Basic information

2014/0079(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU **Subject** 3.15.15.03 Fisheries agreements with Indian Ocean countries **Geographical area** France Mayotte Seychelles	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	CADEC Alain (PPE)	04/09/2014
	Shadow rapporteur THOMAS Isabelle (S&D) VAN DALEN Peter (ECR) BILBAO BARANDICA Izaskun (ALDE) FERREIRA João (GUE/NGL) ENGSTRÖM Linnéa (Verts/ALE)	

Former committee responsible	Former rapporteur	Appointed
PECH Fisheries		

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3368	2015-02-10

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

Key events

Date	Event	Reference	Summary
10/03/2014	Preparatory document	COM(2014)0139	Summary
03/04/2014	Legislative proposal published	07911/2014	Summary
03/07/2014	Committee referral announced in Parliament		
03/12/2014	Vote in committee		
08/12/2014	Committee report tabled for plenary, 1st reading/single reading	A8-0055/2014	Summary
13/01/2015	Decision by Parliament	T8-0002/2015	Summary
13/01/2015	Results of vote in Parliament		
10/02/2015	Act adopted by Council after consultation of Parliament		
10/02/2015	End of procedure in Parliament		
16/02/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0079(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/00392

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE537.372	15/10/2014	
Committee report tabled for plenary, 1st reading/single reading		A8-0055/2014	08/12/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0002/2015	13/01/2015	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	07911/2014	03/04/2014	Summary
Document attached to the procedure	07953/2014	03/04/2014	

European Commission			
Document type	**Reference**	**Date**	**Summary**
Document attached to the procedure	COM(2014)0138	10/03/2014	
Preparatory document	COM(2014)0139	10/03/2014	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2015/0238 OJ L 040 16.02.2015, p. 0001	Summary

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 10/03/2014

PURPOSE: to conclude an Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

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: in the course of the negotiations for a new protocol to the EU-Seychelles Fisheries Partnership Agreement, held in May 2013, the Seychelles raised the need of negotiating an access agreement for Seychelles flagged vessels **to the waters of Mayotte**, which will fall under the jurisdiction of the EU from 1 January 2014. This would enable Seychelles flagged vessels to continue to have access to Mayotte waters from 1 January 2014.

Seychelles flagged vessels can currently fish in Mayotte waters on the basis of an agreement between the Prefet de Mayotte and the Seychelles flagged vessels owners.

A mandate for the Commission to undertake these negotiations was agreed on 14 October and negotiations were held with the Seychelles shortly following this and concluded on 15 November 2013.

The Agreement should now be concluded on behalf of the EU.

CONTENT: the proposal calls on the Council to approve on behalf of the Union the Agreement with Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU.

Administrative framework and fees : in order for the authorities in Mayotte to implement the rules of the common fisheries policy, from the date on which Mayotte becomes an outermost region (1 January 2014), it is necessary to set in place :

- the appropriate administrative framework,

- control activities,
- physical infrastructure and
- the appropriate capacity building

Therefore, the necessary financial means will be provided to the fisheries authorities in Mayotte through the use of the funding provided through the shipowners fees to be paid directly to Mayotte. All payments related to authorisations and catches under the agreement will directly benefit the local community in Mayotte.

France shall be empowered to collect, for the account of its outermost region Mayotte, the payments related to authorisations and catches and other fees due by operators of Seychelles vessels in consideration of the granting of access to fisheries within EU waters around Mayotte.

These receipts shall be used by France for the setting in place of the appropriate administrative framework mentioned above in order for the administration in Mayotte to meet the requirements of the CFP.

Joint committee: the Agreement established a Joint Committee responsible for monitoring the application of the Agreement. In order to facilitate the approval of modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a simplified procedure.

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 13/01/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 628 votes to 41, with 18 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

The European Parliament **gave its consent** to the conclusion of the Agreement.

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 10/02/2015 - Final act

PURPOSE: to conclude the Agreement between the European Union and the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

NON LEGISLATIVE ACT: Council Decision (EU) 2015/238 on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union

CONTENT: the Council adopted a decision concluding, on behalf of the EU, an agreement with the Republic of the Seychelles relating to the access, for fishing vessels flying the flag of Seychelles, to waters and marine biological resources of the EU, namely in the exclusive economic zone off the coast of Mayotte. Parliament gave its approval to the conclusion of the Agreement on 13 January 2015.

The Agreement **follows the change in Mayotte's status**, since the latter became an outermost region of the Union on 1 January 2014. On that date, the exclusive economic zone off the coast of Mayotte became part of the EU.

The Agreement was signed in accordance with Council Decision 2014/331/EU and is provisionally applied from 20 May 2014. It permitted access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte from that date.

France shall be authorised to collect, for the account of its outermost region Mayotte, **the payments related to authorisations and catches and other fees** due by operators of fishing vessels flying the flag of the Seychelles in consideration of the granting of access to waters and marine biological resources within Union waters off the coast of Mayotte Those revenues shall be used by France for the setting up of the appropriate administrative framework, control activities, physical infrastructure and for the provision of the appropriate capacity building in order for the administration in Mayotte to meet the requirements of the CFP.

The Agreement set up a Joint committee which will oversee its application and in accordance with its terms, the Joint Committee may make certain amendments to the Agreement.

ENTRY INTO FORCE: 16.2.2015.

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 03/04/2014 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Union and the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

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: on 11 July 2012, the European Council adopted Decision 2012/419/EU1 amending, with effect from 1 January 2014, the status of Mayotte with regard to the European Union. From that date, **Mayotte ceased to be an overseas country or territory and became an outermost region of the Union** within the meaning of Article 349 of the Treaty on the Functioning of the European Union (TFEU).

The Council authorised the Commission to negotiate, on behalf of the Union, an agreement with the Seychelles relating to the access, for fishing vessels flying the flag of Seychelles, to waters and marine biological resources of the Union in the exclusive economic zone off the coast of Mayotte.

The Agreement between the European Union and the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union was signed in accordance with a Council Decision and is provisionally applied.

In order for the authorities in Mayotte to implement the rules of the common fisheries policy (CFP) from the date on which Mayotte becomes an outermost region, it is necessary to set up the appropriate administrative framework, control activities and physical infrastructure, and to provide the appropriate capacity building.

The Agreement should be approved on behalf of the EU.

CONTENT : the proposal calls on the council to approve, on behalf of the EU, an Agreement with the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

For the contents of the Agreement, please refer to the summary of *the Commission's initial legislative proposal dated 10/03/2014.*

Simplified procedure: the Agreement established a Joint Committee responsible for monitoring its application. The Joint Committee may approve certain modifications to the Agreement. In order to facilitate the approval of such modifications, the Commission is empowered, subject to specific conditions, to approve them under a **simplified procedure.**

The modifications relate to the following issues:

- reassessment and adjustment of fishing opportunities in accordance with the Agreement;
- revision of the technical provisions of the Agreement and the Annex, including a review of the technical rules on VMS in accordance with the Annex to the Agreement.

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 10/03/2014 - Preparatory document

PURPOSE: to conclude an Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

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: in the course of the negotiations for a new protocol to the EU-Seychelles Fisheries Partnership Agreement, held in May 2013, the Seychelles raised the need of negotiating an access agreement for Seychelles flagged vessels **to the waters of Mayotte**, which will fall under the jurisdiction of the EU from 1 January 2014. This would enable Seychelles flagged vessels to continue to have access to Mayotte waters from 1 January 2014.

Seychelles flagged vessels can currently fish in Mayotte waters on the basis of an agreement between the Prefet de Mayotte and the Seychelles flagged vessels owners.

A mandate for the Commission to undertake these negotiations was agreed on 14 October and negotiations were held with the Seychelles shortly following this and concluded on 15 November 2013.

The Agreement should now be concluded on behalf of the EU.

CONTENT: the proposal calls on the Council to approve on behalf of the Union the Agreement with Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU.

Administrative framework and fees : in order for the authorities in Mayotte to implement the rules of the common fisheries policy, from the date on which Mayotte becomes an outermost region (1 January 2014), it is necessary to set in place :

- the appropriate administrative framework,
- control activities,
- physical infrastructure and
- the appropriate capacity building

Therefore, the necessary financial means will be provided to the fisheries authorities in Mayotte through the use of the funding provided through the shipowners fees to be paid directly to Mayotte. All payments related to authorisations and catches under the agreement will directly benefit the local community in Mayotte.

France shall be empowered to collect, for the account of its outermost region Mayotte, the payments related to authorisations and catches and other fees due by operators of Seychelles vessels in consideration of the granting of access to fisheries within EU waters around Mayotte.

These receipts shall be used by France for the setting in place of the appropriate administrative framework mentioned above in order for the administration in Mayotte to meet the requirements of the CFP.

Joint committee: the Agreement established a Joint Committee responsible for monitoring the application of the Agreement. In order to facilitate the approval of modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a simplified procedure.

EU/Seychelles Agreement: access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU

2014/0079(NLE) - 08/12/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Alain CADEC (EPP, FR) on the draft Council decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union.

The committee recommended that the European Parliament **gave its approval** to the conclusion of the Agreement.

The current agreement, the first of its kind, was an access agreement signed between the Republic of the Seychelles and the European Union on 3 April 2014. It concerned access by Seychelles-flagged vessels to the waters and biological resources of Mayotte, which acquired the status of an outermost region of the European Union on 1 January 2014. As a result Mayotte’s exclusive economic zone (EEZ) now belonged to EU waters.

This access agreement allowed a limited number of Seychelles-flagged vessels that had a tradition of fishing in Mayotte’s waters to continue to fish in Mayotte’s EEZ with due regard for the rules of the common fisheries policy.

Members wished to give a favourable opinion on this agreement as it benefitted both parties, it was beneficial for the economic development of Mayotte and the Seychelles and it complied with the rules of the common fisheries policy and the Indian Ocean Tuna Commission (IOTC) as regards preservation of resources.