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

2013/0388(NLE) - 13/05/2014 - Final act

PURPOSE: to conclude a new Protocol on fisheries between the EU and the Comores.

NON-LEGISLATIVE ACT: Council Decision 2014/369/EU on the conclusion, on behalf of the European Union, of the Protocol between the European Union and the Union of the Comoros setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement currently in force between the two parties.

CONTEXT: on 5 October 2006, the Council approved the Fisheries Partnership Agreement between the European Community and the Comores.

The European Union has negotiated with the Comoros a new protocol to the Partnership Agreement granting vessels of the European Union fishing opportunities in Comoros waters.

That new protocol was signed on the basis of Council Decision 2013/786/EU, and is provisionally applicable as from 1 January 2014.

Knowing it is in the interest of the European Union to implement the Partnership Agreement by means of a Protocol, it is necessary to approve the new Protocol on behalf of the EU.

CONTENT: by this Decision, the Council, subject to approval from the European Parliament, approves in the name of the Union, a protocol to the Partnership Agreement on the fisheries sector concluded with the Comores. The Protocol provides in particular fishing opportunities for European Union vessels within the fishing waters of the Comores within the limits of the available balance.

The Fisheries Protocol contains in particular the following elements:

Financial contribution: the overall annual financial contribution for the Fisheries Protocol has been set at **EUR 600 000/year** over the entire reference period.

This is based on:

- a reference tonnage of 6 000 tonnes, linked to access, for an amount of EUR 300 000/year. However, if the overall quantity of catches by EU vessels in the fishing zone of the Union of the Comoros exceeds the reference tonnage, the total amount of the annual financial contribution shall be increased by EUR 50 for each additional tonne caught during the year in question. The total annual amount paid by the European Union shall not be more than twice the amount. Where the quantities caught by EU vessels 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;
- support for the development of the sectoral fisheries policy of the Union of the Comoros amounting to EUR 300 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Union of the Comoros in the fight against illegal fishing.

Fishing opportunities: concerning fishing opportunities, **42 tuna seiners and 20 surface longliners** shall be authorised to fish.

The Joint Committee may review these fishing opportunities and adjust them by mutual agreement, provided that they continue to comply with the principles of sustainable fishing. In this case, the financial contribution shall be adjusted proportionately and *pro rata temporis*.

Duration of the Agreement: the Protocol should apply from 1 January 2014 and for a period of three years.

Specific clauses for suspension or termination of the Protocol have also been provided.

Simplified procedure to define the position of the EU relating to the EU-Comores Joint Committee: the Partnership Agreement set up a Joint Committee which is responsible for monitoring the application of this Agreement. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a **simplified procedure**.

Annex: the Decision details the scope of the empowerment and procedure for the establishment of the European Union position in the Joint Committee. The Commission would thus be authorised to negotiate with the Comoros, modifications in respect of:

- review of fishing opportunities;
- modalities of the fisheries sectoral support;
- implementation of the Protocol and its Annexes.

In the Joint Committee, the Union should act in accordance with the objectives within the framework of the Common Fisheries Policy as well as the relevant rules adopted by Regional Fisheries Management Organisations. Moreover, the Joint Committee should base its decisions on the latest statistical, biological and other relevant information.

ENTRY INTO FORCE: the Decision enters into force on 13.05.2014.