

# Procedure file

Basic information	
NLE - Non-legislative enactments	2013/0216(NLE)
EU/Gabon Fisheries Partnership Agreement: fishing opportunities and financial contribution from 24 July 2013 to 23 July 2016. Protocol	
See also <a href="#">2006/0156(CNS)</a>	
Subject 3.15.15.02 Fisheries agreements with African countries	
Geographical area Gabon	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries	Shadow rapporteur	
		PPE <a href="#">FRAGA ESTÉVEZ Carmen</a>	
		S&D <a href="#">THOMAS Isabelle</a>	
		ALDE <a href="#">BILBAO BARANDICA Izaskun</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>DEVE</b> Development		09/07/2013
		Verts/ALE <a href="#">JOLY Eva</a>	
	<b>BUDG</b> Budgets		11/07/2013
		Verts/ALE <a href="#">ALFONSI François</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3308</a>	14/04/2014
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	DAMANAKI Maria	

Key events			
27/06/2013	Preparatory document	<a href="#">COM(2013)0465</a>	Summary
26/11/2013	Legislative proposal published	<a href="#">11871/2013</a>	Summary
13/01/2014	Committee referral announced in Parliament		
22/01/2014	Vote in committee		
27/01/2014	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0049/2014</a>	Summary

05/02/2014	Results of vote in Parliament		
05/02/2014	Decision by Parliament	<a href="#">T7-0074/2014</a>	Summary
14/04/2014	Act adopted by Council after consultation of Parliament		
14/04/2014	End of procedure in Parliament		
26/04/2014	Final act published in Official Journal		

### Technical information

Procedure reference	2013/0216(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
	See also <a href="#">2006/0156(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 218-p7; 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/7/13168

### Documentation gateway

Preparatory document		<a href="#">COM(2013)0465</a>	27/06/2013	EC	Summary
Document attached to the procedure		<a href="#">11875/2013</a>	16/07/2013	CSL	
Committee draft report		<a href="#">PE522.816</a>	05/11/2013	EP	
Committee opinion	<b>BUDG</b>	<a href="#">PE516.780</a>	15/11/2013	EP	
Legislative proposal		<a href="#">11871/2013</a>	26/11/2013	CSL	Summary
Amendments tabled in committee		<a href="#">PE524.700</a>	02/12/2013	EP	
Committee opinion	<b>DEVE</b>	<a href="#">PE519.450</a>	18/12/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0049/2014</a>	27/01/2014	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0074/2014</a>	05/02/2014	EP	Summary

### Additional information

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

### Final act

[Decision 2014/232](#)  
[OJ L 125 26.04.2014, p. 0048](#) Summary

## 24 July 2013 to 23 July 2016. Protocol

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**PURPOSE:** to conclude a Protocol between the European Union and Gabon 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.

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

**BACKGROUND:** on the basis of the powers conferred on it by the Council, the European Commission has conducted negotiations with Gabon with a view to renewing the Protocol to the Fisheries Partnership Agreement between the European Community and this country.

At the end of those negotiations, a new draft Protocol was initialled by the negotiators on 24 April 2013.

**IMPACT ASSESSMENT:** the interested parties were consulted during the evaluation of the [Protocol for the period 2005-11](#). 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 Gabon.

**LEGAL BASIS:** Article 43(2) in conjunction with Article 218(6)(a) and (7) of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** this proposal seeks to conclude the Protocol between the EU and Gabon setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Gabonese Republic.

**Aim:** the main aim of the Protocol to the Agreement is to provide fishing opportunities for EU vessels in Gabonese waters within the limits of the available surplus, in accordance with the best available scientific advice and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The general aim is to enhance the cooperation between the European Union and Gabon, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Gabonese fishing zone, in the interests of both Parties.

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

- 27 freezer tuna seiners;
- 8 pole-and-line tuna vessels.

**Financial contribution:** the annual financial contribution of EUR 1 350 000 is based on:

- a reference tonnage of 20 000 tonnes, for an amount of EUR 900 000 linked to access;
- support for the development of the sectoral fisheries policy of Gabon amounting to EUR 450 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Gabonese Republic in the fight against illegal fishing and the implementation of the national fisheries strategy.

The Parties may adopt, in the Joint Committee, measures entailing a review of fishing opportunities. In that case, the financial contribution shall be adjusted proportionately and pro rata temporis.

At the request of Gabon, the Gabonese Government may call on the European Union in order to consider the possibility of experimental fishing in order to exploit certain fisheries, under the direct supervision of scientists representing the two Parties and either ICCAT or the relevant regional fisheries organisation. They shall consult each other and determine on a case-by-case basis the relevant species, conditions and other parameters. The authorisations for experimental fishing shall be granted for a maximum of 12 months. In the event that the Parties consider that experimental campaigns have given positive results, the Government may allocate fishing opportunities for new species to the European Union fleet until this Protocol expires. The financial compensation of the current Protocol shall consequently be increased.

**Duration of the fishing protocol:** this Protocol and the Annexes shall apply for a duration of three years from the date of provisional application of the new Protocol.

**BUDGETARY IMPLICATIONS:** the total amount of operational commitments for the Protocol is set at EUR 4.05 million for 2013 to 2015. Other expenditure such as administrative, management and human resources amount to EUR 318 000.

## EU/Gabon Fisheries Partnership Agreement: fishing opportunities and financial contribution from 24 July 2013 to 23 July 2016. Protocol

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**PURPOSE:** to conclude, on behalf of the European Union, the Protocol setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Gabonese Republic.

**PROPOSED ACT:** Council Decision.

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

**BACKGROUND:** the Union has negotiated a new protocol with the Gabonese Republic granting Union vessels fishing opportunities in waters in which the Gabonese Republic exercises its sovereignty or its jurisdiction as regards fishing.

The New Protocol was signed in accordance with Decision 2013/462/EU, and is applied provisionally as from 24 July 2013.

The New Protocol should therefore be approved.

**CONTENT:** the proposed Decision seeks to conclude the Protocol setting out the fishing opportunities with Gabon on behalf of the Union.

The general aim is to enhance the cooperation between the European Union and Gabon, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Gabonese fishing zone, in the interests of

both Parties.

For details of the fishing opportunities and the financial implications of the draft Protocol on the budget of the European Union, please refer to the summary of the Commissions initial legislative proposal dated 27/06/2013.

Simplified procedure to define the EUs position within the EU-Gabon joint committee: the Partnership Agreement set up a Joint Committee which is responsible for monitoring the application of the Agreement. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a simplified procedure laid down in the proposed Decision.

Annex: the draft Decision details the extent of the powers conferred on the Commission as well as the procedure to establish a Union position within the joint committee. The Commission should be authorised to negotiate with Gabon, modifications to the Protocol as regards:

- the revision of fishing opportunities;
- the decision on the modalities of the sectoral support of the Protocol;
- technical specifications and modalities falling within the powers of the Joint Committee.

In the Joint Committee, the Union shall act in accordance with the objectives pursued by the Union within the framework of the Common Fisheries Policy.

Technical provisions are provided to establish the framework and the practical conditions of the approval of the modifications to the Protocol.

## EU/Gabon Fisheries Partnership Agreement: fishing opportunities and financial contribution from 24 July 2013 to 23 July 2016. Protocol

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The Committee on Fisheries adopted the report by João FERREIRA (GUE/NGL, PT) on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Gabonese Republic.

Members recommended that Parliament should give its consent to conclusion of the Protocol.

In the interests of transparency, Members called on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee as well as the multiannual sectoral programme and the corresponding annual evaluations, and the minutes and the conclusions of the meetings;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee;
- submit to Parliament and the Council, within the last year of application of the protocol and before the opening of negotiations for its renewal, a full report on its implementation, gauging the uptake of fishing opportunities and assessing the cost-effectiveness of the protocol, there should be no unnecessary restrictions on access to that report.

Lastly, they called on the Council and the Commission, 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 pertinent provisions of the Treaty.

## EU/Gabon Fisheries Partnership Agreement: fishing opportunities and financial contribution from 24 July 2013 to 23 July 2016. Protocol

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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 Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Gabonese Republic.

Parliament gave its consent to the conclusion of the Protocol.

In the interests of transparency, Parliament called on the Commission to:

- forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee as well as the multiannual sectoral programme and the corresponding annual evaluations, and the minutes and the conclusions of the meetings;
- facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee and submit to Parliament and the Council, within the last year of application of the protocol and before the opening of negotiations for its renewal, a full report on its implementation; there should be no unnecessary restrictions on access to that report.

Lastly, Parliament called on the Council and the Commission, 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 pertinent provisions of the Treaty.

## EU/Gabon Fisheries Partnership Agreement: fishing opportunities and financial contribution from 24 July 2013 to 23 July 2016. Protocol

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

**NON-LEGISLATIVE ACT:** Council Decision of 2014/232/EU on the conclusion, on behalf of the European Union, of the Protocol setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the

Gabonese Republic.

BACKGROUND: the Union has negotiated a new protocol with Gabon granting Union vessels fishing opportunities in waters in which Gabon exercises its sovereignty or its jurisdiction as regards fishing.

The New Protocol was signed in accordance with Council Decision 2013/462/EU, and is applied provisionally as from 24 July 2013.

It is now appropriate to approve the protocol on behalf of the European Union.

CONTENT: by means of this decision, the Council approves on behalf of the European Union, with the consent of the European Parliament, a Protocol setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement.

Objective: the Protocol to the Agreement is to provide fishing opportunities for EU vessels in Gabonese waters within the limits of the available surplus, in accordance with the best available scientific advice and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The general aim is to enhance the cooperation between the European Union and Gabon, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Gabonese fishing zone, in the interests of both Parties.

Fishing protocol: the Protocol provides for annual fishing opportunities in the following categories:

- 27 freezer tuna seiners;
- 8 pole-and-line tuna vessels.

Financial contribution: the annual financial contribution of EUR 1 350 000 is based on:

- a reference tonnage of 20 000 tonnes, for an amount of EUR 900 000 linked to access;
- support for the development of the sectoral fisheries policy of Gabon amounting to EUR 450 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Gabonese Republic in the fight against illegal fishing and the implementation of the national fisheries strategy.

This financial contribution was calculated on the basis of the above-mentioned reference tonnages. The Parties may adopt, in the Joint Committee, measures entailing a review of fishing opportunities. In that case, the financial contribution shall be adjusted proportionately and pro rata temporis.

At the request of Gabon, the Gabonese Government may call on the European Union in order to consider the possibility of experimental fishing in order to exploit certain fisheries, under the direct supervision of scientists representing the two Parties and either ICCAT or the relevant regional fisheries organisation. They shall consult each other and determine on a case-by-case basis the relevant species, conditions and other parameters. The authorisations for experimental fishing shall be granted for a maximum of 12 months. In the event that the Parties consider that experimental campaigns have given positive results, the Government may allocate fishing opportunities for new species to the European Union fleet until this Protocol expires. The financial compensation of the current Protocol shall consequently be increased.

Duration of the fishing protocol: this Protocol and the Annexes are concluded for a duration of three years from the date of signature of the new Protocol.

Simplified procedure for establishing the EUs position in the EU-Gabon Joint Committee: the Partnership Agreement sets up a Joint Committee which is responsible for monitoring the application of the Agreement. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, the Commission is empowered, subject to specific conditions, to approve them under a simplified procedure.

Annex: it should be noted that the decision lays down the scope of the powers conferred on the Commission, as well as the procedure for establishing the EUs position in the EU-Gabon Joint Committee. The Commission shall be authorised to negotiate with Gabon modifications in regard to the following issues:

- revision of fishing opportunities;
- the modalities of the sectoral support of fisheries policy;
- certain technical specifications and modalities falling within the powers of the Joint Committee.

In the Joint Committee set up under the Fisheries Partnership Agreement, the Union shall act in accordance with the objectives pursued by the Union within the framework of the Common Fisheries Policy.

Lastly, technical provisions are envisaged for setting the framework and the practical modalities for the approval of modifications to the Protocol, taking into account the latest scientific data on fishing opportunities.

ENTRY INTO FORCE: the decision enters into force on 14.04.2014.