

# Procedure file

Basic information		
NLE - Non-legislative enactments Decision	<a href="#">2010/0094(NLE)</a>	Procedure completed
EC/Solomon Islands Fisheries Partnership Agreement		
Subject 3.15.15.06 Fisheries agreements with Pacific countries		
Geographical area Solomon Islands		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		18/05/2010
		PPE <a href="#">PATRÃO NEVES Maria do Céu</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>DEVE</b> Development		03/06/2010
		ECR <a href="#">DEVA Nirj</a>	
	<b>BUDG</b> Budgets		10/05/2010
		Verts/ALE <a href="#">ALFONSI François</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Employment, Social Policy, Health and Consumer Affairs3053</a>		06/12/2010
	<a href="#">Environment</a>	<a href="#">3021</a>	11/06/2010
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">3018</a>	03/06/2010
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	DAMANAKI Maria	

Key events			
22/04/2010	Preparatory document	<a href="#">COM(2010)0177</a>	Summary
27/05/2010	Legislative proposal published	<a href="#">09335/2010</a>	Summary
29/09/2010	Vote in committee		Summary
26/10/2010	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0292/2010</a>	
10/11/2010	Committee referral announced in Parliament		
	Results of vote in Parliament		

23/11/2010			
23/11/2010	Decision by Parliament	<a href="#">T7-0416/2010</a>	Summary
06/12/2010	Act adopted by Council after consultation of Parliament		
06/12/2010	End of procedure in Parliament		
09/12/2010	Final act published in Official Journal		

### Technical information

Procedure reference	2010/0094(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/02813

### Documentation gateway

Preparatory document		<a href="#">COM(2010)0177</a>	22/04/2010	EC	Summary
Legislative proposal		<a href="#">09335/2010</a>	27/05/2010	CSL	Summary
Document attached to the procedure		<a href="#">09336/2010</a>	27/05/2010	CSL	Summary
Committee draft report		<a href="#">PE443.060</a>	24/06/2010	EP	
Committee opinion	<b>BUDG</b>	<a href="#">PE443.077</a>	14/07/2010	EP	
Committee opinion	<b>DEVE</b>	<a href="#">PE443.130</a>	15/07/2010	EP	
Amendments tabled in committee		<a href="#">PE448.666</a>	07/09/2010	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0292/2010</a>	26/10/2010	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0416/2010</a>	23/11/2010	EP	Summary

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Decision 2010/763](#)  
[OJ L 324 09.12.2010, p. 0048](#) Summary

**PURPOSE:** to conclude a Fisheries Partnership Agreement between the European Union and Solomon Islands.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** on the basis of the mandate given to the Commission by the Council, the Community and Solomon Islands have negotiated and initialled, on 26 September 2009, a Fisheries Partnership Agreement which provides EU fishermen with fishing opportunities in Solomon Islands fishing zone. This Partnership Agreement is accompanied by a Protocol and the annexes thereto which, has been signed for a period of three years and is renewable.

On the date of its entry into force, this Agreement repeals and replaces the Fisheries Partnership Agreement between the European Community and Solomon Islands on fishing off Solomon Islands which entered into force on 9 October 2006 (see [CNS/2005/0168](#)).

**IMPACT ASSESSMENT:** no impact assessment has been carried out.

**LEGAL BASE:** Article 43(2) in conjunction with Article 218 (6)(a) of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** the proposed Decision aims to conclude the Fisheries Partnership Agreement with the Solomon Islands. The Agreement and the annexed Protocol provides EU fishermen with fishing opportunities in Solomon Islands fishing zone.

**Sustainable fisheries:** the aim of the new Partnership Agreement is to strengthen cooperation between the European Community and Solomon Islands and promote a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in Solomon Islands fishing zone in the interests of both Parties. The two Parties have agreed to cooperate with a view to implementing a sectoral fisheries policy adopted by Solomon Islands and to that end shall initiate a policy dialogue on the necessary reforms.

The Partnership Agreement also provides for economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Solomon Islands fishing zone to guarantee the conservation and sustainable exploitation of fishery resources and developing Solomon Islands fisheries sector.

**Fisheries protocol:** a protocol is provided which set out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and Solomon Islands for the period 2009- 2012. It's main measures may be summarised as follows:

- **Financial contribution:** the financial contribution under the Protocol is set at EUR 400 000 per year, corresponding to fishing opportunities in the tuna highly migratory species. 50% of this financial contribution is earmarked for the support and implementation of objectives identified in the context of the sectoral fisheries policy drawn up by the Solomon Islands authorities. EU shipowners shall pay fishing fees of EUR 13.000 per purse seine vessel. Furthermore, EU shipowners shall undertake to employ at least 25% seamen of ACP origin, giving priority to Solomon Islands seamen and to contribute towards the observers programme.
- **Fishing opportunities:** 4 purse seiners will be authorised to fish. No fishing possibilities for longliners have been negotiated. However, the new protocol includes a clause which allows for the possibility to introduce new fishing possibilities, including for longliners, should the need arise.

**Duration of the Agreement:** this Partnership Agreement, accompanied by a Protocol and the annexes thereto, have been signed for a period of three years and is renewable. The protocol will be valid for the period from 9 October 2009 to 8 October 2012

**BUDGETARY IMPLICATION:** the financial contribution for tuna fishing is EUR 400 000 per year and covers a volume of 4 000 tons of catches. If the volume of annual catches exceeds that quantity, the amount of financial compensation is increased proportionately at the rate of EUR 65/tonne, but it may not exceed EUR 800 000 per year.

According to the Protocol, the fishing opportunities may be increased by mutual agreement provided that the conclusions of the annual meeting of the 'Palau Arrangement' members and the annual review of the status of stocks made by the Secretariat of the Pacific Community confirm that such an increase will not endanger the sustainable management of Solomon Islands' resources. The financial contribution may, however, only be increased subject to budgetary possibilities.

A financial envelope of EUR 251 300 for 2010 to 2012 is provided to cover various administrative expenditure.

It should be noted that advances and fees payable by shipowners do not have an impact on the EU budget.

## EC/Solomon Islands Fisheries Partnership Agreement

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This document comprises the final text of the Fisheries Partnership Agreement between the European Union and the Solomon Islands.

This Agreement is the result of negotiations which ended in the initialling of the new Agreement by the Parties on the 26 September 2009. The Partnership Agreement between the European Community and Solomon Islands on fishing off Solomon Islands (see [CNS/2005/0168](#)) is to be repealed and replaced by the new Fisheries Partnership Agreement.

In order to guarantee the continuation of fishing activities by Union vessels, it is essential that the new Fisheries Partnership Agreement be applied as quickly as possible. Both parties have therefore initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the Fisheries Partnership Agreement as from 9 October 2009 pending its entry into force.

The Agreement and the Protocol sets out the fishing opportunities for EU fishermen in the Solomon Islands fishing zones. The main characteristics may be summarised as follows:

**Scope and purpose:** this Agreement establishes the principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Solomon Islands fishing zone to guarantee the conservation and sustainable exploitation of fishery resources and developing Solomon Islands fisheries sector;
- the conditions governing access by EU fishing vessels to Solomon Islands fishing zone;
- cooperation on the arrangements for policing fisheries in Solomon Islands fishing zone with a view to ensuring that the above rules and conditions are complied with, that the measures for the conservation and management of fishery resources are effective and that illegal, undeclared and unregulated fishing is prevented;

- partnerships between companies aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

The purpose of this new Partnership Agreement shall also be to cooperate with a view to implementing a sectoral fisheries policy adopted by Solomon Islands and to that end shall initiate a policy dialogue on the necessary reforms.

Promoting cooperation among economic stakeholders and in civil society: the Partnership Agreement stipulates that Parties shall encourage economic, scientific and technical cooperation in the fisheries and related sectors. The Parties shall consult one another with a view to coordinating the different measures that might be taken to this end. The Parties undertake to promote exchanges of information on fishing techniques and gear, preservation methods and the processing of fishery products. They shall endeavour to create conditions favourable to the promotion of relations between their enterprises in the technical, economic and commercial spheres, by encouraging the establishment of an environment favourable to the development of business and investment.

Fishing Protocol: the conditions for fishing activities are detailed in a Protocol setting out the fishing opportunities and financial contribution provided by the agreement between the parties for the period 2009-2012. The main provisions of this Protocol may be summarised as follows:

Financial contribution: the financial contribution shall amount to EUR 400 000 per year, corresponding to the fishing opportunities for highly migratory species. This financial contribution shall comprise an annual amount of EUR 260 000 equivalent to a reference tonnage of 4 000 tonnes per year, and a specific amount of EUR 140 000 per year for the support and implementation of Solomon Islands' sectoral fisheries policy. This specific amount shall form an integral part of the single financial contribution.

If the overall quantity of catches by EU vessels in Solomon Islands' fishing zones exceeds the reference tonnage, the amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not be more than EUR 800 000. 50% of the financial contribution of this Protocol shall be allocated each year to the support and implementation of objectives identified in the context of the sectoral fisheries policy drawn up by the Solomon Islands authorities. The fishing opportunities may be increased by mutual agreement provided that the conclusions of the annual meeting of the "Palau Arrangement" members and the annual review of the status of stocks made by the Secretariat of the Pacific Community confirm that such an increase will not endanger the sustainable management of Solomon Islands' resources. Conversely, if the Parties agree to adopt a reduction in the fishing opportunities the financial contribution shall be reduced proportionately and pro rata temporis.

Fishing authorisations: these authorisations shall be issued once the following standard amounts have been paid. EUR 13 000 per tuna seiner, equivalent to the fees due for 371 tonnes of tuna and tuna-like species caught per year. Shipowners shall undertake to employ, for the tuna-fishing season in Solomon Islands fishing zone, at least 25% seamen of ACP origin, giving priority to Solomon Islands seamen.

Fishing opportunities: purse seiners: 4 vessels shall be authorised to fish.

Exclusivity clause: EU vessels may fish in Solomon Islands fishing zone only if they are in possession of a valid fishing authorisation issued by Solomon Islands authorities under this Agreement and the Protocol hereto. For fishing categories not covered by the Protocol in force, and for exploratory fishing, the Solomon Islands authorities may grant fishing authorisations to EU vessels. However, the granting of these authorisations remains dependent on a favourable opinion from the two Parties.

Duration of the Agreement: the Partnership Agreement, accompanied by the Protocol and its annexes shall have a duration of three years and shall be tacitly renewed for three-year periods. It shall be valid for the period between 9 October 2009 and 8 October 2012.

## EC/Solomon Islands Fisheries Partnership Agreement

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**PURPOSE:** to conclude a Fisheries Partnership Agreement between the European Union and Solomon Islands.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** on the basis of the Council Decision of 22 September 2009 authorising the Commission to open negotiations on behalf of the Community with a view to concluding a Fisheries Partnership Agreement with Solomon Islands, the Community has negotiated with Solomon Islands a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Solomon Islands has sovereignty or jurisdiction in respect of fisheries.

As a result of those negotiations, a new Fisheries Partnership Agreement was initialled on 26 September 2009. It was signed and provisionally applied from 9 October 2010.

**IMPACT ASSESSMENT:** no impact assessment was carried out.

**LEGAL BASE:** Article 43(2) in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union.

**CONTENT:** under this proposed Decision, the Fisheries Partnership Agreement between the European Union and Solomon Islands is hereby approved, subject to the consent of the European Parliament.

The main elements of this Agreement are detailed in the summary of the document annexed to the procedure dated 27/05/2010.

## EC/Solomon Islands Fisheries Partnership Agreement

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The Committee on Fisheries adopted the report drafted by Maria do CÉU PATRÃO NEVES (EPP, PT) on the proposal for a Council decision on the conclusion of a Fisheries Partnership Agreement between the European Union and Solomon Islands. It recommends the European Parliament to give its consent to the Agreement.

With a view to increasing transparency, Members ask to be better informed of the work carried out by the Joint Committee provided for in the Agreement. They call on the Commission to send it the conclusions of the meetings and proceedings of the Joint Committee, as well as the

multiannual sectoral programme referred to in the Protocol and the findings of the annual assessments. They also call for representatives of its Committee on Fisheries and of its Committee on Development, acting as observers, to attend meetings and proceedings of the Joint Committee.

Lastly, the Commission is called upon to submit an implementation review of the Agreement to Parliament and the Council in the final year of application of the Protocol, before negotiations are opened on the renewal of the Agreement.

## EC/Solomon Islands Fisheries Partnership Agreement

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The European Parliament adopted a resolution in which it gives its consent to the Fisheries Partnership Agreement between the European Union and Solomon Islands. It recommends the European Parliament to give its consent to the Agreement.

With a view to increasing transparency, Parliament asks to be better informed of the work carried out by the Joint Committee provided for in the Agreement. It calls on the Commission to send it the conclusions of the meetings and proceedings of the Joint Committee, as well as the multiannual sectoral programme referred to in the Protocol and the findings of the annual assessments. It also calls for representatives of its Committee on Fisheries and of its Committee on Development, acting as observers, to attend meetings and proceedings of the Joint Committee.

Lastly, Parliament calls on the Commission to submit an implementation review of the Agreement to Parliament and the Council in the final year of application of the Protocol, before negotiations are opened on the renewal of the Agreement.

## EC/Solomon Islands Fisheries Partnership Agreement

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**PURPOSE:** to conclude a Fisheries Partnership Agreement between the EU and Solomon Islands.

**LEGISLATIVE ACT:** Council Decision 2010/763/EU on the conclusion of a Fisheries partnership Agreement between the European Union and Solomon Islands.

**CONTENT:** the Community negotiated with Solomon Islands a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Solomon Islands has sovereignty or jurisdiction in respect of fisheries. As a result of those negotiations, a new Fisheries Partnership Agreement was initialled on 26 September 2009 and, by Council Decision No 2010/397/EU the Fisheries Partnership Agreement has been signed and provisionally applied since 9 October 2009.

This Decision approves concludes the Fisheries Partnership Agreement between the EU and Solomon Islands.

The Agreement establishes the principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Solomon Islands fishing zone to guarantee the conservation and sustainable exploitation of fishery resources and developing Solomon Islands fisheries sector;
- the conditions governing access by EU fishing vessels to Solomon Islands fishing zone;
- cooperation on the arrangements for policing fisheries in Solomon Islands fishing zone with a view to ensuring that the above rules and conditions are complied with, that the measures for the conservation and management of fishery resources are effective and that illegal, undeclared and unregulated fishing is prevented;
- partnerships between companies aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

**Fisheries protocol:** a protocol is provided which set out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and Solomon Islands for the period 2009- 2012. It's main measures may be summarised as follows:

**Financial contribution:** the financial contribution under the Protocol is set at EUR 400 000 per year, corresponding to fishing opportunities in the tuna highly migratory species. 50% of this financial contribution is earmarked for the support and implementation of objectives identified in the context of the sectoral fisheries policy drawn up by the Solomon Islands authorities.

If the overall quantity of catches by EU vessels in Solomon Islands' fishing zones exceeds the reference tonnage, the amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not exceed EUR 800 000).

**Fishing opportunities:** 4 purse seiners will be authorised to fish. No fishing possibilities for longliners have been negotiated.

**Duration:** the Agreement shall apply for three years from the date of its entry into force; it shall be tacitly renewed for three-year periods, unless notice of termination is given in accordance with the text.

**ENTRY INTO FORCE:** 06/12/2010. The date of entry into force of the Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.