



Brussels, 21 September 2015
(OR. en)

12181/15

PECHE 308

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	11443/15 PECHE 270 + ADD 1 - COM(2015) 396 final + Annex
Subject:	Recommendation for a COUNCIL DECISION authorising the Commission to open negotiations on behalf of the European Union for the renewal of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Gabonese Republic - <i>Adoption</i>

1. The European Commission submitted the above recommendation¹ on 7 August 2015 to the Council. The Council also received, on 11 September 2015, an assessment of the retrospective and forward looking evaluation of the Protocol to the Fisheries Partnership Agreement between the European Union and the Republic of Gabon². The current Protocol will expire on 23 July 2016.
2. The Working Party on External Fisheries Policy examined the recommendation on 17 September 2015. The Commission representative underlined that:
 - the current Protocol was of central importance to the EU tuna fleet;

¹ Cf. docs 11443/15 PECHE 270 + ADD 1

² Cf. docs 11923/15 PECHE 291 + ADD 1

- the current annual reference tonnage of 20 000 tonnes was close to full utilisation by the French and Spanish fleets;
- the assessment concluded in favour of a renewal of the Protocol.

The Commission services would like to open the negotiations at the end of October 2015.

3. DK and NL entered parliamentary scrutiny reserves. The delegations whose fleets were using the protocol (ES, FR) stressed the importance of this protocol in the chain of bilateral tuna agreements.
4. The Working Party reached an agreement on the text on the basis of a draft Council Decision including negotiating directives³. The Commission representative reiterated that the explicit mention of a "surplus" in the context of stocks straddling various jurisdictions was not strictly necessary and recalled that the Commission did not agree to mention a substantial legal basis (Article 43 TFEU) in the mandate. It would again make a statement to that effect.
5. Consequently, COREPER is invited to confirm the agreement reached at the level of the Working Party and to suggest that the Council, at a forthcoming session:
 - adopts the Decision on opening negotiations and the accompanying negotiating directives as set out in doc. 12160/15 PECHE 305;
 - decides not to publish the Decision in accordance with Article 17(2)(b) of its Rules of Procedure;
 - notes that the European Parliament will be informed in accordance with Article 218(10) TFEU, and therefore a paper copy of the Decision including the negotiating directives will be transmitted to the Parliament;
 - enters the statement in the Addendum to this note in the minutes of the Council.

³ Cf. doc. DS 1479/15.