

Procedure file

Basic information		
CNS - Consultation procedure Regulation	2007/0170(CNS)	Procedure completed
EC/Mozambique Fisheries Partnership Agreement		
Subject 3.15.15.02 Fisheries agreements with African countries		
Geographical area Mozambique		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		04/09/2007
		PSE FERNANDES Emanuel Jardim	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development		27/08/2007
		PSE BORRELL FONTELLES Josep	
	BUDG Budgets		20/09/2004
		Verts/ALE TRÜPEL Helga	
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	2832	22/11/2007
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
16/08/2007	Legislative proposal published	COM(2007)0472	Summary
24/09/2007	Committee referral announced in Parliament		
22/10/2007	Vote in committee		Summary
23/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0404/2007	
25/10/2007	Results of vote in Parliament		
25/10/2007	Decision by Parliament	T6-0478/2007	Summary

22/11/2007	Act adopted by Council after consultation of Parliament		
22/11/2007	End of procedure in Parliament		
17/12/2007	Final act published in Official Journal		

Technical information

Procedure reference	2007/0170(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/52455

Documentation gateway

Legislative proposal		COM(2007)0472	16/08/2007	EC	Summary
Committee draft report		PE393.928	12/09/2007	EP	
Committee opinion	DEVE	PE393.912	04/10/2007	EP	
Amendments tabled in committee		PE396.402	04/10/2007	EP	
Committee opinion	BUDG	PE394.053	09/10/2007	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0404/2007	23/10/2007	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0478/2007	25/10/2007	EP	Summary
Commission response to text adopted in plenary		SP(2007)6028	21/11/2007	EC	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2007/1446](#)
[OJ L 331 17.12.2007, p. 0001](#) Summary

EC/Mozambique Fisheries Partnership Agreement

PURPOSE: to conclude a Fisheries Partnership Agreement between the Community and the Republic of Mozambique.

PROPOSED ACT: Council Regulation.

CONTENT: the purpose of this proposal is to conclude a Fisheries Partnership Agreement between the Community and the Republic of Mozambique, which was initialled on 21 December 2006. The Agreement provides Community fishermen with fishing opportunities in the Mozambique fishing zone for a period of five years from its entry into force and is renewable. Once approved the 2004 Fisheries and Partnership Agreement will be repealed.

The main objective of the new Partnership Agreement is to strengthen co-operation between the European Community and the Republic of Mozambique, thereby creating a framework of partnership in which to develop a sustainable fisheries policy and the responsible exploitation of fisheries resources in the fishing zones off the coast of Mozambique.

In summary, the main provisions of the proposed Agreement and attached Protocol are as follows:

Scope: the Agreement sets out the principles, rules and procedures that govern economic, financial and technical issues as well as matters of scientific interest to both parties. It also covers: conditions governing access by Community vessels to Mozambique's waters; arrangements for policing fisheries in Mozambique's waters (with a view to ensuring that conservation measures are complied with); the prevention of illegal and unregulated fishing; and lastly the setting up of fishing operator partnerships.

Principles: both parties agree to promote responsible fishing; to implement a sectoral fisheries policy; to carry out regular evaluation reports; to implement the Agreement according to good economic practice and social governance; and to agree that seamen from Mozambique and/or APC seamen on board Community vessels will be regulated according to standards set by the ILO.

Scientific co-operation: both the Community and the Republic of Mozambique agree to monitor the evolution of resources in the fishing zone off Mozambique through joint scientific meetings that will be held annually.

Community access: Community vessels will be given access to the fishing zones off the Republic of Mozambique. Community fishing activities will be subject to the laws and regulations in force in Mozambique.

Licences: Community vessels will only be allowed to fish in the waters off Mozambique if they are in possession of a fishing licence issued under this Agreement.

Financial Contribution: the Community agrees to pay a single financial contribution, which is set out in the Protocol attached to this Agreement. The single contribution is composed of two related elements. Firstly, access by Community vessels to the fishing off Mozambique and secondly, to support responsible and sustainable fishing.

The financial contribution will amount to EUR 900 000 per year. It shall be entirely allocated to support the implementation of initiatives taken in the context of the sectoral fisheries policy and it shall be drawn up by the Government of Mozambique. This will comprise of EUR 650 000 per year equivalent to a reference tonnage of 10 000 tonnes per year and a specific amount of EUR 250 000 per year for the support and implementation of Mozambique's sectoral fisheries policy.

Fishing opportunities: for a period of five years (beginning on 1 January 2007) the fishing opportunities granted under the terms of the Agreement will be as follows:

Highly migratory species:

- freezer tuna seiners: 44 vessels;
- surface longliners: 45 vessels.

In other provisions, the Agreement sets out the terms and conditions for terminating or suspending the Agreement as well as setting up a Joint Committee the purpose of which is to monitor the application of the Agreement.

The fishing opportunities set out in the Protocol to the Agreement shall be allocated among the Member States as follows: For tuna fishing :

1. Purse seine vessels: Spain: 23; France: 20 and Italy : 1.
2. Long-liners: Spain: 21; France: 15; Portugal: 7 and the United Kingdom: 2.

If licence applications from these Member States do not cover all the fishing opportunities set out in the Protocol, the Commission may consider licence applications from any other Member State.

EC/Mozambique Fisheries Partnership Agreement

The Committee on Fisheries adopted - under the consultation procedure and subject to amendments - the report by Emanuel Jardim FERNANDES (PES, PT) on the proposal for a Council regulation on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

The committee tabled various amendments aimed at improving the information forwarded to the European Parliament.

Moreover, the report calls for the European Community's financial contribution to be used for the development of coastal populations living on fisheries and the creation of small industrial fish freezing and processing enterprises at local level.

The committee requests that the Commission evaluate each year whether Member States whose vessels are covered by the Protocol have complied with reporting requirements. Where this is not the case, the Commission shall withhold their requests for fishing licences for the following year. In order to evaluate whether the compensation paid by the EU is properly accounted for and does in fact promote the sustainable use of fishery resources in Mozambique, the Commission should report annually to Parliament.

The Commission shall forward to the European Parliament the conclusions of the meetings of the joint committee.

During the final year of the Protocol's validity and 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.

On the basis of the annual 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.

EC/Mozambique Fisheries Partnership Agreement

The European Parliament adopted a resolution drafted by Emanuel Jardim FERNANDES (PES, PT) and made a few amendments to the proposal on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique. The report was adopted by 407 votes in favour to 73 against with 76 abstentions.

The amendments were mainly aimed at improving the information forwarded to the European Parliament. The principal ones were as follows:

- a new recital states that the EC's financial contribution should be used for the development of coastal populations living on fisheries and the creation of small industrial fish freezing and processing undertakings at local level;
- the Commission must report annually to the European Parliament and the Council on the results of the multiannual sectoral programme referred to in Article 7 of the Protocol;
- the Commission must forward to the European Parliament the conclusions of the meetings of the joint committee;
- during the final year of the Protocol's validity and before another agreement as to its renewal is concluded, 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;
- 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.

EC/Mozambique Fisheries Partnership Agreement

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

LEGISLATIVE ACT: Council Regulation (EC) No 1446/2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique.

CONTENT: the main objective of the new Partnership Agreement is to strengthen cooperation between the European Community and the Republic of Mozambique, thereby creating a framework of partnership in which to develop a sustainable fisheries policy and the responsible exploitation of fisheries resources in Mozambique's fishing zone, in the interests of both parties.

The new Partnership Agreement, accompanied by a Protocol and the Annex thereto, has been signed for a period of five years from its entry into force and is renewable.

It makes provisions for the following elements:

Main objectives of the Fisheries Partnership Agreement:

- economic, financial, technical and scientific cooperation in the fisheries sector, with a view to promoting responsible fishing in Mozambique's fishing zones and sustainable exploitation of fisheries resources;
- establish conditions governing access to Mozambique's fishing zone for Community fishing vessels;
- arrangements for policing fishing in Mozambique's fishing zone with a view to ensuring compliance with the measures for the conservation and management of fish stocks, and to prevent illegal fishing;
- establish partnerships between businesses with a view to developing economic activities in the fisheries sector and related activities, in the common interest.

Principles underlying the implementation of this Agreement: the promotion of responsible fishing on the basis of the principle of non-discrimination between the different fleets fishing in Mozambique's fishing zone; the application of the principles of good economic and social governance (provisions are established so that the employment of Mozambican seamen on board Community vessels shall be governed by the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work).

Strengthened dialogue: the two Parties take part in a political dialogue on topics of mutual interest in the fisheries sector. Within this new Fisheries Partnership Agreement, special attention will be given to supporting the fisheries policy of Mozambique. The two parties will agree on the priorities to be decided upon for such support and identify the objectives, the annual and multi-annual programming and the criteria to assess the results obtained, with a view to ensuring a sustainable and responsible management of the sector.

Fishing possibilities and financial contribution: Community vessels may fish in Mozambique's fishing zone only if they are in possession of a fishing licence issued in accordance with the Agreement, upon payment of a fee as set out in the Fisheries Protocol, in the Annex of the Agreement.

Fishing Protocol: this Protocol establishes the technical and financial conditions of fishing activities carried out by Community vessels in Mozambique's fishing zone, for the period from 1 January 2007 to 31 December 2011.

The financial contribution is fixed at EUR 900 000 per year, that is, an annual amount of EUR 650 000 equivalent to a reference tonnage of 10 000 tonnes per year (fished in Mozambique's fishing zone), and a specific amount of EUR 250 000 per year for the support and implementation of Mozambique's sectoral fisheries policy.

The fishing possibilities laid out in the Agreement were determined according to two categories:

1. for the 'freezer tuna seiners' fishing category: 44 vessels;
2. for the 'surface long-liners' fishing category: 45 vessels.

The Protocol fixes a reference tonnage of 10 000 tonnes of tuna per year. It is established that the EC fishing effort in Mozambique's fishing zone will have to be in line with appropriate tuna stock assessments based on scientific criteria, including the annual scientific reports compiled by the Indian Ocean Tuna Commission (IOTC). If the overall quantity of catches by Community vessels exceeds the reference tonnage, the amount of the annual financial contribution shall be increased by EUR 65 for each additional tonne caught. However, the total annual amount paid by the Community shall not be more than twice the amount equivalent to the reference tonnage. Finally, where the quantities caught by Community vessels exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

New fishing opportunities: should Community vessels be interested in fishing activities which are not indicated in the Protocol, the Parties may consult one another prior to authorisation by Mozambican authorities for these new activities. Where appropriate, the Parties shall agree on the conditions applicable to these new fishing opportunities and, if necessary, make amendments to this Protocol. The Parties may also, if they so desire, promote exploratory fishing activities in Mozambican waters according to conditions to be defined in the common Agreement. Where the Parties conclude that the exploratory fishing trips have produced positive results, the Mozambican Government may award new fishing opportunities for new species until the expiry of the Protocol. In such a case, the financial contribution shall be increased accordingly.

Method for allocating the fishing opportunities among the Member States: the Regulation defines a method for allocating fishing opportunities among Member States.

For tuna fishing, the following allocation is foreseen:

1. purse seine vessels: Spain 23 vessels, France 20 vessels, Italy 1 vessel;
2. long-liners : Spain 23, France 11, Portugal 9, United Kingdom 2.

If licence applications from these Member States do not cover all fishing opportunities set out in the Protocol, the Commission may consider licence applications from any other Member State .

ENTRY INTO FORCE: the Regulation enters into force on 24/12/2007. The Agreement and the Protocol enter into force when all the necessary procedures have been completed.