

Basic information	
<b>2005/0173(CNS)</b> CNS - Consultation procedure Regulation	Procedure completed
EC/Seychelles fisheries agreement: protocol for the period from 18 January 2005 to 17 January 2011  <b>Subject</b> 3.15.15.03 Fisheries agreements with Indian Ocean countries  <b>Geographical area</b> Seychelles	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>PECH</b> Fisheries		MORILLON Philippe (ALDE)	04/10/2005
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>DEVE</b> Development		MORGANTINI Luisa (GUE/NGL)	05/10/2005
	<b>BUDG</b> Budgets		TRÜPEL Helga (Verts/ALE)	09/06/2005
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Employment, Social Policy, Health and Consumer Affairs		2699	2005-12-08
	Agriculture and Fisheries		2703	2006-01-23
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Maritime Affairs and Fisheries			

Key events			
Date	Event	Reference	Summary
13/09/2005	Legislative proposal published	COM(2005)0421 	Summary

27/10/2005	Committee referral announced in Parliament		
01/12/2005	Vote in committee		<a href="#">Summary</a>
02/12/2005	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0385/2005</a>	
08/12/2005	Act adopted by Council after consultation of Parliament		<a href="#">Summary</a>
14/12/2005	Debate in Parliament		
15/12/2005	Decision by Parliament	<a href="#">T6-0521/2005</a>	<a href="#">Summary</a>
15/12/2005	Results of vote in Parliament		
23/01/2006	Act adopted by Council after consultation of Parliament		<a href="#">Summary</a>
23/01/2006	End of procedure in Parliament		
25/01/2006	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2005/0173(CNS)
<b>Procedure type</b>	CNS - Consultation procedure
<b>Procedure subtype</b>	International agreement
<b>Legislative instrument</b>	Regulation
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 037 EC Treaty (after Amsterdam) EC 300-p3-a1 EC Treaty (after Amsterdam) EC 300-p2
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	PECH/6/30417

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee opinion	<a href="#">DEVE</a>	<a href="#">PE362.860</a>	15/11/2005	
Committee opinion	<a href="#">BUDG</a>	<a href="#">PE364.953</a>	29/11/2005	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0385/2005</a>	02/12/2005	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0521/2005</a>	15/12/2005	<a href="#">Summary</a>
<b>European Commission</b>				
Document type	Reference	Date	Summary	
Legislative proposal	<a href="#">COM(2005)0421</a> 	13/09/2005	<a href="#">Summary</a>	
Commission response to text adopted in plenary	<a href="#">SP(2006)0053</a>	12/01/2006		

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2006/0115 OJ L 021 25.01.2006, p. 0001-0002	Summary

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

2005/0173(CNS) - 13/09/2005 - Legislative proposal

**PURPOSE** : to conclude the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the EEC and the Seychelles on fishing off Seychelles.

**PROPOSED ACT** : Council Regulation

**CONTENT** : The Protocol annexed to the fisheries Agreement between the European Community and Seychelles expires on 17 January 2005. The two parties initialed a new Protocol on 23 September 2004 establishing the technical and financial conditions under which Community fishing vessels can fish in Seychelles waters for the period 18 January 2005 to 17 January 2011.

The new Protocol grants fishing possibilities for 40 tuna seiners and 12 surface longliners. The financial compensation is fixed at EUR 4,125,000 per year and covers a catch weight in the waters of Seychelles of 55,000 tons of catches per year. However, in case of annual catches exceeding 55000 tons, the Community will pay EUR 75 per ton for each additional ton. In any case, the overall Community payment cannot exceed EUR 8.250.000 per year.

Part of the financial compensation equivalent to EUR 1,485,000 per year (36% of financial compensation) will be earmarked to enhancing and implementing a sectoral fisheries policy in Seychelles with a view to promote responsible fishing and sustainable fisheries in its waters.

The new Protocol is in line with the partnership approach in the fisheries sector, as defined by the Council in its recent conclusions on a Communication from the Commission on an integrated framework for Fisheries Partnership Agreements with third countries. According to the Protocol, the Commission and Seychelles shall agree on overall objectives to be achieved in the area of sustainable fishing and on the way to review the performance of such objectives, through a constant political dialogue. This will go much beyond the current reporting procedures, (submission of annual detailed reports and verification).

The Commission will, in particular, encourage the authorities of the Seychelles to adopt all necessary conservation and management measures, on non-discriminatory basis, in order to ensure sustainable exploitation of highly migratory species and to protect the environment in its waters.

Both Parties should exchange information on the implementation of IOTC recommendations against IUU within their jurisdiction (prohibition of landings by vessels not listed on the "white" list).

Finally, both Parties will seek to identify concrete issues of mutual interest and agree the form in which the political dialogue will be undertaken.

The Commission is accordingly proposing that the Council adopt by Regulation the new Protocol (2005/11) to the EC/Seychelles Fishery Agreement. A proposal for a Council Decision concerning the provisional application of the new Protocol is subject to a separate procedure.

### FINANCIAL IMPLICATIONS :

Budget lines (operational lines and related technical and administrative assistance lines (ex- B.A lines)) including headings:

110301: "International Fisheries Agreements"

11010404: "International Fisheries Agreements, administrative expenditure".

Duration of the action and of the financial impact: The new Protocol, which contains the provisions on fishing possibilities and the financial contribution, has been concluded for a period of 6 years. It is applicable from 18 January 2005 to 17 January 2011.

Summary of resources (EUR million to 3 decimal places):

Operational expenditure:

Commitment and payment appropriations total: minimum EUR 24.750; maximum EUR 49.500

Administrative expenditure within reference amount: total EUR 0.238

Total reference amount commitment and payment appropriations: minimum EUR 24.988; maximum EUR 49.738

Administrative expenditure not included in reference amount:

-Human resources and associated expenditure (NDA): total EUR 0.390

Administrative costs, other than human resources and associated costs, not included in reference amount (NDA): total EUR 0.072

Total indicative financial cost of intervention: commitment and payment appropriations: minimum EUR 25.450; maximum EUR 50.200

Total number of human resources: 0.8 per annum.

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

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

The Council adopted a Regulation approving a protocol setting out the fishing opportunities and the financial contribution provided for in the agreement between the EU and Seychelles on fishing off Seychelles for the period from 18 January 2005 to 17 January 2011.

The fishing opportunities provided for in the protocol are expressed in vessel numbers (40 tuna seiners and 12 surface longliners) and concern Spain, France, Italy and Portugal.

The financial contribution is set at EUR 24 750 000 (EUR 4 125 000 to be paid annually over six years).

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

2005/0173(CNS) - 15/12/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Philippe **MORILLON** (ALDE, FR), and made some amendments to the Commission's proposal:

-The EC financial contribution should also be used for the development of coastal populations living on fisheries.

-During the fourth year of the Protocol's implementation and also at the end of its validity, before another agreement is concluded on its renewal, the Commission shall submit to the European Parliament and the Council a report on the application of the agreement and the conditions under which it was implemented. That report shall also include a cost-benefit analysis.

-On the basis of the report, and after consulting the European Parliament, the Council shall, where appropriate, grant the Commission a negotiating mandate with a view to the adoption of a new protocol.

-The Commission shall report annually to the European Parliament and the Council on the results of the Seychelles' multiannual sectoral programme described in the Protocol.

-The Commission shall forward to the European Parliament and the Council a copy of the reports on the targeted measures to promote responsible and sustainable fishing which the authorities of Seychelles have provided on the basis of the provisions of the Protocol.

## **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.

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

2005/0173(CNS) - 08/12/2005

The Council unanimously adopted a Decision on the conclusion of the Agreement in the form of an exchange of letters on the provisional application 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 EU and the Seychelles. The fishing possibilities are distributed among Spain, France, Italy and Portugal.