Basic information

2011/0257(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol See also 2007/0209(CNS) **Subject** 3.15.15.02 Fisheries agreements with African countries **Geographical area** Guinea-Bissau	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	HAGLUND Carl (ALDE)	15/06/2011
	Shadow rapporteur WAŁĘSA Jarosław (PPE) RODUST Ulrike (S&D) LÖVIN Isabella (Verts/ALE) FERREIRA João (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	LÖVIN Isabella (Verts/ALE)	18/10/2011
BUDG Budgets	ALFONSI François (Verts/ALE)	11/10/2011

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3150	2012-02-28

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
04/10/2011	Preparatory document	COM(2011)0603	Summary
31/10/2011	Legislative proposal published	15178/2011	Summary
17/01/2012	Committee referral announced in Parliament		
24/01/2012	Vote in committee		
27/01/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0017/2012	Summary
14/02/2012	Decision by Parliament	T7-0034/2012	Summary
14/02/2012	Results of vote in Parliament		
28/02/2012	Act adopted by Council after consultation of Parliament		
28/02/2012	End of procedure in Parliament		
10/03/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0257(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2007/0209(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2 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/7/07344

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE476.085	24/11/2011	
Committee opinion	DEVE	PE473.931	06/12/2011	
Committee opinion	BUDG	PE475.903	06/12/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0017/2012	27/01/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0034/2012	14/02/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	15178/2011	31/10/2011	Summary
Document attached to the procedure	15179/2011	31/10/2011	

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2011)0603	04/10/2011	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2012/0145
OJ L 072 10.03.2012, p. 0001 Summary

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 14/02/2012

PURPOSE: to conclude a Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution between the two parties.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a mandate from the Council1, the European Commission has negotiated with the Republic of Guinea-Bissau with a view to renewing the Protocol to the Fisheries Partnership Agreement, dated 17 March 2008 (see CNS/2007/0209).

At the end of those negotiations, a new Protocol was initialled on 15 June 2011.

It is now appropriate to conclude the Protocol on the EU's behalf.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position is based, among other things, on the results of an *ex post* evaluation carried out by external experts.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU) in conjunction with Article 218(6)(a) thereof.

CONTENT: the aim of this proposal for a decision is to conclude a Protocol to the Fisheries Agreement between the EU and Guinea-Bissau.

The main aim of the Protocol to the Agreement is to retain the fishing opportunities for the vessels of the European Union within the limits of the available surplus. The Commission's negotiating position was based in part on the results of an ex-post evaluation carried out by external experts and on the opinion of the Scientific Committee established under the Agreement.

The general aim is to continue the cooperation between the European Union and the Republic of Guinea-Bissau, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Guinea-Bissau 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.

The protocol lays down for the period of its application, the fishing opportunities and the financial contribution provided for in the Agreement. Its main provisions may be summarised as follows:

Financial contribution: the overall financial contribution of the Protocol of **EUR 7 500 000** over the whole period is based on:

- a maximum of 27 authorisations for tuna vessels and 8 800 GRT for trawlers, for a financial contribution of EUR 4 550 000 and
- support for the development of the sectoral fisheries policy of the Republic of Guinea-Bissau amounting to EUR 2 950 000. This support meets the objectives of the national fisheries policy.

Fishing opportunities:

the Protocol provides for fishing opportunities in the following categories:

- 4 400 GRT for shrimp freezer trawlers;
- 4 400 GRT for fin-fish/cephalopod freezer trawlers;
- 23 tuna seiners / surface longliners;
- 14 pole-and-line tuna vessels.

Duration of the Agreement: the negotiations of the new Protocol were delayed by the consultations in 2011 between the European Union and Guinea-Bissau under Article 96 of the Cotonou Agreement. As very limited time remained for concluding a new Protocol before the previous Protocol expired, the two Parties decided to conclude a **Protocol for one year** to give themselves the time necessary to assess the prospect of a future protocol of a longer duration.

The new Protocol covers a period of one year from 16 June 2011. It renews the terms of the previous Protocol and contains **an additional clause allowing its suspension** if human rights and democratic principles are not respected.

BUDGETARY IMPACT: the total financial allocation for the Protocol will be EUR 7.5 million for 2011 (excluding administrative expenditures).

A financial allocation of EUR 159 800 is foreseen for administrative expenditures for 2011 and 2012.

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 04/10/2011 - Preparatory document

PURPOSE: to conclude a Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution between the two parties.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a mandate from the Council1, the European Commission has negotiated with the Republic of Guinea-Bissau with a view to renewing the Protocol to the Fisheries Partnership Agreement, dated 17 March 2008 (see CNS/2007/0209).

At the end of those negotiations, a new Protocol was initialled on 15 June 2011.

It is now appropriate to conclude the Protocol on the EU's behalf.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position is based, among other things, on the results of an *ex post* evaluation carried out by external experts.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU) in conjunction with Article 218(6)(a) thereof.

CONTENT: the aim of this proposal for a decision is to conclude a Protocol to the Fisheries Agreement between the EU and Guinea-Bissau.

The main aim of the Protocol to the Agreement is to retain the fishing opportunities for the vessels of the European Union within the limits of the available surplus. The Commission's negotiating position was based in part on the results of an ex-post evaluation carried out by external experts and on the opinion of the Scientific Committee established under the Agreement.

The general aim is to continue the cooperation between the European Union and the Republic of Guinea-Bissau, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Guinea-Bissau 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.

The protocol lays down for the period of its application, the fishing opportunities and the financial contribution provided for in the Agreement. Its main provisions may be summarised as follows:

Financial contribution: the overall financial contribution of the Protocol of **EUR 7 500 000** over the whole period is based on:

- a maximum of 27 authorisations for tuna vessels and 8 800 GRT for trawlers, for a financial contribution of EUR 4 550 000 and
- support for the development of the sectoral fisheries policy of the Republic of Guinea-Bissau amounting to EUR 2 950 000. This support meets the objectives of the national fisheries policy.

Fishing opportunities:

the Protocol provides for fishing opportunities in the following categories:

- 4 400 GRT for shrimp freezer trawlers;
- 4 400 GRT for fin-fish/cephalopod freezer trawlers;
- 23 tuna seiners / surface longliners;
- 14 pole-and-line tuna vessels.

Duration of the Agreement: the negotiations of the new Protocol were delayed by the consultations in 2011 between the European Union and Guinea-Bissau under Article 96 of the Cotonou Agreement. As very limited time remained for concluding a new Protocol before the previous Protocol expired, the two Parties decided to conclude a **Protocol for one year** to give themselves the time necessary to assess the prospect of a future protocol of a longer duration.

The new Protocol covers a period of one year from 16 June 2011. It renews the terms of the previous Protocol and contains **an additional clause allowing its suspension** if human rights and democratic principles are not respected.

BUDGETARY IMPACT: the total financial allocation for the Protocol will be EUR 7.5 million for 2011 (excluding administrative expenditures).

A financial allocation of EUR 159 800 is foreseen for administrative expenditures for 2011 and 2012.

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 31/10/2011 - Legislative proposal

PURPOSE: to conclude a Protocol between the European Union and Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force.

PROPOSED ACT: Council Decision.

BACKGROUND: on 17 March 2008, the Council adopted Regulation (EC) No 241/2008 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau. The Union has negotiated with the Republic of Guinea-Bissau a new protocol granting EU vessels fishing opportunities in waters in which Guinea-Bissau exercises its sovereignty or jurisdiction as regards fishing.

At the end of those negotiations, the Protocol was initialled on 15 June 2011 and has been applied on a provisional basis since 16 June 2011.

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

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASE: Article 43(2) in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: by this Decision, the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement concluded between the European Union and the Republic of Guinea-Bissau in force between the two parties is hereby approved on behalf of the European Union.

For further details as regards the content of the Protocol, please refer to the initial legislative proposal dated 04/10/2011.

BUDGET IMPLICATION: the overall financial contribution of the Protocol of EUR 7.5 million for 2011 (administrative expenditure excluded). A financial envelope of EUR 159 800 is provided for administrative expenditure for 2011 and 2012.

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 27/01/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Carl HAGLUND (ALDE, FI). It recommended that the European Parliament gives its consent to the conclusion of the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force.

In the interests of transparency, Members call on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee provided for in the Agreement, as well as the annual programming and the corresponding annual report;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee.

Members also call on the Commission to submit to Parliament and to the Council, before the expiry of the new Protocol, an evaluation report on its implementation. They also call on the Commission and the Council, in the context of their respective competences, to keep Parliament immediately and fully informed, at all stages of the procedures related to the new Protocol and its renewal, in accordance with the relevant provisions of the Treaty.

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 14/02/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 628 votes to 22, with 20 abstentions, a legislative resolution on the draft Council Decision regarding the conclusion of a Protocol between the European Union and Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties.

Parliament gave its consent to the conclusion of the Protocol to the Agreement. However, it called on the Commission, in the interests of transparency, to forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee provided for in the Agreement, as well as the annual programming provided for in the new Protocol and the corresponding annual report. It calls on the Commission to facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee. It also calls on the Commission to submit to Parliament and to the Council, before the expiry of the new Protocol, an evaluation report on its implementation.

Lastly, it invites the Commission and the Council, in the context of their respective competences, to keep Parliament immediately and fully informed, at all stages of the procedures related to the new Protocol and its renewal, pursuant to the relevant provisions of the Treaty.

EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

2011/0257(NLE) - 28/02/2012 - Final act

PURPOSE: to conclude a Protocol between the European Union and Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force.

NON-LEGISLATIVE ACT: Council Decision 2012/145/EU on the conclusion of the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force.

BACKGROUND: on 17 March 2008, the Council adopted Regulation (EC) No 241/2008 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau (see CNS/2007/0209).

The Union has negotiated with the Republic of Guinea-Bissau a new protocol granting EU vessels fishing opportunities in waters in which Guinea-Bissau exercises its sovereignty or jurisdiction as regards fishing.

At the end of those negotiations, the Protocol was initialled on 15 June 2011.

The Protocol was signed in accordance with Council Decision 2011/885/EU and has been applied on a provisional basis since 16 June 2011.

It is now necessary that the Protocol should be concluded on behalf of the European Union.

CONTENT: by this Decision, the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement concluded between the European Community and the Republic of Guinea-Bissau in force between the two parties is hereby approved on behalf of the European Union.

The main aim of the Protocol to the Agreement is to retain the fishing opportunities for the vessels of the European Union within the limits of the available surplus.

The general aim is to continue the cooperation between the European Union and the Republic of Guinea-Bissau, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Guinea-Bissau 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.

The Protocol sets out the period of application and the fishing opportunities and the financial contribution provided for by the Agreement.

The main provisions may be summarised as follows:

Financial contribution: the overall financial contribution of the Protocol of **EUR 7 500 000** over the whole period is based on:

- a maximum of 27 authorisations for tuna vessels and 8 800 GRT for trawlers, for a financial contribution of EUR 4 550 000;
- support for the development of the sectoral fisheries policy of the Republic of Guinea-Bissau amounting to EUR 2 950 000.

Fishing opportunities: more particularly, the Protocol – like its predecessor – provides for fishing opportunities in the following categories:

- 4 400 GRT for shrimp freezer trawlers
- 4 400 GRT for fin-fish/cephalopod freezer trawlers
- 23 tuna seiners / surface longliners:
- 14 pole-and-line tuna vessels.

Period of application: this Protocol with its Annexes shall apply with effect from 16 June 2011. They shall apply for a period of one year from its provisional application onwards. The Parties undertake to begin negotiations to conclude a new Protocol aimed at replacing this Protocol on its expiry as soon as possible. The Parties shall attempt to conclude these negotiations within nine months at most, that is, no later than 15 March 2012.

ENTRY INTO FORCE: the Decision shall enter into force on 10/03/2012. The date of entry into force of the Protocol will be published in the Official Journal of the European Union by the General Secretariat of the Council.