



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.6.2006  
COM(2006) 306 final

Proposal for a

**COUNCIL DECISION**

**on the signing, on behalf of the European Community, of the Southern Indian Ocean  
Fisheries Agreement**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

In 2000, the South Indian Ocean fishing states together with FAO took the initiative to launch the process of setting up a new regional fisheries organisation (Southern Indian Ocean Fisheries Agreement). In November 2000, the Commission was mandated by the Council to participate in the negotiations for this Agreement on behalf of the Community.

At the fifth Intergovernmental conference, held in Mombassa, Kenya in April 2005, interested parties reached a tentative agreement on a draft. This text has since then been subject to a review by an editorial group. A final text should be ready during the first half of 2006 and will then be open for signature at a Diplomatic Conference shortly thereafter.

The European Community has fishing interests in the South Indian Ocean and is also a coastal State on behalf of the Reunion Island. The Community is therefore obliged, under the terms of the UN Convention on the Law of the Sea, to cooperate with other interested parties in the management and conservation of the region's resources.

The Community has participated in this process from the start and has played an active and constructive role. It has chaired the Intergovernmental conference since 2004 and has played an active role in the drafting of the Agreement.

Proposal for a

**COUNCIL DECISION**

**on the signing, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article Article 37 in conjunction with the first sentence of the first subparagraph of Article 300 (2) thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

Whereas:

- (1) The Community is competent to adopt measures for the conservation and management of fisheries resources and to enter into agreements with other countries and international organisations
- (2) The Community is a Contracting party to the United Nations Convention on the Law of the Sea, which requires all members of the international community to co-operate in managing and conserving the seas's biological resources.
- (3) The Community and its Member States has ratified 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) The Fifth intergovernmental conference of Parties interested in the future Southern Indian Ocean Fisheries Agreement presented a draft Agreement.
- (5) The Community fishes stocks in the relevant Area and it is in the interest of the Community to play an effective role in the implementation of the Agreement. It is therefore necessary to sign the Agreement.

HAS DECIDED AS FOLLOWS:

*Article 1*

The signing of the Southern Indian Ocean Fisheries Agreement is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

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<sup>1</sup> OJ C , , p. .

The text of the Agreement is attached.

*Article 2*

The president of the Council is hereby authorised to designate the person (s) empowered to sign the Agreement on behalf of the Community, subject to its conclusion.

Done at Brussels,

*For the Council  
The President*