

Procedure file

Basic information		
AVC - Assent procedure (historic)	1997/0038(AVC)	Procedure completed
Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994		
Subject 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity 3.70.05 Marine and coastal pollution, pollution from ships, oil pollution		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs, Citizens' Rights		19/03/1997
		PSE COT Jean-Pierre	
	Committee for opinion	Rapporteur for opinion	Appointed
	AGRI Agriculture and Rural Development		
	RELA External Economic Relations		17/04/1997
		UPE VAN BLADEL Leonie G.L.	
	ENVI Environment, Public Health and Consumer Protection		05/03/1997
		PSE COLLINS Kenneth D.	
	PECH Fisheries		20/03/1997
Council of the European Union		PPE LANGENHAGEN Brigitte	
	Council configuration	Meeting	Date
	Environment	2076	23/03/1998
	Social Affairs	2015	27/06/1997

Key events			
27/02/1997	Initial legislative proposal published	COM(1997)0037	
23/06/1997	Legislative proposal published	09032/1997	Summary
27/06/1997	Debate in Council	2015	
23/09/1997	Vote in committee		Summary
23/09/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0283/1997	
01/10/1997	Committee referral announced in Parliament		

01/10/1997	Debate in Parliament		Summary
02/10/1997	Decision by Parliament	T4-0468/1997	Summary
23/03/1998	Act adopted by Council after consultation of Parliament		
23/03/1998	End of procedure in Parliament		
23/06/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/0038(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	International agreement
Legal basis	EC before Amsterdam E 130S-p1; EC before Amsterdam E 113; EC before Amsterdam E 228-p2; EC before Amsterdam E 043
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/09260

Documentation gateway

Initial legislative proposal		COM(1997)0037 OJ C 155 23.05.1997, p. 0001	27/02/1997	EC	
Legislative proposal		09032/1997	23/06/1997	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0283/1997 OJ C 325 27.10.1997, p. 0004	23/09/1997	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0468/1997 OJ C 325 27.10.1997, p. 0009-0014	02/10/1997	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 1998/392 OJ L 179 23.06.1998, p. 0001	Summary
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Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994

OBJECTIVE: to conclude on behalf of the Community the United Nations Convention of 10 December 1992 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of part XI thereof. SUBSTANCE: Under Annex IX of this Convention, an organisation such as the Community may deposit an instrument of membership ('formal confirmation') when a majority of its members have joined or ratified the Convention. To date, nine Member States have ratified the Convention and the Agreement, thus allowing the Community to become a full member of the Convention and the Agreement. The aim of this proposal is to enable the European Community to join the Convention by depositing its own instrument of formal confirmation, containing a declaration specifying the matters governed by the Convention and the Agreement in respect of which competence has been transferred to it by its Member States who are already members of the Convention and the Agreement. The text confirms by an ad hoc declaration the legal scope of certain provisions concerning fisheries policy. With regard to the procedure for settling disputes concerning interpretation of the Convention, the Community will decide according to the position of the majority of the Member States who are signatories to the Convention, and has not chosen a specific dispute- settlement procedure (the text of the Convention allows that this position may be changed at any time and one or other procedure chosen by written declaration). To confirm this option, a 'declaration by the Council and the Commission' will be annexed to the decision concluding the

Convention, providing that the Community declines at this stage to choose a specific dispute-settlement procedure. The Council and Commission undertake to review this decision after the procedures have been in operation for a sufficient period (and in any case by 31 December 1998). As the Community is already a provisional member of the International Seabed Authority and wishes to become a full member, the Community and its Member States confirm that the positions they will adopt within this organisation will be drafted according to the procedure laid down in the mandate of the Working Party on the Law of the Sea. ?

Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994

The Committee has recommended that Parliament should give its assent to the European Community's accession to the 1982 Montego Bay Convention on the Law of the Sea. The committee adopted the report by Jean-Pierre COT (PES, F) advocating that the European Community should become party to the Convention in its own rights. Areas that fall within the scope of the convention include sovereignty over waters and fishing rights. The Community's responsibilities encompass policies affected by the Convention on the Law of the Sea: such as commercial policy (Article 113), fisheries (Article 43) and the environment (Article 130).?

Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994

Recalling that the so-called Montego Bay Convention had been signed by the European Community on 7 December 1984 whereas the supplementary agreement on the application of Part XI of the Convention had been signed on 16 November 1994, the rapporteur explained that the texts had come so late to Parliament because the European Union could not ratify these until a majority of Member States had ratified the Convention. He also stated that this delay would not cause any harm to the European Community as it was already a member, albeit provisionally, of the International Seabed Authority. He added, however, that this privilege would be lost if Parliament did not authorise adherence before 16 November 1998, i.e. in one year's time. Finally, he asked the Commission to undertake to consult Parliament on the solution to be adopted for the dispute-settlement procedure issue, which Commissioner van den Broek promised to do before the procedure was finally chosen in 1998.

Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994

In adopting the report by Mr Jean-Pierre COT (PSE, F), Parliament gave its assent to the conclusion of the Convention and the Agreement on the Law of the Sea. ?

Law of the Sea : application to the European Community of the UN Convention of 1982 and the agreement of 1994

OBJECTIVE: to conclude on behalf of the Community the United Nations Convention of 10 December 1992 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof. COMMUNITY MEASURE: Council decision 98/392/EC concerning the conclusion by the European Community of the United Nations Convention of 10 December 1992 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof. SUBSTANCE: Under Annex IX of this Convention, an organisation such as the Community may deposit an instrument of membership ('formal confirmation') when a majority of its members have joined or ratified the Convention. To date, nine Member States have ratified the Convention and the Agreement, thus allowing the Community to become a full member of the Convention and the Agreement. This decision is the instrument enabling the European Community to join the Convention by depositing its own instrument of formal confirmation, containing a declaration specifying the matters governed by the Convention and the Agreement in respect of which competence has been transferred to it by its Member States who are already members of the Convention and the Agreement. The text confirms by an ad hoc declaration the legal scope of certain provisions concerning fisheries policy, and the procedure for settling disputes with regard to interpretation of the Convention. The areas in which the Community has exclusive competence and those in which it shares competence with the Member States are clearly stated in an annex. As the Community is already a provisional member of the International Seabed Authority and wishes to become a full member, the Community and its Member States confirm that the positions they will adopt within this organisation will be drafted according to the procedure laid down in the mandate of the Working Party on the Law of the Sea. ENTRY INTO FORCE: The Convention enters into force one year after the last notification of ratification is deposited. ?