Basic information

2021/0312(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Cook Islands Sustainable Fisheries Partnership Agreement: implementation of the Agreement 2021-2024. 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	MONTEIRO DE AGUIAR Cláudia (EPP)	02/02/2022
	Shadow rapporteur HRISTOV Ivo (S&D) BILBAO BARANDICA Izaskun (Renew) ROOSE Caroline (Greens/EFA)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	ZORRINHO Carlos (S&D)	24/11/2021
BUDG Budgets	HERBST Niclas (EPP)	28/10/2021

Council of the European Union

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	SINKEVIČIUS Virginijus

Key events

Date	Event	Reference	Summary

06/10/2021	Preparatory document	COM(2021)0613	Summary
21/12/2021	Legislative proposal published	12640/2021	Summary
17/01/2022	Committee referral announced in Parliament		
14/06/2022	Vote in committee		
28/06/2022	Committee report tabled for plenary, 1st reading/single reading	A9-0197/2022	
05/07/2022	Decision by Parliament	T9-0272/2022	Summary
18/07/2022	Act adopted by Council after consultation of Parliament		
02/09/2022	Final act published in Official Journal		

Technical information

Procedure reference	2021/0312(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
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/9/07336

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE719.632	04/03/2022	
Committee opinion	DEVE	PE729.837	22/04/2022	
Committee opinion	BUDG	PE719.778	18/05/2022	
Committee report tabled for plenary, 1st reading/single reading		A9-0197/2022	28/06/2022	
Text adopted by Parliament, 1st reading/single reading		T9-0272/2022	05/07/2022	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	12640/2021	21/12/2021	Summary

European Commission

Document type	Reference	Date	Summary
	COM(2021)0611		

Commission document (COM)		06/10/2021	
Preparatory document	COM(2021)0613	06/10/2021	Summary
Document attached to the procedure	COM(2021)0614	06/10/2021	

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

Final act
Decision 2022/1449 OJ L 228 02.09.2022, p. 0005

EU/Cook Islands Sustainable Fisheries Partnership Agreement: implementation of the Agreement 2021-2024. Protocol

2021/0312(NLE) - 21/12/2021 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands.

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 Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands was concluded by Council Decision (EU) 2017/418.

The Protocol implementing the Partnership Agreement has been signed, subject to its conclusion at a later date. The protocol should now be approved.

CONTENT: the draft Council decision concerns the **approval, on behalf of the Union, of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands**.

The Protocol aims to enable the Union and the Government of the Cook Islands to continue working together to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in the Cook Islands' fishery waters, in line with the objective of conservation of marine biological resources recognised in Union law, and to allow Union vessels to fish in those waters.

The Agreement sets up a **Joint Committee** responsible for the monitoring of the application of the Agreement and its Implementing Protocol. The Joint Committee may approve certain amendments to the Protocol. In order to facilitate the approval of such amendments, the Commission may, subject to specific substantive and procedural provisions and conditions, approve these amendments on behalf of the Union under a simplified procedure.

The Council should determine the Union's position on the proposed amendments to the Protocol. The proposed amendments should be approved unless a blocking minority of Member States objects to the amendments.

In view of the economic importance of the Union's fishing activities in the Cook Islands fishing areas and in view of the need to avoid interrupting those activities upon the expiration of the current Protocol on 13 November 2021, it is important that the Protocol enters into force as soon as possible.

EU/Cook Islands Sustainable Fisheries Partnership Agreement: implementation of the Agreement 2021-2024. Protocol

2021/0312(NLE) - 06/10/2021 - Preparatory document

PURPOSE: to conclude, on behalf of the European Union, the Protocol (2021-2024) on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands.

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 Sustainable Fisheries Partnership Agreement (SFPA) between the European Union and the Cook Islands Government was signed on 3 May 2016 and 14 May 2016 respectively and entered into provisional application on 14 May 2016 for a period of eight years. The agreement is renewable by tacit agreement and is still in force.

The first 4-year protocol on the implementation of the SFPA entered into provisional application on 14 October 2016 and expired on 13 October 2020. Both the agreement and the protocol entered into force on 10 May 2017.

In July 2020, the Council authorised the European Commission to open negotiations for a new protocol to the SFPA between the European Union and the Government of the Cook Islands and a possible extension of the protocol to the SFPA which was due to expire on 13 October 2020.

Due to the complexity of the negotiations, the protocol was extended for one year from the date of signature of the exchange of letters by both parties, i. e. 14 November 2020. As a result, the current protocol will expire on 13 November 2021. This extension was established by an agreement in the form of an exchange of letters, initialled on 29 July 2020.

The Commission conducted negotiations with the Cook Islands with a view to concluding, on behalf of the European Union, a new protocol implementing the SFPA. Following these negotiations, a protocol was initialled by the negotiators on 28 July 2021. The new protocol covers a period of three years from the date of provisional application, i.e. the date of signature by both parties.

CONTENT: the purpose of the proposal is to **authorise the conclusion of the Protocol implementing the SFPA between the European Union and the Government of the Cook Islands**.

Objective

The objective of the Protocol is to enable the Union and the Cook Islands Government to continue to work together to **promote a sustainable fisheries policy** and the responsible exploitation of fisheries resources in Cook Islands fishing waters and to allow Union vessels to fish in those waters.

The agreement and the protocol will also contribute to the **better management and conservation of fisheries resources**, through financial support (sectoral support) for the implementation of programmes adopted at national level by the partner country, in particular the global plan for fisheries, the monitoring of and fight against illegal fishing, and support for the artisanal fishing sector.

Fishing opportunities

The new Protocol to the Agreement between the European Union and the Cook Islands allows the EU fleet to fish for tuna in Cook Islands waters and provides for the following fishing possibilities:

- 4 purse seine tuna vessels with access to the Cook Islands fishing zone for 100 days per year;

- the possibility for the Union fleet to have an additional 110 days per year, if requested.

Financial contribution

The EU's annual financial contribution amounts to **EUR 700 000**, based on:

- an annual amount for access to fisheries resources, for the categories provided for in the Protocol, set at EUR 350 000 for the duration of the Protocol;

- support for the development of the sectoral fisheries policy of the Cook Islands for an annual amount of EUR 350 000 for the duration of the Protocol. This support should meet the objectives of the Cook Islands' national policy on the sustainable management of fisheries resources for the entire duration of the Protocol.

EU/Cook Islands Sustainable Fisheries Partnership Agreement: implementation of the Agreement 2021-2024. Protocol

2021/0312(NLE) - 05/07/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 477 votes to 37, with 117 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands.

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

The purpose of the Protocol is to enable the EU and the Cook Islands Government to continue to work together to promote sustainable fisheries and the responsible exploitation of fisheries resources in Cook Islands fishing waters and to allow Union vessels to fish in those waters.

The first Protocol implementing the Sustainable Fisheries Partnership Agreement (SFPA) between the EU and the Cook Islands remained in force for four years, from 14 October 2016 to 13 October 2020. On 7 July 2020, the Council approved a mandate for the European Commission to negotiate a new protocol for the implementation of the SFPA with the Cook Islands Government. Due to the complexity of the negotiations, the current protocol had to be extended by one year, from 14 November 2020 to 13 November 2021.

On 28 July 2021, a new threeyear protocol was signed, **giving 4 EU seiners access to the Cook Islands' waters to fish tuna for 100 days a year**, with the option, upon request, of a further 110 days.

The EU's financial contribution comes to **EUR 700 000 per year** – EUR 2 100 000 in total for the 3 years – broken down as follows:

(1) EUR 350 000 per year for access to fishery resources for the duration of the protocol;

(2) EUR 350 000 per year in support for the development of the sectoral fisheries policy in the Cook Islands. Support measures will be agreed by both parties within the framework of the joint committee set up to monitor the implementation of the SFPA.

The Protocol attaches major importance to the sustainable development of the local fisheries sector, in line with the EU's Common Fisheries Policy, based on the best scientific advice and respecting the recommendations of the Western and Central Pacific Fisheries Commission (WCPFC), but also respecting democratic principles and fundamental rights.

The Protocol ensures continued access for the European fleet to Cook Islands waters, while guaranteeing the development of the local sector and providing added value to the population dependent on the fisheries sector, which accounts for around 3% of the Cook Islands' GDP, in full respect of the marine environment and fisheries resources. It also encourages practices to combat illegal fishing.