EC/Micronesia Fisheries Partnership Agreement

2005/0206(CNS) - 25/04/2006 - Final act

PURPOSE : to conclude a Partnership Agreement between the EU and Micronesia on fishing in the Federated States of Micronesia (FSM).

LEGISLATIVE ACT : Council Regulation 805/2006/EC concerning the conclusion of the Partnership Agreement between the European Community and the Federated States of Micronesia on fishing in the Federated States of Micronesia.

CONTENT : the Council adopted a Regulation approving a partnership agreement between the EU and Micronesia on fishing in the waters off Micronesia. The agreement provides for economic, financial, technical and scientific cooperation in the fisheries sector with a view to guaranteeing the conservation and sustainable exploitation of resources, as well as partnerships between undertakings aimed at developing economic activities in the fisheries sector and related activities of common interest.

It will apply for 9 years from the date of its entry into force and will be renewable for additional periods of 3 years.

The EC/FSM Fisheries Partnership Agreement establishes under what conditions EC vessels may access the waters of the FSM as well as demarcating sustainable fishing policies. The initial Agreement is to last for a period of three years A protocol and technical annex are an integral part of the Agreement.

Under the terms of the Protocol EC vessels must be compatible with Decisions taken by the Central Pacific nations in the context of the *Palau Agreement for the Management of the Western Pacific Purse Seine Fishery*. In addition, the Protocol makes clear that the EC fishing effort in the FSM exclusive economic zone must be in line with the scientific findings of tuna stock assessment reports.

As far as the EC is concerned the following possibilities apply: Six purse seine vessels and twelve surface long-liners are allowed to fish. As from the second year, fishing possibilities may be increased at the request of the Community and depending on the management decisions of the Parties to the Palau Agreement and/or other competent regional fisheries bodies. Alternatively, fishing possibilities may be reduced if, based on scientific advice, competent management bodies and institutions so require.

Financial contribution: the global financial contribution has been fixed at **EUR 559 000 per year**. As from the second year, for each additional purse seine vessel licence obtained, the financial contribution may be increased by EUR 65 000 per year. The FSM has opted to allocate 18% of the annual financial contribution to implementing a sectoral fisheries policy in order to encourage responsible fishing in its waters.

Licences: licences shall be valid for one year. They may be renewable. Renewal of licences shall be subject to the number of available fishing possibilities established by the Protocol. The fee shall be EUR 35 per tonne caught within the FSM EEZ.

Licences shall be issued once the following standard amounts have been paid :

a) EUR 15 000 per tuna seiner vessel, equivalent to the fees due for 428 tonnes of tuna and tuna-like species caught per year;

b) EUR 4 200 per surface long-liner, equivalent to the fees due for 120 tonnes of tuna and tuna-like species caught per year

Control:As far as monitoring activities are concerned, the Annex to the Protocol states that EC vessels will need to comply fully with all regional provisions including a vessel monitoring system (VMS).

Fishing opportunities: the Regulation also determines the allocation of fishing opportunities among the EU's Member States set out in a protocol to the agreement. They are expressed in vessel numbers (8 surface longliners for Spain and 4 for Portugal) and percentage of fishing possibilities for freezer tuna seiners (75% of fishing possibilities for Spain and 25% for France).

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

ENTRY INTO FORCE : 13 June 2006.