



Council of the  
European Union

Brussels, 21 November 2017  
(OR. en)

14611/17

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**Interinstitutional File:**  
**2017/0241 (NLE)**

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PECHE 458

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. Cion doc.: 12750/17 PECHE 368 - COM(2017) 556 final

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Subject: Proposal for a COUNCIL DECISION denouncing the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros, adopted by Council Regulation (EC) No 1563/2006 of 5 October 2006  
- Request for the consent of the European Parliament

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1. On 29 September 2017, the European Commission submitted to the Council the proposal mentioned above. The proposal intends to denounce the said Partnership Agreement, following the Council Implementing Decision (EU) 2017/1332 of 11 July<sup>1</sup> which added the Union of Comoros to the list of non-cooperating third countries in fighting illegal, unreported and unregulated fishing.

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<sup>1</sup> OJ L 185, 18.7.2017, p. 37.

2. At its meeting on 15 November 2017, the Working Party on Internal and External Fisheries Policy reached an agreement on the proposal with some modifications of the original text of Article 2 and its corresponding recitals. These changes are aimed at: (i) establishing the deadline of six months for the denunciation to take effect, and (ii) ensuring that the denunciation may be withdrawn before it takes effect, in case the Union of Comoros is removed from the list of non-cooperating third countries by a Council Decision. In addition, the Working Party agreed to amend the legal basis of the Council Decision to read "Article 43 in conjunction with Article 218(6)(a) thereof".
3. The Commission entered a Statement in the minutes of COREPER/Council concerning the legal basis (in addendum).
4. DK and UK entered parliamentary scrutiny reservations.
5. COREPER is therefore invited to confirm the agreement reached by the Working Party and to suggest that Council, at a forthcoming session:
  - (a) decides to amend the legal basis of the Council Decision, to read "Article 43 in conjunction with Article 218(6)(a) and (7) thereof" and to forward the agreed text of the draft Decision (as set out in document 14423/17 PECHE 446, as finalised by the legal linguistic experts) to the European Parliament for its consent with the request for the latter to be issued within three months; and
  - (b) enters the statement in the addendum to this note in the minutes of the session.

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