



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/B2/SH/Ares(2024)

Dear Mr Lopéz,

Thank you for your letter of 5 November, in which you ask some clarifications on behalf of LDAC with regard to the code of conduct for members of the EU delegation.

First of all, let me stress that the code of conduct does not contain any new obligations. It formalises and reiterates the behaviour that has always been expected from members of the EU delegation. You will appreciate that actions and behaviour of any member of the EU delegation can (and usually do) reflect on the EU as a contracting party in international negotiations.

With regard to your specific questions:

- On the meaning of “loyal to the EU position” (article 2): members of the EU delegation should be loyal to the EU position, and take no actions that could serve to undermine or damage that position. The EU position will be expressed on the floor, and follows the instructions from the Head of Delegation and/or from the specific stakeholder meeting that is usually organised on the spot by the Head of Delegation.
- On the interactions with other participants outside of the EU delegation (article 4, paragraph 2): this provision is about the duty not to disclose to participants outside of the EU delegation information on elements under negotiation that could potentially damage EU interests. It does not mean that no informal talks can be held with people outside the EU delegation, but it does mean that during such informal talks, no diverging position from the EU’s position should be taken, unless specifically instructed otherwise by the Head of Delegation.

You will appreciate that managing a large multilateral international negotiation is already challenging enough, even without the possibility of parallel informal and unofficial ‘mini negotiations’ that can shape the positions of third countries and could be detrimental to the EU’s interest.

Mr. Ivan López  
Chairman Long Distance Advisory Council  
ivan.lopez@pesqueraancora.com  
C/Núñez de Balboa nº 49, 3º izquierda  
ES-28001 MADRID SPAIN

- On your question regarding the potential revocation of status of member of the EU delegation: this is of course a last resort. However, it is and has always been the prerogative of the European Commission, represented by the Head of Delegation in specific meetings, to determine the EU delegation.
- As regards the scope of application, it is clear that the code of conduct applies to members of the EU delegation. Participants not formally part of the EU delegation can, strictly speaking, not be bound by the code of conduct as such. However, while not treated in the same way as members of the EU delegation, we would nonetheless expect a good degree of loyal cooperation from observers, if those are EU-based organisations.

Yours sincerely,

Charlina VITCHEVA