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|  | COMMISSION EUROPÉENNESECRÉTARIAT GÉNÉRALDirection E**Relations avec le Parlement européen, le médiateur européen, le Comité économique et social européen et le Comité des régions** |

Bruxelles, le 5 octobre 2004

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| **SP(2004)2350** |  |  |

**Communication de la Commission
sur les suites données aux avis et résolutions adoptés par le Parlement européen lors de la session de septembre 2004**

**Dans la première partie, cette communication informe le Parlement européen sur les suites que la Commission a données aux amendements adoptés par celui sur ses propositions législatives au cours de la session plénière du mois de septembre 2004.**

**Dans la deuxième partie, la Commission dresse la liste d'un certain nombre de résolutions non legislatives adoptées par le Parlement au cours de meme session plénière, en justifiant les raisons pour lesquelles elle ne donnera pas une suite sous forme de fiche.**

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**Première partie
Avis législatifs**

**CONSULTATION PROCEDURE REQUIRING A SINGLE READING**

**Proposal for a Council regulation on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2006 the tuna fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Democratic Republic of Madagascar on fishing off Madagascar**

**1. Rapporteur:** Philippe Morillon

**2. EP No:** [A6-0002/2004](http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=89403&LEVEL=4&MODE=SIP&NAV=X&LSTDOC=N)

**3. Date of adoption:** 15 September 2004

**4. Subject:**

European Parliament legislative resolution on the proposal for a Council regulation on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2006 the tuna fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Democratic Republic of Madagascar on fishing off Madagascar (COM(2004) 0218)

**5. Inter-institutional reference:** 2004/0070(CNS)

**6. Legal basis:** Articles 37, Article 300(2) and 300(3), first subparagraph of the EC Treaty

**7. Competent parliamentary committee:** Fisheries Committee

**8. Commission's position:**

The Commission refuses all amendments.

**Amendment 1:**

The Commission is entirely in agreement with its spirit. The protection of the EU's fisheries interests in conjunction with the sustainable management of fishery resources and with the development of coastal populations living on fisheries are the main objectives of the EC fisheries Agreements. Therefore the Commission considers that this amendment is not necessary.

**Amendment 2:**

The Commission is committed to undertake impact assessment studies. Before any Protocol is renewed the entire period which it covers is evaluated, measuring indicators relating to results (catches, values of catches) and impact (number of jobs created and maintained, relation between the cost of the Protocol and the value of catches). Therefore the Commission considers that this amendment is not necessary.

**Amendment 3:**

The Commission already complies with this concern, by allocating funds under targeted measures aiming at the development of traditional fisheries and by requesting an annual report on the implementation of these measures. Therefore, the Commission considers that this amendment is not necessary.

**Amendment 4:**

The Commission fully shares the concern to keep the EP informed on the various aspects of the implementation of the Protocol. However, the Commission already complies with the transmission of this kind of information in line with the current inter-institutional arrangements and in particular with the Framework Agreement between the Commission and the European Parliament of 5 July 2000. Therefore, the Commission considers that this amendment is not necessary.

**Amendment 5:**

*Same as previous argumentaire.*

**Amendment 6:**

This amendment is not necessary. It goes against the principles regarding the nature of the Protocols to the Fisheries Agreements. Since the Protocols are annexed to the Framework Agreements, their periodical renewal does not require any new directive for negotiations.

**9. Outlook for the amendment of the proposal: -**

**10. Outlook for the adoption of the proposal:**

COREPER I: 13 October 2004 (foreseen)

COUNCIL: 19 October 2004 (foreseen)

**CONSULTATION PROCEDURE REQUIRING A SINGLE READING**

**Proposal for a Council regulation on the conclusion of the Protocol defining, for the period 3 December 2003 to 2 December 2007, the fishing opportunities and the financial compensation provided for by the Agreement between the European Economic Community and the Government of Mauritius on fishing in the waters of Mauritius**

**1. Rapporteur:** Philippe Morillon

**2. EP No:** [A6-0001/2004](http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=89402&LEVEL=4&MODE=SIP&NAV=X&LSTDOC=N)

**3. Date of adoption:** 15 September 2004

**4. Subject:**

European Parliament legislative resolution on the proposal for a Council regulation on the conclusion of the Protocol defining, for the period 3 December 2003 to 2 December 2007, the fishing opportunities and the financial compensation provided for by the Agreement between the European Economic Community and the Government of Mauritius on fishing in the waters of Mauritius (COM(2004) 0197)

**5. Inter-institutional reference:** 2004/0071(CNS)

**6. Legal basis:** Articles 37, Article 300(2) and 300(3), first subparagraph of the EC Treaty

**7. Competent parliamentary committee:** Fisheries Committee

**8. Commission's position:**

The Commission refuses all amendments.

**Amendment 1:**

The Commission is entirely in agreement with its spirit. The protection of the EU's fisheries interests in conjunction with the sustainable management of fishery resources and with the development of coastal populations living on fisheries are the main objectives of the EC fisheries Agreements. Therefore the Commission considers that this amendment is not necessary.

**Amendment 2:**

The Commission is committed to undertake impact assessment studies. Before any Protocol is renewed the entire period which it covers is evaluated, measuring indicators relating to results (catches, values of catches) and impact (number of jobs created and maintained, relation between the cost of the Protocol and the value of catches). Therefore the Commission considers that this amendment is not necessary.

**Amendment 3:**

The Commission already complies with this concern, by allocating funds under targeted measures aiming at the development of traditional fisheries and by requesting an annual report on the implementation of these measures. Therefore, the Commission considers that this amendment is not necessary.

**Amendment 4:**

The Commission fully shares the concern to keep the EP informed on the various aspects of the implementation of the Protocol. However, the Commission already complies with the transmission of this kind of information in line with the current inter-institutional arrangements and in particular with the Framework Agreement between the Commission and the European Parliament of 5 July 2000. Therefore, the Commission considers that this amendment is not necessary.

**Amendment 5:**

*Same as previous argumentaire.*

**Amendment 6:**

This amendment is not necessary. It goes against the principles regarding the nature of the Protocols to the Fisheries Agreements. Since the Protocols are annexed to the Framework Agreements, their periodical renewal does not require any new directive for negotiations.

**9. Outlook for the amendment of the proposal: -**

**10. Outlook for the adoption of the proposal:**

COREPER I: 13 October 2004 (foreseen)

COUNCIL: 19 October 2004 (foreseen)

**CONSULTATION PROCEDURE REQUIRING A SINGLE READING**

**Proposal for a Council regulation on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005**

**1. Rapporteur:** Philippe Morillon

**2. EP No:** A6-0003/2004

**3. Date of adoption:** 15 September 2004

**4. Subject:**

European Parliament legislative resolution on the proposal for a Council regulation on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005 (COM(2004) 0183)

**5. Inter-institutional reference:** 2004/0058(CNS)

**6. Legal basis:** Articles 37, Article 300(2) and 300(3), first subparagraph of the EC Treaty

**7. Competent parliamentary committee:** Fisheries Committee

**8. Commission's position:**

The Commission refuses all amendments.

**Amendment 1:**

The Commission is entirely in agreement with the spirit. However, the Commission already complies with the transmission of this kind of information in line with the current inter-institutional arrangements. Therefore, the Commission considers that this amendment is not necessary.

**Amendment 2:**

Amendment 2 cannot be accepted by the Commission. May I recall in this respect the established principle regarding the nature of a Protocol to a Fisheries Agreement: in light of the fact that it is an annex to the Framework Agreement, its periodic renewal does not require a new mandate.

**Amendment 3:**

Amendment 3 cannot be accepted by the Commission. Given the recent speeding up of Cape Verde’s absorption of the funds for targeted actions such an amendment is not necessary. Allow me also to recall that under the new fishery partnership agreements the so called “targeted actions” will be included in an overall policy dialogue with the third country. This new approach will be integrated also in the protocol with Cape Verde at the time of its renewal.

**9. Outlook for the amendment of the proposal: -**

**10. Outlook for the adoption of the proposal:**

COREPER I: 13 October 2004 (foreseen)

COUNCIL: 19 October 2004 (foreseen)

**Deuxième partie
Résolutions non législatives**

**LA COMMISSION ENTEND NE PAS DONNER UNE SUITE SOUS FORME DE FICHE AUX RESOLUTIONS NON LEGISLATIVES SUIVANTES, ADOPTEES PAR LE PARLEMENT EUROPEEN AU COURS DE LA SESSION DE SEPTEMBRE 2004**

- Résolution du Parlement européen sur la 35e session de l'Assemblée de l'Organisation de l'aviation civile internationale (OACI), du 28 septembre au 8 octobre 2004

(PE : B6-0037/04)

Procès verbal, 2ème partie, du 16 septembre 2004

Compétence : Loyola DE PALACIO

 DG Energie et transports

**Justification** : La Commission ne donnera pas suite sous forme de fiche étant donné qu’aucune requête ne lui est spécifiquement adressée.

- Résolution du Parlement européen sur les objectifs stratégiques de l'UE pour la treizième réunion de la Conférence des parties à la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES)

(PE : B6-0029/04)

Procès verbal, 2ème partie, du 16 septembre 2004

Compétence : Margot WALLSTRÖM

 DG Environnement

**Justification** : During its intervention at the Strasbourg plenary in September 2004, the Commission referred to the key strategic objectives for the European Union at the then forthcoming Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) that is being held in Bangkok, Thailand from 2 to 14 October 2004. The Commission, rather than drafting a follow-up fiche limited to the strategic objectives of the Conference, will report directly to the Environment Committee on the outcome.

- Résolution du Parlement européen sur la situation en Birmanie/ASEM

(PE : B6-0046/04)

Procès verbal, 2ème partie, du 16 septembre 2004

Compétence : Chris PATTEN

 DG Relations extérieures

**Justification** : La Commission ne donnera pas suite sous forme de fiche étant donné que le Commissaire M. Verheugen a déjà répondu en plénière aux demandes contenues dans la résolution.

- Résolution du Parlement européen sur le harcèlement des minorités en Voïvodine

(PE : B6-0045/04)

Procès verbal, 2ème partie, du 16 septembre 2004

Compétence : Chris PATTEN

 DG Relations extérieures

**Justification** : La Commission ne donnera pas suite sous forme de fiche étant donné que le Commissaire M. Verheugen a déjà répondu en plénière aux demandes contenues dans la résolution.

- Résolution du Parlement européen sur la situation politique aux Maldives

Rapport de Nirj DEVA, Charles TANNOCK, Geoffrey VAN ORDEN et Thomas MANN, Pasqualina NAPOLETANO, Graham R. WATSON, Cristiana MUSCARDINI, (PE : B6-0044/04)

Procès verbal, 2ème partie, du 16 septembre 2004

Compétence : Chris PATTEN

 DG Relations extérieures

**Justification** : La Commission ne donnera pas suite sous forme de fiche étant donné que le Commissaire M. Verheugen a déjà répondu en plénière aux demandes contenues dans la résolution.

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