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"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. prev. doc.:	ST 5133/15 PECHE 11 + ADD 1 - COM(2015) 1 final
Subject:	Proposal for a COUNCIL DECISION on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana <i>- Request of EP consent</i>

1. The Commission submitted the above proposal to the Council on 12 January 2015.
2. During the presentation to the Working Party, on 15 January 2015, the Commission representative recalled that a recent ruling of the Court of Justice had annulled Council Decision 2012/19/EU of 16 December 2011 on the Declaration on the granting of fishing opportunities in EU waters to Venezuelan fishing vessels in the exclusive economic zone off the coast of French Guiana since the legal basis was considered incorrect by the Court of Justice. The Court of Justice maintained the effects of the annulled Council Decision until the entry into force, within a reasonable time after the judgement, of a new Decision to be adopted on the appropriate legal basis. The Commission proposal mentioned above was presented in order to implement the sentence of the Court of Justice¹.

¹ Cf. doc. 5228/15 PECHE 15, p. 3-4.

At the end of the debate, the Presidency concluded that the proposal would be put forward for adoption by "I/A-procedure" after having obtained the consent of the European Parliament.

3. The Danish and United Kingdom delegations entered parliamentary scrutiny reserves.
4. Consequently, COREPER is invited to suggest that the Council, at a forthcoming session, requests the consent of the European Parliament for the adoption of the above proposal as set out in doc. 5420/15 PECHHE 23 (as finalized by the legal-linguistic experts.)
