-party participation in particular that Chinese Taipei is the fishing entity that is intended to be covered by the Annex 2 on Fishing Entities, which is added to the Convention of the Protocol;

- a Recommendation by ICCAT on fishes considered to be tuna and tuna-like species or oceanic, pelagic, and highly migratory elasmobranchs.