

EU/Morocco Sustainable Fisheries Partnership Agreement and Implementation Protocol

2018/0349(NLE) - 20/03/2019 - Final act

PURPOSE: to approve the conclusion, on behalf of the European Union, of the Partnership Agreement on Sustainable Fisheries between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the Exchange of Letters accompanying the Agreement.

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/441 on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the Exchange of Letters accompanying the Agreement.

CONTENT: the Council adopted a Decision on the conclusion, on behalf of the Union, of the Partnership Agreement on sustainable fisheries between the European Union and Morocco, the Implementation Protocol thereto and the Exchange of Letters accompanying the Agreement.

Objective and scope

The objective of the Fisheries Agreement is to enable the Union and the Kingdom of Morocco to work together more closely on promoting a sustainable fisheries policy and sound exploitation of fishery resources in the fishing zone defined in the Fisheries Agreement and supporting the Kingdom of Morocco's efforts to develop the fisheries sector and a blue economy.

The scope of the agreement is defined to include waters adjacent to the territory of Western Sahara. For the purposes of the Agreement, the 'fishing zone' means the waters of the Eastern Central Atlantic Ocean between the parallels 35° 47 18 north and 20° 46 13 north, including the adjacent waters of Western Sahara, covering all management areas.

It should be recalled that in its judgment in Case C-266/16 in reply to a preliminary ruling on the validity and interpretation of the Agreement and its Implementation Protocol, the Court ruled that neither the Agreement nor its Implementation Protocol is applicable to waters adjacent to the territory of Western Sahara.

The Commission assessed the potential impact of the Fisheries Agreement on sustainable development, in particular as regards the benefits for the people concerned and the exploitation of the natural resources of the territories concerned.

In view of the considerations set out in the Court of Justice's judgment, the Commission, together with the European External Action Service, took all reasonable and feasible measures in the current context to properly involve the people concerned in order to ascertain their consent. Extensive consultations were carried out in Western Sahara and in the Kingdom of Morocco, and the socioeconomic and political actors who participated in the consultations were clearly in favour of concluding the Fisheries Agreement.

The Union does not prejudice the outcome of the political process on the final status of Western Sahara taking place under the auspices of the United Nations, and it has constantly reaffirmed its commitment to the settlement of the dispute in Western Sahara.

Fishing opportunities

The following fishing opportunities are granted pursuant to the Fisheries Agreement:

- for the category ‘Small-scale pelagic fishing with seins, north’: 22 Union vessels;
- for the category ‘Small-scale fishing with bottom longlines, north’: 35 Union vessels;
- for the category ‘Small-scale pole-and-line fishing, south’: 10 Union vessels;
- for the category ‘Demersal fishing with bottom trawls and bottom longlines, south’: 16 Union vessels;
- for the category ‘Small-scale tuna fishing with poles’: 27 Union vessels;
- for the category ‘Industrial pelagic or semi-pelagic trawling and purse seining’, an annual quota of:
(i) 85 000 tonnes for the first year of application, 18 Union vessels, (ii) 90 000 tonnes for the second year of application, 18 Union vessels, (iii) 100 000 tonnes for the third and fourth years of application, 18 Union vessels.

Financial contribution

The total annual value of this Protocol is estimated at:

- EUR 48 100 000 for the first year of application;
- EUR 50 400 000 for the second year of application;
- EUR 55 100 000 for the third and fourth years of application.

The Fisheries Agreement establishes the Joint Committee to monitor its application. It may adopt amendments to the Protocol implementing the Fisheries Agreement. In order to facilitate the approval of such amendments, the Commission will be empowered, subject to specific conditions, to approve such amendments by a simplified procedure.

ENTRY INTO FORCE: 21.3.2019.