EU/Mozambique Fisheries Partnership Agreement: fishing opportunities and financial contribution. Protocol from 1 January 2012 to 31 December 2014

2011/0378(NLE)

PURPOSE to conclude a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mozambique.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of relevant Council mandate, the Commission on behalf of the European Union negotiated with the Republic of Mozambique in view of renewing the 2007 Protocol to the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. Following these negotiations, a new Protocol was initialled on the 2nd of June 2010.

It is now appropriate to conclude the protocol on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position was based substantially. on the results of an ex-post evaluation of the current Protocol that was carried out by external experts in April 2011.

LEGAL BASIS: Article 43, paragraph 2, in conjunction with Article 218, paragraph 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 EU and Mozambique.

The new Protocol is in line with the objectives of the Fisheries Partnership Agreement aiming at strengthening the cooperation between the Union and Mozambique and promoting a partnership framework in which to develop a sustainable fisheries policy and responsible exploitation of fishery resources in the Mozambique fishing zone in the interests of both Parties.

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

The new Protocol provides for a total financial contribution of **EUR 2 940 000** for the whole period.

This amount corresponds to:

- EUR 520 000 per year equivalent to an annual reference tonnage of 8 000 tonnes, and
- EUR 460 000 per year, corresponding to the additional envelop paid by the Union to support Mozambique fisheries and maritime policy.

The annual financial contribution to be paid by the budget of the Union is therefore 980 000 EUR.

Fishing opportunities for the European tuna fleet will be available to 43 purse seiners and 32 long liners, i.e. a total of 75 vessels. If the overall quantity of catches of tuna by European Union vessels in Mozambique fishing zone exceeds 8 000 tonnes per year, the amount of the annual financial contribution for access rights shall be EUR 65 for each additional tonne caught. However, the total annual amount paid by the European Union shall not be more than twice the amount indicated in the protocol (i.e. EUR 1 040 000). Where the quantities caught by European Union vessels in the Mozambique fishing zone 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.

Period of application: the new Protocol covers a period of three years starting form the adoption of the Council decision on the Protocol's signing and provisional application and after expiry of the current Protocol, on 31 December 2011 (from 1 January 2012 to 31 December 2014). It will provide a framework for the fishing activities of the European fleet and will, in particular, allow shipowners to continue to obtain fishing authorisations in the Mozambique fishing zone. This procedure concerning the Council decision on the conclusion of the new Protocol to the Fisheries Partnership Agreement is started in parallel with the procedures regarding the Council decision on the Protocol's signing on behalf of the Union and provisional application of the new Protocol, and the Council Regulation concerning the allocation among the Member States of the fishing opportunities under this Protocol.

BUDGET IMPLICATIONS: the total financial envelope amounts to EUR 3 305 million from 2012 to 2014, including administrative and human resources costs.

Advances and fees payable by shipowners: EUR 35 per tonne of tuna caught in the Mozambique fishing area by seiners and surface longliners. The annual advances are set at EUR 5 100 per tuna seiner, EUR 4 100 per longliner of more than 250 GT and EUR 2 500 per longliner of less than 250 GT. It should be noted that the advances and fees have no impact on the EU's budget.