EC/Comoros Fisheries Partnership Agreement

2006/0032(CNS) - 06/03/2006 - Legislative proposal

PURPOSE : to approve the partnership agreement in the fisheries sector between the European Community and the Union of the Comoros.

PROPOSED ACT : Council Regulation.

CONTENT : a Comorian delegation and a Community delegation met in Brussels in November 2004 for consultations with a view to concluding a partnership agreement in the fisheries sector to replace the existing fisheries agreement between the parties. The two parties emphasised their shared understanding of the need to work together to introduce responsible fishing, preserve fish stocks and promote a genuine fisheries sector in the Comoros through the partnership programmes provided for in the draft Protocol.

A new Agreement and a new Protocol were initialed on 24 November 2004. They provide for the strengthening of economic, financial, technical and scientific cooperation in the fisheries sector with a view to ensuring the conservation and sustainable exploitation of resources, together with partnerships between undertakings aimed at developing, in the common interest, economic activities in the fisheries and related sectors.

The two Parties agreed to propose to their respective authorities the replacement of the existing framework fisheries agreement with a partnership agreement in the fisheries sector and a Protocol, Annex and Appendices, together with the temporary application of the Protocol, Annex and Appendices (the Protocol is currently being adopted).

The EC and the Comoros will take part in a political dialogue on topics of mutual interest in the fisheries sector. They have confirmed their willingness to ensure the sustainable exploitation of resources and to combat illegal and unregulated fishing.

Scope: the Agreement establishes the principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to introducing responsible fishing in the Comorian waters to guarantee the conservation and sustainable exploitation of fisheries resources, and developing the Comorian fisheries sector;

- the conditions governing access by Community fishing vessels to Comorian waters;

- the arrangements for policing fisheries in Comorian waters with a view to ensuring that the above rules and conditions are complied with, the measures for the conservation and management of fish stocks are effective and illegal, unreported and unregulated fishing is prevented;

- partnerships between companies aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

Principles underlying the implementation of the Agreement: the Parties undertake to promote responsible fishing in Comorian waters based on the principle of non-discrimination, and to cooperate with a view to defining a sectoral fisheries policy in Comorian waters. They must also carry out evaluations, both jointly and unilaterally, of measures implemented on the basis of the Agreement. There is a clause stating that the employment of Comorian seamen on board of Community vessels will be governed by the International Labour Organisation (ILO) Declaration on Fundamental Principles and

Rights at Work, which shall apply as of right to the corresponding contracts and general terms of employment. This concerns in particular the freedom of association and the effective recognition of the right to collective bargaining, and the elimination of discrimination in respect of employment and occupation.

Financial contribution: the Community will grant the Comoros a financial contribution in accordance with the terms and conditions laid down in the Protocol and Annexes. This single contribution will be composed of two related elements, namely:

- access by Community vessels to the Comorian fisheries, and

- the Community's financial support for introducing responsible fishing and the sustainable exploitation of fisheries resources in Comorian waters.

Scientific cooperation: during the period covered by the Agreement, the Parties will endeavour to monitor the state of resources in Comorian waters. Based on the recommendations adopted within the Indian Ocean Tuna Commission (IOTC) and the best available scientific advice, the Parties will consult one another and take measures to ensure the sustainable management of fisheries resources. The EC and the Comoros undertake to consult each other, either directly or within the IOTC, to ensure the management and conservation of living resources in the Indian Ocean, and to cooperate in the relevant scientific research.

Promoting cooperation among economic operators and in civil society: the EC and the Comoros must encourage commercial and technical cooperation in the fisheries sector and related sectors, as well as encourage exchanges of information on fishing techniques and gear, preservation methods and the industrial processing of fisheries products.

The Commission proposes on this basis that the Council adopt, by regulation, the partnership agreement for fisheries agreed between the EC and the Union of the Comoros. In addition, Regulation 1494/88/EC will be repealed.