Basic information

2013/0388(NLE) NLE - Non-legislative enactments	Procedure completed
EC/Comoros Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Comoros 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	WAŁĘSA Jarosław (PPE)	11/12/2013
	Shadow rapporteur THOMAS Isabelle (S&D) GRÓBARCZYK Marek Józef (ECR) 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)	14/11/2013

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3313	2014-05-13

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
08/11/2013	Preparatory document	COM(2013)0773	Summary
06/12/2013	Legislative proposal published	16130/2013	Summary
16/01/2014	Committee referral announced in Parliament		
18/03/2014	Vote in committee		
19/03/2014	Committee report tabled for plenary, 1st reading/single reading	A7-0177/2014	Summary
16/04/2014	Decision by Parliament	T7-0399/2014	Summary
16/04/2014	Results of vote in Parliament		
13/05/2014	Act adopted by Council after consultation of Parliament		
13/05/2014	End of procedure in Parliament		
19/06/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0388(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2006/0032(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p7 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/7/14525

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE526.089	20/01/2014	
Amendments tabled in committee		PE529.727	17/02/2014	
Committee opinion	BUDG	PE526.320	04/03/2014	
Committee report tabled for plenary, 1st reading/single reading		A7-0177/2014	19/03/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0399/2014	16/04/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	16127/2013	06/12/2013	
Legislative proposal	16130/2013	06/12/2013	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2013)0764	08/11/2013	
Preparatory document	COM(2013)0773	08/11/2013	Summary
Document attached to the procedure	COM(2013)0774	08/11/2013	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2014/0369
OJ L 179 19.06.2014, p. 0001 Summary

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

2013/0388(NLE) - 08/11/2013

PURPOSE: to conclude a new Fisheries Protocol between the EU and the Comoros.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the powers conferred on it by the Council, the European Commission has conducted negotiations with the Union of the Comoros with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and the Union of the Comoros. At the end of the negotiations a new draft protocol was initialled by the negotiators on 5 July 2013. It is now necessary to conclude this Protocol on behalf of the EU.

CONTENT: this proposal seeks the conclusion of the Protocol between the European Union and the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force. The main aim of the Protocol to the Agreement is to provide fishing opportunities for European Union vessels in the fishing zone of the Union of the Comoros within the limits of the available surplus.

Towards sustainable fishing: the general aim is to strengthen the cooperation between the European Union and the Comoros, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the fishing zone of the Union of the Comoros, in the interests of both parties.

Financial contribution: the overall annual financial contribution should is set at **EUR 600 000/year** over the entire reference period. This is based on:

- a reference tonnage of 6 000 tonnes, for an amount of EUR 300 000 linked to access. If the overall quantity of catches by EU vessels in the fishing zone of the Union of the Comoros exceeds the reference tonnage, the total amount of the annual financial contribution shall be increased by EUR 50 for each additional tonne caught during the year in question. However, the total annual amount paid by the European Union shall not be more than twice the amount. Where the quantities caught by EU vessels 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;
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Union of the Comoros in the fight against illegal fishing.

Fishing opportunities: **42 tuna seiners and 20 surface longliners** shall be authorised to fish. The Joint Committee may review these fishing opportunities and adjust them by mutual agreement, provided that they continue to comply with the principles of sustainable fishing. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis*.

Where necessary the Joint Committee may examine and adapt, by mutual agreement, the provisions governing the pursuit of fishing activities and the rules for implementing this Protocol and the Annexes thereto.

Duration of the Agreement: the Protocol should apply from 1 January 2014 and for a period of three years.

In addition, the Protocol contains specific clauses for its suspension or termination.

BUDGETARY IMPLICATIONS: the total financial envelope allocated to this Protocol would be **EUR 2.132 million** from 2014 to 2016, including administrative costs for the management of the Protocol and human resources expenditure.

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

2013/0388(NLE) - 08/11/2013 - Preparatory document

PURPOSE: to conclude a new Fisheries Protocol between the EU and the Comoros.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the powers conferred on it by the Council, the European Commission has conducted negotiations with the Union of the Comoros with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and the Union of the Comoros. At the end of the negotiations a new draft protocol was initialled by the negotiators on 5 July 2013. It is now necessary to conclude this Protocol on behalf of the EU.

CONTENT: this proposal seeks the conclusion of the Protocol between the European Union and the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force. The main aim of the Protocol to the Agreement is to provide fishing opportunities for European Union vessels in the fishing zone of the Union of the Comoros within the limits of the available surplus.

Towards sustainable fishing: the general aim is to strengthen the cooperation between the European Union and the Comoros, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the fishing zone of the Union of the Comoros, in the interests of both parties.

Financial contribution: the overall annual financial contribution should is set at **EUR 600 000/year** over the entire reference period. This is based on:

- a reference tonnage of 6 000 tonnes, for an amount of EUR 300 000 linked to access. If the overall quantity of catches by EU vessels in the fishing zone of the Union of the Comoros exceeds the reference tonnage, the total amount of the annual financial contribution shall be increased by EUR 50 for each additional tonne caught during the year in question. However, the total annual amount paid by the European Union shall not be more than twice the amount. Where the quantities caught by EU vessels 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;
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Union of the Comoros in the fight against illegal fishing.

Fishing opportunities: **42 tuna seiners and 20 surface longliners** shall be authorised to fish. The Joint Committee may review these fishing opportunities and adjust them by mutual agreement, provided that they continue to comply with the principles of sustainable fishing. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis*.

Where necessary the Joint Committee may examine and adapt, by mutual agreement, the provisions governing the pursuit of fishing activities and the rules for implementing this Protocol and the Annexes thereto.

Duration of the Agreement: the Protocol should apply from 1 January 2014 and for a period of three years.

In addition, the Protocol contains specific clauses for its suspension or termination.

BUDGETARY IMPLICATIONS: the total financial envelope allocated to this Protocol would be **EUR 2.132 million** from 2014 to 2016, including administrative costs for the management of the Protocol and human resources expenditure.

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

2013/0388(NLE) - 06/12/2013 - Legislative proposal

PURPOSE: to conclude the Protocol between the EU and the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement.

PROPOSED ACT: Council Decision.

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

BACKGROUND: the European Union has negotiated with the Union of the Comoros a new protocol to the Partnership Agreement granting vessels of the European Union fishing opportunities in Comoros waters.

That new protocol was signed on the basis of a Decision and is provisionally applicable as from 1 January 2014.

Given that it is in the interest of the European Union to implement the Partnership Agreement by means of a Protocol establishing the fishing opportunities and the corresponding financial contribution, and setting out the conditions for promoting responsible and sustainable fishing in Comoros waters, it is now necessary to approve the new Protocol on behalf of the European Union.

CONTENT: under this proposal, the Council is invited to approve, on behalf of the European Union, the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement with the Comoros.

The draft Protocol seeks to strengthen the cooperation between the European Union and the Comoros, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the fishing zone of the Union of the Comoros, in the interests of both parties.

For further information as regards the financial implications of the draft Protocol and its impact on the EU budget, *please refer to the summary of the Commission's initial legislative proposal dated 08/11/2013*.

Simplified procedure to define the EU's position within the EU-Comores Joint Committee: the Partnership Agreement sets up a Joint Committee which is responsible for monitoring the application of this Agreement. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under **a simplified procedure.**

Annex: the draft Decision outlines the scope of the powers conferred on the Commission as well as the procedure to establish the Union's position within the Joint Committee. The Commission should be authorised to negotiate with the Comoros and, where appropriate, agree on modifications to the Protocol in respect of the following issues:

- review of fishing opportunities;
- decision on the modalities of the sectoral support;
- implementation of the Protocol and the Annexes thereto.

In the Joint Committee, the European Union should act in accordance with the objectives pursued by the European Union within the framework of the Common Fisheries Policy as well as with the relevant rules adopted by Regional Fisheries Management Organisations. The necessary steps shall be taken so that the position to be expressed on the European Union's behalf takes account of the latest statistical, biological and other relevant information transmitted to the Commission.

Technical provisions have been provided laying down the practical arrangements for the approval of such amendments to the Protocol.

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

2013/0388(NLE) - 19/03/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries unanimously adopted the report by Jarosław Leszek WAŁĘSA (EPP, PL) on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Union of the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement currently in force between the two parties.

The committee recommended that the European Parliament should give its consent to the conclusion of the Protocol.

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

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee to monitor the implementation, interpretation and application of the Agreement, as well as the evaluation of the progress made in implementing multiannual sectorial programme;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee;
-

submit to Parliament and the Council, within the last year of application of the protocol and before the opening of negotiations for its renewal, a full report on its implementation, without unnecessary restrictions on document access.

Lastly, Members called on the Council and the Commission, 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.

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

2013/0388(NLE) - 13/05/2014 - Final act

PURPOSE: to conclude a new Protocol on fisheries between the EU and the Comores.

NON-LEGISLATIVE ACT: Council Decision 2014/369/EU on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Union of the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement currently in force between the two parties.

CONTEXT: on 5 October 2006, the Council approved the Fisheries Partnership Agreement between the European Community and the Comores.

The European Union has negotiated with the Comoros a new protocol to the Partnership Agreement granting vessels of the European Union fishing opportunities in Comoros waters.

That new protocol was signed on the basis of Council Decision 2013/786/EU, and is provisionally applicable as from 1 January 2014.

Knowing it is in the interest of the European Union to implement the Partnership Agreement by means of a Protocol, it is necessary to approve the new Protocol on behalf of the EU.

CONTENT: by this Decision, the Council, subject to approval from the European Parliament, approves in the name of the Union, a protocol to the Partnership Agreement on the fisheries sector concluded with the Comores. The Protocol provides in particular fishing opportunities for European Union vessels within the fishing waters of the Comores within the limits of the available balance.

The Fisheries Protocol contains in particular the following elements:

Financial contribution: the overall annual financial contribution for the Fisheries Protocol has been set at **EUR 600 000/year** over the entire reference period.

This is based on:

- a reference tonnage of 6 000 tonnes, linked to access, for an amount of EUR 300 000/year. However, if the overall quantity of catches by EU vessels in the fishing zone of the Union of the Comoros exceeds the reference tonnage, the total amount of the annual financial contribution shall be increased by EUR 50 for each additional tonne caught during the year in question. The total annual amount paid by the European Union shall not be more than twice the amount. Where the quantities caught by EU vessels 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;
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Union of the Comoros in the fight against illegal fishing.

Fishing opportunities: concerning fishing opportunities, **42 tuna seiners and 20 surface longliners** shall be authorised to fish.

The Joint Committee may review these fishing opportunities and adjust them by mutual agreement, provided that they continue to comply with the principles of sustainable fishing. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis*.

Duration of the Agreement: the Protocol should apply from 1 January 2014 and for a period of three years.

Specific clauses for suspension or termination of the Protocol have also been provided.

Simplified procedure to define the position of the EU relating to the EU-Comores Joint Committee: the Partnership Agreement set up a Joint Committee which is responsible for monitoring the application of this Agreement. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a **simplified procedure**.

Annex: the Decision details the scope of the empowerment and procedure for the establishment of the European Union position in the Joint Committee. The Commission would thus be authorised to negotiate with the Comoros, modifications in respect of:

- review of fishing opportunities;
- modalities of the fisheries sectoral support;
- implementation of the Protocol and its Annexes.

In the Joint Committee, the Union should act in accordance with the objectives within the framework of the Common Fisheries Policy as well as the relevant rules adopted by Regional Fisheries Management Organisations. Moreover, the Joint Committee should base its decisions on the latest statistical, biological and other relevant information.

ENTRY INTO FORCE: the Decision enters into force on 13.05.2014.

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

2013/0388(NLE) - 16/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 627 votes to 22, with 20 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Union of the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement currently in force between the two parties.

Parliament gave its consent to the conclusion of the Protocol.

In the interests of transparency, Parliament called on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee to monitor the implementation, interpretation and application of the Agreement, as well as the evaluation of the progress made in implementing multiannual sectorial programme;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee;
- submit to Parliament and the Council, within the last year of application of the protocol and before the opening of negotiations for its renewal, a full report on its implementation, without unnecessary restrictions on document access.

Lastly, Parliament called on the Council and the Commission, 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.