EC/Guinea-Bissau Fisheries Partnership Agreement: fishing opportunities and financial contribution from 16 June 2011 to 15 June 2012. Protocol

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PURPOSE: to conclude a Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution between the two parties.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a mandate from the Council1, the European Commission has negotiated with the Republic of Guinea-Bissau with a view to renewing the Protocol to the Fisheries Partnership Agreement, dated 17 March 2008 (see CNS/2007/0209).

At the end of those negotiations, a new Protocol was initialled on 15 June 2011.

It is now appropriate to conclude the Protocol on the EU's behalf.

IMPACT ASSESSMENT: no impact assessment was carried out. The Commission's negotiating position is based, among other things, on the results of an *ex post* evaluation carried out by external experts.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU) in conjunction with Article 218(6)(a) thereof.

CONTENT: the aim of this proposal for a decision is to conclude a Protocol to the Fisheries Agreement between the EU and Guinea-Bissau.

The main aim of the Protocol to the Agreement is to retain the fishing opportunities for the vessels of the European Union within the limits of the available surplus. The Commission's negotiating position was based in part on the results of an ex-post evaluation carried out by external experts and on the opinion of the Scientific Committee established under the Agreement.

The general aim is to continue the cooperation between the European Union and the Republic of Guinea-Bissau, thereby creating a partnership framework within which to develop a sustainable fisheries policy and sound exploitation of fishery resources in the Guinea-Bissau fishing zone, in the interests of both Parties.

The new Protocol is in keeping with the two Parties' concern to strengthen partnership and cooperation in the fisheries sector using all the financial instruments available. To this end, it is recalled that there is a need to create a framework which is favourable to the development of investment.

The protocol lays down for the period of its application, the fishing opportunities and the financial contribution provided for in the Agreement. Its main provisions may be summarised as follows:

Financial contribution: the overall financial contribution of the Protocol of **EUR 7 500 000** over the whole period is based on:

- a maximum of 27 authorisations for tuna vessels and 8 800 GRT for trawlers, for a financial contribution of EUR 4 550 000 and
- support for the development of the sectoral fisheries policy of the Republic of Guinea-Bissau amounting to EUR 2 950 000. This support meets the objectives of the national fisheries policy.

Fishing opportunities:

the Protocol provides for fishing opportunities in the following categories:

- 4 400 GRT for shrimp freezer trawlers;
- 4 400 GRT for fin-fish/cephalopod freezer trawlers;
- 23 tuna seiners / surface longliners;
- 14 pole-and-line tuna vessels.

Duration of the Agreement: the negotiations of the new Protocol were delayed by the consultations in 2011 between the European Union and Guinea-Bissau under Article 96 of the Cotonou Agreement. As very limited time remained for concluding a new Protocol before the previous Protocol expired, the two Parties decided to conclude a **Protocol for one year** to give themselves the time necessary to assess the prospect of a future protocol of a longer duration.

The new Protocol covers a period of one year from 16 June 2011. It renews the terms of the previous Protocol and contains **an additional clause allowing its suspension** if human rights and democratic principles are not respected.

BUDGETARY IMPACT: the total financial allocation for the Protocol will be EUR 7.5 million for 2011 (excluding administrative expenditures).

A financial allocation of EUR 159 800 is foreseen for administrative expenditures for 2011 and 2012.