



Procedure file

Basic information		
CNS - Consultation procedure Regulation	2005/0092(CNS)	Procedure completed
EC/Comoros agreement: tuna fishing, protocol for the period from 1st January 2005 to 31st December 2010		
Subject 3.15.15.03 Fisheries agreements with Indian Ocean countries		
Geographical area Comoros		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		25/01/2005
		PPE-DE FRAGA ESTÉVEZ Carmen	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development		
	BUDG Budgets		09/06/2005
		Verts/ALE TRÜPEL Helga	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	2680	06/10/2005
	Agriculture and Fisheries	2677	19/09/2005
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries		

Key events			
11/05/2005	Legislative proposal published	COM(2005)0187	Summary
07/06/2005	Committee referral announced in Parliament		
30/08/2005	Vote in committee		Summary
01/09/2005	Committee report tabled for plenary, 1st reading/single reading	A6-0260/2005	
26/09/2005	Debate in Parliament		
27/09/2005	Results of vote in Parliament		
27/09/2005	Decision by Parliament	T6-0346/2005	Summary
06/10/2005	Act adopted by Council after consultation of Parliament		
06/10/2005	End of procedure in Parliament		
	Final act published in Official Journal		

12/10/2005

Technical information	
Procedure reference	2005/0092(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 300-p2; EC Treaty (after Amsterdam) EC 037; EC Treaty (after Amsterdam) EC 300-p3-a1
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/28258

Documentation gateway					
Legislative proposal		COM(2005)0187	12/05/2005	EC	Summary
Committee opinion	DEVE	PE353.649	22/06/2005	EP	
Amendments tabled in committee		PE360.310	19/07/2005	EP	
Committee opinion	BUDG	PE360.143	20/07/2005	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0260/2005	01/09/2005	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0346/2005 OJ C 227 21.09.2006, p. 0018-0042 E	27/09/2005	EP	Summary
Commission response to text adopted in plenary		SP(2005)4139	20/10/2005	EC	

Additional information	
European Commission	EUR-Lex

Final act
Regulation 2005/1660 OJ L 267 12.10.2005, p. 0015-0016 Summary

EC/Comoros agreement: tuna fishing, protocol for the period from 1st January 2005 to 31st December 2010

PURPOSE : to conclude a new Protocol setting out the tuna fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 1 January 2005 to 31 December 2010.

PROPOSED ACT : Council Regulation.

CONTENT : the Protocol to the Fisheries Agreement between the Community and the Comoros expired on 31 December 2004. A new Protocol was initialled by both parties on 24 November 2004 setting out the technical and financial conditions governing the fishing activities of Community vessels in Comorian waters during the period 1 January 2005 to 31 December 2010 (6 years).

The new Protocol grants fishing opportunities for 40 tuna seiners and 17 surface longliners.

The financial contribution is fixed at EUR 390 000 per year, covering an annual catch of 6 000 tonnes of tuna in Comorian waters. A large portion of this amount (60%, or EUR 234 000 per year) is earmarked, under the new partnership approach fixed in the July 2004 Council guidelines on fisheries agreements, for defining and implementing the sectoral fisheries policy in the Comoros with a view to establishing responsible fishing.

While it is in keeping with the tuna agreements concluded by the Community with certain Indian Ocean countries, this new Protocol reinforces the concept of responsible, sustainable fisheries and makes it possible to promote a partnership focussing on compliance with the laws and regulations in force under Comorian fisheries policy. New provisions have been introduced to this end:

- the exclusivity clause, which prohibits the existence of private licences or other private arrangements outside the scope of the Agreement;
- VMS requirements to reinforce checks on vessels operating in Comorian waters;
- the social clause applicable to local seamen signed on by Community vessels;
- rules on taking on board observers.

Moreover, the new Protocol aims to adjust the costs of the Agreement between the Community and shipowners. The tuna fee for fishermen has been increased from EUR 25 to EUR 35/tonne, while the Community fee has been reduced from EUR 75 to EUR 65/tonne. This reallocation, already applied in the tuna agreements in the Pacific, will gradually be applied to all tuna agreements in the Community.

In addition, the proposed Protocol sets out fishing opportunities allocated among the Member States as follows:

- Tuna seiners: Spain: 21 vessels; France: 18 vessels ; Italy: 1 vessel.
- Surface longliners: Spain: 12 vessels; Portugal: 5 vessels.

If licence applications from these Member States do not cover all the fishing opportunities set out in the Protocol, the Commission may take into consideration licence applications from any other Member State.

FINANCIAL IMPLICATIONS :

- Budget lines concerned : 11 03 01 : International Fishing Agreements. 11 01 04 04: International Fishing Agreements, administrative expenditure.
- Period of application : 01.01.2005-31.12.2010.
- Total financial envelope : between EUR 2.578.000 according to the lowest hypothesis and EUR 4.918.00 according to the highest hypothesis over 6 years.
- Administrative expenditure included in the reference amount (management and technical assistance): EUR 238.000 over the proposed period of application.
- Administrative expenditure not included in the reference amount : EUR 77.000 per year including human resource expenditures (EUR 65.000 per year).

EC/Comoros agreement: tuna fishing, protocol for the period from 1st January 2005 to 31st December 2010

The committee adopted the report by Carmen FRAGA ESTÉVEZ (EPP-ED, ES) approving the proposal under the consultation procedure, subject to a few amendments. These reflected Parliament's traditional position on renewing fishing agreements, namely, that a general assessment report on the application of the agreement should be presented by the Commission before the beginning of negotiations. Only after the report had been received and Parliament had given its opinion thereon should the Council authorise the Commission to enter into negotiations for a possible new Protocol.

In view of the financial and social importance of targeted measures, the multiannual sectoral programme which the Comorian authorities are to draw up as a framework for those measures should be forwarded to Parliament and Council as well as being sent to the Commission. Lastly, the committee wanted provision to be made for shipowners to send representatives to attend meetings of the Joint Committee set up under the Agreement. MEPs argued that shipowners were meeting a significant part of the costs of the agreement and should be given a say and a minimum degree of legal certainty enabling them to continue to protect the interests of their businesses.

EC/Comoros agreement: tuna fishing, protocol for the period from 1st January 2005 to 31st December 2010

The European Parliament adopted a resolution drafted by Carmen FRAGA ESTÉVEZ (EPP-ED, ES) approving the proposal under the consultation procedure, subject to a few amendments. (Please see the document dated 30/08/2005.)

EC/Comoros agreement: tuna fishing, protocol for the period from 1st January 2005 to 31st December 2010

PURPOSE: The Conclusion of a fishing Protocol between the European Economic Community and the Islamic Federal Republic of the Comoros.

LEGISLATIVE ACT: Council Regulation 1660/2005/EC of 6 October 2006 on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 1 January 2005 to 31 December 2010.

CONTENT: The new Protocol sets out the fishing opportunities as well as the financial contributions provided for in the Agreement between

the EEC and the Islamic Federal Republic of the Comoros on fishing off the Comoros. It is to last from 1 January 2005 to 31 December 2010. The fishing opportunities among the Member States are:

Tuna seiners:

- Spain: 21 vessels
- France: 18 vessels
- Italy: 1 vessel

Surface long-liners:

- Spain: 12 vessels
- Portugal: 5 vessels

In cases where licence applications from the Member States listed above do not cover all the fishing opportunities, the Commission may take licence applications from other Member States into consideration. Those Member States making use of this Protocol are obliged to notify the Commission of the quantities of each stock taken in the Comorian fishing zone.

As far as the financial contribution is concerned, the following provisions apply:

- The financial contribution will be EUR 2 340 000. The Community will pay the financial contribution at the rate of EUR 390 000 per year. In cases where the total quantity of catches exceeds 6000 tonnes per year, the total amount paid by the Community shall be increased by EUR 65 for each additional tonne caught. The total amount paid by the Community will not exceed twice the amount indicated, namely EUR 780 000.
- The fishing opportunities may be increased depending on scientific advice pertaining to the sustainable management of Comorian fish-stocks.
- A share of 60% of the financial contribution shall be put towards defining and implementing a sectoral fisheries policy in the Comoros with a view to introducing responsible fishing in its waters.

ENTRY INTO FORCE: The Regulation enters into force on 15 October 2005, whilst the Protocol with its Annexes enters into force on the date on which the parties notify each other of the completion of procedures necessary for its implementation.