

# Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2012/0258(NLE) Procedure completed
EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol	
See also <a href="#">2006/0168(CNS)</a>	
Subject 3.15.15.02 Fisheries agreements with African countries	
Geographical area Mauritania	

Key players				
European Parliament	Committee responsible	Rapporteur	Appointed	
	<b>PECH</b> Fisheries		15/03/2011	
		PPE <a href="#">MATO Gabriel</a>		
		Shadow rapporteur		
		S&D <a href="#">SÁNCHEZ PRESEDO Antolín</a>		
		ALDE <a href="#">TORVALDS Nils</a>		
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed	
	<b>DEVE</b> Development		18/09/2012	
		ALDE <a href="#">MEISSNER Gesine</a>		
European Commission	<b>BUDG</b> Budgets		03/10/2012	
		Verts/ALE <a href="#">ALFONSI François</a>		
Council of the European Union	Council configuration	Meeting	Date	
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">3271</a>	15/11/2013	
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3234</a>	22/04/2013	
European Commission	Commission DG	Commissioner		
	<a href="#">Maritime Affairs and Fisheries</a>	DAMANAKI Maria		

Key events			
24/09/2012	Preparatory document	<a href="#">COM(2012)0546</a>	Summary
25/11/2012	Legislative proposal published	<a href="#">15777/2012</a>	Summary
15/01/2013	Committee referral announced in Parliament		
22/04/2013	Debate in Council	<a href="#">3234</a>	Summary
29/05/2013	Vote in committee		
31/05/2013	Committee report tabled for plenary, 1st	<a href="#">A7-0184/2013</a>	Summary

	reading/single reading		
07/10/2013	Debate in Parliament		
08/10/2013	Results of vote in Parliament		
08/10/2013	Decision by Parliament	<a href="#">T7-0399/2013</a>	Summary
15/11/2013	Act adopted by Council after consultation of Parliament		
15/11/2013	End of procedure in Parliament		
22/11/2013	Final act published in Official Journal		

### Technical information

Procedure reference	2012/0258(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also <a href="#">2006/0168(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/10730

### Documentation gateway

Preparatory document		<a href="#">COM(2012)0546</a>	24/09/2012	EC	Summary
Legislative proposal		<a href="#">15777/2012</a>	26/11/2012	CSL	Summary
Document attached to the procedure		<a href="#">15781/2012</a>	26/11/2012	CSL	
Committee draft report		<a href="#">PE496.662</a>	03/01/2013	EP	
Amendments tabled in committee		<a href="#">PE504.179</a>	31/01/2013	EP	
Committee opinion	DEVE	<a href="#">PE500.647</a>	20/02/2013	EP	
Committee opinion	BUDG	<a href="#">PE500.767</a>	05/03/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0184/2013</a>	31/05/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0399/2013</a>	08/10/2013	EP	Summary

### Additional information

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

### Final act

[Decision 2013/672](#)  
[OJ L 313 22.11.2013, p. 0003](#) Summary

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## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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**PURPOSE:** the conclusion of the Protocol between the European Union and the Islamic Republic of Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties currently in force.

**PROPOSED ACT:** Council Decision

**BACKGROUND:** on the basis of powers conferred on it by the Council, the European Commission has conducted negotiations with Mauritania with a view to renewing the Protocol to the [Fisheries Partnership Agreement](#) between the European Community and the Islamic Republic of Mauritania.

At the end of those negotiations, a new Protocol was initialled on 26 July 2012 which now needs to be concluded on behalf of the European Union..

**IMPACT ASSESSMENT:** the interested parties were consulted ahead of the negotiations in the framework of the Regional Advisory Council for the Long Distance Fleet Operating in non-Community Waters, bringing together the fisheries sector and environmental and development NGOs. Experts from the Member States were also consulted in technical meetings. These consultations concluded that it would be beneficial to maintain a fishing protocol with Mauritania.

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

**CONTENT:** this proposed decision relates to the conclusion of a fishing protocol between the European Union and Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the EU and that country.

**Objective:** the main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels of the European Union in the waters of Mauritania within the limits of the available surplus. The Commission has, among other things, taken account of the opinion of the Scientific Committee set up under the Agreement. The general aim is to strengthen the cooperation between the European Union and the Islamic Republic of Mauritania with a view to establishing a sustainable fisheries policy and sound exploitation of fisheries resources in Mauritanian fishing zones, in the interests of both Parties.

**Fishing protocol:** the draft protocol provides for annual fishing opportunities in the following categories and quantities:

- 5 000 tonnes for fishing vessels specialising in crustaceans other than spiny lobster and crab;
- 4 000 tonnes for black hake (non-freezer) trawlers and bottom longliners;
- 2 500 tonnes for vessels fishing for demersal species other than black hake with gear other than trawls;
- 200 tonnes of crab;
- 22 tuna seiners;
- 22 pole-and-line tuna vessels and surface longliners;
- 300 000 tonnes for pelagic freezer trawlers;
- 15 000 tonnes for non-freezer pelagic vessels (to be deducted from the allocation set for pelagic freezer trawlers).

**Financial contribution:** the financial contribution is set at EUR 70 million over the entire period of the protocol.

- a financial contribution of EUR 67 million for access to the fisheries resources, and
- EUR 3 million in development aid for the Islamic Republic of Mauritania's sectoral fisheries policy. This support meets the objectives of the national fisheries policy.

This financial contribution was calculated on the basis of reference tonnages outlined above. The Parties may adopt in the Joint Committee provided for in the Agreement, a revision to the fishing opportunities. In this case the financial contribution shall be adjusted proportionately and pro rata temporis.

**Duration of the fishing protocol:** the protocol is concluded for 2 years from the date of its signature unless it is terminated.

**BUDGETARY IMPLICATIONS:** the total financial allocation for the fishing protocol will be EUR 140 million for 2012-2013 (operational payments). To this, should be added the administrative costs of the management of the protocol and human resources costs in the order of EUR 616 000 for the period of duration of the protocol.

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## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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**PURPOSE:** to conclude a Protocol between the European Union and Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties currently in force.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** on 30 November 2006, the Council adopted [Regulation \(EC\) No 1801/2006](#) on the conclusion of the Fisheries Partnership Agreement between the European Community and Mauritania.

The Union has negotiated a new Protocol with the Islamic Republic of Mauritania granting EU vessels fishing opportunities in waters in which Mauritania exercises its sovereignty or its jurisdiction as regards fishing.

The new Protocol was signed on the basis of a Council Decision and has been applied provisionally from the date of its signature.

It should be approved on behalf of the European Union.

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

CONTENT: under this draft Council Decision, it is proposed to conclude a Protocol between the European Union and Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two Parties.

The main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels of the European Union in the waters of Mauritania within the limits of the available surplus and in the framework of a sustainable fisheries policy.

The draft Fisheries Protocol sets out the annual fishing opportunities by fishing category and annual tonnage. It establishes the financial contribution granted by the European Union regarding access by European Union vessels to Mauritanian fishing zones. The financial contribution is set at EUR 70 million over the entire period of the protocol.

For further details as regards the rules and procedures of the draft Protocol, as well as the EU's budgetary implication, please refer to the summary of the Commission's initial legislative proposal dated 24/09/2012.

Duration of the fishing protocol: the Protocol and the Annexes shall apply for a period of two years from the date of its entry into force, unless notice of termination is given.

## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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Spain asked the Commission for a briefing on the state of play of the negotiations concerning the EU/Mauritania fisheries protocol.

Both fisheries partnership agreements are especially important to Spain and some other member states which supported these requests.

Concerning Mauritania, on 3 December 2012 the Council decided to sign and provisionally apply the new protocol to the fisheries partnership agreement with Mauritania. This decision was taken by qualified majority as some member states did not support the signing and provisional application. Spain considered for example that the protocol did not provide for fishing opportunities for cephalopods.

The protocol contains a revision clause which would enable the joint EU/Mauritania committee to change the current fishing opportunities on the basis of scientific advice. The last meeting of this committee did not provide fishing opportunities for cephalopods but led to the convening of the EU/Mauritania joint scientific committee, which met from 2 to 5 April 2013. That committee envisaged possible adjustments of the protocol only for pelagic fishes and crustaceans.

The report by the Joint Scientific Committee EU/Mauritania confirms the simultaneous occurrence of several positive factors concerning octopus fishing:

- a constant reduction in the fishing effort, in particular since 2002;
- a substantial increase in catch per unit of effort (CPUE) since 1995, in particular in 2011 and 2012;
- a fishing mortality rate of octopus stock compatible with MSY.

These indicators provide a positive outlook for the development of octopus biomass and suggest that, in the short term, the European fleet will have a surplus, given that this resource was fully exploited in 2012.

The Scientific Committee has agreed to a study on a management model based on closed areas/seasons carried out by Spanish scientists. To implement this model, field research would be necessary to estimate the extent of recruitments and their spatial distribution. EU vessels could also participate in this research. To this end, the Committee has asked the Spanish Institute of Oceanography to cooperate.

## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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The Committee on Fisheries adopted the report by Gabriel MATO ADROVER (EPP, ES) on the proposal for a Council decision on the conclusion of the Protocol setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years.

Members recommend that the European Parliament should decline giving its consent to the conclusion of the Protocol.

They state that this is unarguably the biggest of the EU's fisheries agreements in terms of the volume and variety of fisheries products, and in terms of the financial contribution. The new protocol is worth EUR 110 per annum, EUR 70 million of which is to be paid by the EU and the remaining EUR 40 million per annum will be contributed by the fishing industry in the form of fishing licence fees.

Access will be granted to vessels from 12 Member States (ES, IT, EL, FR, UK, MT, NL, DE, PL, LV, LT).

Fishing opportunities and technical clauses: for Members, the main point of contention of the Agreement and its Protocol concerns the introduction of a generalised system of quotas, as opposed to fishing effort based on vessel tonnage. They consider that this will lead to continual conflicts with the local authorities over the weighing of catches (Members cite the example of cephalopods whereby there is no access to this fishery, although there is provision for the situation to be reviewed after the protocol has been in force for one year).

Members have examined the fishing opportunities and state that in general these opportunities are not suited. The agreement is that this protocol is costly in comparison to the fishing opportunities it permits and the technical conditions it imposes, making it economically unviable.

Another point of disagreement concerns the legal basis. Members state that the legal basis for the Council adopting a decision on the conclusion of the protocol between the EU and Mauritania should be Article 43(2), relating to Article 218(6)(2)(a) TFEU, and not, as per the recent Council amendment, Article 43(2) TFEU.

Furthermore, Members are of the opinion that the Fisheries Protocol:

- is not to the EU's financial advantage;
- is not to Mauritania's advantage either, since the fact that the EU fleet is not fishing there will deprive it of a large proportion of the financial contribution.

The committee calls on the Members to decline to consent to conclusion of the current Protocol.

## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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The European Parliament adopted by 467 votes to 154, with 28 abstentions, a legislative resolution on a draft Council decision on the conclusion of the Protocol setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years.

Parliament gave its consent to the conclusion of the Protocol, contrary to the committee's responsible opinion. It considered that the Protocol is more sustainable than the previous one, and is consistent with the rules of the new Common Fisheries Policy, which have yet to enter into force.

## EC/Mauritania Fisheries Partnership Agreement: fishing opportunities and financial contribution from 18 November 2012 to 15 December 2014. Protocol

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**PURPOSE:** the conclusion of the Protocol between the European Union and Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement.

**NON-LEGISLATIVE ACT:** Council Decision 2013/672/EU on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years

**BACKGROUND:** the European Commission has conducted negotiations with Mauritania with a view to renewing the Protocol to the [Fisheries Partnership Agreement](#) between the European Community and the Islamic Republic of Mauritania.

At the end of those negotiations, a new Protocol was initialled on 26 July 2012 which now needs to be concluded on behalf of the European Union.

That Protocol should now be approved on behalf of the EU.

**CONTENT:** with this Decision, the Council concluded, with Parliament's approval, and on behalf of the EU, a fishing protocol between the European Union and Mauritania setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the EU and that country.

**Objective:** the main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels of the European Union in the waters of Mauritania within the limits of the available surplus. The Protocol aims to strengthen the cooperation between the Parties with a view to establishing a sustainable fisheries policy and sound exploitation of fisheries resources in Mauritanian fishing zones, in the interests of both Parties.

**Fishing Protocol:** the Protocol provides for annual fishing opportunities in the following categories and quantities:

- 5 000 tonnes for fishing vessels specialising in crustaceans other than spiny lobster and crab;
- 4 000 tonnes for black hake (non-freezer) trawlers and bottom longliners;
- 2 500 tonnes for vessels fishing for demersal species other than black hake with gear other than trawls;
- 200 tonnes of crab;
- 22 tuna seiners;
- 22 pole-and-line tuna vessels and surface longliners;
- 300 000 tonnes for pelagic freezer trawlers;
- 15 000 tonnes for non-freezer pelagic vessels (to be deducted from the allocation set for pelagic freezer trawlers).

**Financial contribution:** the financial contribution is set at EUR 70 million over the entire period of the protocol.

- a financial contribution of EUR 67 million for access to the fisheries resources, and
- EUR 3 million in development aid for Mauritania's sectoral fisheries policy. This support meets the objectives of the national fisheries policy.

This financial contribution was calculated on the basis of reference tonnages outlined above. The Parties may adopt in the Joint Committee provided for in the Agreement, a revision to the fishing opportunities. In this case the financial contribution shall be adjusted proportionately and pro rata temporis.

**Duration of the fishing protocol:** the Protocol is concluded for 2 years from the date of its signature unless it is terminated.

**ENTRY INTO FORCE:** the Decision enters into force on 15.11.2013. The date of entry into force of the Agreement will be published in the Official Journal by the General Secretariat of the Council.

