EC/Comoros Fisheries Partnership Agreement: denunciation

2017/0241(NLE) - 05/12/2017 - Legislative proposal

PURPOSE: to denounce the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Fisheries Partnership Agreement (FPA) between the European Community and the Union of the Comoros, which entered into force on 6 March 2008, shall apply for seven years from the date of its entry into force and is renewable for additional periods of seven years, unless notice of termination is given by either Party.

One of the objectives of the EU-Comoros FPA is to ensure that the measures for the conservation and management of fish stocks are effective, and that **illegal, undeclared or unregulated** ('IUU') fishing is prevented. It may be terminated by either Party in the event of serious circumstances such as the failure to comply with undertakings made with regard to combating IUU fishing.

Pursuant to Council Regulation (EC) No 1005/2008 (the IUU Regulation), the Commission is to identify third countries that it considers as non-cooperating countries in fighting IUU fishing. In accordance with the IUU Regulation, the Comoros was notified on 1 October 2015 by Commission Decision of the possibility of being identified as a non-cooperating third country in fighting illegal, unreported and unregulated fishing.

By that decision, the Commission opened a dialogue process with the Union of the Comoros. The Union of the Comoros failed to take the necessary remedial action within reasonable time.

In view of the Union of the Comoros' persistent **failures to discharge its duties** under international law as a flag, port, coastal or market State and to take action to prevent, deter and eliminate IUU fishing, the Union of the Comoros has been identified as a **non-cooperating third country** in fighting IUU fishing.

Even after that identification, the Union of the Comoros still failed to take the necessary remedial action.

By an implementing decision, Comoros was added to the list of non-cooperating third countries.

Under the IUU Regulation, the Commission is to propose the denunciation of any standing bilateral fisheries agreement or fisheries partnership agreement with a non-cooperating third country, where that agreement provides for termination where that country failed to comply with undertakings with regard to combating IUU fishing.

It is therefore appropriate to denounce the EU-Comoros FPA.

CONTENT: with this proposed Decision, the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros, which entered into force on 6 March 2008, shall be denounced.

The Commission, on behalf of the European Union, should notify the Union of the Comoros of the denunciation.

The denunciation should take effect six months after that notification.

However, if the Union of the Comoros is withdrawn from the list of non-cooperating third countries before the denunciation takes effect, the denunciation should be withdrawn and the Commission should immediately notify this withdrawal to the Union of the Comoros.