EU/Mauritius Fisheries Partnership Agreement (6 years). Protocol: fishing opportunities and financial contribution 2014-2017

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PURPOSE: the conclusion of a new Fishery Partnership Agreement and of 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 Mauritius.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of the relevant Council mandate, the Commission negotiated with the Republic of Mauritius a new Fisheries Partnership Agreement and Protocol between the European Union and the Republic of Mauritius.

Following these negotiations, a new Fishery Partnership Agreement and a new Protocol were initialled on 23 February 2012.

IMPACT ASSESSMENT: the Member States were consulted as part of technical meetings and in the framework of the Fisheries Working Group of the Council. These consultations concluded in the interest of concluding a Fisheries Partnership Agreement and protocol with Mauritius. The Commission relied, inter alia, the results of an evaluation carried out by external experts which was finalised in November 2011.

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

CONTENT: this proposal for a decision relates to the conclusion of a new Partnership Agreement in the fisheries sector with the Republic of Mauritius.

Objective: the overall objective is to strengthen cooperation between the EU and the Republic of Mauritius for the establishment of a partnership framework for the development of a sustainable fisheries policy and responsible exploitation of fisheries resources Mauritian fishing zone, in the interest of both parties.

Scope and principles: the draft Agreement seeks to lay down the terms and conditions under which fishing vessels registered in the EU and carrying an EU flag may **fish for tuna** in waters over which Mauritius has sovereignty.

The Agreement lays down principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Mauritian waters;
- cooperation on the arrangements for policing fisheries in Mauritian waters; and
- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

As far as possible, the Agreement should be used to promote **responsible fishing** in Mauritian waters and the principle of non-discrimination between the different fleets fishing in those waters.

Scientific cooperation: during the period covered by this Agreement, the Union and the Mauritian authorities shall endeavour to monitor the evolution of resources in Mauritius waters. They undertake to consult one other to ensure the management and conservation of living resources in the Indian Ocean , and to cooperate in the relevant scientific research.

Fishing activities by Union vessels: the Agreement provides that the Republic of Mauritius authorises Union vessels to fish in its waters in accordance with the provisions laid down in the Fishing Protocol and its Annex. In return, this country will receive a financial contribution from the EU.

Union vessels may only exercise their fishing activities once they are in possession of a fishing authorisation, as defined in the Agreement.

Other measures: provision is also made for the following:

- promoting cooperation among economic operators and civil society;
- Joint Committee (definition, mandate and scope of activities);
- suspension of the Agreement in the event of serious disagreement as to the application of its main provisions;
- termination of the agreement and dispute settlement between the parties.

Fishing Protocol: the Fishing Protocol and its Annex lay down the fishing opportunities and the financial contribution provided for in the draft Agreement:

- **fishing opportunities**: number of vessels authorised to fish:

- 41 ocean-going tuna seiner vessels,
- 45 surface longliner vessels.

- **financial contribution:** the financial contribution is **EUR 1 980 000 for the total duration of the Protocol**.

This amount includes:

- EUR 357 500 for an equivalent of 5 500 tonnes of tuna fished;
- EUR 302.500 per year to support the maritime and fisheries policy of the Republic of Mauritius.

The annual financial contribution of EUR 660 000 is based on an annual reference tonnage. Where the annual quantity caught **exceeds 5 500 tonnes**, the amount of the annual financial contribution will be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the EU may not exceed EUR 715 000 per year.

The fishing opportunities may be adapted by common agreement as long as the recommendations of the Indian Ocean Tuna Commission (IOTC) confirm that this adjustment will guarantee the sustainable management of tuna and tuna-like species in the Indian Ocean. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis* without however exceeding twice the annual financial contribution (i.e. EUR 357 000 x 2).

New fishing opportunities not covered by the Agreement could also be envisaged following consultation and agreement between the Parties.

Duration of the Agreement and the Protocol: the Agreement applies for **6 years from the date of its entry into force**. It is tacitly renewable for successive periods of three years, unless it is terminated.

The Fishing Protocol and its Annex are concluded for a period of **three years**, unless it is terminated.

BUDGETARY IMPLICATION: the new Protocol provides for a total financial contribution of EUR 1 980 000 for the period 2012-2014 (operational payments) + payments of an administrative nature funded from certain specific programmes for a total amount of EUR 123 000. To this sum should be added the administrative costs of managing the Protocol, as well as human resource costs in the region of EUR 222 000 for the period covered by the Protocol.