EU/Cape Verde Fisheries Partnership Agreement: fishing opportunities and financial contribution from 23 December 2014 to 22 December 2018. Protocol

2014/0329(NLE) - 05/10/2015 - Final act

PURPOSE: to conclude a new Fisheries Protocol between the European Union and Cape Verde.

NON-LEGISLATIVE ACT: Council Decision (EU) 2015/1894 on the conclusion of the Protocol between the European Union and the Republic of Cape Verde setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde.

BACKGROUND: the Union has negotiated with the Republic of Cape Verde a new protocol to the Agreement granting Union vessels fishing opportunities in the fishing zone in which the Republic of Cape Verde exercises sovereignty or jurisdiction in fishing matters.

By Decision 2014/948/EU, the Council authorised the signing and provisional application of the Protocol, subject to its later conclusion.

The new Protocol should now be approved on behalf of the European Union.

CONTENT: under the present Decision, the **Protocol** between the European Union and the Republic of Cape Verde setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde is hereby **approved** on behalf of the Union.

Fishing opportunities: for a period of four years from the date of provisional application of the Protocol, the fishing opportunities granted to European Union vessels of the Fisheries Partnership Agreement shall be as follows

- **freezer tuna seiners: 28 vessels**,
- **pole-and-line tuna vessels: 13 vessels**,
- **surface longliners: 30 vessels**.

The Joint Committee may **review** the fishing opportunities and adjust them by mutual agreement in case where there is confirmation that the adjustment guarantees the sustainable management of the fishery resources covered by this Protocol.

Financial contribution: the total value of the Protocol, for the period of four years is estimated at **EUR 3 300 000**. This amount is broken down as follows:

- **EUR 2 100 000** by way of the financial contribution, allocated as follows:

- an annual amount as financial compensation for **access to resources of EUR 275 000** per year for the first and second year and **EUR 250 000** per year for the third and fourth year, equivalent to a reference tonnage of **5 000 tonnes per year**;

- a specific amount to support the implementation of Cape Verde's **sectoral fisheries policy of EUR 275 000** per year for the first and second year and **EUR 250 000** per year for the third and fourth year;

- **EUR 1 200 000**, corresponding to the **estimated fees payable by the vessel owners** for fishing licences.

If the overall quantity of catches by EU vessels in Cape Verdean waters exceeds the reference tonnage of 5 000 tonnes, the amount of the financial contribution shall be increased, for each additional tonne caught, by **EUR 55** the first two years and by EUR 50 the remaining two years.

The **fees to be paid** by the vessel owners are calculated as follows: **EUR 55** per tonne caught in the Cape Verdean fishing zone during the first two years of application; **EUR 65** per tonne caught in the Cape Verdean fishing zone during the last two years of application.

Promotion of responsible and sustainable fishing: the Parties shall agree on a multiannual sectoral programme and detailed implementing rules, in particular, the **objectives, both annual and multiannual, to be achieved** with a view to introducing, over time, responsible and sustainable fishing, taking account of the priorities expressed by Cape Verde in its national fisheries policy and other policies relating to or having an impact on the introduction of responsible and sustainable fishing.

Scientific cooperation on responsible fishing: the European Union and the authorities of Cape Verde shall monitor the evolution of captures, the fishing effort and the state of fishery resources in the Cape Verdean fishing zone with regard to all species covered by the Protocol. In particular, the parties agree to improve data collection and analysis, with a view to drawing up a **national action plan for the conservation and management of sharks** in the Cape Verdean EEZ.

The parties shall set up a **mechanism** for strict monitoring of this fishery in order to ensure sustainable exploitation of the resource. The monitoring mechanism shall, in particular, be based on a quarterly exchange of data on shark catches. If in the course of a year such catches exceed 40**%** of the reference tonnage referred to above, the Joint Committee shall, where appropriate, adopt further management measures setting a more adequate framework for the longliner fleet's activities.

Furthermore, the parties agree to take account of a **study** carried out by the European Union with the participation of Cape Verdean scientific institutes, aimed at, *inter alia*, analysing the condition of sharks and the impact of fishing on local ecosystems. The Joint Committee may decide to adjust the monitoring mechanism referred to above to take account of the results of this study

Measures are also provided as regards **landing incentives** and promoting cooperation between economic operators, as well as **satellite monitoring**.

Joint Committee: the Agreement set up a Joint Committee to monitor its application. It may approve certain modifications to it. In order to facilitate the approval of such modifications, it is appropriate to empower the European Commission, subject to specific conditions, to approve them under a simplified procedure.

An annex to the Decision lays down the scope of the empowerment and procedure for the establishment of the Union position in the Joint Committee. The Commission shall be authorised to negotiate with Cape Verde, amendments to the Protocol in respect of the following issues:

- review of fishing opportunities;
- decision on the rules on sectoral support;
- adopting measures aimed at the sustainable management of the fishery resources which affect the activities of Union vessels.

Duration of the Agreement: the new Protocol and its Annex covers a period of four years from the date of its provisional application.

ENTRY INTO FORCE: 5.10.2015.