


# Procedure file

Basic information		
NLE - Non-legislative enactments Decision	<a href="#">2011/0047(NLE)</a>	Procedure completed
Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean		
Subject 3.15.01 Fish stocks, conservation of fishery resources 3.15.15.06 Fisheries agreements with Pacific countries		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		12/04/2011
		PPE <a href="#">FRAGA ESTÉVEZ Carmen</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Employment, Social Policy, Health and Consumer Affairs3114</a>		03/10/2011
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	DAMANAKI Maria	

Key events			
09/03/2011	Preparatory document	<a href="#">COM(2011)0103</a>	Summary
05/04/2011	Legislative proposal published	<a href="#">08135/2011</a>	Summary
10/05/2011	Committee referral announced in Parliament		
12/07/2011	Vote in committee		Summary
15/07/2011	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0274/2011</a>	
13/09/2011	Results of vote in Parliament		
13/09/2011	Decision by Parliament	<a href="#">T7-0355/2011</a>	Summary
03/10/2011	Act adopted by Council after consultation of Parliament		
03/10/2011	End of procedure in Parliament		
06/03/2012	Final act published in Official Journal		

Technical information	
Procedure reference	2011/0047(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; 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/7/05613

### Documentation gateway

Preparatory document	<a href="#">COM(2011)0103</a>	09/03/2011	EC	Summary
Legislative proposal	<a href="#">08135/2011</a>	05/04/2011	CSL	Summary
Committee draft report	<a href="#">PE466.969</a>	31/05/2011	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0274/2011</a>	15/07/2011	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T7-0355/2011</a>	13/09/2011	EP	Summary

### Additional information

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

### Final act

[Decision 2012/130](#)  
[OJ L 067 06.03.2012, p. 0001](#) Summary

## Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

**PURPOSE:** to conclude, on behalf of the EU, the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** in 2006, the governments of Australia, Chile and New Zealand took the initiative to launch the process of International Consultations on the establishment of South Pacific Regional

Fisheries Management Organisation (SPRFMO). The purpose of the Consultations was to cooperate in addressing the gap that exists in the international conservation and management of non-highly migratory fisheries and protection of biodiversity in the marine environment extending from the most eastern part of the South Indian Ocean through the Pacific towards South America. The EU has fishing interests in the South Pacific and is therefore obliged, under the terms of the UN Convention on the Law of the Sea, to cooperate with other interested parties in the management and conservation of the region's resources.

The Union has participated in this process from the start and has played an active and constructive role. The text of the Convention was agreed in November 2009 and has been open for signature since 1 February 2010. The Union signed the Convention text on 26 July 2010. It is advisable for the Union to ratify the Convention in the near future in order to show continued support for the establishment of this RFMO and facilitate the process of entry into force of this Convention, for which 8 ratifications are required, including 3 from coastal States and 3 from non-coastal States.

**IMPACT ASSESSMENT:** no impact assessment was undertaken.

**LEGAL BASIS:** Article 43, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the EU.

**CONTENT:** the proposal involves the conclusion of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean on behalf of the Union.

**Objective:** the objective of the Convention is, through the application of the precautionary approach and an ecosystem approach to fisheries

management, to ensure the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur.

Principles: in giving effect to the objective of the Convention and carrying out decision making under the Convention, the relevant parties must apply, in particular, the following principles;

- conservation and management of fishery resources shall be conducted in a transparent, accountable and inclusive manner, taking into account best international practices;
- fishing shall be commensurate with the sustainable use of fishery resources taking into account the impacts on non-target and associated or dependent species and the general obligation to protect and preserve the marine environment;
- overfishing and excess fishing capacity shall be prevented or eliminated;
- full and accurate data on fishing, including information relating to impacts on the marine ecosystems in which fishery resources occur, shall be collected, verified, reported and shared in a timely and appropriate manner;
- decisions shall be based on the best scientific and technical information available and the advice of all relevant subsidiary bodies;
- cooperation and coordination among Contracting Parties shall be promoted to ensure that conservation and management measures adopted by the Commission and conservation and management measures applied in respect of the same fishery resources in areas under national jurisdiction are compatible;
- marine ecosystems shall be protected, in particular those ecosystems which have long recovery times following disturbance;
- the interests of developing States, in particular the least developed among them and small island developing States, and of territories and possessions, and the needs of developing State coastal communities, shall be recognised;
- effective compliance with conservation and management measures shall be ensured and sanctions for any violations shall be adequate in severity to discourage violations wherever they occur and in particular shall deprive offenders of the benefits accruing from their illegal activities; and
- pollution and waste originating from fishing vessels, discards, catch by lost or abandoned gear and impacts on other species and marine ecosystems shall be minimised.

Relevant parties must also apply the precautionary approach and an ecosystem approach in accordance the terms of the Convention.

The Council is requested to adopt the proposal as soon as possible following the consent of the European Parliament.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.

## Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

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**PURPOSE:** to approve, on behalf of the EU, the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.

**PROPOSED ACT:** Council Decision.

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

**LEGAL BASIS:** Article 43, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the EU (TFEU).

**CONTENT:** on 17 April 2007 the Council authorised the Commission to negotiate, on behalf of the Community, a Convention on a Regional Fisheries Management Organisation (RFMO) in the South Pacific for fishery resources not yet covered by an existing RFMO.

The negotiations were successfully concluded in Auckland, New Zealand, on 14 November 2009 by the adoption of a draft text of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, which is open for signature for a period of 12 months from 1 February 2010. The Convention was signed on behalf of the Union on 26 July 2010, subject to its conclusion.

The objective of the Convention is to ensure, through its effective implementation, the long-term conservation and sustainable use of the fishery resources in the Convention area.

Since vessels flying the flags of Member States of the Union fish resources in the Convention area, it is in the Union's interest to play an effective role in the implementation of the Convention.

It is therefore proposed to approve the Convention.

## Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

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The Committee on Fisheries adopted the report by Carmen FRAGA ESTÉVEZ (EPP, SP) in which it recommends the European Parliament to give its consent to the conclusion, on behalf of the European

Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.

At the same time, Members called on the Commission to work actively in all fora, both international and bilateral, that may be attended by countries with fishing fleets in the region covered by the Convention to promote the signing, ratification and implementation of the Convention in order to speed up its entry into force.

## Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

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The European Parliament adopted a legislative resolution on the draft Council Decision on the conclusion, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.

Parliament gave its consent to the conclusion of the Convention.

## Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

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PURPOSE : to conclude the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, on behalf of the EU,

NON LEGISLATIVE ACT: [Council Decision 2012/130/EU on the approval, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.](#)

CONTENT: the Council adopted this Decision regarding the conclusion of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean on behalf of the EU. This follows the consent of the European Parliament.

The Convention was signed on behalf of the Union on 26 July 2010, subject to its conclusion, in accordance with Council Decision 2011/189/EU. The objective of the Convention is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur.

In giving effect to the objective of the Convention and carrying out decision making under the Convention, the relevant parties must apply, in particular, the following principles:

- conservation and management of fishery resources shall be conducted in a transparent, accountable and inclusive manner, taking into account best international practices;
- fishing shall be commensurate with the sustainable use of fishery resources taking into account the impacts on non-target and associated or dependent species and the general obligation to protect and preserve the marine environment;
- overfishing and excess fishing capacity shall be prevented or eliminated;
- full and accurate data on fishing, including information relating to impacts on the marine ecosystems in which fishery resources occur, shall be collected, verified, reported and shared in a timely and appropriate manner;
- decisions shall be based on the best scientific and technical information available and the advice of all relevant subsidiary bodies;
- cooperation and coordination among Contracting Parties shall be promoted to ensure that conservation and management measures adopted by the Commission and conservation and management measures applied in respect of the same fishery resources in areas under national jurisdiction are compatible;
- marine ecosystems shall be protected, in particular those ecosystems which have long recovery times following disturbance;
- the interests of developing States, in particular the least developed among them and small island developing States, and of territories and possessions, and the needs of developing State coastal communities, shall be recognised;
- effective compliance with conservation and management measures shall be ensured and sanctions for any violations shall be adequate in severity to discourage violations wherever they occur and in particular shall deprive offenders of the benefits accruing from their illegal activities; and
- pollution and waste originating from fishing vessels, discards, catch by lost or abandoned gear and impacts on other species and marine ecosystems shall be minimised.

At the same time, the relevant parties must also apply the precautionary approach and an ecosystem approach in accordance the terms of the Convention.

ENTRY INTO FORCE: 06/03/2012.