EC/Gabon Fisheries Partnership Agreement

2006/0156(CNS) - 16/04/2007 - Final act

PURPOSE: to conclude a Fisheries Partnership Agreement between the European Community and the Gabonese Republic.

PROPOSED ACT: Council Regulation (EC) No 450/2007 on the conclusion of the Fisheries Partnership Agreement between the Gabonese Republic and the European Community.

PURPOSE: PROPOSED ACT: Council Regulation.

CONTENT: in presenting this Regulation the European Commission is requesting the Council to conclude a Fisheries Partnership Agreement (FPA) between the European Community and the Gabonese Republic. The main objective of the new FPA is to strengthen co-operation between the European Community and the Gabonese Republic in a bid to develop a sustainable fisheries policy and the sound exploitation of fishery resources in the Gabonese fishing zone.

Main objectives:

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

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

- Co-operation on Gabonese 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 Gabonese 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 Gabon based on 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 Gabonese 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 the Gabonese fishing zone on condition that they are in possession of a fishing licence issued under this Agreement and in conformance with the Protocol. 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. Ship-owners will have to pay EUR 35 per tonne of tuna caught compared to the previous amount of EUR 25 per tonne. Advances are fixed at EUR 4 550 per year per tuna seiner and EUR 2 030 per year per surface longliner.

As far as the financial contribution is concerned the Community has agreed to grant Gabon a financial contribution totalling **EUR 860 000 per year**. Of this amount, 60% will be set aside for promoting and

developing Gabon'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 142 000 per year in ship fees.

Fishing opportunities and allocation: the fishing opportunities will be allocated through Member State applications and a Member State 's historical rate of utilisation. Community vessels may only fish in the Gabonese fishing zone if they are in possession of a fishing licence issued under the FPA. Any fishing activities governed by the FPA will be subject to the laws and regulations in force in Gabon. The amount of tonnage fixed by the Protocol stands at 11 000 tonnes of tuna per year.

The fishing opportunities provided for in the Agreement have been laid down according to two categories: (1) for the fishing category "freezer tuna seiners": 24 vessels; (2) for the fishing category "surface longliners": 16 vessels.

The allocation among the Member States is as follows:

- Tuna fishing: Surface longliners: Spain 13 and Portugal 3.

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

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

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 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.

Repeal: this Agreement repeals and replaces the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon which entered into force on 3 December 1998.

ENTRY INTO FORCE: the Regulation shall enter into force on 3 May 2007. The Agreement shall enter into force on the date on which the Parties notify each other in writing that they have completed the necessary internal procedures to that end.