Basic information

2012/0215(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017 See also 2017/0223(NLE) **Subject** 3.15.15.03 Fisheries agreements with Indian Ocean countries **Geographical area** Mauritius	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	SÁNCHEZ PRESEDO Antolín (S&D)	21/06/2012
	Shadow rapporteur FRAGA ESTÉVEZ Carmen (PPE) GALLAGHER Pat the Cope (ALDE) LÖVIN Isabella (Verts/ALE) FERREIRA João (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
BUDG Budgets	ALFONSI François (Verts /ALE)	14/01/2013

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3189	2012-10-09
Economic and Financial Affairs ECOFIN	3290	2014-01-28

European Commission	Commission DG	Commissioner
	Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
03/08/2012	Preparatory document	COM(2012)0442	Summary
01/10/2012	Legislative proposal published	13501/2012	Summary
15/01/2013	Committee referral announced in Parliament		
20/03/2013	Vote in committee		
27/03/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0127/2013	Summary
16/04/2013	Decision by Parliament	T7-0105/2013	Summary
16/04/2013	Results of vote in Parliament		
05/09/2013	Modified legislative proposal published	13501/1/2012	Summary
28/01/2014	Act adopted by Council after consultation of Parliament		
28/01/2014	End of procedure in Parliament		
18/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2012/0215(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2017/0223(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165 Treaty on the Functioning of the European Union TFEU 218-p6a
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/14264 PECH/7/10248

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE500.543	23/11/2012	
Committee opinion	BUDG	PE504.061	25/02/2013	

Committee report tabled for plenary, 1st reading/single reading		A7-0127/2013	27/03/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0105/2013	16/04/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	13501/2012	01/10/2012	Summary
Document attached to the procedure	13503/2012	01/10/2012	
Modified legislative proposal	13501/1/2012	05/09/2013	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2012)0442	03/08/2012	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2014/0146
OJ L 079 18.03.2014, p. 0002 Summary

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 01/10/2012 - Legislative proposal

PURPOSE: to conclude a new Fishery Partnership Agreement and 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 Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Mauritius exercises its sovereignty or jurisdiction. The Agreement was signed in accordance with a Council Decision.

The Fisheries Partnership Agreement should now be approved on behalf of the European Union.

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

CONTENT: **this proposed Council Decision** aims to conclude a new Partnership Agreement in the fisheries sector with the Republic of Mauritius. It seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

It also includes a Protocol setting out the fishing opportunities and the financial contribution provided for by the Fishery Partnership Agreement between the EU and Mauritius. This contribution is fixed at EUR 1 980 000 for the total duration of the Protocol.

For further details are regards the principles, rules and procedures of the proposed Agreement, as well as the EU's budgetary implication, please refer to the summary of the **Commission's initial legislative proposal dated 03/08/2012**.

Duration of the Agreement and the Protocol: the Agreement shall apply for 6 years from the date of its entry into force. The Protocol and the Annex shall apply for a period of three years from its entry into force, unless notice of termination is given.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 03/08/2012 - Preparatory document

PURPOSE: the conclusion of a new Fishery Partnership Agreement and of 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 Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the relevant Council mandate, the Commission negotiated with the Republic of Mauritius a new Fisheries Partnership Agreement and Protocol between the European Union and the Republic of Mauritius.

Following these negotiations, a new Fishery Partnership Agreement and a new Protocol were initialled on 23 February 2012.

IMPACT ASSESSMENT: the Member States were consulted as part of technical meetings and in the framework of the Fisheries Working Group of the Council. These consultations concluded in the interest of concluding a Fisheries Partnership Agreement and protocol with Mauritius. The Commission relied, inter alia, the results of an evaluation carried out by external experts which was finalised in November 2011.

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

CONTENT: this proposal for a decision relates to the conclusion of a new Partnership Agreement in the fisheries sector with the Republic of Mauritius.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the draft Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may **fish for tuna** in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and
- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

As far as possible, the Agreement should be used to promote **responsible fishing** in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by this Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean , and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
- Joint Committee (definition, mandate and scope of activities);
- suspension of the Agreement in the event of serious disagreement as to the application of its main provisions;
- termination of the agreement and dispute settlement between the parties.

Fishing Protocol: the Fishing Protocol and its Annex lay down the fishing opportunities and the financial contribution provided for in the draft Agreement:

- **fishing opportunities**: number of vessels authorised to fish:

- 41 ocean-going tuna seiner vessels,
- 45 surface longliner vessels.

- **financial contribution:** the financial contribution is **EUR 1 980 000 for the total duration of the Protocol**.

This amount includes:

- EUR 357 500 for an equivalent of 5 500 tonnes of tuna fished;
- EUR 302.500 per year to support the maritime and fisheries policy of the Republic of Mauritius.

The annual financial contribution of EUR 660 000 is based on an annual reference tonnage. Where the annual quantity caught **exceeds 5 500 tonnes**, the amount of the annual financial contribution will be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not exceed EUR 715 000 per year.

The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis* without however exceeding twice the annual financial contribution (i.e. EUR 357 000 x 2).

New fishing opportunities not covered by the Agreement could also be envisaged following consultation and agreement between the Parties.

Duration of the Agreement and the Protocol: the Agreement applies for **6 years from the date of its entry into force**. It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of **three years**, unless it is terminated.

BUDGETARY IMPLICATION: the new Protocol provides for a total financial contribution of EUR 1 980 000 for the period 2012-2014 (operational payments) + payments of an administrative nature funded from certain specific programmes for a total amount of EUR 123 000. To this sum should be added the administrative costs of managing the Protocol, as well as human resource costs in the region of EUR 222 000 for the period covered by the Protocol.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 27/03/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries unanimously adopted the report by Antolín SÁNCHEZ PRESEDO (S&D, ES) on the draft Council decision on the conclusion of the Fisheries Partnership Agreement and of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

The committee recommends that the European Parliament gives its consent to the conclusion of the agreement and the protocol, considering that the result of the negotiations was balanced and served the interests of the two parties.

In the interests of transparency, however, 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 multiannual sectoral programme provided for in the Protocol and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and to submit to Parliament and to the Council, within the last year of application of the 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, acting within the context of their respective powers, 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 articles of the Treaties.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 16/04/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 659 votes to 24, with 16 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius and of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

Parliament consents to the conclusion of the Agreement and of the Protocol.

In the interests of transparency, however, Parliament calls 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 multiannual sectoral programme provided for in the Protocol and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and to submit to Parliament and to the Council, within the last year of application of the 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, it calls on the Commission and the Council, acting within the limits of their respective powers, 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 articles of the Treaties.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 05/09/2013

PURPOSE : to conclude a Fisheries Partnership Agreement between the Union and Mauritius.

PROPOSED ACT : Council Decision.

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

BACKGROUND : the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Mauritius exercises its sovereignty or jurisdiction. The Agreement was signed in accordance with a Council Decision.

It should now be approved on behalf of the Union.

IMPACT ASSESSMENT : no impact assessment was undertaken.

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

CONTENT : the draft decision proposes that the Council conclude a new Fisheries Partnership Agreement with the Republic of Mauritius. It seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

The text of the Fisheries Partnership Agreement is attached to the draft decision.

The principles, rules and procedures governing the Agreement as well as the budgetary implications are set out in the *summary of the initial legislative proposal of 03/08/2012*.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 05/09/2013 - Modified legislative proposal

PURPOSE : to conclude a Fisheries Partnership Agreement between the Union and Mauritius.

PROPOSED ACT : Council Decision.

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

BACKGROUND : the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Mauritius exercises its sovereignty or jurisdiction. The Agreement was signed in accordance with a Council Decision.

It should now be approved on behalf of the Union.

IMPACT ASSESSMENT : no impact assessment was undertaken.

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

CONTENT : the draft decision proposes that the Council conclude a new Fisheries Partnership Agreement with the Republic of Mauritius. It seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

The text of the Fisheries Partnership Agreement is attached to the draft decision.

The principles, rules and procedures governing the Agreement as well as the budgetary implications are set out in the *summary of the initial legislative proposal of 03/08/2012*.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 28/01/2014 - Final act

PURPOSE: to conclude a new Fishery Partnership Agreement and of 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 Mauritius.

NON LEGISLATIVE ACT: Council Decision 2014/146/EU on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

BACKGROUND: the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which the Republic of Mauritius exercises its sovereignty or jurisdiction. The Fisheries Partnership Agreement between the EU and Mauritius was signed in accordance with Council Decision 2012/670/EU on the signing, on behalf of the European Union, of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius.

The Agreement should now be approved.

CONTENT: with this Decision, the Council concluded, with Parliament's approval, the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius as well as a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may **fish for tuna** in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and
- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

The Agreement should be used to promote **responsible fishing** in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by the Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean, and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
- Joint Committee (definition, mandate and scope of activities);
- suspension of the Agreement in the event of serious disagreement as to the application of its main provisions;
- termination of the agreement and dispute settlement between the parties.

Fishing Protocol: the Fishing Protocol and its Annex lay down the fishing opportunities and the financial contribution provided for in the draft Agreement:

- fishing opportunities: number of vessels authorised to fish:

- 41 ocean-going tuna seiner vessels,

- 45 surface longliner vessels.

- financial contribution: the financial contribution is **EUR 1 980 000 for the total duration of the Protocol.**

This amount includes:

- EUR 357 500 for an equivalent of 5 500 tonnes of tuna fished;
- EUR 302.500 per year to support the maritime and fisheries policy of the Republic of Mauritius.

The annual financial contribution of EUR 660 000 is based on an annual reference tonnage. Where the annual quantity caught exceeds **5 500 tonnes per annum**, the amount of the annual financial contribution will be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not exceed EUR 715 000 per year.

The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean.

Duration of the Agreement and the Protocol: the Agreement applies for **6 years from the date of its entry into force.** It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of **three years**, unless it is terminated.

ENTRY INTO FORCE: the Decision enters into force on 28.01.2014. 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.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

2012/0215(NLE) - 03/08/2012

PURPOSE: the conclusion of a new Fishery Partnership Agreement and of 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 Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the relevant Council mandate, the Commission negotiated with the Republic of Mauritius a new Fisheries Partnership Agreement and Protocol between the European Union and the Republic of Mauritius.

Following these negotiations, a new Fishery Partnership Agreement and a new Protocol were initialled on 23 February 2012.

IMPACT ASSESSMENT: the Member States were consulted as part of technical meetings and in the framework of the Fisheries Working Group of the Council. These consultations concluded in the interest of concluding a Fisheries Partnership Agreement and protocol with Mauritius. The Commission relied, inter alia, the results of an evaluation carried out by external experts which was finalised in November 2011.

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

CONTENT: this proposal for a decision relates to the conclusion of a new Partnership Agreement in the fisheries sector with the Republic of Mauritius.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the draft Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may **fish for tuna** in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and
- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

As far as possible, the Agreement should be used to promote **responsible fishing** in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by this Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean , and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
- Joint Committee (definition, mandate and scope of activities);
- suspension of the Agreement in the event of serious disagreement as to the application of its main provisions;
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Fishing Protocol: the Fishing Protocol and its Annex lay down the fishing opportunities and the financial contribution provided for in the draft Agreement:

- **fishing opportunities**: number of vessels authorised to fish:

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The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis* without however exceeding twice the annual financial contribution (i.e. EUR 357 000 x 2).

New fishing opportunities not covered by the Agreement could also be envisaged following consultation and agreement between the Parties.

Duration of the Agreement and the Protocol: the Agreement applies for **6 years from the date of its entry into force**. It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of **three years**, unless it is terminated.

BUDGETARY IMPLICATION: the new Protocol provides for a total financial contribution of EUR 1 980 000 for the period 2012-2014 (operational payments) + payments of an administrative nature funded from certain specific programmes for a total amount of EUR 123 000. To this sum should be added the administrative costs of managing the Protocol, as well as human resource costs in the region of EUR 222 000 for the period covered by the Protocol.