

COUNCIL DECISION

of 25 October 2004

on the signing, on behalf of the European Community, of the Convention for the strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica ('Antigua Convention')

(2005/26/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular 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,

Whereas:

- (1) The European Community has exclusive competence to adopt measures for the conservation and management of fishery resources and to enter into agreements with other countries and international organizations.
- (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 cooperate in conserving and managing the sea's biological resources.
- (3) The Community has signed and ratified on 19 December 2003 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⁽¹⁾.
- (4) The Inter-American Tropical Tuna Commission (IATTC) was established by the Convention between the United States of America and the Republic of Costa Rica, concluded in 1949. During its 61st meeting in June 1998, the IATTC adopted a Resolution whereby Contracting Parties agreed to draw a new Convention to strengthen the IATTC and bring its statute up to date, in line with the provisions of the international Law of the Sea.
- (5) The Community was invited to fully participate in this process since the beginning, and has played an active role therein. The process culminated in the adoption of the Convention for the strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica ('Antigua Convention'), at the

70th meeting of the IATTC, held from 24 to 27 June 2003 in Antigua, Guatemala.

- (6) The Antigua Convention was open for signature on 14 November 2003 in Washington DC, United States of America, and will remain so until 31 December 2004, in accordance with Article XXVII thereof.
- (7) The Antigua Convention is open for signature by the Community in accordance with Article XXVII(1)(c) thereof.
- (8) Community fishermen operate in the Antigua Convention Area. It is thus in the Community's interest to become a member of the IATTC. The Community should therefore sign the Antigua Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Convention for the strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica ('Antigua Convention') is hereby approved on behalf of the European Community, subject to the Council Decision concerning the conclusion of the said Convention.

The text of the Antigua Convention is attached to this Decision.

Article 2

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

Done at Luxembourg, 25 October 2004.

For the Council
The President
R. VERDONK

⁽¹⁾ OJ L 189, 3.7.1998, p. 17.