EC/Mozambique Fisheries Partnership Agreement

2007/0170(CNS) - 22/11/2007 - Final act

PURPOSE: to conclude a new Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

LEGISLATIVE ACT: Council Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

CONTENT: the main objective of the new Partnership Agreement is to strengthen cooperation between the European Community and the Republic of Mozambique, thereby creating a framework of partnership in which to develop a sustainable fisheries policy and the responsible exploitation of fisheries resources in Mozambique's fishing zone, in the interests of both parties.

The new Partnership Agreement, accompanied by a Protocol and the Annex thereto, has been signed for a period of five years from its entry into force and is renewable.

It makes provisions for the following elements:

Main objectives of the Fisheries Partnership Agreement:

- economic, financial, technical and scientific cooperation in the fisheries sector, with a view to promoting responsible fishing in Mozambique's fishing zones and sustainable exploitation of fisheries resources;
- establish conditions governing access to Mozambique's fishing zone for Community fishing vessels;
- arrangements for policing fishing in Mozambique's fishing zone with a view to ensuring compliance with the measures for the conservation and management of fish stocks, and to prevent illegal fishing;
- establish partnerships between businesses with a view to developing economic activities in the fisheries sector and related activities, in the common interest.

Principles underlying the implementation of this Agreement: the promotion of responsible fishing on the basis of the principle of non-discrimination between the different fleets fishing in Mozambique's fishing zone; the application of the principles of good economic and social governance (provisions are established so that the employment of Mozambican seamen on board Community vessels shall be governed by the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work).

Strengthened dialogue: the two Parties take part in a political dialogue on topics of mutual interest in the fisheries sector. Within this new Fisheries Partnership Agreement, special attention will be given to supporting the fisheries policy of Mozambique. The two parties will agree on the priorities to be decided upon for such support and identify the objectives, the annual and multi-annual programming and the criteria to assess the results obtained, with a view to ensuring a sustainable and responsible management of the sector.

Fishing possibilities and financial contribution: Community vessels may fish in Mozambique's fishing zone only if they are in possession of a fishing licence issued in accordance with the Agreement, upon payment of a fee as set out in the Fisheries Protocol, in the Annex of the Agreement.

Fishing Protocol: this Protocol establishes the technical and financial conditions of fishing activities carried out by Community vessels in Mozambique's fishing zone, for the period from 1 January 2007 to 31 December 2011.

The financial contribution is fixed at **EUR 900 000 per year**, that is, an annual amount of EUR 650 000 equivalent to a reference tonnage of 10 000 tonnes per year (fished in Mozambique's fishing zone), and a specific amount of EUR 250 000 per year for the support and implementation of Mozambique's sectoral fisheries policy.

The fishing possibilities laid out in the Agreement were determined according to two categories:

1. for the 'freezer tuna seiners' fishing category: 44 vessels;

2. for the 'surface long-liners' fishing category: 45 vessels.

The Protocol fixes a reference tonnage of 10 000 tonnes of tuna per year. It is established that the EC fishing effort in Mozambique's fishing zone will have to be in line with appropriate tuna stock assessments based on scientific criteria, including the annual scientific reports compiled by the Indian Ocean Tuna Commission (IOTC). If the overall quantity of catches by Community vessels exceeds the reference tonnage, the amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the Community shall not be more than twice the amount equivalent to the reference tonnage. Finally, where the quantities caught by Community vessels exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

New fishing opportunities: should Community vessels be interested in fishing activities which are not indicated in the Protocol, the Parties may consult one another prior to authorisation by Mozambican authorities for these new activities. Where appropriate, the Parties shall agree on the conditions applicable to these new fishing opportunities and, if necessary, make amendments to this Protocol. The Parties may also, if they so desire, promote exploratory fishing activities in Mozambican waters according to conditions to be defined in the common Agreement. Where the Parties conclude that the exploratory fishing trips have produced positive results, the Mozambican Government may award new fishing opportunities for new species until the expiry of the Protocol. In such a case, the financial contribution shall be increased accordingly.

Method for allocating the fishing opportunities among the Member States: the Regulation defines a method for allocating fishing opportunities among Member States.

For **tuna fishing**, the following allocation is foreseen:

1. purse seine vessels: Spain 23 vessels, France 20 vessels, Italy 1 vessel;

2. long-liners : Spain 23, France 11, Portugal 9, United Kingdom 2.

If licence applications from these Member States do not cover all fishing opportunities set out in the Protocol, the Commission may consider licence applications from any other Member State .

ENTRY INTO FORCE: the Regulation enters into force on 24/12/2007. The Agreement and the Protocol enter into force when all the necessary procedures have been completed.