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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Notice concerning the entry into force of the Voluntary Partnership Agreement between the European Union and the Socialist Republic of Viet Nam on forest law enforcement, governance and trade

The Voluntary Partnership Agreement between the European Union and the Socialist Republic of Viet Nam on forest law enforcement, governance and trade ⁽¹⁾, signed in Brussels on 19 October 2018, has pursuant to its Article 25(1), entered into force on 1 June 2019.

⁽¹⁾ OJ L 147, 5.6.2019, p. 3

DECISIONS

COUNCIL DECISION (EU) 2019/1563

of 16 September 2019

on the position to be taken on behalf of the European Union within the Western Central Atlantic Fishery Commission (WECAFC)

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 Union is a member of the Western Central Atlantic Fishery Commission (WECAFC), a regional fishery commission of the Food and Agriculture Organization of the United Nations (FAO), established under Article VI (1) of the FAO Constitution.
- (2) The Union is a member of the FAO.
- (3) The WECAFC aims to promote the effective conservation, management and development of the living marine resources in its area of competence. Pursuant to point (h) of Article 6 of its revised statutes, the WECAFC provides advice on management measures (recommendations and resolutions). Because of its advisory status, the WECAFC's recommendations and resolutions are not binding on its members.
- (4) As stated in the Joint communication by the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission 'International ocean governance: an agenda for the future of our oceans', and the Council conclusions on that Joint communication, the promotion of measures to support and enhance the effectiveness of the Regional fisheries management organisations (RFMOs) and, where relevant, improve their governance and strengthen cooperation in key ocean areas in order to fill regional governance gaps, is central to the Union's action in those fora.
- (5) The Communication from the Commission to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions 'A European strategy for plastics in a circular economy', refers to specific measures to reduce plastics and marine pollution as well as the loss or abandonment at sea of fishing gear.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the WECAFC for the period 2019-2023, as the WECAFC is called upon to adopt non-binding acts that are capable of decisively influencing the content of Union law. Most Council Decisions establishing the Union's position within RFMOs to which the Union is a member are due for revision before the 2024 annual meetings of those RFMOs. Therefore, to improve coherence among the Union's positions in all RFMOs and Regional Fishery Bodies (RFBs) and to streamline the revision process, this Decision should be revised before the session of the WECAFC in 2024.
- (7) In view of the evolving nature of fishery resources in the WECAFC 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 sessions of the WECAFC, 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 2019-2023,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the sessions of the Western Central Atlantic Fishery Commission (WECAFC) is set out in Annex I.

Article 2

The year-to-year specification of the Union's position to be taken in the sessions of the WECAFC shall be conducted in accordance with Annex II.

Article 3

The Union's position set out in Annex I shall be assessed and, where appropriate, revised by the Council upon a proposal from the Commission, before the session of the WECAFC in 2024.

Article 4

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

Done at Brussels, 16 September 2019.

For the Council

The President

T. TUPPURAINEN

ANNEX I

The position to be taken on the Union's behalf in the Western Central Atlantic Fishery Commission (WECAFC)**1. PRINCIPLES**

In the framework of the WECAFC, the Union shall:

- a) act in accordance with the objectives and principles pursued by the Union within the common fisheries policy (CFP), notably through the precautionary approach and the aims related to the maximum sustainable yield as laid down in Article 2(2) of Regulation (EU) No 1380/2013, to promote the implementation of an ecosystem-based approach to fisheries management, to avoid and reduce, as far as possible, unwanted catches, and gradually eliminate discards, and to minimise the impact of fishing activities on marine ecosystems and their habitats, as well as, through the promotion of economically viable and competitive Union fisheries, to provide a fair standard of living for those who depend on fishing activities and take account of the interests of consumers;
- b) work towards an appropriate involvement of stakeholders in the preparation phase for WECAFC resolutions and recommendations adopted within the WECAFC in accordance with its Revised Statutes;
- c) ensure that resolutions and recommendations adopted within the WECAFC are consistent with international law, and in particular with the provisions of the 1982 UN Convention on the Law of the Sea, the 1995 UN Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the 1993 Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, the 1995 Code of conduct for responsible fisheries and the 2009 Food and Agriculture Organization Port State Measures Agreement;
- d) promote positions consistent with the best practices of regional fisheries management organisations (RFMOs) and regional fisheries bodies (RFBs) in the same area, and ensure the promotion of coordination between RFMOs and relevant organisations such as subregional fisheries organisations and regional sea conventions (RSCs), and cooperation with global organisations, as applicable, within their mandates, where appropriate, including cooperation mechanisms amongst non-tuna RFMOs similar to the so-called Kobe process for tuna RFMOs;
- e) seek consistency and synergy with the policy that the Union is pursuing as part of its bilateral fisheries relations with third countries, and ensure coherence with its other policies, notably in the field of external relations, employment, environment, trade, development, research and innovation;
- f) ensure that the Union's international commitments are respected;
- g) act in line with the Council Conclusions of 19 March 2012 on the Commission Communication on the external dimension of the CFP ⁽¹⁾;
- h) aim to create a level playing field for the Union fleet within the area under the competence of WECAFC, based on the same principles and standards as those applicable under Union law, and to promote the uniform implementation of those principles and standards;
- i) act in line with the Council conclusions ⁽²⁾ on Joint Communication by the High Representative of the Union for Foreign Affairs and Security Policy and the Commission on *International ocean governance: an agenda for the future of oceans* ⁽³⁾, and promote measures to support and enhance the effectiveness of the WECAFC and, where relevant, improve its governance and performance, notably by supporting the reform of the WECAFC to become a fully fledged RFMO, as a contribution to the sustainable management of oceans in all its dimensions.

2. ORIENTATIONS

The Union shall, where appropriate, endeavour to support the adoption of the following actions by the WECAFC:

- a) resolutions and recommendations for the conservation and management of living marine resources in the area under the competence of the WECAFC based on the best scientific advice available;

⁽¹⁾ 7087/12 REV 1 ADD 1 COR 1.

⁽²⁾ 7348/1/17 REV 1 of 24.3.2017.

⁽³⁾ JOIN(2016) 49 final of 10.11.2016.

- b) resolutions and recommendations on monitoring, control and surveillance activities in the area under the competence of the WECAFC, including to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing activities;
- c) resolutions and recommendations to minimise the negative impact of fishing activities and aquaculture on marine biodiversity and marine ecosystems and their habitats, including measures to reduce marine pollution and prevent the discharge of plastics at sea and reduce the impact on marine biodiversity and ecosystems of plastics present at sea, protective measures for vulnerable marine ecosystems in the area under the competence of the WECAFC in line with the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas and measures to avoid and reduce as far as possible unwanted catches, including in particular vulnerable marine species, and to gradually eliminate discards;
- d) resolutions and recommendations to reduce the impact of Abandoned, Lost or Otherwise Discarded Fishing Gear (ALDFG) in the ocean and to facilitate the identification and recovery of such gear;
- e) resolutions and recommendations aimed at the prohibition of fisheries conducted solely for the purpose of harvesting shark fins and requiring that all sharks are landed with all fins naturally attached;
- f) common approaches with other RFBs and RFMOs, where appropriate, in particular those involved in fisheries management in the same area;
- g) recommendations, where appropriate and to the extent permitted under the relevant constituent documents, encouraging the implementation of the Work in Fishing Convention of the International Labour Organisation (ILO);
- h) additional technical resolutions and recommendations based on advice from the subsidiary bodies and working groups of the WECAFC.

ANNEX II

Year to year specification of the Union's position to be taken in sessions of the Western Central Atlantic Fishery Commission

Before each session of the WECAFC, when that body is called upon to adopt decisions capable of decisively influencing the content of the legislation adopted by the Union legislature, 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 set out in Annex I.

To this effect, and based on that information, the Commission shall transmit to the Council, in sufficient time before each session of the WECAFC, a written 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 expressed on the Union's behalf.

If in the course of a WECAFC session 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.

COMMISSION DECISION (EU) 2019/1564**of 4 September 2019****on the proposed citizens' initiative entitled 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline'***(notified under document C(2019) 6387)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject matter of the proposed citizens' initiative entitled 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline' refers to the following: 'Mandate a firm 10 year post accession deadline for an automatic moratorium on payments of structural and cohesion funds to a newly acceded country, until the monitoring mechanism is lifted from their judiciary.'
- (2) The objectives of the proposed citizens' initiative refer to the following: 'The current EU legal code allows undue interpretation. Under certain conditions, the corruption among political elites in newly acceded countries may turn out to be beneficial to other countries in the Union, and the relative notion "temporary" to be stretched out indefinitely. Setting a strict timeframe avoids direct and indirect motivation for corruption in EU member states. One such example is the inefficiency of the existing monitoring mechanism in the case of Bulgaria and Romania.'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) A legal act of the Union for the purpose of implementing the Treaties can be adopted on the financial rules which determine in particular the procedure for implementing the budget of the Union and for presenting and auditing accounts, in accordance with Article 322(1)(a) of the Treaty on the Functioning of the European Union (TFEU).
- (6) For these reasons, the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 4(2)(b) of the Regulation.
- (7) Furthermore, the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2) of the Regulation and the proposed citizens' initiative is neither manifestly abusive, frivolous or vexatious nor manifestly contrary to the values of the Union as set out in Article 2 TEU.
- (8) The proposed citizens' initiative entitled 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline' should therefore be registered,

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The proposed citizens' initiative entitled 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline' is hereby registered.

Article 2

This Decision shall enter into force on 12 September 2019.

Article 3

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative entitled 'Stop corruption in Europe at its root, by cutting off funds to countries with inefficient judiciary after deadline', represented by Ms Veneta Konstantinova MAGISTRELLI and Ms Dobrinka Ruseva MOSKOVA acting as contact persons.

Done at Brussels, 4 September 2019.

For the Commission
Frans TIMMERMANS
First Vice-President

COMMISSION DECISION (EU) 2019/1565
of 4 September 2019
on the proposed citizens' initiative entitled 'Actions on Climate Emergency'
(notified under document C(2019) 6388)
(Only the English text is authentic)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject matter of the proposed citizens' initiative entitled 'Actions on Climate Emergency' refers to the following: 'We call on the European Commission to strengthen action on the climate emergency in line with the 1,5° warming limit. This means more ambitious climate goals and financial support for climate action.'
- (2) The objectives of the proposed citizens' initiative refer to the following: 'The EU shall adjust its goals (NDC) under the Paris Agreement to an 80 % reduction of greenhouse gas emissions by 2030, to reach net-0 by 2035 and adjust European climate legislation accordingly. An EU Border Carbon Adjustment shall be implemented. No free trade treaty shall be signed with partner countries that do not follow a 1,5° compatible pathway according to Climate Action Tracker. The EU shall create free educational materials' for all member curricula about the effects of climate change.'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) The Commission has the power to present proposals for legal acts of the Union for the purpose of implementing the Treaties on the following matters:
 - for action to be taken to achieve the objectives of preserving, protecting and improving the quality of the environment and of promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change, on the basis of Article 192(1) and (2), read in conjunction with Article 191(1), first and fourth indents of the Treaty on the Functioning of the European Union (TFEU);
 - for implementation of the common commercial policy, on the basis of Article 207 TFEU.
- (6) For these reasons, the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 4(2)(b) of the Regulation.
- (7) Furthermore, the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2) of the Regulation and the proposed citizens' initiative is neither manifestly abusive, frivolous or vexatious nor manifestly contrary to the values of the Union as set out in Article 2 TEU.
- (8) The proposed citizens' initiative entitled 'Actions on Climate Emergency' should therefore be registered,

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The proposed citizens' initiative entitled 'Actions on Climate Emergency' is hereby registered.

Article 2

This Decision shall enter into force on 23 September 2019.

Article 3

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative entitled 'Actions on Climate Emergency', represented by Mr Thomas EITZENBERGER and Ms Astrid Cecilie BUDOLFSEN acting as contact persons.

Done at Brussels, 4 September 2019.

For the Commission
Frans TIMMERMANS
First Vice-President

COMMISSION DECISION (EU) 2019/1566**of 4 September 2019****on the proposed citizens' initiative entitled 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment'***(notified under document C(2019) 6389)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject matter of the proposed citizens' initiative entitled 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment' refers to the following: 'To protect bees and people's health, we call on the Commission to propose legal acts to phase out synthetic pesticides by 2035, to restore biodiversity, and to support farmers in the transition'.
- (2) The objectives of the proposed citizens' initiative refer to the following: 'Phase out synthetic pesticides in EU agriculture by 80 % by 2030, starting with the most hazardous, to become free of synthetic by 2035; restore natural ecosystems in agricultural areas so that farming becomes a vector of biodiversity recovery; reform agriculture by prioritising small scale, diverse and sustainable farming, supporting a rapid increase in agro-ecological and organic practice, and enabling independent farmer-based training and research into pesticide- and GMO-free farming.'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) Legal acts of the Union for the purpose of implementing the Treaties can be adopted:
 - for the establishment of the common organisation of agricultural markets and the other provisions necessary for the pursuit of the objectives of the common agricultural policy, on the basis of Article 43(2) of the Treaty on the Functioning of the European Union (TFEU);
 - for approximation of the provisions laid down by law, regulation or administrative action in Member States which have as their object the establishment and functioning of the internal market, on the basis of Article 114 TFEU;
 - for measures in the veterinary and phytosanitary fields which have as their direct objective the protection of public health, on the basis of Article 168(4)(b) TFEU.
- (6) For these reasons, the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 4(2)(b) of the Regulation.
- (7) Furthermore, the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2) of the Regulation and the proposed citizens' initiative is neither manifestly abusive, frivolous or vexatious nor manifestly contrary to the values of the Union as set out in Article 2 TEU.

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

- (8) The proposed citizens' initiative entitled 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment' should therefore be registered,

HAS ADOPTED THIS DECISION:

Article 1

The proposed citizens' initiative entitled 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment' is hereby registered.

Article 2

This Decision shall enter into force on 30 September 2019.

Article 3

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative entitled 'Save bees and farmers! Towards a bee-friendly agriculture for a healthy environment', represented by Mr Karl BÄR and Mr Helmut BURTSCHER-SCHADEN acting as contact persons.

Done at Brussels, 4 September 2019.

For the Commission
Frans TIMMERMANS
First Vice-President

COMMISSION DECISION (EU) 2019/1567**of 4 September 2019****on the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law'***(notified under document C(2019) 6390)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject matter of the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law' refers to the following: 'Regulating commercial transactions with Occupant's entities based or operating in occupied territories by withholding products originating from there from entering the EU market.'
- (2) The objectives of the proposed citizens' initiative refer to the following: 'The Commission, as Guardian of the Treaties, has to ensure consistency of Union's policy and compliance with fundamental rights and international law in all areas of EU law, including CCP. It must propose legal acts to prevent EU legal entities from both importing products originating in illegal settlements in occupied territories and exporting to such territories, in order to preserve the integrity of the internal market and to not aid or assist the maintenance of such unlawful situations'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) A legal act covering the subject matter of the proposed citizens' initiative could only be adopted on the basis of Article 215 TFEU.
- (6) However, a prerequisite for a legal act to be adopted on the basis of Article 215 TFEU is a decision adopted in accordance with Chapter 2 of Title V of the Treaty on European Union which provides for the interruption or reduction, in part or completely, of economic and financial relations with the third country concerned. The Commission does not have the power to submit proposals for such a decision. In the absence of a corresponding decision adopted in accordance with Chapter 2 of Title V of the Treaty on European Union, the Commission does not have the power to submit a proposal for a legal act to be adopted on the basis of Article 215 TFEU.
- (7) For these reasons, the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law' manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties within the meaning of Article 4(2)(b) of the Regulation, read in conjunction with Article 2, point 1, thereof,

HAS ADOPTED THIS DECISION:

Article 1

Registration of the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law' is hereby refused.

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

Article 2

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative called 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law', represented by *[Personal data deleted following the consultation of the organisers]* acting as contact persons.

Done at Brussels, 4 September 2019.

For the Commission
Frans TIMMERMANS
First Vice-President

