

Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2012/0215(NLE) Procedure completed
EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017	
See also 2017/0223(NLE)	
Subject 3.15.15.03 Fisheries agreements with Indian Ocean countries	
Geographical area Mauritius	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries	S&D SÁNCHEZ PRESEDO Antolín	21/06/2012
		Shadow rapporteur PPE FRAGA ESTÉVEZ Carmen ALDE GALLAGHER Pat the Cope Verts/ALE LÖVIN Isabella	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development	The committee decided not to give an opinion.	
	BUDG Budgets		14/01/2013
		Verts/ALE ALFONSI François	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	3290	28/01/2014
	Economic and Financial Affairs ECOFIN	3189	09/10/2012
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	DAMANAKI Maria	

Key events			
03/08/2012	Preparatory document	COM(2012)0442	
01/10/2012	Legislative proposal published	13501/2012	Summary

15/01/2013	Committee referral announced in Parliament		
20/03/2013	Vote in committee		
27/03/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0127/2013	Summary
16/04/2013	Results of vote in Parliament		
16/04/2013	Decision by Parliament	T7-0105/2013	Summary
05/09/2013	Modified legislative proposal published	13501/1/2012	Summary
28/01/2014	Act adopted by Council after consultation of Parliament		
28/01/2014	End of procedure in Parliament		
18/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2012/0215(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also 2017/0223(NLE)
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2
Other legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/14264; PECH/7/10248

Documentation gateway

Preparatory document		COM(2012)0442	03/08/2012	EC	
Legislative proposal		13501/2012	01/10/2012	CSL	Summary
Document attached to the procedure		13503/2012	01/10/2012	CSL	
Committee draft report		PE500.543	23/11/2012	EP	
Committee opinion	BUDG	PE504.061	25/02/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0127/2013	27/03/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0105/2013	16/04/2013	EP	Summary
Modified legislative proposal		13501/1/2012	05/09/2013	CSL	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

PURPOSE: the conclusion of a new Fishery Partnership Agreement and of a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the relevant Council mandate, the Commission negotiated with the Republic of Mauritius a new Fisheries Partnership Agreement and Protocol between the European Union and the Republic of Mauritius.

Following these negotiations, a new Fishery Partnership Agreement and a new Protocol were initialled on 23 February 2012.

IMPACT ASSESSMENT: the Member States were consulted as part of technical meetings and in the framework of the Fisheries Working Group of the Council. These consultations concluded in the interest of concluding a Fisheries Partnership Agreement and protocol with Mauritius. The Commission relied, inter alia, the results of an evaluation carried out by external experts which was finalised in November 2011.

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

CONTENT: this proposal for a decision relates to the conclusion of a new Partnership Agreement in the fisheries sector with the Republic of Mauritius.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the draft Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and
- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

As far as possible, the Agreement should be used to promote responsible fishing in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by this Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean, and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
- Joint Committee (definition, mandate and scope of activities);
- suspension of the Agreement in the event of serious disagreement as to the application of its main provisions;
- termination of the agreement and dispute settlement between the parties.

Fishing Protocol: the Fishing Protocol and its Annex lay down the fishing opportunities and the financial contribution provided for in the draft Agreement:

- fishing opportunities: number of vessels authorised to fish:

- 41 ocean-going tuna seiner vessels,
- 45 surface longliner vessels.

- financial contribution: the financial contribution is EUR 1 980 000 for the total duration of the Protocol.

This amount includes:

- EUR 357 500 for an equivalent of 5 500 tonnes of tuna fished;
- EUR 302.500 per year to support the maritime and fisheries policy of the Republic of Mauritius.

The annual financial contribution of EUR 660 000 is based on an annual reference tonnage. Where the annual quantity caught exceeds 5 500 tonnes, the amount of the annual financial contribution will be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not exceed EUR 715 000 per year.

The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean. In this case, the financial contribution shall be adjusted proportionately and pro rata temporis without however exceeding twice the annual financial contribution (i.e. EUR 357 000 x 2).

New fishing opportunities not covered by the Agreement could also be envisaged following consultation and agreement between the Parties.

Duration of the Agreement and the Protocol: the Agreement applies for 6 years from the date of its entry into force. It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of three years, unless it is terminated.

BUDGETARY IMPLICATION: the new Protocol provides for a total financial contribution of EUR 1 980 000 for the period 2012-2014 (operational payments) + payments of an administrative nature funded from certain specific programmes for a total amount of EUR 123 000. To this sum should be added the administrative costs of managing the Protocol, as well as human resource costs in the region of EUR 222 000 for the period covered by the Protocol.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

PURPOSE: to conclude a new Fishery Partnership Agreement and a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Mauritius exercises its sovereignty or jurisdiction. The Agreement was signed in accordance with a Council Decision.

The Fisheries Partnership Agreement should now be approved on behalf of the European Union.

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: this proposed Council Decision aims to conclude a new Partnership Agreement in the fisheries sector with the Republic of Mauritius. It seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

It also includes a Protocol setting out the fishing opportunities and the financial contribution provided for by the Fishery Partnership Agreement between the EU and Mauritius. This contribution is fixed at EUR 1 980 000 for the total duration of the Protocol.

For further details as regards the principles, rules and procedures of the proposed Agreement, as well as the EU's budgetary implication, please refer to the summary of the Commission's initial legislative proposal dated 03/08/2012.

Duration of the Agreement and the Protocol: the Agreement shall apply for 6 years from the date of its entry into force. The Protocol and the Annex shall apply for a period of three years from its entry into force, unless notice of termination is given.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

The Committee on Fisheries unanimously adopted the report by Antolín SÁNCHEZ PRESEDO (S&D, ES) on the draft Council decision on the conclusion of the Fisheries Partnership Agreement and of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

The committee recommends that the European Parliament gives its consent to the conclusion of the agreement and the protocol, considering that the result of the negotiations was balanced and served the interests of the two parties.

In the interests of transparency, however, Members call on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee provided for in the Agreement, as well as the multiannual sectoral programme provided for in the Protocol and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and to submit to Parliament and to the Council, within the last year of application of the Protocol and before the opening of negotiations for its renewal, a full evaluation report on its implementation, without imposing unnecessary restrictions on access to this document.

Lastly, Members call on the Commission and the Council, acting within the context of their respective powers, to keep Parliament immediately and fully informed at all stages of the procedures related to the new Protocol and its renewal, pursuant to the relevant articles of the Treaties.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

The European Parliament adopted by 659 votes to 24, with 16 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius and of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

Parliament consents to the conclusion of the Agreement and of the Protocol.

In the interests of transparency, however, Parliament calls on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee provided for in the Agreement, as well as the multiannual sectoral programme provided for in the Protocol and the corresponding annual evaluations;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and to submit to Parliament and to the Council, within the last year of application of the Protocol and before the opening of negotiations for its renewal, a full evaluation report on its implementation, without imposing unnecessary restrictions on access to this document.

Lastly, it calls on the Commission and the Council, acting within the limits of their respective powers, to keep Parliament immediately and fully informed at all stages of the procedures related to the new Protocol and its renewal, pursuant to the relevant articles of the Treaties.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

PURPOSE : to conclude a Fisheries Partnership Agreement between the Union and Mauritius.

PROPOSED ACT : Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT : the Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND : the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which Mauritius exercises its sovereignty or jurisdiction. The Agreement was signed in accordance with a Council Decision.

It should now be approved on behalf of the Union.

IMPACT ASSESSMENT : no impact assessment was undertaken.

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 : the draft decision proposes that the Council conclude a new Fisheries Partnership Agreement with the Republic of Mauritius. It seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

The text of the Fisheries Partnership Agreement is attached to the draft decision.

The principles, rules and procedures governing the Agreement as well as the budgetary implications are set out in the summary of the initial legislative proposal of 03/08/2012.

EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

PURPOSE: to conclude a new Fishery Partnership Agreement and of a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius.

NON LEGISLATIVE ACT: Council Decision 2014/146/EU on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

BACKGROUND: the Union negotiated with the Republic of Mauritius a Fisheries Partnership Agreement providing EU vessels with fishing opportunities in the waters over which the Republic of Mauritius exercises its sovereignty or jurisdiction. The Fisheries Partnership Agreement between the EU and Mauritius was signed in accordance with Council Decision 2012/670/EU on the signing, on behalf of the European Union, of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius.

The Agreement should now be approved.

CONTENT: with this Decision, the Council concluded, with Parliaments approval, the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius as well as a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may fish for tuna in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and

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

The Agreement should be used to promote responsible fishing in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by the Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean, and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
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The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean.

Duration of the Agreement and the Protocol: the Agreement applies for 6 years from the date of its entry into force. It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of three years, unless it is terminated.

ENTRY INTO FORCE: the Decision enters into force on 28.01.2014. The date of entry into force of the Protocol will be published in the official Journal of the European Union by the General Secretariat of the Council.