EC/Seychelles fisheries agreement: protocol for the period from 18 January 2005 to 17 January 2011

2005/0173(CNS) - 23/01/2006 - Final act

PURPOSE: the conclusion of a Protocol between the Community and the Seychelles on fishing off Seychelles.

LEGISLATIVE ACT: Council Regulation 115/2006/EC on the conclusion of the Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles.

CONTENT: this legislative act concludes a Protocol between the Community and the Republic of Seychelles, the purpose of which is to set out the fishing opportunities and the financial contribution as provided for in the 1987 Community/Seychelles Fishing Agreement. The Protocol covers a six year period beginning 18 January 2005 and concluding 17 January 2011.

The fishing opportunities granted under the terms of the Agreement are: a) 40 ocean-going tuna seiners and b) 12 surface longliners. Vessels flying the flag of an EU Member State may only engage in fishing activities within the waters of Seychelles if they are in possession of a fishing licence issued under the terms and agreements of the Protocol.

The financial contribution for the six year period has been set at EUR 24 750 000, equivalent to an annual contribution totalling EUR 4 125 000. In cases where the total quantity of tuna catches, per year, exceeds 55 000 tonnes, the total annual financial contribution will be increased by EUR 75 per additional tonne of tuna caught. However, the total amount to be paid by the Community is not allowed to exceed EUR 8 250 000.

In addition, the Protocol specifies:

- that the two Parties will promote responsible fishing – based on the principle of non-discrimination;
- that on the basis of scientific advice the two Parties will ensure the sustainable management of fisheries resources;
- that increases to the fishing opportunities will only be granted on the basis of scientific advice and that in the event of an increase this should not endanger fisheries resources;
- that any reduction in the fishing opportunities will equate into a reduction in the Community's financial contribution (proportionally and *pro rata temporis*);
- that both Parties agree to consult each other in the event of a Community vessels wishing to engage in fisheries outside of the scope of this Protocol;

- that a share of at least 36% of the financial contribution will be put towards defining and implementing a sectoral fisheries policy in Seychelles with a view to promoting responsible and sustainable fishing;

- that the Seychelles will establish a multi-annual programme on responsible fishing .

Provisions have also been put in place, should the need arise, :

- to suspend and review the financial contribution;

- to suspend the Protocol's application in cases of disputes; and

- to suspend the Protocol's application on the grounds of non-payment.

The fishing opportunities will be allocated among the Member States as follows:

Tuna seiners:

- Spain: 22 vessels

- France: 17 vessels

- Italy: 1 vessel

Surface longliners:

- Spain: 2 vessels

- France: 5 vessels

- Portugal: 5 vessels

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

REPEAL: The Protocol and Annex I, dated 17 January 2002 to the Agreement between the European Economic Community and the Republic of the Seychelles on fishing off Seychelles is repealed and replaced by this Protocol.

PROTOCOL WILL APPLY FROM: 18 January 2005.

ENTRY INTO FORCE OF THE PROTOCOL: on the date on which the parties notify each other of the completion of the procedures necessary for that purpose.

ENTRY INTO FORCE OF THE REGULATION: 28 January 2006.