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5 November 2015

TO:  
**President**  
**Vice President**  
**Heads of Delegation**  
**All Contracting Parties**

**Reference: HOD 15/84**

**Re: Postal Vote on Bottom Fishing Activities (EU Proposal 3) - HOD 15/77**

The Russian Federation has requested we circulate their postal vote letter to all contracting parties. Please find the letter attached, which I am sure you will find self-explanatory.

Yours sincerely

A handwritten signature in black ink that reads 'Stefán Ásmundsson'. The signature is written in a cursive, slightly slanted style.

Stefán Ásmundsson  
**Secretary**

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« 5 » November 2015 г. № 6565-BC/403

To: Mr. Stefán Ásmundsson  
Secretary,  
North-East Atlantic Fisheries Commission

[info@neafc.org](mailto:info@neafc.org)

### POSTAL VOTE ON BOTTOM FISHING ACTIVITIES (EU PROPOSAL 3)

Dear Mr. Asmundsson,

Reference is made to your letter HOD 15/77 of 7 October 2015 concerning the postal vote on bottom fishing activities (EU – Proposal 3).

As stated in the NEAFC Secretariat letter HOD 15/52 of 8 July 2015, this proposal is submitted in line with Articles 6 and 7 of Recommendation 19:2014 and is related to exploratory bottom pot fishing to target *Chionoectes opilio* (Snow crab) in the NEAFC Regulatory Area (international waters of the Barents Sea).

According to paragraph 3 of Article 1 of Recommendation 19:2014 it “*shall be without prejudice to any sovereign rights of coastal States over the continental shelf in accordance with the UN Convention on the Law of the Sea for the purpose of exploring and exploiting its natural resources, including living organisms belonging to sedentary species*”.

As indicated in Article 77 of the United Nations Convention on the Law of the Sea of 10 December 1982, the coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources, to which living organisms belonging to sedentary species also refer.

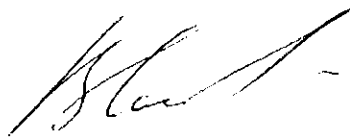
These are the exclusive rights of the coastal States to harvest sedentary species on the continental shelf of the Barents Sea.

Pursuant to paragraph 2 of Article 77 of the UNCLOS, the Russian Federation proceeds from the fact that harvesting of sedentary species in the NEAFC Regulatory Area in the Barents Sea can not be carried out without the express consent of the coastal State.

In view of the above, the Russian Federation votes against the EU Proposal, put forth in the NEAFC Secretariat letter HOD 15/77 of 7 October 2015 and finds it impossible for the EU to carry out exploratory bottom pot fishing to target *Chionoectes opilio* (Snow crab) in the NEAFC Regulatory Area in the Barents Sea.

Kindly circulate this letter to the NEAFC Contacting Parties.

With best regards,



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Vasily I. Sokolov,  
Deputy Head of the Federal Agency for Fisheries