Basic information

2016/0077(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol **Subject** 3.15.15.06 Fisheries agreements with Pacific countries **Geographical area** Cook Islands	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	FERREIRA João (GUE/NGL)	27/04/2016
	Shadow rapporteur ITURGAIZ Carlos (PPE) BLANCO LÓPEZ José (S&D) MARINHO E PINTO António (ALDE)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	PONGA Maurice (PPE)	03/05/2016
BUDG Budgets	TARAND Indrek (Verts/ALE)	26/05/2016

Council of the European Union

Council configuration	Meetings	Date
Environment	3522	2017-02-28

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

Key events

Date	Event	Reference	Summary
22/03/2016	Preparatory document	COM(2016)0146	Summary
26/04/2016	Legislative proposal published	07592/2016	Summary
27/10/2016	Committee referral announced in Parliament		
26/01/2017	Vote in committee		
30/01/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0010/2017	Summary
14/02/2017	Decision by Parliament	T8-0019/2017	Summary
14/02/2017	Results of vote in Parliament		
28/02/2017	Act adopted by Council after consultation of Parliament		
28/02/2017	End of procedure in Parliament		
10/03/2017	Final act published in Official Journal		

Technical information

Procedure reference	2016/0077(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/06081

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	DEVE	PE582.414	31/08/2016	
Committee opinion	BUDG	PE585.760	11/10/2016	
Committee draft report		PE582.199	10/11/2016	
Committee report tabled for plenary, 1st reading/single reading		A8-0010/2017	30/01/2017	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0019/2017	14/02/2017	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	07592/2016	26/04/2016	Summary
Document attached to the procedure	07594/2016	26/04/2016	

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2016)0143	22/03/2016	
Document attached to the procedure	COM(2016)0145	22/03/2016	
Preparatory document	COM(2016)0146	22/03/2016	Summary

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

Final act	
Decision 2017/0418 OJ L 064 10.03.2017, p. 0001	Summary

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 22/03/2016

PURPOSE: to conclude a Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto.

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 Commission conducted negotiations with the Government of the Cook Islands with a view to concluding a new Sustainable Fisheries Partnership Agreement and an Implementation Protocol thereto between the European Union and the Cook Islands.

Following these negotiations, a new Agreement and Protocol were initialled on 21 October 2015. They cover a period of eight years and four years respectively from the date of their provisional application, i.e. from the date of their signature.

CONTENT: the Commission proposes that the Council adopt by Decision the conclusion of this new Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the **Implementation Protocol Agreement**.

The new Agreement will provide for a framework taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Cook Islands.

This Agreement establishes the principles, rules and procedures governing:

- the conditions under which Union vessels may engage in fishing activities in the Cook Islands' fishing areas;
- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in the Cook Islands' fishery waters;
- cooperation on the management, control and surveillance measures for policing fisheries in the Cook Islands' fishery waters.

The main objective of the new Protocol is to provide **fishing opportunities** to Union vessels in the Cook Islands fishing zone, on the basis of the best available scientific advice and respecting the conservation and management measures of the Western and Central Pacific Fisheries Commission (WCPFC) where applicable within the limits of the available surplus.

The aim is also to enhance cooperation between the European Union and the Cook Islands to promote a sustainable fisheries policy and sound exploitation of fisheries resources in the Cook Islands' fishing zone, in the interests of both parties.

The Protocol provides for **fishing opportunities for 4 tuna seiners** to fish for highly migratory species as listed in Annex 1 of the 1982 United Nations Convention on the Law of the Sea.

The Agreement and the Implementation Protocol thereto also provide for the possibility of their suspension or termination in the event of a breach by either one of the Parties of the **respect for human rights.**

BUDGETARY IMPLICATIONS: the total financial contribution shall be **EUR 2 870 000** for the whole duration of this Protocol. This total financial contribution shall comprise two dissociated elements:

- an annual amount for access to the Cook Islands' fishery areas of **EUR 385 000** for the first and second year, and of **EUR 350 000** for the third and fourth year, equivalent to a reference tonnage of 7 000 tonnes per year, and
- a specific annual amount of **EUR 350 000** for the support and implementation of the Cook Islands' sectoral fisheries policy.

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 14/02/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 578 votes to 95, with 16 abstentions, a legislative resolution on the draft Council decision on the conclusion on behalf of the European Union of a Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto.

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

It was recalled that, at present, there are no EU vessels fishing in Cook Islands waters. Concluding a **Sustainable Fisheries Partnership Agreement** is a strategic choice for the EU and the Cook Islands that will provide fishing opportunities for vessels flying the flags of Member States, theoretically on the basis of the best scientific advice available, subject to compliance with the conservation and management measures laid down by the Western and Central Pacific Fisheries Commission (WCPFC) within the limits of the available surplus.

Therefore, Parliament considered that the Agreement and its Protocol should be adopted given their importance both to the Cook Islands and to the EU fleets operating in their waters. It also stressed that it should be kept fully informed, at every stage, without delay about procedures related to the Protocol or its renewal.

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 28/02/2017 - Final act

PURPOSE: to conclude the Partnership Agreement in the field of sustainable fisheries between the European Union and the Government of the Cook Islands and its Protocol of Implementation.

NON-LEGISLATIVE ACT: Council Decision (EU) 2017/418 on the conclusion on behalf of the European Union of the Partnership Agreement in the field of sustainable fisheries between the European Union and the Government of the Cook Islands Its implementation protocol.

BACKGROUND: The Union and the Government of the Cook Islands have negotiated a partnership agreement in the field of sustainable fisheries for a period of 5 years, renewable by tacit agreement, and a protocol for the implementation of this agreement, Vessels in the waters over which the Cook Islands have sovereign rights or are under its fisheries jurisdiction.

The Agreement and the Protocol have been signed in accordance with Council Decision (EU) 2016/776 and apply provisionally from 14 October 2016.

The Agreement and the Protocol on behalf of the European Union should now be approved.

CONTENT: With this Decision, the Partnership Agreement in the field of sustainable fisheries between the European Union and the Government of the Cook Islands and its Protocol of Implementation are hereby approved on behalf of the Union.

The agreement provides a framework that takes into account the priorities of the common fisheries policy and its external dimension, with a view to a strategic partnership between the European Union and the Cook Islands. It establishes the principles, rules and procedures governing:

- the conditions under which Union vessels may engage in fishing activities in Cook Islands fishing zones;
- economic, financial, technical and scientific cooperation in the fisheries sector, with a view to establishing responsible fishing in the fisheries waters of the Cook Islands to ensure the conservation and sustainable exploitation of fisheries resources and to develop The Cook Islands fisheries sector;

- cooperation on management, control and surveillance measures to control fishing in Cook Islands waters.

The **main objective** of the new Protocol is to provide **fishing opportunities** for Union vessels in the Cook Islands fishery area on the basis of the best available scientific advice and in compliance with conservation and management measures of the Western and Central Pacific Fisheries Commission (WCPFC) as appropriate, within the limits of the available surplus.

The objective is also to strengthen cooperation between the European Union and the Cook Islands to **promote sustainable fisheries policy** and the responsible exploitation of fishery resources in the Cook Islands fishing zone in the interests of both Parties.

Fishing opportunities: the Protocol provides for fishing opportunities for **4 tuna seiners** for fishing for the highly migratory species listed in Annex 1 to the 1982 United Nations Convention on the Law of the Sea.

Financial compensation: The overall financial contribution offered by the EU to operate in the waters of the Cook Islands was set at **EUR 2 870 000** for the entire duration of the Protocol.

The agreement and its implementing protocol also provide for the possibility of suspending or denouncing their application in case of violation by either party of **respect for human rights**.

Joint Committee: Lastly, the Agreement establishes a Joint Commission to monitor the implementation, interpretation and application of the Agreement. It will also be called upon to approve certain amendments to the Protocol. To this end, the Commission will be empowered to approve these decisions in accordance with a simplified procedure.

ENTRY INTO FORCE: the Decision shall enter into force on 28.2.2017. The Agreement and the Protocol shall enter into force when all the procedures necessary for this purpose have been completed.

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 30/01/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the recommendation by João FERREIRA (GUE/NGL, PT) on the draft Council decision on the conclusion on behalf of the European Union of a Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto.

The committee recommended the European Parliament to give its consent to the conclusion of the Agreement.

Members recalled that the Cook Islands have traditionally allowed vessels from other countries to have access to their exclusive economic zone (EEZ). These Islands, which border Kiribati, Tokelau, French Polynesia, American Samoa, Niue, and high sea areas, extend over 1.98 million km2. This adds to the economic potential of the fisheries sector, but also entails problems as regards monitoring and control, since illegal, unregulated, and unreported fishing is difficult to tackle over so vast an area in which resources are scattered so widely.

At present there are no EU vessels fishing in Cook Islands waters. Concluding a Sustainable Fisheries Partnership Agreement is a **strategic choice for the EU and the Cook Islands** that will provide fishing opportunities for vessels flying the flags of Member States, theoretically on the basis of the best scientific advice available, subject to compliance with the conservation and management measures laid down by the Western and Central Pacific Fisheries Commission (WCPFC) within the limits of the available surplus.

Therefore, Members recommended that the European Parliament approve the conclusion of the Protocol, given its importance both to the Cook Islands and to the EU fleets operating in their waters. They also stressed that the Agreement and its future prospects need to be assessed and studied in more detail and that **Parliament must, at every stage, be kept fully informed** without delay about procedures related to the Protocol or its renewal.

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 22/03/2016 - Preparatory document

PURPOSE: to conclude a Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto.

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 Commission conducted negotiations with the Government of the Cook Islands with a view to concluding a new Sustainable Fisheries Partnership Agreement and an Implementation Protocol thereto between the European Union and the Cook Islands.

Following these negotiations, a new Agreement and Protocol were initialled on 21 October 2015. They cover a period of eight years and four years respectively from the date of their provisional application, i.e. from the date of their signature.

CONTENT: the Commission proposes that the Council adopt by Decision the conclusion of this new Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the **Implementation Protocol Agreement**.

The new Agreement will provide for a framework taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Cook Islands.

This Agreement establishes the principles, rules and procedures governing:

- the conditions under which Union vessels may engage in fishing activities in the Cook Islands' fishing areas;
- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in the Cook Islands' fishery waters;
- cooperation on the management, control and surveillance measures for policing fisheries in the Cook Islands' fishery waters.

The main objective of the new Protocol is to provide **fishing opportunities** to Union vessels in the Cook Islands fishing zone, on the basis of the best available scientific advice and respecting the conservation and management measures of the Western and Central Pacific Fisheries Commission (WCPFC) where applicable within the limits of the available surplus.

The aim is also to enhance cooperation between the European Union and the Cook Islands to promote a sustainable fisheries policy and sound exploitation of fisheries resources in the Cook Islands' fishing zone, in the interests of both parties.

The Protocol provides for **fishing opportunities for 4 tuna seiners** to fish for highly migratory species as listed in Annex 1 of the 1982 United Nations Convention on the Law of the Sea.

The Agreement and the Implementation Protocol thereto also provide for the possibility of their suspension or termination in the event of a breach by either one of the Parties of the **respect for human rights.**

BUDGETARY IMPLICATIONS: the total financial contribution shall be **EUR 2 870 000** for the whole duration of this Protocol. This total financial contribution shall comprise two dissociated elements:

- an annual amount for access to the Cook Islands' fishery areas of **EUR 385 000** for the first and second year, and of **EUR 350 000** for the third and fourth year, equivalent to a reference tonnage of 7 000 tonnes per year, and
- a specific annual amount of **EUR 350 000** for the support and implementation of the Cook Islands' sectoral fisheries policy.

EU/Cook Islands Sustainable Fisheries Partnership Agreement and implementation Protocol

2016/0077(NLE) - 26/04/2016 - Legislative proposal

PURPOSE: to conclude a Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands and the Implementation Protocol thereto.

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 Union and the Government of the Cook Islands negotiated a Sustainable Fisheries Partnership Agreement for a duration of five years, renewable by tacit agreement, and an Implementation Protocol thereto, granting Union vessels fishing opportunities in the waters over which the Cook Islands has sovereign rights or jurisdiction in respect to fisheries.

The Agreement and the Protocol were signed in accordance with a Council Decision and apply on a provisional basis from the date of the signature of the Agreement and the Protocol.

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

CONTENT: the Council is called upon to adopt a decision on the conclusion of the **Sustainable Fisheries Partnership Agreement** between the European Union and the Government of the Cook Islands and the **Implementation Protocol** thereto.

The new Agreement will provide for a framework taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Cook Islands. It establishes the principles, rules and procedures on the subject.

The main objective of the new Protocol is to provide **fishing opportunities** to Union vessels in the Cook Islands fishing zone and to **promote a sustainable fisheries policy** and sound exploitation of fisheries resources in the Cook Islands' fishing zone.

Joint committee: the Agreement sets up a Joint Committee which is responsible for monitoring the performance, interpretation and application of the Agreement. It may also approve certain modifications to the Protocol. In this respect, the Commission shall be empowered to approve these modifications under a simplified procedure.

For further details on the other main points of the proposal, *please refer to the summary of the initial Commission proposal from 22.3.2016 in this procedure file*.