Basic information

2010/0389(NLE) NLE - Non-legislative enactments Decision	Procedure completed
Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing **Subject** 3.15 Fisheries policy 3.15.01 Fish stocks, conservation of fishery resources 3.15.15 Fisheries agreements and cooperation	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	PECH Fisheries	FRAGA ESTÉVEZ Carmen (PPE)	26/01/2011

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Economic and Financial Affairs ECOFIN	3100	2011-06-20

European Commission	**Commission DG**	**Commissioner**
	Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
10/01/2011	Preparatory document	COM(2010)0792	Summary
18/02/2011	Legislative proposal published	05571/2011	Summary
10/03/2011	Committee referral announced in Parliament		
12/04/2011	Vote in committee		Summary
13/04/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0142/2011	
10/05/2011	Decision by Parliament	T7-0192/2011	Summary
10/05/2011	Results of vote in Parliament		
20/06/2011	Act adopted by Council after consultation of Parliament		Summary
20/06/2011	End of procedure in Parliament		
22/07/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0389(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
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/7/04971

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE458.812	23/02/2011	
Amendments tabled in committee		PE462.524	23/03/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0142/2011	13/04/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0192/2011	10/05/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	05571/2011	18/02/2011	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2010)0792	10/01/2011	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2011/0443
OJ L 191 22.07.2011, p. 0001 Summary

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

2010/0389(NLE) - 18/02/2011 - Legislative proposal

PURPOSE: to approve, on behalf of the European Union, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

PROPOSED ACT: Council Decision.

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

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: the Food and Agriculture Organisation (FAO) Conference approved, at its Thirty Sixth Session held in Rome on 18-23 November 2009, the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in accordance with the FAO Constitution, for submission to FAO Members.

The objective of this Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective port State measures, and thereby to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems.

The Agreement was signed in Rome on 22 November 2009 on behalf of the European Community in accordance with Council Decision of 20 November 2009, subject to its conclusion at a later date.

The fight against IUU fishing constitutes an essential component of the Common Fisheries Policy and the EU should be able to foster international cooperation on this matter by participating actively and constructively in the adoption on an international instrument on Port State measures.

The European Union is a major player in international fisheries and one of the main global markets for fishery products and it is in its interest to play an effective role in the implementation of the Agreement and its approval by all parties.

The proposal seeks the consent of the Agreement on behalf of the European Union.

BUDGETARY IMPLICATION: this proposal has no implications for the EU budget.

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

2010/0389(NLE) - 20/06/2011 - Final act

PURPOSE: to approve on behalf of the EU the Agreement on Port State measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.

NON-LEGISLATIVE ACT: Council Decision 2011/443/EU on the approval, on behalf of the European Union, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

COUNCIL: the Council adopted a decision approving, on behalf of the EU, an agreement on port state measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.

The agreement on port state measures to prevent and eliminate illegal fishing was drawn up under the responsibility of the FAO; the agreement of the parties was signed on 22 November 2009.

The Union is a major player in international fisheries and one of the main global markets for fishery products and it is in its interest to play an effective role in the implementation of the Agreement and to approve the Agreement.

ENTRY INTO FORCE: 20/06/2011.

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

2010/0389(NLE) - 20/06/2011

The Council adopted a decision approving, on behalf of the EU, an agreement on port state measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.

The agreement on port state measures to prevent and eliminate illegal fishing was drawn up under the responsibility of the FAO; the agreement of the parties was signed on 22 November 2009.

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

2010/0389(NLE) - 10/05/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the approval, on behalf of the European Union, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

Parliament consents to the approval of the Agreement. It calls on the European Commission to actively promote the signing, ratification and implementation of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in the context of trade agreements, Regional Fisheries Management Organisations (RFMOs), Fisheries Partnership Agreements and the Union's development policy.

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

2010/0389(NLE) - 10/01/2011 - Preparatory document

PURPOSE: to approve on behalf of the EU the Agreement on Port State measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.

PROPOSED ACT: Council Decision.

BACKGROUND: the European Union is a Contracting Party to the United Nations Convention on the Law of the Sea of 10 December 1982, which inter alia requires all members of the international community to cooperate in managing and conserving the biological resources of the sea. It is a contracting party to the 1995 Agreement on the implementation of the provisions of the United Nations Convention of the Law of the Sea, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which entered into force on 11 December 2001.

The Thirty Sixth session of the Food and Agriculture Organisation (FAO) Conference, held in Rome between 18-23 November 2009 adopted the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the Agreement) under Article XIV of the FAO Constitution.

The Agreement was signed on 22 November 2009 on behalf of the European Community in accordance with Council Decision of 20 November 20095, subject to its conclusion at a later date.

The fight against IUU fishing constitutes an essential component of the Common Fisheries Policy and the EU should be able to foster international cooperation on this matter by participating actively and constructively in the adoption on an international instrument on Port State measures. The EU has participated in this process from the start and has played an active and constructive role in the drafting of the Agreement.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 43 with Article 218(6)(a) TFEU.

CONTENT: given that the European Union is a major player in international fisheries and one of the main global markets for fishery products, the Council is called upon to approve this Agreement on Port State measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing on behalf of the EU.

The objective of the Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective port State measures, and thereby to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems. It contains provisions regarding:

- entry into port (designation of ports, advance request for port entry and port entry authorisation or denial);
- use of ports;
- inspections and follow-up actions;
- role of flag states;
- requirements of developing states;
- dispute settlement.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.