

Procedure file

Basic information		
NLE - Non-legislative enactments	2013/0315(NLE)	Procedure completed
EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Morocco Protocol		
See also 2005/0280(CNS)		
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		29/02/2012
		PPE FRAGA ESTÉVEZ Carmen	
		Shadow rapporteur	
		S&D CAPOULAS SANTOS Luis Manuel	
		ALDE TORVALDS Niis	
		Verts/ALE ROMEVA I RUEDA Raül	
		ECR STEVENSON Struan	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development		04/10/2013
		PPE PREDA Cristian Dan	
	BUDG Budgets		26/09/2013
		Verts/ALE ALFONSI François	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3285	16/12/2013
	Economic and Financial Affairs ECOFIN	3271	15/11/2013
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	DAMANAKI Maria	

Key events			
23/09/2013	Preparatory document	COM(2013)0648	Summary
04/11/2013	Legislative proposal published	14165/2013	Summary
21/11/2013	Committee referral announced in Parliament		
27/11/2013	Vote in committee		
29/11/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0417/2013	Summary

09/12/2013	Debate in Parliament		
10/12/2013	Results of vote in Parliament		
10/12/2013	Decision by Parliament	T7-0522/2013	Summary
16/12/2013	Act adopted by Council after consultation of Parliament		
16/12/2013	End of procedure in Parliament		
21/12/2013	Final act published in Official Journal		

Technical information

Procedure reference	2013/0315(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
	See also 2005/0280(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 218-p7; Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/14057

Documentation gateway

Preparatory document		COM(2013)0648	23/09/2013	EC	Summary
Committee draft report		PE519.612	11/10/2013	EP	
Document attached to the procedure		14162/2013	28/10/2013	CSL	
Legislative proposal		14165/2013	05/11/2013	CSL	Summary
Amendments tabled in committee		PE522.915	05/11/2013	EP	
Committee opinion	DEVE	PE521.518	06/11/2013	EP	
Committee opinion	BUDG	PE519.789	18/11/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0417/2013	29/11/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0522/2013	10/12/2013	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2013/785](#)
[OJ L 349 21.12.2013, p. 0001](#) Summary

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution.

EU/Morocco Protocol

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

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 : on the basis of a mandate from the Council, the Commission opened

negotiations with Morocco on the renewal of the Protocol to the Fisheries Partnership Agreement between the European Community and Morocco. At the end of these negotiations a draft of the new Protocol was initialled by the negotiators on 24 July 2013, which must now be concluded on behalf of the Union.

IMPACT ASSESSMENT : the interested parties were consulted during the evaluation of the Protocol for the period 2007-11. Experts from Member States were also consulted in technical meetings. These consultations led to the conclusion that it would be beneficial to maintain a fishing protocol with Morocco.

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

CONTENT : the draft decision proposes that the Council conclude the Protocol to the Fisheries Partnership Agreement between the European Union and Morocco.

Purpose : the main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels from the European Union in the waters of Morocco within the limits of the

surplus available. The aim is to strengthen cooperation between the European Union and

Morocco, thereby creating a partnership framework within which to develop a policy of sustainable fisheries and sound exploitation of fishery resources in the Moroccan fishing zone, in the interests of both parties.

Fishing Protocol and its Annex provides for fishing opportunities and the financial contribution set out in the Agreement. The Protocol sets out fishing opportunities in the following categories:

- small-scale pelagic fishing in the north: 20 seiners,
- small-scale fishing in the north: 35 bottom longliners,
- small-scale fishing in the south: 10 vessels (rods and lines),
- demersal fishing: 16 vessels (bottom longliners and bottom trawlers),
- tuna fishing: 27 vessels (pole-and-line),
- industrial pelagic fishing: 80 000 tonnes of catches, 18 vessels.

N.B. : [the previous Protocol](#), applied provisionally from 28 February 2011, was not approved by Parliament which considered that its cost-benefit ratio was too low, that it did not guarantee the sustainability of the stocks exploited and that it did not respect international law insofar as it did not prove that the local populations would benefit from the economic and social benefits of that Protocol.

The current draft Protocol responds to Parliament's concerns, notably by:

- drastically improving the cost-benefit ration of the new Protocol, under which the fishing opportunities have increased in relation to the previous Protocol while the European Union's financial contribution has decreased;
- underscoring the principle of sustainability as an essential condition for the activity envisaged, a principle based on sound scientific advice and reiterated several times in the text;
- requiring Morocco to provide regular, detailed reports on the use of the financial contribution for the fisheries sector, including the economic and social benefits on a geographical basis, and providing for a mechanism for the possible suspension of the Protocol, including in the event of violations of human rights and democratic principles.

Financial contribution: an annual financial contribution of EUR 30 million is provided in exchange for fishing opportunities. This contribution is based on:

- an amount of EUR 16 000 000 linked to access and
- support for the development of the sectoral fisheries policy of Morocco amounting to EUR 14 000 000.

There will also be an amount of EUR 10 million corresponding to the estimated amount of fees owed by ship owners under the fishing licences granted under the Fisheries Agreement.

The fishing opportunities may be reviewed by the Joint Committee by mutual agreement, provided that this review is designed to ensure the durability of Moroccan fisheries resources.

In the event of an increase, the financial contribution will be increased proportionally to the fishing opportunities and pro rata temporis. The total amount of the financial contribution made by the EU may not, however, exceed twice the EUR 16 million indicated in the Protocol for access to fishing zones. If the parties agree to a reduction in the fishing opportunities, the financial contribution will be reduced proportionally

The text contains other provisions regarding the distribution of fishing opportunities between different categories of boats.

Economic integration of EU operators in the Moroccan fisheries sector: the Protocol provides for specific cooperation between economic operators in the following areas:

- development of subsidiary industry related to fisheries, particularly naval construction and repair and the manufacturing of fishing gear and materials;

- promoting exchange of professional expertise and training of managers for the maritime fishing sector;
- sale of fishery products;
- marketing;
- aquaculture.

Duration of the Agreement and of the Protocol: the Agreement will apply for a period of 4 years from the date of its entry into force.

BUDGETARY IMPLICATIONS : the total financial envelope for the fishing Protocol is EUR 120 584 million from 2014 à 2017 (operating appropriations) including appropriations of an administrative nature financed from the envelope of specific programmes. To this amount is added the administrative cost of managing the Protocol and human resources costs in the order of EUR 680 000 for the duration of the Protocol.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Morocco Protocol

PURPOSE: to conclude the Protocol between the European Union and Morocco setting out the fishing opportunities and financial contribution provided for in the EU-Morocco Fisheries Partnership Agreement.

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 negotiated a new Protocol granting vessels of the Union fishing opportunities in the waters falling within the sovereignty or jurisdiction of Morocco as regards fishing.

The Council authorised the signature of this Protocol, subject to its conclusion at a later date.

It is now necessary to approve the Protocol on behalf of the Union.

CONTENT: under this proposal, the Council is called upon to conclude the Protocol to the Fisheries Agreement with Morocco.

This draft Protocol seeks to establish the fishing opportunities, with the corresponding financial contribution, and setting out the conditions for promoting responsible fishing and sustainable fisheries in the fishing zone of Morocco.

For further details of the fishing opportunities and the financial impact of the draft Protocol on the EU budget, please refer to the summary of the Commission initial legislative proposal dated 23/09/2013.

Simplified procedure for defining the position of the EU within the EU-Morocco Joint Committee: the Partnership Agreement set up a Joint Committee which is responsible for monitoring the implementation of this 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 European Commission, subject to specific conditions, to approve them under a simplified procedure detailed in the proposed Decision.

The amendments concern in particular:

- the review of fishing opportunities;
- the decision on the modalities of the sectoral support in accordance with the Protocol.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Morocco Protocol

The Committee on Fisheries adopted the report by Carmen FRAGA ESTÉVEZ (EPP, ES) on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco.

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

2011 Protocol: in December 2011, after the European Parliament declined to grant its consent to a [one-year extension of the fisheries protocol with Morocco](#), which expired on 27 February 2012, the Commission opened negotiations on the conclusion of a new protocol which has now been submitted for consent. Both parties bore Parliament's concerns very much in mind during the negotiations and agreed that the new text should seek to respond to the criticisms and guidelines contained in the European Parliament's resolution adopted at the same time, which called for guarantees that it would be mutually beneficial and evidence that it would be based on economic, social and environmental sustainability.

2013 Protocol: Members took the view that Parliament should consent to conclusion of the protocol, since it will allow fishery relations with Morocco to resume on a fresh basis, much more in keeping with Parliament's demands. However, they reiterated the need for the Parliament to be kept punctually and fully informed about the application of the Protocol and its results. They insisted once again that representatives of the European Parliament should have the opportunity to attend meetings of the joint committee provided for the Fisheries Agreement as observers.

They further called on the Parliament to be provided with documentation on the guidelines, objectives and indicators concerning the chapter relating to support for the fisheries sector in Morocco, and all the information necessary for the proper monitoring of the aspects, including the final report that Morocco is to submit on the implementation of the sectoral support programme.

Members also reiterated their request to the Commission that it submit a full report on the results and operation of the current Protocol to the European Parliament, before opening negotiations on a new protocol.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Morocco Protocol

The European Parliament adopted by 310 votes to 204, with 49 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco.

Parliament gave its consent to the conclusion of the Protocol (after it declined, in December 2011) to grant its consent to a [one-year extension of the fisheries protocol with Morocco](#), which expired on 27 February 2012).

However, Parliament recalled that it should be kept punctually and fully informed about the application of the Protocol and its results. It insisted once again that representatives of the European Parliament should have the opportunity to attend meetings of the joint committee provided for the Fisheries Agreement as observers.

Members further called on the Parliament to be provided with documentation on the guidelines, objectives and indicators concerning the chapter relating to support for the fisheries sector in Morocco, and all the information necessary for the proper monitoring of the aspects, including the final report that Morocco is to submit on the implementation of the sectoral support programme.

Parliament reiterated its request to the Commission that it submit a full report on the results and operation of the current Protocol to the European Parliament, before opening negotiations on a new protocol.

EC/Morocco Fisheries Partnership Agreement: fishing opportunities and financial contribution. EU/Morocco Protocol

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

NON-LEGSLATIVE ACT: Council Decision 2013/785/EU on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco.

BACKGROUND: on 22 May 2006 the Council approved the Fisheries Partnership Agreement between the EC and Morocco by adopting Regulation (EC) No 764/2006.

The Union has negotiated with Morocco a new Protocol granting vessels of the Union fishing opportunities in the waters falling within the sovereignty or jurisdiction of Morocco as regards fishing.

By Decision 2013/720/EU, the Council authorised the signature of the Protocol, subject to its conclusion. It is now necessary to conclude the Protocol.

CONTENT : with this Decision, the Council concludes, with Parliaments approval, a Protocol to the Fisheries Partnership Agreement (FPA).

The Protocol aims to set out the conditions under which EU flag States might fish in Moroccan waters in the framework of a sustainable fisheries policy.

Purpose: the main aim of the Protocol to the Agreement is to strengthen cooperation between the European Union and Morocco, thereby creating a partnership framework within which to develop a policy of sustainable fisheries and sound exploitation of fishery resources in the Moroccan fishing zone, in the interests of both parties.

Fishing Protocol: the Fishing Protocol and its Annex provides for fishing opportunities and the financial contribution set out in the Agreement. The Protocol sets out fishing opportunities in the following categories:

- small-scale pelagic fishing in the north: 20 seiners,
- small-scale fishing in the north: 35 bottom longliners,
- small-scale fishing in the south: 10 vessels (rods and lines),
- demersal fishing: 16 vessels (bottom longliners and bottom trawlers),
- tuna fishing: 27 vessels (pole-and-line),
- industrial pelagic fishing: 80 000 tonnes of catches, 18 vessels.

Financial contribution: an annual financial contribution of EUR 30 million is provided in exchange for fishing opportunities. This contribution is based on:

- an amount of EUR 16 000 000 linked to access and
- support for the development of the sectoral fisheries policy of Morocco amounting to EUR 14 000 000.

There will also be an amount of EUR 10 million corresponding to the estimated amount of fees owed by ship owners under the fishing licences granted under the Fisheries Agreement.

The fishing opportunities may be reviewed by the Joint Committee by mutual agreement, provided that this review is designed to ensure the durability of Moroccan fisheries resources.

In the event of an increase, the financial contribution will be increased proportionally to the fishing opportunities and pro rata temporis. The

total amount of the financial contribution made by the EU may not, however, exceed twice the EUR 16 million indicated in the Protocol for access to fishing zones.

Economic integration of EU operators in the Moroccan fisheries sector: the Protocol provides for specific cooperation between economic operators in the following areas:

- development of subsidiary industry related to fisheries, particularly naval construction and repair and the manufacturing of fishing gear and materials;
- promoting exchange of professional expertise and training of managers for the maritime fishing sector;
- sale of fishery products;
- marketing;
- aquaculture.

Joint Committee: the Partnership Agreement set up a Joint Committee which is responsible for monitoring the implementation 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 to approve them under a simplified procedure, subject to specific conditions, which are set out in the Annex.

The modifications relate, in particular, to:

- the revision of fishing possibilities;
- the modalities of the sectoral support in accordance with the Protocol.

Duration of the Protocol: the Protocol will apply for a period of 4 years from the date of its entry into force.

ENTRY INTO FORCE: the Decision will enter into force on 16.12.2013. The Protocol will enter into force when all the necessary procedures to this end have been completed.