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## II

*(Non-legislative acts)*

## REGULATIONS

**COUNCIL IMPLEMENTING REGULATION (EU) 2020/1578****of 29 October 2020****implementing Regulation (EU) 2015/1755 concerning restrictive measures in view of the situation in Burundi**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi <sup>(1)</sup>, and in particular Article 13(4) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 1 October 2015, the Council adopted Regulation (EU) 2015/1755.
- (2) On the basis of a review by the Council, the information concerning two natural persons in Annex I to Regulation (EU) 2015/1755 should be amended.
- (3) Annex I to Regulation (EU) 2015/1755 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EU) 2015/1755 is amended as set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 October 2020.

*For the Council*  
*The President*  
M. ROTH

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<sup>(1)</sup> OJ L 257, 2.10.2015, p. 1.

## ANNEX

In Annex I to Regulation (EU) 2015/1755, entries 1 and 2 under the heading 'List of natural and legal persons, entities and bodies referred to in Article 2' are replaced by the following:

	Name	Identifying information	Grounds for designation
'1.	Godefroid BIZIMANA	Gender: Male DOB: 23.4.1968 POB: Nyagaseke, Mabayi, Cibitoke Burundian nationality. Passport number: DP0001520	"Chargé de missions de la Présidence" and former Deputy Director-General of the National Police. On 31 December 2019, Mr Bizimana was promoted to the rank of Chief Police Commissioner. Responsible for undermining democracy by making operational decisions that have led to a disproportionate use of force and acts of violent repression towards peaceful demonstrations that started on 26 April 2015 following the announcement of the presidential candidacy of President Nkurunziza.
2.	Gervais NDIRAKOBUCA alias NDAKUGARIKA	Gender: Male DOB: 1.8.1970 Burundian nationality. Passport number: DP0000761	Minister of the Interior, Community Development and Public Security as of June 2020. Former head of Cabinet of the Presidential Administration (Présidence) responsible for matters relating to the National Police between May 2013 and November 2019, and former Director-General of the National Intelligence Service between November 2019 and June 2020. Responsible for obstructing the search for a political solution in Burundi by issuing instructions that led to a disproportionate use of force, acts of violence, acts of repression and violations of international human rights law against protestors demonstrating from 26 April 2015 onwards, following the announcement of the presidential candidacy of President Nkurunziza, including on 26, 27 and 28 April 2015 in the Nyakabiga and Musaga districts of Bujumbura.'

**COUNCIL REGULATION (EU) 2020/1579****of 29 October 2020****fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in other waters**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council <sup>(1)</sup> requires that conservation measures be adopted taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries and other advisory bodies, as well as advice received from Advisory Councils established for the relevant geographical areas or fields of competence and joint recommendations made by Member States.
- (2) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be allocated to Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each stock or fishery and having due regard to the objectives of the Common Fisheries Policy (CFP) set out in Regulation (EU) No 1380/2013.
- (3) Regulation (EU) No 1380/2013 provides that the objective of the CFP is to achieve the maximum sustainable yield (MSY) exploitation rate by 2015 where possible and, on a progressive, incremental basis, at the latest by 2020 for all stocks.
- (4) The total allowable catches (TACs) should therefore be established, in accordance with Regulation (EU) No 1380/2013, on the basis of the available scientific advice, taking into account biological and socioeconomic aspects whilst ensuring fair treatment between fishing sectors, as well as having regard to the opinions expressed during the consultation with stakeholders.
- (5) Regulation (EU) 2016/1139 of the European Parliament and of the Council <sup>(2)</sup> establishes a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and for the fisheries exploiting those stocks ('the plan'). The plan aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the MSY. To that end, the target fishing mortality for the stocks concerned, expressed in ranges, is to be achieved as soon as possible and, on a progressive, incremental basis, by 2020. It is appropriate that the catch limits applicable in 2021 for the cod, herring and sprat stocks in the Baltic Sea are established in line with the objectives of the plan.

<sup>(1)</sup> 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).

<sup>(2)</sup> Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (OJ L 191, 15.7.2016, p. 1).

- (6) The International Council for the Exploration of the Sea (ICES) has indicated that the biomass of western Baltic herring in ICES subdivisions 20-24 is only 48 % of the limit reference point for spawning stock biomass ( $B_{lim}$ ), below which it is possible that reproductive capacity might be reduced. Therefore, the scientific advice issued by ICES on 29 May 2020 in its annual stock advice was for zero catches for western Baltic herring. Under Article 5(2) of Regulation (EU) 2016/1139, all appropriate remedial measures should therefore be adopted to ensure a rapid return of the stock concerned to levels above the level capable of producing MSY. Moreover, that provision requires further remedial measures to be adopted. To that end, it is necessary to take into account the timeline for the achievement of the objectives of the CFP in general, and of the plan in particular, in view of the expected effect of the remedial measures adopted, whilst at the same time adhering to the objectives of achieving economic, social and employment benefits as set out in Article 2 of Regulation (EU) No 1380/2013. Therefore and in accordance with Article 4(4) of Regulation (EU) 2016/1139, it is appropriate that fishing opportunities for western Baltic herring be set below the fishing mortality ranges, so as to take into account the decrease in the biomass for that stock in ICES subdivisions 20-24.
- (7) As regards the eastern Baltic cod stock, since 2019, ICES has been able to base its precautionary advice on a more data-rich assessment than was previously possible. ICES estimates that the biomass of eastern Baltic cod was below  $B_{lim}$  in 2019 and has decreased further since then. ICES therefore reiterated its advice for zero catches of eastern Baltic cod for 2021. However, ICES has not been in a position to determine the values of the fishing mortality ranges. Like last year, if the fishing opportunities for eastern Baltic cod were to be set at the level indicated in the scientific advice, the obligation to land all catches in mixed fisheries with by-catches of eastern Baltic cod would lead to the phenomenon of 'choke species'. In order to strike the right balance between continuing fisheries in view of the potentially severe socioeconomic implications of prohibiting any catches of eastern Baltic cod, and the need to achieve a good biological status for the stock, taking into account the difficulty of fishing all stocks in a mixed fishery at MSY at the same time, it is appropriate to establish a specific TAC for by-catches of eastern Baltic cod. The fishing opportunities are to be set in accordance with Article 5(2) of Regulation (EU) 2016/1139.
- (8) In May 2020, ICES provided updated advice on levels of cod by-catches in other fisheries. It is appropriate to set the fishing opportunities in accordance with that advice, with an exemption for fishing operations conducted for the exclusive purpose of scientific investigations and in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241 of the European Parliament and of the Council <sup>(9)</sup>. Moreover, pursuant to Article 5(2) of Regulation (EU) 2016/1139, additional remedial measures are to be adopted to ensure the rapid return of the stock to levels above the level capable of producing MSY. Scientific advice indicates that spawning closures in particular can have additional benefits for a stock that cannot be achieved by TAC alone, for example increased recruitment through undisturbed spawning. Therefore it is appropriate to maintain the existing summer spawning closure. Furthermore, scientific advice indicates that the relative importance of recreational fisheries of eastern Baltic cod depends on the TAC level. Given the very reduced TAC, the quantities caught in recreational fisheries are considered substantial and it is therefore appropriate to maintain the prohibition of recreational fishing for cod in ICES subdivisions 25 and 26 where eastern Baltic cod is most abundant.
- (9) As regards the western Baltic cod stock, ICES has revised the estimated biomass downwards and estimates that the biomass of the western Baltic cod stock has not recovered to above the spawning stock biomass reference point below which specific and appropriate management action is to be taken ( $B_{trigger}$ ). It is therefore appropriate to maintain the accompanying measures introduced for 2020 and to set the fishing opportunities in accordance with Article 5(1) of Regulation (EU) 2016/1139 while taking into account the levels of cod by-caught in other fisheries in ICES subdivision 24 advised by ICES, in order to be coherent with the approach followed in the eastern Baltic cod management area. Moreover, scientific advice indicates that the western and eastern cod stocks mix in ICES subdivision 24. In order to protect the eastern cod stock and ensure a level playing field with the eastern Baltic cod management area, the use of the TAC in ICES subdivision 24 should continue to be limited to by-catches of cod with an exemption for fishing operations conducted for the exclusive purpose of scientific investigations and in full

<sup>(9)</sup> Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241, and for small-scale coastal fishermen fishing with passive gears in areas up to six nautical miles from shore where the water depth is less than 20 metres since western cod is predominant in those shallow coastal areas. Moreover, the closure period in ICES subdivision 24 should be aligned with the closure period in ICES subdivisions 25 and 26 in order to ensure equivalent protection consistent with ICES advice.

- (10) Accordingly, and in order to ensure a level playing field with ICES subdivisions 25 and 26, recreational fishing for cod in ICES subdivision 24 should continue to be prohibited beyond six nautical miles from shore. Moreover, as the scientific advice indicates that recreational fisheries contribute significantly to the overall fishing mortality of that stock and taking into account the status of that stock and the reduction of the TAC, the daily bag limit per fisherman should be maintained. This is without prejudice to the principle of relative stability applicable to commercial fishing activities. Finally, given the fragile status of the stock and the fact that the scientific advice indicates that spawning closures in particular can have additional benefits for a stock that cannot be achieved by TAC alone, for example an increased recruitment through undisturbed spawning, the winter spawning closure should be maintained, with an exemption for certain small-scale coastal fishermen and for fishing operations conducted for the exclusive purpose of scientific investigations and in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.
- (11) ICES estimates that the biomass of central Baltic herring has fallen below the spawning stock biomass reference point below which specific and appropriate management action is to be taken ( $B_{\text{trigger}}$ ). It is therefore appropriate to set the fishing opportunities in accordance with Article 5(1) of Regulation (EU) 2016/1139.
- (12) According to ICES advice, cod is by-caught in plaice fisheries. Furthermore, sprat is caught in a mixed fishery with herring and is a prey species for cod. It is appropriate to take those inter-species considerations into account in setting the fishing opportunities for plaice and sprat.
- (13) In order to ensure full use of coastal fishing opportunities, a limited inter-area flexibility for salmon from ICES subdivisions 22-31 to ICES subdivision 32 was introduced in 2019. Given the changes in fishing opportunities for those two stocks, it is appropriate to increase that flexibility.
- (14) The introduction of a prohibition of fishing for sea trout beyond four nautical miles and of a limitation of by-catches of sea trout to 3 % of the combined catch of sea trout and salmon has contributed to a large extent to substantially reducing previously significant misreporting of catches in salmon fishery, in particular as sea trout catches. It is therefore appropriate to maintain that provision in order to reduce misreporting as much as possible.
- (15) The use of the fishing opportunities set out in this Regulation is subject to Council Regulation (EC) No 1224/2009 <sup>(4)</sup>, and in particular to Articles 33 and 34 thereof concerning the recording of catches and fishing effort, and to the transmission of data on the exhaustion of fishing opportunities to the Commission. This Regulation should therefore specify the codes relating to landings of stocks subject to this Regulation that are to be used by Member States when sending data to the Commission.
- (16) Council Regulation (EC) No 847/96 <sup>(5)</sup> introduced additional conditions for year-to-year management of TACs including, under Articles 3 and 4, flexibility provisions for precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing the TACs, the Council is to decide to which stocks Articles 3 or 4 shall not apply, in particular on the basis of the biological status of the stocks. More recently, the year-to-year flexibility mechanism was introduced by Article 15(9) of Regulation (EU) No 1380/2013 for all stocks that are subject to the landing obligation. Therefore, in order to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of living marine biological resources, hinder the achievement of the objectives of the CFP and cause the biological status of the stocks to deteriorate, it should be established that Articles 3 and 4 of Regulation (EC) No 847/96 apply to analytical TACs only where the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 is not used.

<sup>(4)</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

<sup>(5)</sup> Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

- (17) Moreover given that the biomass of the stock of eastern Baltic cod is below  $B_{lim}$  and that only by-catch and scientific fisheries are permitted in 2021, Member States have undertaken not to apply Article 15(9) of Regulation (EU) No 1380/2013 for this stock for transfers from 2020 to 2021 so that catches in 2021 will not exceed the TAC set for eastern Baltic cod.
- (18) The fishing year for Norway pout in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 is from 1 November to 31 October. Based on new scientific advice, a preliminary TAC for Norway pout should be established for those areas. The United Kingdom does not hold a quota for Norway pout. However, part of the quota is taken in UK waters. The United Kingdom has been consulted in accordance with Article 130(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community <sup>(6)</sup>. A preliminary TAC for fishing opportunities for the period 1 November 2020 to 31 December 2020 should therefore be set. That TAC will allow for the start of the fishing season. The United Kingdom will be consulted on fishing opportunities for the period 1 January 2021 to 31 October 2021. Despite the fact that the United Kingdom has no quota share in this stock, the resource is shared with the United Kingdom. Therefore consultations concerning the joint management of the stock should take place after the expiration of the transition period on 31 December 2020. The Regulation on fishing opportunities for Norway pout in the ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 should later be amended to include the outcome of those consultations, for the period 1 January 2021 to 31 October 2021, to cover the full fishing year from 1 November 2020 to 31 October 2021.
- (19) In order to avoid the interruption of fishing activities and to ensure the livelihoods of Union fishermen, this Regulation should apply from 1 January 2021. However, this Regulation should apply to Norway pout in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 from 1 November 2020 until 31 October 2021. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

## CHAPTER I

### GENERAL PROVISIONS

#### *Article 1*

#### **Subject matter**

This Regulation fixes the fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2021 and amends certain fishing opportunities in other waters fixed by Regulation (EU) 2020/123 <sup>(7)</sup>.

#### *Article 2*

#### **Scope**

1. This Regulation applies to Union fishing vessels operating in the Baltic Sea.
2. This Regulation also applies to recreational fisheries where they are expressly referred to in the relevant provisions.

<sup>(6)</sup> OJ L 29, 31.1.2020, p. 7.

<sup>(7)</sup> Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).



*Article 3***Definitions**

For the purposes of this Regulation, the definitions laid down in Article 4 of Regulation (EU) No 1380/2013 apply.

In addition, the following definitions apply:

- (1) 'subdivision' means an ICES subdivision of the Baltic Sea as defined in Annex III to Council Regulation (EC) No 218/2009 <sup>(8)</sup>;
- (2) 'total allowable catch' (TAC) means the quantity of each stock that can be caught over the period of a year;
- (3) 'quota' means a proportion of the TAC allocated to the Union, a Member State or a third country;
- (4) 'recreational fisheries' means non-commercial fishing activities exploiting marine biological resources such as for recreation, tourism or sport.

## CHAPTER II

**FISHING OPPORTUNITIES***Article 4***TACs and allocations**

The TACs, the quotas and the conditions functionally linked thereto, where appropriate, are set out in the Annex.

*Article 5***Special provisions on allocations of fishing opportunities**

The allocation of fishing opportunities among Member States, as set out in this Regulation, shall be without prejudice to:

- (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
- (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
- (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96 or under Article 15(9) of Regulation (EU) No 1380/2013;
- (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 or transferred under Article 15(9) of Regulation (EU) No 1380/2013;
- (e) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.

*Article 6***Conditions for landing of catches and by-catches**

The stocks of non-target species within the safe biological limits referred to in Article 15(8) of Regulation (EU) No 1380/2013 which qualify for the derogation from the obligation to count catches against the relevant quota are identified in the Annex to this Regulation.

*Article 7***Closures to protect cod spawning**

1. It shall be prohibited to fish with any type of fishing gear in subdivisions 25 and 26 from 1 May to 31 August.

<sup>(8)</sup> Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70).

2. An exemption from the prohibition laid down in paragraph 1 shall apply in the following cases:
  - (a) fishing operations conducted for the exclusive purpose of scientific investigations, which may be undertaken provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
  - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, drifting lines, handlines and jigging equipment or similar passive gear in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities;
  - (c) Union fishing vessels fishing in subdivision 25 where water depth is less than 50 metres for pelagic stocks for direct human consumption, using gears with a mesh size of 45 mm or less, and whose landings are sorted.
3. It shall be prohibited to fish with any type of fishing gear in subdivisions 22 and 23 from 1 February to 31 March and in subdivision 24 from 15 May to 15 August.
4. An exemption from the prohibition laid down in paragraph 3 shall apply in the following cases:
  - (a) fishing operations conducted for the exclusive purpose of scientific investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
  - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, drifting lines, handlines and jigging equipment or similar passive gear in subdivisions 22 and 23 in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities, and in subdivision 24 in areas up to six nautical miles measured from the baselines where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities;
  - (c) Union fishing vessels fishing in subdivision 24 up to six nautical miles measured from the baselines where the water depth is less than 40 metres for pelagic stocks for direct human consumption, using gears with a mesh size of 45 mm or less, and whose landings are sorted.
5. Masters of fishing vessels as referred to in paragraph 2, points (b) or (c) and paragraph 4, points (b) or (c) shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.

#### *Article 8*

##### **Measures on recreational fisheries for cod in subdivisions 22-26**

1. In recreational fisheries, no more than five specimens of cod may be retained per fisherman per day in subdivisions 22 and 23 and in subdivision 24 within six nautical miles measured from the baselines, except in the period from 1 February to 31 March 2021, when no more than two specimens of cod may be retained per fisherman per day.
2. Recreational fishing for cod shall be prohibited in subdivision 24 beyond six nautical miles measured from the baselines and in subdivisions 25 and 26.
3. This Article is without prejudice to more stringent national measures.

#### *Article 9*

##### **Measures on sea trout and salmon fishing in subdivisions 22-32**

1. It shall be prohibited for fishing vessels to fish for sea trout beyond four nautical miles measured from the baselines in subdivisions 22-32 from 1 January to 31 December 2021. When fishing for salmon in those waters, by-catches of sea trout shall not exceed 3 % of the total catch of salmon and sea trout at any moment on board or landed after each fishing trip.
2. This Article is without prejudice to more stringent national measures.

## Article 10

**Flexibility**

1. Except where specified otherwise in the Annex to this Regulation, Article 3 of Regulation (EC) No 847/96 applies to stocks subject to precautionary TACs and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to an analytical TAC.
2. Article 3(2) and (3) and Article 4 of Regulation (EC) No 847/96 does not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

## Article 11

**Data transmission**

Where, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States send data relating to quantities of stocks caught or landed to the Commission, they shall use the stock codes set out in the Annex to this Regulation.

## CHAPTER III

**FINAL PROVISIONS**

## Article 12

**Amendment to Regulation (EU) 2020/123**

In Annex IA, the Fishing opportunities table for Norway pout and associated by-catches in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 is replaced by the following:

Species:	Norway pout and associated by-catches <i>Trisopterus esmarkii</i>		Zone:	3a; Union waters of 2a and 4 (NOP/2A3A4.)
Period	1 November 2019 – 31 October 2020	1 November 2020 – 31 December 2020	Analytical TAC	
Denmark	72 433 <sup>(1)</sup> <sup>(3)</sup>	29 972 <sup>(1)</sup> <sup>(6)</sup>	Article 3 of Regulation (EC) No 847/96 shall not apply	
Germany	14 <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>	6 <sup>(1)</sup> <sup>(2)</sup> <sup>(6)</sup>	Article 4 of Regulation (EC) No 847/96 shall not apply	
The Netherlands	53 <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup>	22 <sup>(1)</sup> <sup>(2)</sup> <sup>(6)</sup>		
Union	72 500 <sup>(1)</sup> <sup>(3)</sup>	30 000 <sup>(1)</sup> <sup>(6)</sup>		
Norway	14 500 <sup>(4)</sup>	pm		
Faroe Islands	5 000 <sup>(5)</sup>	pm		
TAC	Not relevant	Not relevant		

<sup>(1)</sup> Up to 5 % of the quota may consist of by-catches of haddock and whiting (OT2/\*2A3A4). By-catches of haddock and whiting counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota.

<sup>(2)</sup> Quota may be fished in Union waters of ICES zones 2a, 3a and 4 only.

<sup>(3)</sup> Union quota may only be fished from 1 November 2019 to 31 October 2020.

<sup>(4)</sup> A sorting grid shall be used.

<sup>(5)</sup> A sorting grid shall be used. Includes a maximum of 15 % of unavoidable by-catches (NOP/\*2A3A4), to be counted against this quota.

<sup>(6)</sup> Union quota may be fished from 1 November 2020 to 31 December 2020.

*Article 13***Entry into force**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2021, except Article 12 which shall apply from 1 November 2020 until 31 October 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 October 2020.

*For the Council*  
*The President*  
M. ROTH

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## ANNEX

## TACs APPLICABLE TO UNION FISHING VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA

The following tables set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto.

The references to fishing zones are references to ICES zones, unless otherwise specified.

The fish stocks are referred to using the alphabetical order of the Latin names of the species.

For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

Scientific name	Alpha-3 code	Common name
<i>Clupea harengus</i>	HER	Herring
<i>Gadus morhua</i>	COD	Cod
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Salmo salar</i>	SAL	Atlantic salmon
<i>Sprattus sprattus</i>	SPR	Sprat

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 (HER/30/31.)
Finland	53 306		
Sweden	11 712		
Union	65 018		
TAC	65 018	Precautionary TAC	

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 22-24 (HER/3BC+24)
Denmark	221		
Germany	869		
Finland	0		
Poland	205		
Sweden	280		
Union	1 575		
TAC	1 575	Analytical TAC Article 3(2) and (3) of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.	

Species:	Herring <i>Clupea harengus</i>	Zone:	Union waters of subdivisions 25-27, 28.2, 29 and 32 (HER/3D-R30)
Denmark	2 146		
Germany	569		
Estonia	10 960		
Finland	21 393		
Latvia	2 705		
Lithuania	2 848		
Poland	24 304		
Sweden	32 626		
Union	97 551		
TAC	Not relevant	Analytical TAC Article 6 of this Regulation applies.	

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivision 28.1 (HER/03D.RG)
Estonia	18 216		
Latvia	21 230		
Union	39 446		
TAC	39 446	Analytical TAC Article 6 of this Regulation applies.	

Species:	Cod <i>Gadus morhua</i>	Zone:	Union waters of subdivisions 25-32 (COD/3DX32.)
Denmark	137 <sup>(1)</sup>		
Germany	54 <sup>(1)</sup>		
Estonia	13 <sup>(1)</sup>		
Finland	10 <sup>(1)</sup>		
Latvia	51 <sup>(1)</sup>		
Lithuania	33 <sup>(1)</sup>		
Poland	159 <sup>(1)</sup>		
Sweden	138 <sup>(1)</sup>		
Union	595 <sup>(1)</sup>		
TAC	Not relevant	Precautionary TAC Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply.	

<sup>(1)</sup> Exclusively for by-catches. No directed fisheries are permitted under this quota.

Byway of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Species:	Cod <i>Gadus morhua</i>	Zone:	Subdivisions 22-24 (COD/3BC+24)
Denmark	1 746	( <sup>1</sup> )	
Germany	854	( <sup>1</sup> )	
Estonia	39	( <sup>1</sup> )	
Finland	34	( <sup>1</sup> )	
Latvia	144	( <sup>1</sup> )	
Lithuania	94	( <sup>1</sup> )	
Poland	467	( <sup>1</sup> )	
Sweden	622	( <sup>1</sup> )	
Union	4 000	( <sup>1</sup> )	
TAC	4 000	( <sup>1</sup> )	Analytical TAC Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply.

(<sup>1</sup>) In subdivision 24 exclusively for by-catches. No directed fisheries are permitted under this quota in subdivision 24.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

By way of derogation from the first paragraph, fishing this quota in subdivision 24 is permitted for Union fishing vessels of less than 12 metres length overall fishing with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, drifting lines, handlines and jigging equipment or similar passive gear in areas up to six nautical miles measured from the baselines where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities. Masters of those fishing vessels shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	Union waters of subdivisions 22-32 (PLE/3BCD-C)
Denmark	5 187		
Germany	576		
Poland	1 086		
Sweden	391		
Union	7 240		
TAC	7 240		Analytical TAC Article 6 of this Regulation applies.

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	Union waters of subdivisions 22-31 (SAL/3BCD-F)
Denmark	19 582	( <sup>1</sup> )	
Germany	2 179	( <sup>1</sup> )	
Estonia	1 990	( <sup>1</sup> ) ( <sup>2</sup> )	
Finland	24 417	( <sup>1</sup> )	
Latvia	12 455	( <sup>1</sup> )	
Lithuania	1 464	( <sup>1</sup> )	
Poland	5 940	( <sup>1</sup> )	
Sweden	26 469	( <sup>1</sup> )	
Union	94 496	( <sup>1</sup> )	
TAC	Not relevant		Precautionary TAC Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply.

(<sup>1</sup>) Expressed by number of individual fish.

(<sup>2</sup>) Special condition: up to 25 % and no more than 500 specimens of this quota may be fished in Union waters of subdivision 32 (SAL/\*3D32).

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	Union waters of subdivision 32 (SAL/3D32.)
Estonia	911	( <sup>1</sup> )	
Finland	7 972	( <sup>1</sup> )	
Union	8 883	( <sup>1</sup> )	
TAC	Not relevant	Precautionary TAC	
( <sup>1</sup> ) Expressed by number of individual fish.			

Species:	Sprat <i>Sprattus sprattus</i>	Zone:	Union waters of subdivisions 22-32 (SPR/3BCD-C)
Denmark	21 993		
Germany	13 933		
Estonia	25 539		
Finland	11 513		
Latvia	30 845		
Lithuania	11 158		
Poland	65 460		
Sweden	42 517		
Union	222 958		
TAC	Not relevant	Analytical TAC Article 6 of this Regulation applies.	



# DECISIONS

## COUNCIL DECISION (EU) 2020/1580

of 23 October 2020

**amending Decision (EU) 2020/721 to include the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session and within the International Maritime Organization's Maritime Safety Committee during its 102nd session as regards the approval of an MSC-MEPC.5 circular on a Model agreement for the authorization of recognized organizations acting on behalf of the Administration**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Action by the Union in the sector of maritime transport should aim to protect the marine environment and human health and to improve maritime safety.
- (2) The Maritime Safety Committee of the International Maritime Organization ('IMO'), during its 102nd session to be held from 4 to 11 November 2020 ('MSC 102'), is expected to approve jointly with the Marine Environment Protection Committee of the IMO an MSC-MEPC.5 circular on a Model agreement for the authorization of recognized organizations acting on behalf of the Administration (the 'MSC-MEPC.5 circular').
- (3) The Marine Environment Protection Committee of the IMO, during its 75th session to be held from 16 to 20 November 2020 ('MEPC 75'), is expected to approve the MSC-MEPC.5 circular jointly with the Maritime Safety Committee of the IMO.
- (4) It is appropriate to establish the position to be taken on behalf of the Union during MSC 102 and MEPC 75, as the approval of the MSC-MEPC.5 circular is capable of decisively influencing the content of Union law, namely Directive 2009/15/EC of the European Parliament and of the Council <sup>(1)</sup>.
- (5) The approval of the MSC-MEPC.5 circular, which supersedes circulars MSC/Circ.710 and MEPC/Circ.307, would update the Model agreement for the authorization of recognized organizations acting on behalf of the Administration and bring it into line with the Code for Recognized Organizations (IMO resolutions MSC.349(92) and MEPC.237(65)). That approval would contribute to increasing the accuracy, transparency and accountability of both the flag administration and recognised organisations at global level.
- (6) The Union is neither a member of the IMO nor a contracting party to the relevant conventions and codes. The Council should therefore authorise the Member States to express the position of the Union.
- (7) The scope of this Decision should be limited to the content of the MSC-MEPC.5 circular proposed, to the extent that that circular falls under the exclusive competence of the Union and may affect Union common rules. This Decision should not affect the division of competences between the Union and the Member States.

<sup>(1)</sup> Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ L 131, 28.5.2009, p. 47).

- (8) Council Decision (EU) 2020/721 of 19 May 2020 <sup>(2)</sup> should be amended to include a reference to the approval of the MSC-MEPC.5 circular,

HAS ADOPTED THIS DECISION:

*Article 1*

Council Decision (EU) 2020/721 is hereby amended as follows:

- (1) the title is replaced by the following:

**'Council Decision (EU) 2020/721 of 19 May 2020 on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session and within the International Maritime Organization's Maritime Safety Committee during its 102nd session as regards the adoption of amendments to regulations 2, 14 and 18 and appendices I and VI of Annex VI to the International Convention for the Prevention of Pollution from Ships, Parts A-1, B, B-1, B-2 to B-4 of Chapter II-1 of the International Convention for the Safety of Life at Sea, Parts A-1 and B-1 of the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels and resolution A.658(16) on the use and fitting of retro-reflective materials on life-saving appliances, and the approval of an MSC-MEPC.5 circular on a Model agreement for the authorization of recognized organizations acting on behalf of the Administration';**

- (2) Article 1 is replaced by the following:

*'Article 1*

The position to be taken on behalf of the Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session shall be to support the adoption of the amendments to regulations 2, 14 and 18 and appendices I and VI of Annex VI to the International Convention for the Prevention of Pollution from Ships, as laid down in the Annex to IMO document MEPC 75/3, and the approval of the MSC-MEPC.5 circular, as laid down in Annex 8 to IMO document III 6/15. That position covers the amendments and the circular concerned to the extent that those amendments and that circular fall under the exclusive competence of the Union and may affect Union common rules.;

- (3) Article 2 is replaced by the following:

*'Article 2*

1. The position to be taken on behalf of the Union within the International Maritime Organization's Maritime Safety Committee during its 102nd session shall be to approve the MSC-MEPC.5 circular, as laid down in Annex 8 to IMO document III 6/15, and to support the adoption of the amendments to:

- (a) Parts A-1, B, B-1, B-2 to B-4 of Chapter II-1 of the International Convention for the Safety of Life at Sea, as laid down in Annex 1 to IMO document MSC 102/3;
- (b) Parts A-1 and B-1 of the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels, as laid down in Annex 2 to IMO document MSC 102/3;
- (c) resolution A.658(16) on the use and fitting of retro-reflective materials on life-saving appliances.

2. The position referred to in paragraph 1 covers the circular and the amendments concerned to the extent that that circular and those amendments fall under the exclusive competence of the Union and may affect Union common rules.;

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<sup>(2)</sup> Council Decision (EU) 2020/721 of 19 May 2020 on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session and within the International Maritime Organization's Maritime Safety Committee during its 102nd session as regards the adoption of amendments to regulations 2, 14 and 18 and appendices I and VI of Annex VI to the International Convention for the Prevention of Pollution from Ships, Parts A-1, B, B-1, B-2 to B-4 of Chapter II-1 of the International Convention for the Safety of Life at Sea, Parts A-1 and B-1 of the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels and resolution A.658(16) on the use and fitting of retro-reflective materials on life-saving appliances (OJ L 171, 2.6.2020, p. 1).

(4) Article 4 is replaced by the following:

*'Article 4*

Member States are hereby authorised to give their consent to be bound, in the interests of the Union, by the amendments and the circular referred to in Articles 1 and 2, to the extent that those amendments and that circular fall under the exclusive competence of the Union.'

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 23 October 2020.

*For the Council*  
*The President*  
S. SCHULZE

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**COUNCIL DECISION (EU) 2020/1581****of 23 October 2020**

**on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, regarding the update of Annex XIII (Approximation of customs legislation) to the Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part <sup>(1)</sup> ('the Agreement') was concluded by the Union by Council Decision (EU) 2016/838 <sup>(2)</sup> and entered into force on 1 July 2016.
- (2) Pursuant to Article 406(3) of the Agreement, the Association Council has the power to update or amend the Annexes to the Agreement.
- (3) Pursuant to Article 408(2) of the Agreement, the Association Council may delegate to the Association Committee any of its powers, including the power to take binding decisions.
- (4) Pursuant to Article 1 of the Decision No 3/2014 of the Association Council <sup>(3)</sup>, the Association Council delegated the power to update or amend the Annexes to the Agreement which relate, inter alia, to Chapter 5 (Customs and trade facilitation) of Title IV (Trade and Trade-related Matters) of the Agreement to the Association Committee in Trade configuration, to the extent that there are no specific provisions in Chapter 5 relating to the update or the amendment of those Annexes.
- (5) The Association Committee in Trade configuration, during its 7th meeting, is to adopt a decision regarding the update of Annex XIII (Approximation of customs legislation) to the Agreement.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the Association Committee in Trade configuration, as the envisaged decision will be binding on the Union,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken on the Union's behalf at the 7th meeting of the Association Committee in Trade configuration, as referred to in Article 408(4) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, regarding the update of Annex XIII (Approximation of customs legislation) to the Agreement, shall be based on the draft Decision of the Association Committee in Trade configuration <sup>(4)</sup>.

*Article 2*

After its adoption, the Decision of the Association Committee in Trade configuration referred to in Article 1 shall be published in the *Official Journal of the European Union*.

<sup>(1)</sup> OJ L 261, 30.8.2014, p. 4.

<sup>(2)</sup> Council Decision (EU) 2016/838 of 23 May 2016 on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (OJ L 141, 28.5.2016, p. 26).

<sup>(3)</sup> Decision No 3/2014 of the EU-Georgia Association Council of 17 November 2014 on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration [2015/2263] (OJ L 321, 5.12.2015, p. 72.).

<sup>(4)</sup> See document ST 11388/20 on <http://register.consilium.europa.eu>

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 23 October 2020.

*For the Council*  
*The President*  
S. SCHULZE

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**COUNCIL DECISION (EU) 2020/1582****of 23 October 2020****on the position to be taken on behalf of the European Union at the meetings of the Parties to the Agreement to prevent unregulated high seas fisheries in the Central Arctic Ocean**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement to prevent unregulated high seas fisheries in the Central Arctic Ocean ('the Agreement') was concluded by the Union by Council Decision (EU) 2019/407 <sup>(1)</sup>. The Agreement is expected to enter into force later this year.
- (2) The meeting of the Parties is responsible for the adoption of measures designed to ensure the Agreement's implementation in order to achieve the objective of preventing unregulated fishing in the high seas portion of the central Arctic Ocean through the application of precautionary conservation and management measures as part of a long-term strategy to safeguard healthy marine ecosystems and to ensure the conservation and sustainable use of fish stocks. Such measures may become binding upon the Union.
- (3) Regulation (EU) No 1380/2013 of the European Parliament and of the Council <sup>(2)</sup> provides that the Union is to ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies. It also provides that the Union is to apply the precautionary approach to fisheries management, and is to aim to ensure that exploitation of marine biological resources restores and maintains the population of harvested species above levels which can produce the maximum sustainable yield. It further provides that the Union is to take management and conservation measures based on the best available scientific advice, to support the development of scientific knowledge and advice, to gradually eliminate discards and to promote fishing methods that contribute to more selective fishing, to the avoidance and reduction, as far as possible, of unwanted catches, and to fishing with low impact on marine ecosystem and fishery resources. Furthermore, Regulation (EU) No 1380/2013 specifically provides that those objectives and principles are to be applied by the Union in the conduct of its external fisheries relations.
- (4) As stated in the Council conclusions of 19 November 2019 on Oceans and Seas, including the Arctic, the Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission 'An integrated European Union policy for the Arctic', and the Council Conclusions of 24 March 2017 on 'International ocean governance: an agenda for the future of oceans', support for the Agreement and the possible creation of a regional fisheries management organisation or arrangement in the Arctic high seas is an important objective for the Union in order to safeguard the Arctic environment and ensure sustainable development in and around the Arctic region on the basis of international cooperation.

<sup>(1)</sup> Council Decision (EU) 2019/407 of 4 March 2019 on the conclusion, on behalf of the European Union, of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (OJ L 73, 15.3.2019, p. 1).

<sup>(2)</sup> 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).

- (5) It is appropriate to establish the position to be taken on the Union's behalf at the meeting of the Parties to the Agreement for the period 2020-2024, as conservation and management measures under the Agreement will be binding on the Union and capable of decisively influencing the content of Union law, namely Council Regulations (EC) No 1005/2008 <sup>(3)</sup> and (EC) No 1224/2009 <sup>(4)</sup>, and Regulation (EU) 2017/2403 of the European Parliament and of the Council <sup>(5)</sup>.
- (6) In view of the limited knowledge on and nature of fishery resources in the Agreement Area, and the consequent need for the position of the Union to take account of new developments, including new scientific and other relevant information presented before or during the meetings of the Parties, procedures should be established, in line with the principle of sincere cooperation among the Union institutions enshrined in Article 13(2) of the Treaty on European Union, for the year-to-year specification of the Union's position for the period 2020-2024.
- (7) This Decision may be followed at a later stage by a further separate Council decision on the opening of negotiations to establish one or more additional regional or subregional fisheries management organisations or arrangements in the Arctic high seas,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The position to be taken on the Union's behalf at the meetings of the Parties to the Agreement to prevent unregulated high seas fisheries in the Central Arctic Ocean ('the Agreement') shall be in accordance with the principles and orientations on the position to be taken on the Union's behalf at meetings of the Parties to the Agreement <sup>(6)</sup>.

#### *Article 2*

Before each meeting of the Parties to the Agreement, when that body is called upon to adopt decisions having legal effects on the Union, the necessary steps shall be taken so that the position to be expressed on the Union's behalf takes account of the latest scientific and other relevant information transmitted to the Commission, in accordance with the principles and orientations referred to in Article 1.

To that effect, and based on that information, the Commission shall transmit to the Council, in sufficient time before each meeting of the Parties to the Agreement, a document setting out the particulars of the proposed specification of the Union's position for discussion and endorsement of the details of the position to be taken on the Union's behalf.

If in the course of a meeting of the Parties to the Agreement it is impossible to reach an agreement, including on the spot, the matter shall be referred to the Council or its preparatory bodies in order for the Union's position to take account of new elements.

#### *Article 3*

The Union's position referred to in Article 1 shall be assessed and, where appropriate, revised by the Council upon a proposal from the Commission, at the latest for the meeting of the Parties to the Agreement in 2025.

<sup>(3)</sup> Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

<sup>(4)</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the Common Fisheries Policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

<sup>(5)</sup> Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

<sup>(6)</sup> See doc. ST 11439/20 on <http://register.consilium.europa.eu>.

*Article 4*

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 23 October 2020.

*For the Council*  
*The President*  
S. SCHULZE

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**COUNCIL DECISION (EU) 2020/1583****of 23 October 2020**

**on the position to be adopted on behalf of the European Union within the Partnership Committee established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the replacement of the list of individuals to serve as arbitrators in dispute-settlement proceedings**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part <sup>(1)</sup> ('the Agreement') was signed on behalf of the Union in accordance with Council Decision (EU) 2018/104 <sup>(2)</sup> and has been partially applied on a provisional basis since 1 June 2018.
- (2) At its meeting of 17 October 2019, in accordance with Article 339(1) of the Agreement, the Partnership Committee established a list of 15 individuals who are willing and able to serve as arbitrators ('the list of arbitrators').
- (3) Armenia has informed the Union that one of the individuals it had proposed no longer fulfils the conditions set out in Article 339(2) of the Agreement and should therefore be replaced.
- (4) In order to ensure the operation of the provisionally applied provisions of the Agreement, the Partnership Committee is to adopt a decision to replace the list of arbitrators with an amended list.
- (5) It is appropriate to establish the position to be adopted on the Union's behalf in the Partnership Committee as the decision of the Partnership Committee to replace the list of arbitrators will be binding upon the Union,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be adopted on the Union's behalf within the Partnership Committee established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the replacement of the list of arbitrators as referred to in Article 339 of that Agreement shall be based on the corresponding draft decision of the Partnership Committee <sup>(3)</sup>.

*Article 2*

This Decision shall enter into force on the day of its adoption.

<sup>(1)</sup> OJ L 23, 26.1.2018, p. 4.

<sup>(2)</sup> Council Decision (EU) 2018/104 of 20 November 2017 on the signing, on behalf of the Union, and provisional application of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part (OJ L 23, 26.1.2018, p. 1).

<sup>(3)</sup> See document ST 11524/20 at <http://register.consilium.europa.eu>

Done at Luxembourg, 23 October 2020.

*For the Council*  
*The President*  
S. SCHULZE

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**COUNCIL DECISION (EU) 2020/1584****of 26 October 2020**

**on the position to be taken on behalf of the European Union within the Council of the International Civil Aviation Organization as regards the adoption of Amendment 46 to Annex 6, Part I, and Amendment 39 to Annex 6, Part II, to the Convention on International Civil Aviation, related to deferral of the future equipage requirement for 25-hour cockpit voice recorder to avoid unintended consequences due to the COVID-19 pandemic**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on International Civil Aviation ('the Chicago Convention') which regulates international air transport, entered into force on 4 April 1947. It established the International Civil Aviation Organization (ICAO).
- (2) The Member States are Contracting States to the Chicago Convention and members of the ICAO, while the Union has observer status in certain ICAO bodies. There are seven Member States represented in the ICAO Council.
- (3) Pursuant to Article 54 of the Chicago Convention, the ICAO Council may adopt international standards and recommended practices, and designate them as Annexes to the Chicago Convention.
- (4) Pursuant to Article 90 of the Chicago Convention, any such Annex or any amendment of an Annex shall become effective within three months after its submission to the ICAO Contracting States, or at the end of such longer period of time as the ICAO Council may prescribe, unless in the meantime a majority of ICAO Contracting States register their disapproval.
- (5) Pursuant to Article 38 of the Chicago Convention, any State which finds it impracticable to comply in all respects with any international standard or procedure as referred to in Article 37 of that Convention or to bring its own regulations or practices into full accord with any such international standard or procedures or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, is to give immediate notification to the ICAO of the differences between its own practice and that established by the international standard.
- (6) The COVID-19 pandemic has negatively impacted aircraft operators, aircraft manufacturers and sub-tier suppliers to equipment manufacturers, and has delayed the development of new systems. Aircraft operators are cancelling or deferring aircraft deliveries, resulting in the delivery of aircraft intended for 2020 to be deferred to 2021. A newly manufactured aircraft configured for a 2020 delivery which has been delayed until 2021 requires reconfiguration to the applicable provisions after 1 January 2021. Aircraft operators and aircraft manufacturers face undue financial burden if those aircraft need to be retrofitted. Therefore, the Commission is in the process of adopting a postponement of that date at Union level, by way of amendments to Regulation (EU) No 965/2012. The cockpit voice recorder ('CVR') is used in support of accident and incident investigation. A delay in implementation of CVR duration from two hours to 25 hours poses no significant safety risk, but does align the safety benefit of a longer duration cockpit voice recording with current realities facing the aviation industry. The Union is a strong supporter of the efforts by ICAO to improve aviation safety. Considering the unprecedented situation caused by the COVID-19 pandemic and the absence of a significant safety risk, the Union should, therefore, support those amendments.
- (7) It is appropriate to establish the position to be taken on the Union's behalf in the 221st session of the ICAO Council with regard to the envisaged Amendment 46 to Annex 6, Part I, and Amendment 39 to Annex 6, Part II. That position should be to support those amendments and is to be expressed by the Member States of the Union that are members of the ICAO Council, acting jointly on behalf of the Union.

- (8) The position of the Union after the adoption without substantial changes of Amendment 46 to Annex 6, Part I, and Amendment 39 to Annex 6, Part II, by the ICAO Council, to be announced by the ICAO Secretary-General via an ICAO State Letter procedure, should be not to register disapproval and to notify compliance with those amendments and is to be expressed by all the Member States of the Union,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The position to be taken on the Union's behalf in the 221<sup>st</sup> session of the Council of the International Civil Aviation Organization (ICAO) shall be to support the proposed Amendment 46 to Annex 6, Part I, and Amendment 39 to Annex 6, Part II, to the Convention on International Civil Aviation in their entirety.
2. The position to be taken on the Union's behalf, provided that the ICAO Council adopts without substantial changes the proposed amendments, referred to in paragraph 1, shall be not to register disapproval and to notify compliance with the adopted amendments in reply to the respective ICAO State Letters.

*Article 2*

1. The position referred to in Article 1(1) shall be expressed by the Member States of the Union that are members of the ICAO Council, acting jointly.
2. The position referred to in Article 1(2) shall be expressed by all the Member States of the Union.

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 26 October 2020.

*For the Council*  
*The President*  
M. ROTH

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**COUNCIL DECISION (CFSP) 2020/1585**  
**of 29 October 2020**  
**amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in**  
**Burundi**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 1 October 2015, the Council adopted Decision (CFSP) 2015/1763 <sup>(1)</sup> concerning restrictive measures in view of the situation in Burundi.
- (2) On the basis of a review of Decision (CFSP) 2015/1763, the restrictive measures should be renewed until 31 October 2021 and the information concerning two natural persons should be amended.
- (3) Decision (CFSP) 2015/1763 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision (CFSP) 2015/1763 is amended as follows:

- (1) the second paragraph of Article 6 is replaced by the following:  
‘This Decision shall apply until 31 October 2021.’;
- (2) the Annex is amended as set out in the Annex to this Decision.

*Article 2*

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 29 October 2020.

*For the Council*  
*The President*  
M. ROTH

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<sup>(1)</sup> Council Decision (CFSP) 2015/1763 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi (OJ L 257, 2.10.2015, p. 37).

## ANNEX

In the Annex to Decision (CFSP) 2015/1763, entries 1 and 2 under the heading ‘List of natural and legal persons, entities and bodies referred to in Articles 1 and 2’ are replaced by the following:

	Name	Identifying information	Grounds for designation
1.	Godefroid BIZIMANA	Gender: Male DOB: 23.4.1968 POB: Nyagaseke, Mabayi, Cibitoke Burundian nationality. Passport number: DP0001520	“Chargé de missions de la Présidence” and former Deputy Director-General of the National Police. On 31 December 2019, Mr Bizimana was promoted to the rank of Chief Police Commissioner. Responsible for undermining democracy by making operational decisions that have led to a disproportionate use of force and acts of violent repression towards peaceful demonstrations that started on 26 April 2015 following the announcement of the presidential candidacy of President Nkurunziza.
2.	Gervais NDIRAKOBUCA alias NDAKUGARIKA	Gender: Male DOB: 1.8.1970 Burundian nationality. Passport number: DP0000761	Minister of the Interior, Community Development and Public Security as of June 2020. Former head of Cabinet of the Presidential Administration (Présidence) responsible for matters relating to the National Police between May 2013 and November 2019, and former Director-General of the National Intelligence Service between November 2019 and June 2020. Responsible for obstructing the search for a political solution in Burundi by issuing instructions that led to a disproportionate use of force, acts of violence, acts of repression and violations of international human rights law against protestors demonstrating from 26 April 2015 onwards, following the announcement of the presidential candidacy of President Nkurunziza, including on 26, 27 and 28 April 2015 in the Nyakabiga and Musaga districts of Bujumbura.’

**COUNCIL DECISION (CFSP) 2020/1586**  
**of 29 October 2020**  
**amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the**  
**Transnistrian region of the Republic of Moldova**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 27 September 2010, the Council adopted Decision 2010/573/CFSP <sup>(1)</sup> concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova.
- (2) On the basis of a review of Decision 2010/573/CFSP, the restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova should be extended until 31 October 2021. The Council will carry out a review of the situation with regard to the restrictive measures after six months.
- (3) Decision 2010/573/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 4(2) of Decision 2010/573/CFSP is hereby replaced by the following:

‘2. This Decision shall apply until 31 October 2021. It shall be kept under constant review. It shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’.

*Article 2*

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 29 October 2020.

*For the Council*  
*The President*  
M. ROTH

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<sup>(1)</sup> Council Decision 2010/573/CFSP of 27 September 2010 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova (OJ L 253, 28.9.2010, p. 54).

**COUNCIL DECISION (EU) 2020/1587****of 29 October 2020****on the financial contributions to be paid by Member States to finance the European Development Fund, including the third instalment for 2020**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies <sup>(1)</sup>, and in particular Article 7 thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323 <sup>(2)</sup>, and in particular Article 19(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Articles 19 to 22 of Regulation (EU) 2018/1877 ('the 11th EDF Financial Regulation'), the Commission is to present a proposal by 10 October 2020 specifying (a) the amount of the third instalment of the contribution for 2020, and (b) a revised annual amount of the contribution for 2020, in cases where the amount deviates from actual needs.
- (2) In accordance with Article 46 of the 11th EDF Financial Regulation, the European Investment Bank (EIB) sent to the Commission its updated estimates of commitments and payments under the instruments it manages.
- (3) Article 20(1) of the 11th EDF Financial Regulation provides that calls for contributions first use up the amounts provided for in previous European Development Funds (EDFs). Therefore, a call for funds under the 10th European Development Fund (the '10th EDF') for the EIB and under the 11th European Development Fund (the '11th EDF') for the Commission should be made.
- (4) The Council has adopted, based on a proposal from the Commission, Decision (EU) 2019/1800 <sup>(3)</sup>, which sets the annual amount of the Member States' EDF contributions for 2020 at EUR 4 400 000 000 for the Commission, and at EUR 300 000 000 for the EIB.
- (5) Articles 152 and 153 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community <sup>(4)</sup> stipulate that the United Kingdom shall remain party to the EDF until the closure of the 11th EDF and all previous unclosed EDFs. However, the United Kingdom's share in decommitted funds from projects under the 10th EDF or previous EDFs shall not be reused,

HAS ADOPTED THIS DECISION:

*Article 1*

The individual EDF contributions to be paid by the Member States to the Commission and the EIB as the third instalment for 2020 are set out in the table in the Annex to this Decision.

<sup>(1)</sup> OJ L 210, 6.8.2013, p. 1.

<sup>(2)</sup> OJ L 307, 3.12.2018, p. 1.

<sup>(3)</sup> Council Decision (EU) 2019/1800 of 24 October 2019 on the financial contributions to be paid by Member States to finance the European Development Fund, including the ceiling for 2021, the annual amount for 2020, the first instalment for 2020 and an indicative and non-binding forecast for the expected annual amounts of contributions for the years 2022 and 2023 (OJ L 274, 28.10.2019, p. 9).

<sup>(4)</sup> OJ C 384 I, 12.11.2019, p. 1.



*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 29 October 2020.

*For the Council*

*The President*

M. ROTH

  

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## ANNEX

MEMBER STATES & UK	Key 10th EDF %	Key 11th EDF %	Third instalment 2020 (EUR)		Total
			Commission	EIB	
			11th EDF	10th EDF	
BELGIUM	3,53	3,24927	32 492 700,00	3 530 000,00	36 022 700,00
BULGARIA	0,14	0,21853	2 185 300,00	140 000,00	2 325 300,00
CZECHIA	0,51	0,79745	7 974 500,00	510 000,00	8 484 500,00
DENMARK	2,00	1,98045	19 804 500,00	2 000 000,00	21 804 500,00
GERMANY	20,50	20,57980	205 798 000,00	20 500 000,00	226 298 000,00
ESTONIA	0,05	0,08635	863 500,00	50 000,00	913 500,00
IRELAND	0,91	0,94006	9 400 600,00	910 000,00	10 310 600,00
GREECE	1,47	1,50735	15 073 500,00	1 470 000,00	16 543 500,00
SPAIN	7,85	7,93248	79 324 800,00	7 850 000,00	87 174 800,00
FRANCE	19,55	17,81269	178 126 900,00	19 550 000,00	197 676 900,00
CROATIA	0,00	0,22518	2 251 800,00	0,00	2 251 800,00
ITALY	12,86	12,53009	125 300 900,00	12 860 000,00	138 160 900,00
CYPRUS	0,09	0,11162	1 116 200,00	90 000,00	1 206 200,00
LATVIA	0,07	0,11612	1 161 200,00	70 000,00	1 231 200,00
LITHUANIA	0,12	0,18077	1 807 700,00	120 000,00	1 927 700,00
LUXEMBOURG	0,27	0,25509	2 550 900,00	270 000,00	2 820 900,00
HUNGARY	0,55	0,61456	6 145 600,00	550 000,00	6 695 600,00
MALTA	0,03	0,03801	380 100,00	30 000,00	410 100,00
NETHERLANDS	4,85	4,77678	47 767 800,00	4 850 000,00	52 617 800,00
AUSTRIA	2,41	2,39757	23 975 700,00	2 410 000,00	26 385 700,00
POLAND	1,30	2,00734	20 073 400,00	1 300 000,00	21 373 400,00
PORTUGAL	1,15	1,19679	11 967 900,00	1 150 000,00	13 117 900,00
ROMANIA	0,37	0,71815	7 181 500,00	370 000,00	7 551 500,00
SLOVENIA	0,18	0,22452	2 245 200,00	180 000,00	2 425 200,00
SLOVAKIA	0,21	0,37616	3 761 600,00	210 000,00	3 971 600,00
FINLAND	1,47	1,50909	15 090 900,00	1 470 000,00	16 560 900,00
SWEDEN	2,74	2,93911	29 391 100,00	2 740 000,00	32 131 100,00
UNITED KINGDOM	14,82	14,67862	146 786 200,00	14 820 000,00	161 606 200,00
TOTAL EU-27 & UK	100,00	100,00	1 000 000 000,00	100 000 000,00	1 100 000 000,00



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