EC/Cape Verde Fisheries Partnership Agreement

2006/0122(CNS) - 06/07/2006 - Legislative proposal

PURPOSE : to extend the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde.

PROPOSED ACT : Council Regulation.

CONTENT : in presenting this Regulation, the European Commission is requesting the Council to conclude, for a period of six years renewable, a new Fisheries Partnership Agreement (FPA) between the European Community and the Republic of Cap Verde. The Agreement is accompanied by a Protocol which sets out both the fishing opportunities and the financial contribution. The Protocols are valid for a two year period.

Background

On 16 December 2005, the Community and the Republic of Cape Verde negotiated and initialled a Fisheries Partnership Agreement providing Community fishermen with fishing opportunities in the Cape Verde fishing zone. The Agreement is accompanies by a Protocol and Annexes. The previous Protocol to the Fisheries Agreement between the European Community and the Republic of Cape Verde expired on 30 June 2005. (For a summary of the previous Protocol please refer to CNS/2004/0058). The new Protocol covers the period from 1 September 2006 to 30 August 2011.

The main objective of the new Partnership Agreement is to strengthen cooperation between the European Community and the Republic of Cape Verde, thereby creating a framework of partnership in which to develop a sustainable fisheries policy and responsible exploitation of fisheries resources in the Cape Verde fishing zone to the mutual benefit of both parties.

Main objectives:

The main objective of the new Partnership Agreement is to strengthen co-operation between the European Community and the Republic of Cape Verde. It will be based on the principle of sustainable fishing and the sound exploitation of Cape Verde fisheries resources. In addition, the Partnership Agreement allows for further discussion relating to economic, scientific and technical co-operation in the fisheries and related sectors. More specifically, the Agreement’s objectives are as follows:

- Economic, financial, technical and scientific co-operation in the fisheries sectors. The promotion of responsible fishing in Cape Verde waters. The conservation and sustainable exploitation of fisheries resources and lastly the development of the Cape Verde fishing sector.

- To establish the conditions allowing Community fishing vessels access to Cape Verde waters.

- To co-operate on fishing policies. To ensure that the rules and conditions in the Agreement are complied with. To ensure that conservation and management measures are effective and to help prevent illegal, undeclared and unregulated fishing in Cape Verde waters.

- To facilitate the establishment of partnerships between companies working in the fishing sector.

Principles and objectives underlying the implementation of the Agreement:

Both Parties agree to promote responsible fishing in the waters off Cape Verde based on principles laid down in the FAO Code of conduct for responsible fisheries and the principle of non-discrimination between the different fleets fishing in those waters. Further, they agree that the Agreement be implemented in accordance with the principles of good economic and social governance. Employment of Mauritanian and/or ACP seamen on board Community vessels shall be governed by the ILO Declaration on Fundamental Principles and Rights at work.

Licences and financial contribution :

Community vessels may fish in Cape Verde fishing zone on condition that they are in possession of a fishing licence issued under the Agreement. The procedure for obtaining a fishing licence for a vessel, the taxes applicable and the method of payment to be used by ship-owners are set out in the Annex attached to the Protocol.

As far as the financial contribution is concerned the Community has agreed to grant Cape Verde a financial contribution totalling EUR 385 000 per year. (For further details on the financial aspect please refer to the Financial summary below). Of this amount, 80% will be set aside for promoting and developing Cape Verde's fishing policies. Financial support will be based on an annual and multi-annual programme. In addition to receiving the Community contribution, the Gabonese government can expect to receive an additional EUR 243 450 per year in ship fees.

The fishing opportunities will be allocated through Member State applications and a Member State 's historical rate of utilisation. The amount of tonnage fixed by the Protocol stands at 5 000 tonnes of tuna per year.

The fishing opportunities are as follows:

- 25 freezer tuna seiners,
- 11 pole-and-line tuna vessels; and
- 48 surface longliners (a reduction of 28% compared to the previous Protocol).

Promoting co-operation:

The Protocol specifies that both parties will seek economic, scientific and technical co-operation in the fisheries and related sectors. Co-operation will take the form of exchanging information and know-how, and for example, the setting up of joint enterprises.

Institutional aspects:

A Joint Committee has been set up to monitor the Agreement's application. The Joint Committee will be responsible for monitoring the annual and multi-annual programming of the Agreement. It will meet at least once a year but can be convened upon the request of either of the Parties.

The Agreement will apply for a period of six years following date on which it enters into force and may be tacitly renewed for additional periods of six years unless a notice of termination is given. The Agreement may be suspended at the initiative of one of the Parties in the event of a serious disagreement. Suspension will require the interested Party to notify its intention in writing at least three months prior to the suspension taking effect. Similarly the Agreement can be terminated by either Party in the event of unusual circumstances such as the degradation of the stocks concerned.

Division of the fishing opportunities:

The fishing opportunities set out in the Protocol have been allocated amongst the Member States as follows:

Tuna fishing: Surface long liners: Spain 41 and Portugal 7.

Tuna fishing: Freezer tuna seiners: Spain 12 and France 13.

Tuna fishing: Pole and line tuna vessels: Spain 7 and France 4.

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol the Commission may take other Member State licence applications into account.

For further information concerning the financial implications of this measure, please refer to the financial statement.