Basic information

2010/0287(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol See also 2006/0032(CNS) **Subject** 3.15.15.03 Fisheries agreements with Indian Ocean countries **Geographical area** Comoros	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	CAPOULAS SANTOS Luis Manuel (S&D)	10/11/2010

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	JOLY Eva (Verts/ALE)	26/10/2010
BUDG Budgets	ALFONSI François (Verts /ALE)	18/11/2010

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3086	2011-05-13

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
15/10/2010	Preparatory document	COM(2010)0565	Summary

15/11/2010	Legislative proposal published	15572/2010	Summary
20/01/2011	Committee referral announced in Parliament		
15/03/2011	Vote in committee		Summary
22/03/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0056/2011	
05/04/2011	Debate in Parliament		
06/04/2011	Decision by Parliament	T7-0130/2011	Summary
06/04/2011	Results of vote in Parliament		
13/05/2011	Act adopted by Council after consultation of Parliament		
13/05/2011	End of procedure in Parliament		
21/05/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0287(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2006/0032(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 043 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/04303

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE454.706	16/12/2010	
Committee opinion	DEVE	PE454.646	03/03/2011	
Committee opinion	BUDG	PE456.905	03/03/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0056/2011	22/03/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0130/2011	06/04/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	15571/2010	15/11/2010	Summary

Legislative proposal	15572/2010	15/11/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2010)0565	15/10/2010	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2011/0294
OJ L 134 21.05.2011, p. 0001 Summary

EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0287(NLE) - 13/05/2011 - Final act

PURPOSE: the conclusion of a new Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Union of the Comoros.

NON-LEGISLATIVE ACT: Council Decision 2011/294/EU on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros.

BACKGROUND: the European Union has negotiated with the Comoros a new fishing Protocol providing EU vessels with fishing opportunities in the waters over which the Comoros has sovereignty or jurisdiction in respect of fisheries. Following these negotiations, the new Protocol was initialled on 21 May 2010 and amended by an exchange of letters on 16 September 2010.

In accordance with Council Decision 2010/783/EU, this new Protocol was signed on 31 December 2010 on behalf of the European Union and is being applied provisionally.

The new Protocol should now be concluded in the name of the Union.

CONTENT: with this decision, the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Union of the Comoros, is approved on behalf of the European Union.

The new Protocol contains the following provisions:

Sustainable fishing: the main objective is to continue the cooperation between the European Union and the Union of the Comoros, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the Comorian fishing zone, in the interests of both Parties.

1. Financial contribution: the overall annual contribution of the Protocol of EUR 1 845 750 over the whole period (3 years) is based on:

- an annual reference tonnage fixed at 4 850 tonnes for 70 vessels corresponding to EUR 315 250 per year, and
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000 per year. This support meets the objectives of the national fisheries policy.

2. Fishing opportunities: 45 tuna seiners and 25 surface longliners will be authorised to fish. Nevertheless, with regard to the annual assessments of the state of stocks, these fishing opportunities could be revised up or down which would lead to a corresponding review of the financial contribution. If the overall quantity of catches by European Union vessels in Comorian waters exceeds 4 850 tonnes per year, the total amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the European Union shall not be more than twice the amount (EUR 630 500).

Duration of the Agreement: the new Protocol applies for a duration of three years from the entry into force of the Council decision on its provisional application.

ENTRY INTO FORCE: the Decision enters into force on 21 May 2011. The date the Protocol enters into force shall be published in the European Union' s Official Journal.

EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0287(NLE) - 15/10/2010 - Preparatory document

PURPOSE: to conclude a new Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Union of the Comoros.

PROPOSED ACT: Council Decision.

BACKGROUND: based on a mandate from the Council, the European Commission negotiated with the Union of the Comoros to renew the Protocol to the Fisheries Partnership Agreement between the European Community and the Union of the Comoros, dated 6 October 2006. On conclusion of these negotiations, a new Protocol was initialled on 21 May 2010 and amended by an exchange of letters on 16 September 2010.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 43 in conjunction with Article 218(6)(a) of the treaty on the Functioning of the European Union (TFEU).

CONTENT: the objective of the proposed Decision is to define the fishing opportunities offered to vessels of the European Union based on the surplus available as well as the financial contribution due, separately, for access rights and for sectoral support.

Sustainable fishing: the main objective is to continue the cooperation between the European Union and the Union of the Comoros, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the Comorian fishing zone, in the interests of both Parties.

The new Protocol is in keeping with the two Parties' concern to strengthen partnership and cooperation in the fisheries sector using all the financial instruments available. To this end, it is recalled that there is a need to create a framework which is favourable to the development of investment in this sector and optimising the production of small-scale fisheries.

Financial contribution: the overall annual contribution of the Protocol of **EUR 1 845 750** over the whole period (3 years) is based on:

- an annual reference tonnage fixed at 4 850 tonnes for 70 vessels corresponding to EUR 315 250 per year, and
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000 per year. This support meets the objectives of the national fisheries policy.

Fishing opportunities: **45 tuna seiners and 25 surface longliners** will be authorised to fish. Nevertheless, with regard to the annual assessments of the state of stocks, these fishing opportunities could be revised up or down which would lead to a corresponding review of the financial contribution. If the overall quantity of catches by European Union vessels in Comorian waters exceeds 4 850 tonnes per year, the total amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the European Union shall not be more than twice the amount (EUR 630 500).

Duration of the Agreement: the Protocol to the Fisheries Agreement between the European Community and the Union of the Comoros expires on 31 December 2010. The new Protocol is concluded for a duration of three years from the entry into force of the Council decision on the provisional application of the said Protocol and after expiry of the current Protocol on 31 December 2010.

This procedure is initiated in parallel with the procedures relating to the Council Decision on the signing on behalf of the Union and on the provisional application of the Protocol itself, as well as to the Council Regulation concerning the allocation of fishing opportunities between the Member States of the EU.

FINANCIAL IMPLICATION: the total financial envelope for this Protocol shall be **EUR 2.219 65 million** from 2011 to 2013, including the administrative and management costs related to the Protocol and the costs of human resources. Advances and fees payable by shipowners: EUR 35 per tonne of tuna caught in the Comorian fishing zone. The annual advances are fixed at EUR 3 700 per tuna seiner and EUR 2 200 per longliner. These advances and fees have no impact on the EU budget.

EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0287(NLE) - 06/04/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros.

Parliament gives its consent to the conclusion of the Protocol.

With a view to increasing transparency, Parliament requests the Commission to send it the conclusions of the meetings and proceedings of the Joint Committee as well as the findings of the annual assessments. It also calls for representatives of the European Parliament, acting as observers, to be given the opportunity to attend meetings and proceedings of the Joint Committee. The Commission is called upon to submit an implementation review of the Agreement to Parliament and the Council in the final year of application of the Protocol, before negotiations are opened on the renewal of the Agreement.

EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0287(NLE) - 15/11/2010 - Legislative proposal

PURPOSE: to conclude the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros.

PROPOSED ACT: Council Decision.

BACKGROUND: on 5 October 2006, the Council adopted Regulation (EC) No 1563/2006 on the conclusion of the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros. A Protocol is annexed to that Agreement.

The European Union negotiated with the Union of the Comoros a new Protocol, providing EU vessels with fishing opportunities in the waters over which the Comoros has sovereignty or jurisdiction in respect of fisheries.

On conclusion of those negotiations, the new Protocol was initialled on 21 May 2010 and amended by an Exchange of Letters on 16 September 2010. The new Protocol was signed and is being applied provisionally.

It is now necessary to conclude the new Protocol on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASE: Article 43 in conjunction with point (a) of Article 218(6) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: under this proposed Decision, the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros is approved on behalf of the European Union, subject to the European Parliament's consent.

The main elements of this Agreement are detailed in the summary of the document annexed to the procedure dated 15/11/2010.

EC/Comoros Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0287(NLE) - 15/11/2010 - Document attached to the procedure

This document presents the definitive text of the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros. Following negotiations, the new Protocol was initialled on 21 May 2010 and was amended by an Exchange of Letters on 16 September 2010.

The new Protocol should be signed and applied provisionally, pending the completion of the procedures for its conclusion.

The main characteristics of the new Protocol are as follows:

Financial contribution: the overall annual contribution of the Protocol of **EUR 1 845 750** over the whole period (3 years) is based on:

- an annual reference tonnage fixed at 4 850 tonnes for 70 vessels corresponding to EUR 315 250 per year, and

- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000 per year. This support meets the objectives of the national fisheries policy.

Fishing opportunities:

- 45 tuna seiners;
- 25 surface longliners.

Nevertheless, with regard to the annual assessments of the state of stocks, these fishing opportunities could be revised up or down which would lead to a corresponding review of the financial contribution. If the overall quantity of catches by European Union vessels in Comorian waters exceeds 4 850 tonnes per year, the total amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the European Union shall not be more than twice the amount (EUR 630 500).

Experimental fishing: the Protocol stipulates that should European Union vessels be interested in fishing activities which are not indicated in the actual Protocol, the Parties shall consult each other before any authorisation is granted by the Comorian authorities. Where appropriate, the Parties shall agree on the conditions applicable to these new fishing opportunities and, if necessary, make amendments to this Protocol and to the Annex hereto. The Parties shall encourage experimental fishing. To this end and on request of one of the two Parties, the latter shall consult and determine, on a case-by-case basis, the species, conditions and any other relevant parameters.

Duration of the Agreement: the new Protocol is concluded for a duration of three years from the entry into force of the Council decision on the provisional application of the said Protocol and after expiry of the current Protocol on 31 December 2010.

Provision is also made for sustainable fishing and scientific cooperation on responsible fishing.