EC/Micronesia Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol

2010/0290(NLE) - 19/10/2010 - Legislative proposal

PURPOSE: the conclusion of a new fisheries protocol between the European Community and the Federated States of Micronesia.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a Council mandate, the Commission on behalf of the European Union negotiated with the Federated States of Micronesia (FSM) in view of renewing the Protocol to the Fisheries Partnership Agreement between the European Community and FSM. Following these negotiations, a new Protocol was initialled on 7 May 2010, which covers a period of five years starting from the adoption of this Council decision on the Protocol's signing and provisional application and replaces the previous Protocol which expired on 25 February 2010.

IMPACT ASSESSMENT: no impact analysis was undertaken.

LEGAL BASE: Article 43 in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal for a Decision relates to the conclusion of a new Protocol to the Fisheries Partnership Agreement between the European Community and Micronesia. In particular, the Protocol seeks to define the fishing opportunities available to EU vessels as a function of the limits established as well as the financial contribution to be made in return for access rights and sectorial support.

Sustainable fishing: the new Protocol complies with the objectives of the Partnership Agreement in the fishing sector which seek to strengthen cooperation between the EU and Micronesia and to promote a framework of partnership facilitating the development of a sustainable fishing policy and responsible exploitation of fishery resources in the Micronesian Islands fishing area, in the interests of both Parties.

The two Parties have agreed to cooperate with a view to implementing FSM sectoral fisheries policy and to that end shall continue the policy dialogue on the relevant programming.

Financial contribution: the new Protocol provides for a total financial contribution of **EUR 559 000** per year for the whole period, i.e. for five years from the date of entry into force of this Protocol. This amount corresponds to:

- EUR 408 200 per year equivalent to an annual reference tonnage of 8,000 tonnes per year, and
- EUR 150 800 per year, corresponding to the additional envelop paid by the EU to support FSM fisheries policy.

Fishing opportunities: this Protocol also provides annual authorisations to fish within FSM Exclusive Economic Zone (EEZ) for **6 purse seine vessels and 12 longliners**. These opportunities may be increased. Thus, if the total quantity of tuna catches per year by European Union vessels in the FSM EEZ

exceeds 8,000 tons, the total annual financial contribution shall be increased by EUR 65 per additional ton of tuna caught. However, the total annual amount to be paid by the European Union cannot exceed a sum more than double the amount of the financial contribution for which provision is made.

Duration: a new Protocol was initialled on 7 May 2010, which covers a period of five years starting from the adoption of this Council decision on the Protocol's signing and provisional application and replaces the previous Protocol which expired on 25 February 2010.

It should be noted that this procedure is launched in parallel with the procedures regarding the Council Decision, on the Protocol's signing on behalf of the European Union and its provisional application, and the Council Regulation concerning the allocation of the fishing opportunities among the Member States under this Protocol.

FINANCIAL IMPLICATION: the total financial allocation for this fisheries Protocol will be EUR 3.2055 million over the period 2011-2015, including administrative expenditure for the management of the protocol and human resources.

The advances and fees payable by vessel-owners to Micronesia represent:

Seiners: 35 EUR per tonne of tuna caught. The annual advances are fixed at EUR 15 000 per tuna seiner.

Long-liners: 35 EUR per tonne of tuna caught. The annual advances are fixed at EUR 4 200 per long-liner. These advances and fees have no impact on the EU’s budget.