EC/Kiribati Fisheries Partnership Agreement: fishing opportunities and financial contribution; EU/Kiribati Protocol from 16 September 2012 to 15 September 2015

2012/0229(NLE) - 28/01/2014 - Final act

PURPOSE: to conclude a new Fishery 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 Kiribati.

NON LEGISLATIVE ACT: Council Decision 2014/60/EU on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other

BACKGROUND: on 23 July 2007 the Council adopted Regulation (EC) No 893/2007 on the conclusion of a Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other. A Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement expired on 15 September 2012.

Accordingly, the Union negotiated a new Protocol with the Republic of Kiribati granting EU vessels fishing opportunities in the waters over which the Republic of Kiribati exercises its sovereignty or jurisdiction. The Protocol was signed in accordance with Council Decision 2012/669/EU and has been applied provisionally since 16 September 2012.

It is now necessary to conclude the Protocol on behalf of the EU.

CONTENT: with this Decision, the Council concluded, with Parliament's approval, a new Fishery 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 Kiribati.

The main provisions of the Protocol may be summarised as follows:

Financial contribution: EU vessels may only exercise their fishing activities in the Kiribati fishing area if they hold a fishing licence granted in accordance with the Agreement and having paid the registration fee, the conditions of which are defined in the Fishery Protocol. A financial contribution shall be paid to Kiribati in return for the exploitation of its fishery resources by EU vessels. This contribution is fixed at **EUR 1 325 000 per year for the total period** of validity of the Protocol.

The annual contribution is broken down as follows:

- the annual financial contribution for access to the Kiribati EEZ: EUR 975 000.
- the amount allocated annually under the new protocol for the EU to assist the Kiribati fishing sector is EUR 350 000.

If the total quantity of catches per year by European Union vessels in the Kiribati EEZ **exceeds 15 000 tonnes**, the annual financial contribution shall be increased by EUR 250 per tonne for the first additional 2 500 tonnes and by EUR 300 per tonne for any further tonne above these additional 2 500 tonnes.

These additional costs shall be borne by the EU with the amount of EUR 65 per additional tonne and the remaining part shall be paid by shipowners.

The fishing opportunities may be adapted by common agreement as long as the recommendations of the Western and Central Pacific Fisheries Commission (WCPFC) confirm that this adjustment will guarantee the sustainable management of Kiribati's fishing resources. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis.*

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

Towards responsible fishing: the Protocol also provides for the overall compatibility of fishing activities undertaken by EU vessels with the principles of responsible fishing. Thus, as of the entry into force of the Protocol, the Kiribati authorities shall present a detailed annual and multiannual programme to the Joint Committee of the Agreement which addresses a number of requirements in regard to responsible and sustainable fishing.

Duration of the Protocol: the Fishing Protocol and its annex are concluded for a period of **three years from 16 September 2012** (the date of the provisional application of the Protocol) unless it is terminated by one or other of the Parties.

ENTRY INTO FORCE: the Decision enters into force on 08.02.2014. The date of entry into force of the Protocol will be published in the Official Journal by the General Secretariat of the Council.