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PECHE 253

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	2 July 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2018) 503 final
Subject:	Proposal for a COUNCIL DECISION on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Republic of Côte d'Ivoire and the European Community (2018-2024)

Delegations will find attached document COM(2018) 503 final.

Encl.: COM(2018) 503 final

EUROPEAN
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Brussels, 2.7.2018
COM(2018) 503 final

2018/0267 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Republic of Côte d'Ivoire and the European Community (2018-2024)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Fisheries Partnership Agreement between the Republic of Côte d'Ivoire and the European Community entered into force on 18 April 2008. The previous Protocol to the Agreement entered into force on 1 July 2013 and expired on 30 June 2018.

On the basis of the relevant negotiating directives[1], the Commission conducted negotiations with the Government of Côte d'Ivoire with a view to concluding a new Protocol to the Fisheries Partnership Agreement between the European Union and the Republic of Côte d'Ivoire[2]. Following those negotiations, a new Protocol was initialled on 16 March 2018. The Protocol covers a period of six years from the date of its provisional application, i.e. from the date of its signature, as it states in Article 13.

• Consistency with existing provisions in the policy area

The main aim of the new Protocol is to provide fishing opportunities for Union vessels in Côte d'Ivoire waters, on the basis of the best available scientific advice and following the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). This new Protocol takes account of the results of an evaluation of the previous Protocol (2013-2018) and a forward-looking assessment of whether a new Protocol should be concluded. Both were carried out by external experts. The Protocol will also allow the EU and the Republic of Côte d'Ivoire to collaborate more closely in order to promote the sustainable exploitation of fisheries resources in Côte d'Ivoire waters and support the efforts of Côte d'Ivoire to develop its blue economy, in the interests of both Parties.

The Protocol provides for fishing opportunities in the following categories:

– 28 freezer tuna seiners

– 8 surface longliners.

• Consistency with other Union policies

The negotiation of a new protocol to the Fisheries Partnership Agreement with Côte d'Ivoire is part of the Union's external action vis-à-vis ACP countries, taking particular account of the EU's objectives in terms of respect for democratic principles and human rights.

2. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

In 2017 the Commission carried out an *ex post* evaluation of the current protocol to the Fisheries Partnership Agreement between the European Union and Côte d'Ivoire, along with

[1] Adopted during the 3595th meeting of the Education, Youth, Culture and Sport Council on 15 February 2018.

[2] OJ L170, 22.6.2013, p. 2.

an *ex ante* evaluation of a possible renewal of the protocol. The conclusions of the evaluation are set out in a separate working document[1].

The evaluation concluded that the EU tuna fishing sector is strongly interested in fishing in Côte d'Ivoire and that a renewal of the Protocol would help strengthen monitoring, control and surveillance and contribute to improved governance of the fisheries in the region. The importance of Abidjan as one of the main landing ports and processing places in West Africa contributes to the relevance of the envisaged new Protocol, both for the EU tuna fishing sector and for the partner country.

- **Consultation of interested parties**

Member States, industry representatives, international civil society organisations, as well as Côte d'Ivoire's fisheries administration and civil society representatives were consulted as part of the evaluation. Consultations also took place in the framework of the Long Distance Advisory Council.

3. BUDGETARY IMPLICATIONS

The annual financial contribution is EUR 682 000, based on:

(a) a reference tonnage of 5 500 tonnes, for which an annual amount linked to access has been set at EUR 330 000 for the first two years of application of the Protocol and EUR 275 000 for the remaining years (three to six);

(b) support for development of the sectoral fisheries policy of the Republic of Côte d'Ivoire for an amount of EUR 352 000 per year during the first two years of application of the Protocol and EUR 407 000 for the remaining years (three to six). This support meets the objectives of the national policy of sustainable management of inland and maritime fisheries resources of Côte d'Ivoire.

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[1] SWD (2017) 446 final, 12.12.2017

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on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Republic of Côte d'Ivoire and the European Community (2018-2024)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) in conjunction with Article 218(6)(a)(v) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament[1],

Whereas:

(1) On 17 March 2008, the Council adopted Regulation (EC) No 242/2008[2] on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Côte d'Ivoire (hereinafter referred to as 'the Agreement')[3], which was then tacitly renewed and which remains in force.

(2) The last Protocol to this Agreement expired on 30 June 2018.

(3) The Commission has negotiated on behalf of the European Union a new Protocol concerning the implementation of the Agreement (hereinafter 'the Protocol'). Following completion of those negotiations, a draft Protocol was initialled on 16 March 2018.

(4) In accordance with Council Decision 2018/.../EU[4], the Protocol was signed on [insert date of signature],

(5) The Protocol has been applied on a provisional basis from the date of its signature.

(6) The objective of the Protocol is to enable the European Union and the Republic of Côte d'Ivoire to work more closely together on promoting a sustainable fisheries policy, sound exploitation of fisheries resources in Côte d'Ivoire waters, and Côte d'Ivoire's efforts to develop a blue economy.

(7) The Protocol should be approved on behalf of the European Union.

(8) Article 9 of the Agreement establishes the Joint Committee responsible for monitoring its implementation. Furthermore, in accordance with Article 5(4) and Articles 6 and 7 of the Protocol, the Joint Committee may approve certain amendments to the Protocol. In order to facilitate the approval of such amendments, the Commission should be empowered, subject to specific conditions, to approve them under a simplified procedure,

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2 OJ L 75, 18.3.2008.

3 OJ L 48, 22.2.2008.

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HAS ADOPTED THIS DECISION:

Article 1

The Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Côte d'Ivoire (2018-2024) is approved on behalf of the Union.

The text of the Protocol is attached to this Decision as Annex I.

Article 2

The Secretariat-General of the Council shall establish the instruments of full powers authorising the person(s) indicated by the negotiator of the Protocol to sign it on behalf of the Union, subject to its conclusion.

Article 3

In accordance with the provisions and conditions laid down in Annex II to this Decision, the Commission is authorised to approve, on behalf of the Union, the amendments to the Protocol adopted by the Joint Committee established under Article 9 of the Agreement.

Article 4

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 5

This Decision is addressed to the Member States.

Done at Brussels,

For the Council
The President