



Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2011/0139(NLE)	Awaiting final decision
EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol		
Subject 3.15.15.04 Fisheries agreements with Maghreb and Mediterranean countries		
Geographical area Morocco		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		15/03/2011
		ALDE HAGLUND Carl	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development		13/07/2011
		Verts/ALE LÖVIN Isabella	
	BUDG Budgets		14/06/2011
		Verts/ALE ALFONSI François	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3234	22/04/2013
	Transport, Telecommunications and Energy	3145	14/02/2012
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	DAMANAKI Maria	

Key events			
01/06/2011	Preparatory document	COM(2011)0313	Summary
20/06/2011	Legislative proposal published	11226/2011	Summary
13/09/2011	Committee referral announced in Parliament		
22/11/2011	Vote in committee		
28/11/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0394/2011	
12/12/2011	Debate in Parliament		
14/12/2011	Results of vote in Parliament		
14/12/2011	Decision by Parliament	T7-0569/2011	Summary
22/04/2013	Debate in Council	3234	Summary

Technical information	
Procedure reference	2011/0139(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 218-p6a; Treaty on the Functioning of the EU TFEU 043-p2
Stage reached in procedure	Awaiting final decision
Committee dossier	PECH/7/06231

Documentation gateway					
Preparatory document		COM(2011)0313	01/06/2011	EC	Summary
Legislative proposal		11226/2011	21/06/2011	CSL	Summary
Document attached to the procedure		11225/2011	21/06/2011	CSL	
Committee draft report		PE472.260	27/09/2011	EP	
Amendments tabled in committee		PE474.038	19/10/2011	EP	
Committee opinion	DEVE	PE472.277	07/11/2011	EP	
Committee opinion	BUDG	PE472.388	09/11/2011	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0394/2011	29/11/2011	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0569/2011	14/12/2011	EP	Summary
Document attached to the procedure		COM(2011)0939	19/12/2011	EC	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol

PURPOSE: to conclude a new Protocol setting out the fishing opportunities and financial compensation provided for in the Fisheries Partnership Agreement between the EU and Morocco.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a mandate from the Council, the Commission has conducted negotiations with Morocco on the renewal for one year of the Protocol to the Fisheries Partnership Agreement between the European Community and Morocco, which expired on 27 February 2011. A Protocol renewing the preceding Protocol was initialled on 25 February 2011. It is now appropriate to conclude the Protocol on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was undertaken. The Commission's negotiating position was based in part on the results of an ex-post and ex-ante evaluation carried out by independent experts, as well as on a joint assessment of the scientific data on the state of stocks.

LEGAL BASIS: Article 43(2) in conjunction with Article 218(6a) of the Treaty on the Functioning of the EU.

CONTENT: the proposal aims to extend, for the period of one year, the protocol to the fisheries partnership agreement between the EC and Morocco of 22 May 2006. The general aim is to continue the cooperation between the European Union and Morocco, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fisheries resources in the Moroccan

fishing zones, in the interests of both Parties.

The main objective of the Protocol is to define the fishing opportunities offered to EU vessels based on the surplus available, as well as the financial contribution due, separately, for access rights and for sectoral support.

The main provisions may be summarised as follows :

Financial contribution : the overall annual contribution of EUR 36 100 000 under the Protocol is based on:

- a maximum of 119 fishing permits for EU vessels in the categories of small-scale fishing, demersal fishing and tuna fishing, as well as a maximum catch tonnage of 60 000 tonnes in the category of industrial pelagic fishing, and
- EUR 13 500 000 in development aid for Morocco's sectoral fisheries policy. This support meets the objectives of the national fisheries policy.

Fishing opportunities : the Protocol like its predecessor provides for fishing opportunities in the following six categories:

- small-scale pelagic fishing in the north: 20 seiners;
- small-scale fishing in the north: 30 bottom longliners;
- small-scale fishing in the south: 20 vessels;
- demersal fishing: 22 vessels;
- tuna fishing: 27 vessels;
- industrial pelagic fishing: 60 000 tonnes of catches.

Duration of the agreement: the Protocol will be valid from 28 February 2011 to 27 February 2012.

BUDGETARY IMPLICATIONS: the total financial envelope for the Protocol is EUR 36.15 million for the extended year (including credits of an administrative nature financed by certain operational programmes.)

A total of EUR 142.000 is provided for administrative expenditure.

The total amounts to EUR 36.292 million.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol

PURPOSE: to conclude a new Protocol setting out the fishing opportunities and financial compensation provided for in the Fisheries Partnership Agreement between the European Community and Morocco.

PROPOSED ACT: Council Decision.

BACKGROUND: the European Union negotiated with Morocco a new Protocol providing EU vessels with fishing opportunities in waters falling within the sovereignty or jurisdiction of Morocco.

On the conclusion of those negotiations, the Protocol setting out the fishing opportunities and financial compensation provided for in the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco was initialled on 25 February 2011.

The Protocol was signed in accordance with an EU Decision and has been applied on a provisional basis since 28 February 2011.

It is now appropriate for the Protocol to be concluded on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was carried out.

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

CONTENT: under the proposed Decision, the Protocol between the European Union and Morocco setting out the fishing opportunities and financial compensation provided for in the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco is hereby approved on behalf of the Union.

For further details on the main points of the Protocol, please refer to the summary of the previous initial legislative document dated 01/06/2011.

BUDGETARY IMPLICATION: this proposal has no budgetary implication for the Union budget.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol

The Committee on Fisheries adopted the report drafted by Carl HAGLUND (ALDE, FI) on the draft Council decision on the conclusion of a new one-year Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial compensation provided for in the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco.

The report as finally adopted in committee recommended that the European Parliament should give its consent to the conclusion of the new Protocol.

It should be noted that the result of the vote in committee did not reflect the rapporteur's opinion on the conclusion of the Protocol, which had been provisionally applied since 28 February 2011. The rapporteur had recommended that Parliament should decline to give its formal consent to the extension of the fishing Protocol due to major shortcomings which he himself had witnessed. He claimed that the Agreement was a waste of taxpayers' money, was ecologically and environmentally unsustainable and had no significant macro-economic effect on either the EU or Morocco.

It should also be noted that the committee vote did not reflect the two opinions of the Committee on Development and the Committee on Budgets.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol

In voting against the Committee on Fisheries' recommendation (326 votes against, 296 in favour and 58 abstentions), the plenary decided to withhold its consent to the conclusion of the new Protocol to the EU-Morocco fisheries agreement, which had been provisionally applied since 25 Feb 2011 pending the completion of the procedures for its formal conclusion.

In withholding its consent, Parliament supported the original recommendation by rapporteur Carl HAGLUND (ALDE, FI), who had argued that the one-year extension of the current protocol was unacceptable for economic, ecological and legal reasons and that Parliament should therefore decline to consent to its conclusion. The Committee on Fisheries had nevertheless tabled a recommendation calling on Parliament to give its consent.

As Parliament's consent is needed for agreements of this kind, pursuant to Article 218(6)a) of the Treaty on the Functioning of the European Union, the European Union will not be in a position to conclude the Protocol.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial compensation from 28 February 2011 to 27 February 2012. Protocol

The Spanish delegation asked the Commission for a briefing on the state of play of the negotiations concerning the EU-Morocco fisheries protocol. This Agreement is especially important to Spain and some other Member States which supported these requests.

As regards Morocco, on the basis of a mandate granted to the Commission by the Council, negotiations for a new protocol to the fisheries partnership agreement were opened in early November 2012. A fifth round took place on 11-12 February 2013 and ended inconclusively. No dates have yet been scheduled for a sixth round. Progress has been slow and seems to be stalled especially on the issue of the financial counterpart from the EU and the issue of inserting a human rights clause.

For the Commission, the financial aspects are about to be resolved and the EU is waiting for Morocco to set a date for a new round of negotiations.

Therefore, Spain would like to be debriefed by the Commission on this matter and, where necessary, to know/assess whether or not the Commission requires some political guidance from the Council. It is recalled that since the Commission was granted the mandate to open negotiations by the Council in February 2012, the negotiations on a Protocol that, considering its importance for the fishing fleets of Spain and the Member State fishing fleets, is becoming ever more urgent, have been very drawn-out.