Basic information

2011/0378(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014 **Subject** 3.15.15.02 Fisheries agreements with African countries **Geographical area** Mozambique	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	GARCÍA-HIERRO CARABALLO Dolores (S&D)	13/12/2011
	Shadow rapporteur PATRÃO NEVES Maria do Céu (PPE) BILBAO BARANDICA Izaskun (ALDE) LÖVIN Isabella (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	ZIMMER Gabriele (GUE/NGL)	16/01/2012
BUDG Budgets	ALFONSI François (Verts/ALE)	05/12/2011

Council of the European Union

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
30/11/2011	Preparatory document	COM(2011)0801	Summary
11/01/2012	Legislative proposal published	18059/2011	Summary
14/02/2012	Committee referral announced in Parliament		
24/04/2012	Vote in committee		
27/04/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0147/2012	Summary
23/05/2012	Decision by Parliament	T7-0216/2012	Summary
23/05/2012	Results of vote in Parliament		
12/06/2012	Act adopted by Council after consultation of Parliament		
12/06/2012	End of procedure in Parliament		
14/06/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0378(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 218-p6a Treaty on the Functioning of the European Union TFEU 043-p2
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/08002

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE478.511	23/01/2012	
Committee opinion	BUDG	PE480.509	08/03/2012	
Committee opinion	DEVE	PE480.587	27/03/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0147/2012	27/04/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0216/2012	23/05/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	18058/2011	11/01/2012	

Legislative proposal	18059/2011	11/01/2012	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2011)0801	30/11/2011	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0801	08/05/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2012/0306
OJ L 153 14.06.2012, p. 0003 Summary

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE)

PURPOSE to conclude a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mozambique.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of relevant Council mandate, the Commission on behalf of the European Union negotiated with the Republic of Mozambique in view of renewing the 2007 Protocol to the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. Following these negotiations, a new Protocol was initialled on the 2nd of June 2010.

It is now appropriate to conclude the protocol on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position was based substantially. on the results of an ex-post evaluation of the current Protocol that was carried out by external experts in April 2011.

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

CONTENT: this proposal for a Decision relates to the conclusion of a new Protocol to the Fisheries Partnership Agreement between the EU and Mozambique.

The new Protocol is in line with the objectives of the Fisheries Partnership Agreement aiming at strengthening the cooperation between the Union and Mozambique and promoting a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in the Mozambique fishing zone in the interests of both Parties.

The two Parties agreed to cooperate with a view to implementing Mozambique sectoral fisheries policy and to that end shall continue the policy dialogue on the relevant programming.

The new Protocol provides for a total financial contribution of **EUR 2 940 000** for the whole period.

This amount corresponds to:

- EUR 520 000 per year equivalent to an annual reference tonnage of 8 000 tonnes, and
- EUR 460 000 per year, corresponding to the additional envelop paid by the Union to support Mozambique fisheries and maritime policy.

The annual financial contribution to be paid by the budget of the Union is therefore 980 000 EUR.

Fishing opportunities for the European tuna fleet will be available to 43 purse seiners and 32 long liners, i.e. a total of 75 vessels. If the overall quantity of catches of tuna by European Union vessels in Mozambique fishing zone exceeds 8 000 tonnes per year, the amount of the annual financial contribution for access rights shall be 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 indicated in the protocol (i.e. EUR 1 040 000). Where the quantities caught by European Union vessels in the Mozambique fishing zone exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

Period of application: the new Protocol covers a period of three years starting form the adoption of the Council decision on the Protocol's signing and provisional application and after expiry of the current Protocol, on 31 December 2011 (from 1 January 2012 to 31 December 2014). It will provide a framework for the fishing activities of the European fleet and will, in particular, allow shipowners to continue to obtain fishing authorisations in the Mozambique fishing zone. This procedure concerning the Council decision on the conclusion of the new Protocol to the Fisheries Partnership Agreement is started in parallel with the procedures regarding the Council decision on the Protocol's signing on behalf of the Union and provisional application of the new Protocol, and the Council Regulation concerning the allocation among the Member States of the fishing opportunities under this Protocol.

BUDGET IMPLICATIONS: the total financial envelope amounts to EUR 3 305 million from 2012 to 2014, including administrative and human resources costs.

Advances and fees payable by shipowners: EUR 35 per tonne of tuna caught in the Mozambique fishing area by seiners and surface longliners. The annual advances are set at EUR 5 100 per tuna seiner, EUR 4 100 per longliner of more than 250 GT and EUR 2 500 per longliner of less than 250 GT. It should be noted that the advances and fees have no impact on the EU's budget.

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE) - 30/11/2011 - Preparatory document

PURPOSE to conclude a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mozambique.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of relevant Council mandate, the Commission on behalf of the European Union negotiated with the Republic of Mozambique in view of renewing the 2007 Protocol to the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. Following these negotiations, a new Protocol was initialled on the 2nd of June 2010.

It is now appropriate to conclude the protocol on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position was based substantially. on the results of an ex-post evaluation of the current Protocol that was carried out by external experts in April 2011.

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

CONTENT: this proposal for a Decision relates to the conclusion of a new Protocol to the Fisheries Partnership Agreement between the EU and Mozambique.

The new Protocol is in line with the objectives of the Fisheries Partnership Agreement aiming at strengthening the cooperation between the Union and Mozambique and promoting a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in the Mozambique fishing zone in the interests of both Parties.

The two Parties agreed to cooperate with a view to implementing Mozambique sectoral fisheries policy and to that end shall continue the policy dialogue on the relevant programming.

The new Protocol provides for a total financial contribution of **EUR 2 940 000** for the whole period.

This amount corresponds to:

- EUR 520 000 per year equivalent to an annual reference tonnage of 8 000 tonnes, and
- EUR 460 000 per year, corresponding to the additional envelop paid by the Union to support Mozambique fisheries and maritime policy.

The annual financial contribution to be paid by the budget of the Union is therefore 980 000 EUR.

Fishing opportunities for the European tuna fleet will be available to 43 purse seiners and 32 long liners, i.e. a total of 75 vessels. If the overall quantity of catches of tuna by European Union vessels in Mozambique fishing zone exceeds 8 000 tonnes per year, the amount of the annual financial contribution for access rights shall be 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 indicated in the protocol (i.e. EUR 1 040 000). Where the quantities caught by European Union vessels in the Mozambique fishing zone exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

Period of application: the new Protocol covers a period of three years starting form the adoption of the Council decision on the Protocol's signing and provisional application and after expiry of the current Protocol, on 31 December 2011 (from 1 January 2012 to 31 December 2014). It will provide a framework for the fishing activities of the European fleet and will, in particular, allow shipowners to continue to obtain fishing authorisations in the Mozambique fishing zone. This procedure concerning the Council decision on the conclusion of the new Protocol to the Fisheries Partnership Agreement is started in parallel with the procedures regarding the Council decision on the Protocol's signing on behalf of the Union and provisional application of the new Protocol, and the Council Regulation concerning the allocation among the Member States of the fishing opportunities under this Protocol.

BUDGET IMPLICATIONS: the total financial envelope amounts to EUR 3 305 million from 2012 to 2014, including administrative and human resources costs.

Advances and fees payable by shipowners: EUR 35 per tonne of tuna caught in the Mozambique fishing area by seiners and surface longliners. The annual advances are set at EUR 5 100 per tuna seiner, EUR 4 100 per longliner of more than 250 GT and EUR 2 500 per longliner of less than 250 GT. It should be noted that the advances and fees have no impact on the EU's budget.

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE) - 11/01/2012 - Legislative proposal

PURPOSE to conclude a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mozambique.

PROPOSED ACT: Council Decision.

BACKGROUND: on 22 November 2007 the Council adopted Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement was attached thereto. That protocol expired on 31 December 2011.

The Union negotiated with Mozambique a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique, providing EU vessels with fishing opportunities in the waters over which Mozambique has sovereignty or jurisdiction in respect of fisheries.

Following these negotiations, a new Protocol was initialled on the 2nd of June 2010. It is now appropriate to conclude the protocol on behalf of the EU.

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

CONTENT: this proposal for a Decision relates to the conclusion of a new Protocol to the Fisheries Partnership Agreement between the EU and Mozambique.

Sustainable fishing: the new Protocol is in line with the objectives of the Fisheries Partnership Agreement aiming at strengthening the cooperation between the Union and Mozambique and promoting a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in the Mozambique fishing zone in the interests of both Parties. The two Parties agreed to cooperate with a view to implementing Mozambique sectoral fisheries policy and to that end shall continue the policy dialogue on the relevant programming.

Financial contribution: the new Protocol provides for a total financial contribution of **EUR 2 940 000** for the whole period. This amount corresponds to:

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- EUR 520 000 per year equivalent to an annual reference tonnage of 8 000 tonnes, and
- EUR 460 000 per year, corresponding to the additional envelop paid by the Union to support Mozambique fisheries and maritime policy. The annual financial contribution to be paid by the budget of the Union is therefore 980 000 EUR.

Fishing opportunities for the European tuna fleet will be available to 43 purse seiners and 32 long liners, i.e. a total of 75 vessels. If the overall quantity of catches of tuna by European Union vessels in Mozambique fishing zone exceeds 8 000 tonnes per year, the amount of the annual financial contribution for access rights shall be 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 indicated in the protocol (i.e. EUR 1 040 000). Where the quantities caught by European Union vessels in the Mozambique fishing zone exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

Period of application: the new Protocol covers a period of three years starting form the adoption of the Council decision on the Protocol's signing and provisional application and after expiry of the current Protocol, on 31 December 2011 (from 1 January 2012 to 31 December 2014). It will provide a framework for the fishing activities of the European fleet and will, in particular, allow shipowners to continue to obtain fishing authorisations in the Mozambique fishing zone.

BUDGET IMPLICATIONS: the total financial envelope amounts to EUR 3 305 million from 2012 to 2014, including administrative and human resources costs. Advances and fees payable by shipowners: EUR 35 per tonne of tuna caught in the Mozambique fishing area by seiners and surface longliners. The annual advances are set at EUR 5 100 per tuna seiner, EUR 4 100 per longliner of more than 250 GT and EUR 2 500 per longliner of less than 250 GT. It should be noted that the advances and fees have no impact on the EU's budget.

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE) - 27/04/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Dolores GARCÍA-HIERRO CARABALLO (S&D, ES) in which it recommends the European Parliament to give its consent to the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

With a view to increasing transparency, Members call on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee as well as the multiannual sectoral programme and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and submit to Parliament and the Council, within the last year of application of the new Protocol and before the opening of negotiations for its renewal, a full evaluation report on its implementation, without imposing unnecessary restrictions on access to this document.

Lastly, Members 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, pursuant to the appropriate provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union.

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE) - 23/05/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 566 votes to 89, with 17 abstentions, a legislative resolution on the on the draft Council decision on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

Parliament gives its consent to the conclusion of the protocol.

With a view to increasing transparency, Parliament calls on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee as well as the multiannual sectoral programme and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and submit to Parliament and the Council, within the last year of application of the new Protocol and before the opening of negotiations for its renewal, a full evaluation report on its implementation, without imposing unnecessary restrictions on access to this document.

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

EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE) - 12/06/2012 - Final act

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

NON-LEGISLATIVE ACT: Council Decision 2012/306/EU on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

BACKGROUND: on 22 November 2007, the Council adopted Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement was attached thereto.

That protocol expired on 31 December 2011.

The Union negotiated with Mozambique a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique, providing EU vessels with fishing opportunities in the waters over which Mozambique have sovereignty or jurisdiction in respect of fisheries.

As a result of those negotiations, the Protocol was initialled on 2 June 2011.

In accordance with Council Decision 2012/91/EU, the Protocol was signed and is being applied provisionally.

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

CONTENT: under this Decision, the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique is hereby approved on behalf of the Union.

Sustainable fishing: the Protocol aims at strengthening the cooperation between the Union and Mozambique and promoting a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in the Mozambique fishing zone in the interests of both Parties.

The two Parties agreed to cooperate with a view to implementing Mozambique sectoral fisheries policy and to that end shall continue the policy dialogue on the relevant programming

Financial contribution: the Protocol provides for a total financial contribution of **EUR 2 940 000** for the whole period. This amount corresponds to:

- EUR 520 000 per year equivalent to an annual reference tonnage of 8 000 tonnes, and
- EUR 460 000 per year, corresponding to the additional envelop paid by the Union to support Mozambique fisheries and maritime policy.

The annual financial contribution to be paid by the budget of the Union is therefore 980 000 EUR.

Fishing opportunities for the European tuna fleet will be available to 43 purse seiners and 32 long liners, i.e. a total of 75 vessels. If the overall quantity of catches of tuna by European Union vessels in Mozambique fishing zone exceeds 8 000 tonnes per year, the amount of the annual financial contribution for access rights shall be 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 indicated in the protocol (i.e. EUR 1 040 000). Where the quantities caught by European Union vessels in the Mozambique fishing zone exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

Period of application: the Protocol covers a period of three years starting form the adoption of the Council decision on the Protocol's signing and provisional application and after expiry of the current Protocol, on 31 December 2011.

ENTRY INTO FORCE: the Decision shall enter into force on 12/06/2012. 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.