

EC/Mauritania Fisheries Partnership Agreement

2006/0168(CNS) - 18/09/2006 - Legislative proposal

PURPOSE: to conclude a Fisheries and Partnership Agreement between the European Community and the Islamic Republic of Mauritania.

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 Islamic Republic of Mauritania. 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 21 July 2006 the Commission negotiated and initialled a Fisheries Partnership Agreement, which will replace the existing Agreement. (For a summary of the existing Agreement please refer to CNS/2005 /0229).

Main objectives:

The main objective of the new Partnership Agreement is to strengthen co-operation between the European Community and the Islamic Republic of Mauritania. It will be based on the principle of sustainable fishing and the sound exploitation of Mauritanian 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 Mauritanian waters. The conservation and sustainable exploitation of fisheries resources and lastly the development of the Mauritanian fishing sector.
- To establish the conditions allowing Community fishing vessels access to Mauritanian waters.
- To establish policing arrangements in the Mauritanian fishing zone in order to guarantee compliance with the rules and conditions set out in the Agreement and to prevent any illegal, undeclared and unregulated fishing.
- To establish conditions for the landing and transshipment of catches made in Mauritanian fishing zones.
- To set out the terms for taking seamen on board Community vessels operating under this Agreement in Mauritanian fishing zones.

Principles and objectives underlying the implementation of the Agreement:

Both Parties agree to promote responsible fishing in the waters off Mauritania 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 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 only fish in the Mauritanian 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.

As far as the financial contribution is concerned the Community has agreed to grant Mauritania a financial contribution totalling EUR 86 million a year in eleven categories. (For further details on the financial aspect please refer to the Financial summary below). Of this, EUR 11 million per year will be allocated to financial support for the implementation of the national fisheries policy, including EUR 1 million a year for supporting the Banc d'Arguin National Park (PNBA).

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 Mauritanian 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 the Republic of Mauritania. 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 set out for eleven categories. The conditions for each licence are as follows:

- crustaceans (excluding crawfish): maximum authorised capacity 9 440 GT;
- black hake trawlers and longliners: maximum authorised capacity 3 600 GT;
- demersal fisheries – other than trawlers and targeting species other than black hake: maximum authorised capacity 2 324 GT;
- demersal trawlers – targeting demersal species other than black hake, cephalopods and crustaceans: maximum authorised capacity 750 GT;
- cephalopods: maximum authorised capacity 18 600 GT for 43 licences;
- crawfish and crabs: maximum authorised capacity 300 GT for each category;
- tuna fisheries: maximum of 36 licences for seiners and 31 licences for pole-and-line vessels and surface longliners as a whole;
- small pelagic (pelagic freezer trawler): maximum 22 licences;
- small pelagic (non-freezer vessels): maximum authorised capacity 15 000 GT.

Ship owners' fees have been fixed for each category. Estimates suggest that Mauritania may receive a total contribution of around EUR 22 million a year from ship-owners' fees.

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 the 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 between the various Member States is divided into eleven fishing categories varying from vessels specialising in crustaceans other than crawfish and crab (category 1) and vessels fishing for demersal species other than black hake with gear other than trawls (category 3). The following countries have been awarded licences: Spain, Italy, Portugal, the United Kingdom, Malta, Greece, France, the Netherlands, Lithuania, Latvia, Germany and Poland. 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 applications into account.

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