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**COVER NOTE**

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	9 July 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 370 final
Subject:	Proposal for a COUNCIL DECISION on the conclusion, on behalf of the Union, of the Protocol (2025–2029) on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

Delegations will find attached document COM(2025) 370 final.

Encl.: COM(2025) 370 final



EUROPEAN  
COMMISSION

Brussels, 9.7.2025  
COM(2025) 370 final

2025/0202 (NLE)

Proposal for a

## **COUNCIL DECISION**

**on the conclusion, on behalf of the Union, of the Protocol (2025–2029) on the  
implementation of the Fisheries Partnership Agreement between the Democratic  
Republic of São Tomé and Príncipe and the European Community**

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE PROPOSAL**

#### **• Reasons for and objectives of the proposal**

The Fisheries Partnership Agreement (FPA) between the Democratic Republic of São Tomé and Príncipe and the European Community<sup>1</sup> was signed on 30 October 2007 and entered into force on 29 August 2011 for a period of four years. It is tacitly renewable for four-year periods and is therefore still in force. A previous five-year Protocol on the implementation of the FPA started to apply on 19 December 2019 and expired on 18 December 2024.

On the basis of the Council Decision of 10 September 2024 authorising the opening of negotiations on behalf of the European Union on a new implementing protocol to the Fisheries Partnership Agreement with the Democratic Republic of São Tomé and Príncipe and the negotiating directives contained therein, the Commission conducted negotiations with the government of the Democratic Republic of São Tomé and Príncipe ('São Tomé and Príncipe'). Following those negotiations, a Protocol was initialled by the negotiators on 9 April 2025. The new Protocol covers a period of four years from the date of provisional application laid down in Article 19 thereof, that date being the date on which it is signed by the Parties.

The purpose of this proposal is to authorise the conclusion of the Implementing Protocol, in accordance with Article 218(6) of the Treaty on the Functioning of the European Union (TFEU).

#### **• Consistency with existing provisions in the policy area**

The main aim of the new Protocol is to provide an updated framework, namely by taking into account the priorities of the reformed common fisheries policy and its external dimension, with a view to continuing and strengthening the strategic partnership between the European Union and São Tomé and Príncipe in the field of fisheries.

The Protocol grants fishing opportunities to European Union vessels in São Tomé and Príncipe's fishing zone in accordance with the best available scientific advice and the resolutions and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus. The Commission has based its position in part on the results of an evaluation of the previous (2019–2024) Protocol and an *ex ante* evaluation of whether a new Protocol should be concluded. Those evaluations were carried out by external experts. The aim is also to enhance cooperation between the European Union and São Tomé and Príncipe so as to promote a sustainable fisheries policy and the responsible exploitation of fishery resources in São Tomé and Príncipe's fishing zone and in the Atlantic Ocean, in the interests of the Parties. This cooperation will also help to promote decent working conditions for fishing activity.

The new Protocol provides for fishing opportunities in the following categories:

- 26 tuna seiners;
- 9 surface longliners;

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<sup>1</sup> OJ L 205, 7.8.2007, p. 36, ELI: [http://data.europa.eu/eli/agree\\_international/2007/894/oj](http://data.europa.eu/eli/agree_international/2007/894/oj).

- support vessels in accordance with the relevant ICCAT resolutions and within the limits set by São Tomé and Príncipe's legislation.

- **Consistency with other Union policies**

The negotiation of a new Protocol on the implementation of the Fisheries Partnership Agreement with São Tomé and Príncipe forms part of the Union's external action in relation to the countries of the Organisation of African, Caribbean and Pacific States (OACPS) and takes into account, in particular, the Union's objectives of sustainable economic growth, human and social development, combating climate change, sustainable management of natural resources and respecting democratic principles and human rights.

## **2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY**

- **Legal basis**

The legal basis is Article 43(2) of the Treaty on the Functioning of the European Union (TFEU), which establishes the common fisheries policy, Article 218(6) thereof, which provides that the Council, on a proposal by the negotiator, is to adopt a decision concluding an agreement between the Union and third countries, and Article 218(7) thereof, which provides that the Council may authorise the negotiator to approve modifications to the Protocol where it provides for such modifications by a simplified procedure.

- **Subsidiarity (for non-exclusive competence)**

The proposal falls under the exclusive competence of the European Union.

- **Proportionality**

The proposal is proportionate to the objective of establishing a legal, environmental, economic and social governance framework for fishing activities carried out by Union vessels in third-country waters, as set out in Article 31 of the Regulation establishing the common fisheries policy. It complies with those provisions and with those on financial assistance to third countries laid down in Article 32 of that Regulation.

## **3. RESULTS OF EX POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS**

- **Ex post evaluations / fitness checks of existing legislation**

In 2024, the Commission carried out an *ex post* evaluation of the 2019–2024 Protocol to the Fisheries Partnership Agreement with São Tomé and Príncipe and an *ex ante* evaluation of a possible new Protocol<sup>2</sup>. The conclusions of the *ex post* and *ex ante* evaluations are set out in a Commission Staff Working Document (SWD)<sup>3</sup>.

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<sup>2</sup> European Commission: Directorate-General for Maritime Affairs and Fisheries, F&S, POSEIDON, Defaux, V. and Caillart, B., *Évaluation rétrospective du Protocole de mise en œuvre de l'accord de partenariat dans le domaine de la pêche entre l'Union européenne et la République de Sao Tomé-et-Príncipe et prospective d'un éventuel futur protocole – Rapport final*, Publications Office of the European Union, 2024, <https://data.europa.eu/doi/10.2771/264668>.

<sup>3</sup> COMMISSION STAFF WORKING DOCUMENT EVALUATION Accompanying the document Recommendation for a COUNCIL DECISION authorising the opening of negotiations on behalf of the European Union on a new implementing protocol to the Fisheries Partnership Agreement with the Democratic Republic of São Tomé and Príncipe, and possible amendments to the Fisheries Partnership

The evaluation concluded that the Union fishing sector has a strong interest in fishing in São Tomé and Príncipe and that a new Protocol would be in the interest of both Parties. Furthermore, the new Protocol would help to strengthen monitoring, control and surveillance and would contribute to improved fisheries governance in the region.

For the Union, it is important to maintain an instrument allowing close sectoral cooperation with a country which, due to the size of the fishing zone under its jurisdiction, is a major player in ocean governance at subregional level. Strengthening relations with São Tomé and Príncipe will also enable alliances to be built within the framework of ICCAT. Furthermore, for the Union fleet, this means maintaining access to an important fishing zone for the deployment of harvesting strategies under a multiannual international legal framework. For the São Tomé and Príncipe authorities, the aim is to maintain relations with the Union in order to strengthen ocean governance, benefit from dedicated sectoral support that provides for funding opportunities over several years and use the vessel activity to start industrialising the country's processing sector, and so help diversify its economy.

- **Stakeholder consultations**

Member States, industry representatives and international civil society organisations, as well as São Tomé and Príncipe'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 Fleet Advisory Council.

- **Collection and use of expertise**

The Commission used an independent consultant for the *ex post* and *ex ante* evaluations, in accordance with Article 31(10) of the Regulation establishing the common fisheries policy.

- **Impact assessment**

Not applicable

- **Regulatory fitness and simplification**

Not applicable

- **Fundamental rights**

The negotiated Agreement includes a clause on the consequences of violating the essential elements laid down in Article 9 of the Samoa Agreement<sup>4</sup> with regard to human rights.

#### **4. BUDGETARY IMPLICATIONS**

The annual financial contribution is EUR 825 000, based on:

(a) an annual amount of EUR 325 000 for access to the fishery resources in São Tomé and Príncipe's fishing zone, equivalent to a reference tonnage of 6 500 tonnes per year for highly migratory species;

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Agreement or a new text of a Sustainable Fisheries Partnership Agreement (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52024SC0177&qid=1424957307348>).

<sup>4</sup> Partnership Agreement between the European Union and its Member States, of the one part, and the Members of the Organisation of African, Caribbean and Pacific States, of the other part (OJ L, 2023/2862, 28.12.2023, ELI: [http://data.europa.eu/eli/agree\\_internation/2023/2862/oj](http://data.europa.eu/eli/agree_internation/2023/2862/oj)).

(b) support for development of the sectoral fisheries policy of São Tomé and Príncipe, amounting to EUR 500 000 per year. This support meets the objectives of São Tomé and Príncipe's strategic plan for fisheries.

The annual amount for commitment and payment appropriations is established during the annual budgetary procedure, including for the reserve line for protocols not yet having entered into force at the beginning of the year<sup>5</sup>.

## **5. OTHER ELEMENTS**

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Monitoring arrangements are provided for in the Sustainable Fisheries Partnership Agreement and its Implementing Protocol.

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<sup>5</sup> In accordance with point 20 of the Interinstitutional Agreement on cooperation in budgetary matters (OJ L 433I, 22.12.2020, ELI: [http://data.europa.eu/eli/agree\\_interinstit/2020/1222/oj](http://data.europa.eu/eli/agree_interinstit/2020/1222/oj)).

Proposal for a

## **COUNCIL DECISION**

**on the conclusion, on behalf of the Union, of the Protocol (2025–2029) on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community**

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,

Whereas:

- (1) In accordance with Council Decision [XXX] of [...] <sup>1</sup>, the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ('the Protocol') was signed on [...], subject to its conclusion at a later date.
- (2) The aim of the Protocol is to allow Union vessels to carry out fishing activity in São Tomé and Príncipe's fishing zone and to enable the Union and the Democratic Republic of São Tomé and Príncipe to work together more closely to develop a sustainable fisheries policy, so as to promote the responsible exploitation of fishery resources in São Tomé and Príncipe's fishing zone and in the Atlantic Ocean, and to help achieve decent working conditions in the fisheries sector.
- (3) This Protocol should be approved on behalf of the European Union.
- (4) In accordance with the Treaties, it is for the Commission to ensure that the notification provided for in Article 20 of the Protocol is given to São Tomé and Príncipe on behalf of the Union, in order to express the Union's consent to be bound by the Protocol.
- (5) In accordance with the Treaties, it is also for the Commission, if necessary, to give the notifications provided for in Articles 12 and 18 of the Protocol.
- (6) Article 9 of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ('the Agreement') establishes a Joint Committee responsible for monitoring the application of the Agreement and its Implementing Protocol. Furthermore, 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 substantive and procedural conditions, to approve them on behalf of the Union under a simplified procedure.
- (7) The Union's position on proposed amendments to the Protocol should be established by the Council. The proposed amendments are approved unless a blocking minority of

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<sup>1</sup> OJ L 2025/..., .....2025, p. ..., ELI: <https://data.europa.eu/eli/dec/2025/...../oj>.

Member States, in accordance with Article 16(4) of the Treaty on European Union, objects to them.

- (8) Since the Protocol with São Tomé and Príncipe lasts for more than one financial year, the budgetary commitments involved may be broken down over the duration of the Protocol into annual payments, in accordance with Article 112(2) of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council<sup>2</sup>.
- (9) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725<sup>3</sup> of the European Parliament and of the Council and delivered an opinion on [date],

HAS ADOPTED THIS DECISION:

#### *Article 1*

The Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community (2025–2029) ('the Protocol') is hereby approved on behalf of the Union.

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

#### *Article 2*

In accordance with the provisions and conditions laid down in Annex II to this Decision, the Commission is hereby 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 3*

This Decision shall enter into force on the day following that of its adoption<sup>4</sup>.

Done at Brussels,

*For the Council*  
*The President*

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<sup>2</sup> Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast) (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>)

<sup>3</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39), ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>.

<sup>4</sup> The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.



## **LEGISLATIVE FINANCIAL STATEMENT**

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## **LEGISLATIVE FINANCIAL STATEMENT**

### **1. FRAMEWORK OF THE PROPOSAL/INITIATIVE**

#### **1.1. Title of the proposal/initiative**

Proposal for a Council Decision on the conclusion, on behalf of the Union, of the Protocol (2025–2029) on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

#### **1.2. Policy area(s) concerned**

08 – Agriculture and maritime policy

08 05 – Sustainable fisheries partnership agreements (SFPAs) and regional fisheries management organisations (RFMOs)

08 05 01 – Establishing a governance framework for fishing activities carried out by Union fishing vessels in third-country waters

#### **1.3. Objective(s)**

##### *1.3.1. General objective(s)*

The negotiation and conclusion of sustainable fisheries partnership agreements (SFPAs) with third countries meet the general objective of giving European Union fishing vessels access to the fishing zones of third countries and developing a partnership with those countries with a view to strengthening the sustainable exploitation of fishery resources outside Union waters.

SFPAs also ensure consistency between the principles governing the common fisheries policy and commitments made under other European policies (sustainable use of third-country resources, combating illegal, unreported and unregulated (IUU) fishing, integration of partner countries into the global economy, contribution to sustainable development in all its dimensions, and better political and financial governance of fisheries).

##### *1.3.2. Specific objective(s)*

###### Specific objective No 1

To contribute to sustainable fishing in non-Union waters, maintain a European presence in distant-water fisheries and protect the interests of the European fisheries sector and consumers by negotiating and concluding SFPAs with coastal States, consistent with other European policies.

###### ABM/ABB activity(ies) concerned

08 05 01 – Establishing a governance framework for fishing activities carried out by Union fishing vessels in third-country waters

### 1.3.3. *Expected result(s) and impact*

Concluding the Implementing Protocol means that the strategic fisheries partnership between the European Union and São Tomé and Príncipe can be continued and strengthened. Concluding the Protocol will create fishing opportunities for Union vessels in São Tomé and Príncipe's fishing zone.

The Protocol will also contribute to better management and conservation of fishery resources, through financial (sectoral) support for the implementation of programmes adopted at national level by the partner country, in particular the fisheries comprehensive plan, the monitoring and combating of illegal fishing, and support for the small-scale fisheries sector.

Lastly, the Protocol will support São Tomé and Príncipe's sustainable exploitation of its marine resources and contribute to its fishing economy by promoting growth in fishing-related economic activities and the establishment of decent working conditions.

### 1.3.4. *Result and impact indicators*

Fishing opportunity exploitation rates (annual uptake of fishing authorisations as a percentage of availability under the Protocol).

Catch data (gathering and analysis) and commercial value of the Agreement.

Contribution to creating jobs and establishing decent working conditions in the fisheries sector, creating added value in the Union and stabilising the Union market (in aggregate with other SFPAs).

Contribution to improving research, monitoring and control of fishing activity by the partner country and development of its fisheries sector, in particular small-scale fisheries.

## 1.4. **The proposal/initiative relates to:**

☒ a new action

☐ a new action following a pilot project / preparatory action<sup>1</sup>

☐ the extension of an existing action

☐ a merger or redirection of one or more actions towards another / a new action

## 1.5. **Grounds for the proposal/initiative**

### 1.5.1. *Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative*

It is intended that the new Implementing Protocol will apply provisionally from the date on which it is signed, so as to minimise the period during which fishing will not be possible.

The new Protocol will provide a framework for the fishing activities of the Union fleet in São Tomé and Príncipe's fishing zone and will authorise Union vessel owners to apply for fishing authorisations to fish in that zone. In addition, the new Protocol will enhance cooperation between the Union and São Tomé and Príncipe with a view to promoting the development of a sustainable fisheries policy in all its dimensions. It provides, in particular, for vessels to be monitored via VMS and for the electronic

<sup>1</sup> As referred to in Article 58(2)(a) or (b) of the Financial Regulation.

transmission of catch data. The sectoral support available under the Protocol will help São Tomé and Príncipe in the context of its national fisheries strategy, including in the fight against IUU fishing, while promoting decent working conditions for fishing activity. Implementation will start upon signature, for a period of four years.

*1.5.2. Added value of EU involvement*

Failure by the Union to agree on a new Protocol would impede the fishing activity of Union vessels, as the current Agreement contains a clause excluding fishing activity not taking place in the framework defined by a protocol to the Agreement. Consequently, the added value for the Union's long-distance fleet is very clear. The Protocol also provides a framework for enhanced cooperation between the Union and São Tomé and Príncipe.

*1.5.3. Lessons learned from similar experiences in the past*

Analysis of past catches in São Tomé and Príncipe's fishing zone and of available assessments and scientific advice has led the Parties to set a reference tonnage for tunas and tuna-like species of 6 500 tonnes per year, with fishing opportunities for 26 tuna seiners and 9 surface longliners. Sectoral support has been set at a high level in order to take into account the priorities of the national fisheries and natural resource exploitation strategy.

*1.5.4. Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

Funds provided as financial compensation for access under the SFPA constitute fungible revenue in the national budget of São Tomé and Príncipe. However, the conclusion and monitoring of SFPAs require funds intended for sectoral support to be allocated (generally by including them in the annual budget law) to the ministry responsible for fisheries. These financial resources are compatible with other sources of funding from other providers of international funding for projects and/or programmes to be carried out at national level in the fisheries sector.

**1.6. Duration of the proposal/initiative and of its financial impact**

☒ **limited duration**

- ☒ Proposal/initiative applicable from the date of signing in 2025, for a period of four years, ending in 2029
- ☒ Financial impact from 2025 to 2028

☐ **unlimited duration**

- Implementation with a start-up period from YYYY to YYYY,
- followed by full-scale operation.

**1.7. Method(s) of budget implementation planned<sup>2</sup>**

☒ **Direct management** by the Commission

- ☒ By its departments, including by its staff in the Union delegations
- ☐ By executive agencies

☐ **Shared management** with the Member States

☐ **Indirect management** by entrusting budget implementation tasks to:

- ☐ third countries or the bodies they have designated;
  - ☐ international organisations and their agencies (to be specified);
  - ☐ the EIB and the European Investment Fund;
  - ☐ bodies referred to in Articles 211 and 212 of the Financial Regulation;
  - ☐ public-law bodies;
  - ☐ bodies governed by private law with a public service mission to the extent that they provide adequate financial guarantees;
  - ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that provide adequate financial guarantees;
  - ☐ persons entrusted with the implementation of specific actions in the CFSP pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act.
- *If more than one management mode is indicated, please provide details in the 'Comments' section.*

Comments

[...]

<sup>2</sup> Details of management modes and references to the Financial Regulation can be found on the following site: [EU Financial Regulation – European Commission](#).

## **2. MANAGEMENT MEASURES**

### **2.1. Monitoring and reporting rules**

The Commission (DG MARE, in cooperation with its fisheries attaché responsible for São Tomé and Príncipe, and in coordination with the relevant Commission departments) will ensure regular monitoring of the implementation of the Protocol as regards the use of fishing opportunities by operators, catch data and compliance with the conditions for sectoral support.

The SFPA provides for at least one annual meeting of the Joint Committee, at which the Commission and São Tomé and Príncipe will review the implementation of the Agreement and Protocol and, if necessary, adjust the programming and, if applicable, the financial contribution.

### **2.2. Management and control system**

#### *2.2.1. Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed*

Separate payments will be made for the contribution for access and the contribution linked to sectoral support.

The payments for access will be made annually on the anniversary date of the Protocol, except in the first year, when the payment will be made within three months of the start of provisional application. Vessel access will be controlled by the issuing of fishing authorisations.

The support will be paid for the first time within three months of the start of provisional application, subject to agreement on an annual and multiannual implementation programme; in the following years, payment will be conditional on the results achieved. The results achieved and the implementation rate will be monitored in accordance with the guidelines on the implementation of sectoral support for São Tomé and Príncipe's fisheries policy, to be agreed by the Parties on the basis of reports or documentary evidence provided by the partner country and assessments and verifications carried out by the fisheries attaché.

#### *2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them*

The identified risk is the underuse of fishing opportunities by Union vessel owners and the underuse or delayed use by São Tomé and Príncipe of funds intended to finance the sectoral fisheries policy. Extensive dialogue is planned on the programming and implementation of the sectoral policy provided for in the Agreement and the Protocol. Joint monitoring of results, as referred to in Article 7 of the Protocol, also forms part of these control methods. In addition, the Agreement and the Protocol contain specific clauses for their suspension, under certain conditions and in given circumstances.

#### *2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment and at closure)*

Payments relating to access costs under Sustainable Fisheries Partnership Agreements (SFPAs) are subject to checks aimed at ensuring their compliance with the provisions of international agreements. Checks relating to sectoral support are aimed at monitoring its implementation. Monitoring is carried out by Commission staff in

Union delegations and during Joint Committee meetings. A multiannual programming matrix is used to evaluate progress. If progress is insufficient, the payment of the next instalment is suspended or possibly reduced. The overall cost of the checks on all SFPAs is estimated to be around 1.8% (of total contributions in 2018). The procedures for checks on SFPAs are based largely on essential regulatory requirements. If no shortcomings are detected that could have a significant impact on the legality and regularity of the financial transactions, the checks are considered effective.

### **2.3. Measures to prevent fraud and irregularities**

*Specify existing or envisaged prevention and protection measures.*

The Commission undertakes to establish political dialogue and regular coordination with São Tomé and Príncipe with a view to improving the management of the Agreement and the Protocol and strengthening the Union's contribution to sustainable resource management. Any payment which the Commission makes under an SFPA is subject to the Commission's standard rules and budgetary and financial procedures. In particular, the bank accounts of third countries into which the financial contribution is paid are fully identified. Article 6 of the Protocol provides that the financial contribution for access and that intended for development of the sector must be paid into a Public Treasury account and the Fisheries Development Fund account, respectively. Provisions on the recovery of unduly paid funds are set out in Article 6 and Appendix 7.



### 3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

#### 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In the order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./non-diff. (1)	from EFTA countries <sup>2</sup>	from candidate countries and potential candidates <sup>3</sup>	from other third countries	other assigned revenue
	08.05.01 Establishing a governance framework for fishing activities carried out by European Union fishing vessels in third-country waters (SFAs)	Diff.	NO	NO	NO	NO

- New budget lines requested

In the order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number [...] [Description.....] .....]	Diff./non-diff.	from EFTA countries	from candidate countries and potential candidates <sup>4</sup>	from other third countries	other assigned revenue
		Diff./non-diff.	YES/NO	YES/NO	YES/NO	YES/NO

<sup>1</sup> Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

<sup>2</sup> EFTA: European Free Trade Association.

<sup>3</sup> Candidate countries and, where applicable, potential candidates from the Western Balkans.

<sup>4</sup> Candidate countries and, where applicable, potential candidates from the Western Balkans.

### 3.2. Estimated impact of the proposal on appropriations

#### 3.2.1. Estimated impact of the proposal on appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations.
- ☒ The proposal/initiative requires the use of operational appropriations, as explained below:

million EUR (to three decimal places)

<b>Heading of multiannual financial framework:</b>	No 2	Sustainable growth: natural resources
--	------	---------------------------------------

DG MARE			Year 2025	Year 2026	Year 2027	Year 2028	TOTAL
Operational appropriations							
Budget line 08.05.01	Commitments	(1)	0.825	0.825	0.825	0.825	3.300
	Payments	(2)	0.825	0.825	0.825	0.825	3.300
Appropriations of an administrative nature financed from the envelope for specific programmes <sup>1</sup>							
<b>TOTAL appropriations for DG MARE</b>	Commitments	=1+1a+3	0.825	0.825	0.825	0.825	3.300

<sup>1</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former ‘BA’ lines), indirect research, direct research.

	Payments	=2+2a+3	0.825	0.825	0.825	0.825	<b>3.300</b>
TOTAL operational appropriations	Commitments	(4)	0.825	0.825	0.825	0.825	<b>3.300</b>
	Payments	(5)	0.825	0.825	0.825	0.825	<b>3.300</b>
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)					
<b>TOTAL appropriations under HEADING 2</b> of the multiannual financial framework	Commitments	=4+6	0.825	0.825	0.825	0.825	<b>3.300</b>
	Payments	=5+6	0.825	0.825	0.825	0.825	<b>3.300</b>

**If more than one heading is affected by the proposal/initiative, repeat the section above:**

TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.825	0.825	0.825	0.825	<b>3.300</b>
	Payments	(5)	0.825	0.825	0.825	0.825	<b>3.300</b>
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)					
<b>TOTAL appropriations under HEADINGS 1 to 6</b> of the multiannual financial framework (reference amount)	Commitments	=4+6	0.825	0.825	0.825	0.825	<b>3.300</b>
	Payments	=5+6	0.825	0.825	0.825	0.825	<b>3.300</b>

<b>Heading of multiannual financial framework:</b>	<b>7</b>	‘Administrative expenditure’
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million EUR (to three decimal places)

		Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)		TOTAL
DG: <.....>								
<input type="radio"/> Human resources								
<input type="radio"/> Other administrative expenditure								
<b>TOTAL DG &lt;.....&gt;</b>	Appropriations							

<b>TOTAL appropriations under HEADING 7 of the multiannual financial framework</b>	(Total commitments = Total payments)					
--	---	--	--	--	--	--

million EUR (to three decimal places)

		Year 2025	Year 2026	Year 2027	Year 2028	TOTAL
<b>TOTAL appropriations under HEADINGS 1 to 7 of the multiannual financial framework</b>	Commitments	0.825	0.825	0.825	0.825	<b>3.300</b>
	Payments	0.825	0.825	0.825	0.825	<b>3.300</b>

### 3.2.2. Estimated output funded from operational appropriations

Commitment appropriations in million EUR (to three decimal places)

Indicate objectives and outputs  ↓			Year 2025		Year 2026		Year 2027		Year 2028				TOTAL
	OUTPUTS												
	Type <sup>1</sup>	Average cost	Number	Cost	Number	Cost	Number	Cost	Number	Cost	Number	Cost	Total cost
SPECIFIC OBJECTIVE No 1 <sup>2</sup> ...													
- Fleet access		0.325		0.325		0.325		0.325		0.325			1.300
- Sectoral		0.500		0.500		0.500		0.500		0.500			2.000
- Output													
Subtotal for specific objective No 1				0.825		0.825		0.825		0.825			3.300
SPECIFIC OBJECTIVE No 2 ...													
- Output													
Subtotal for specific objective No 2													
TOTAL COST				0.825		0.825		0.825		0.825			3.300

<sup>1</sup> Outputs are products and services to be supplied (e.g. number of student exchanges financed, number of km of roads built, etc.).

<sup>2</sup> As described in point 1.4.2. 'Specific objective(s) ...'.

### 3.2.3. Estimated impact on appropriations of an administrative nature

- ☒ The proposal/initiative does not require the use of appropriations of an administrative nature.
- ☐ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

million EUR (to three decimal places)

	Year N <sup>1</sup>	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)	TOTAL
--	------------------------	-------------	-------------	-------------	--	-------

<b>HEADING 5 of the multiannual financial framework</b>								
Human resources								
Other administrative expenditure								
<b>Subtotal HEADING 5 of the multiannual financial framework</b>								

<b>Outside HEADING 5<sup>2</sup> of the multiannual financial framework</b>								
Human resources								
Other administrative expenditure								
<b>Subtotal Outside HEADING 5 of the multiannual financial framework</b>								

<b>TOTAL</b>								
--------------	--	--	--	--	--	--	--	--

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

<sup>1</sup> Year N is the year in which implementation of the proposal/initiative starts.

<sup>2</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

### 3.2.4. Estimated human resource requirements

- ☒ The proposal/initiative does not require the use of human resources.
- ☐ The proposal/initiative requires the use of human resources, as explained below:

*Estimate to be expressed in full-time equivalent units*

	Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessa- ry to show the duratio n of the impact (see point 1. 6)
<b>○ Establishment plan posts (officials and temporary staff)</b>					
XX 01 01 01 (Headquarters and Commission's representation offices)					
XX 01 01 02 (Delegations)					
XX 01 05 01 (Indirect research)					
10 01 05 01 (Direct research)					
<b>○ External staff (in full-time equivalent – FTE)<sup>1</sup></b>					
XX 01 02 01 (AC, END, INT from the 'global envelope')					
XX 01 02 02 (AC, AL, END, INT and JED in the delegations)					
<b>XX 01 04 yy<sup>2</sup></b>	- at headquarters				
	- in delegations				
XX 01 05 02 (AC, END, INT – indirect research)					
10 01 05 02 (AC, END, INT – direct research)					
Other budget lines (specify)					
<b>TOTAL</b>					

**XX** is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation that may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of the tasks to be carried out:

Officials and temporary staff	
External staff	

<sup>1</sup> AC = contract staff; AL = local staff; END = seconded national expert; INT = agency staff; JED = junior experts in delegations.

<sup>2</sup> Sub-ceilings for external staff covered by operational appropriations (former 'BA' lines).

### 3.2.5. *Overview of estimated impact on digital technology-related investments*

The digital solutions used to implement the Protocol already exist and are already being implemented for the previous Protocol and for other fisheries agreements, as well as for the implementation of Regulations (EC) No 1224/2009<sup>1</sup> and (EU) 2017/2403<sup>2</sup>. Investments in maintaining and improving the functionality of these digital tools are not specific to this Protocol.

### 3.2.6. *Compatibility with the current multiannual financial framework*

The proposal/initiative:

☒ can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF).

The proposal/initiative is compatible with the current multiannual financial framework. Reserve line 30.020200 is to be used for the amounts referred to in paragraph 3.2.5.

☐ The proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework.

### 3.2.7. *Third-party contributions*

- ☒ The proposal/initiative does not provide for co-financing by third parties.
- The proposal/initiative provides for the co-financing estimated below:

Appropriations in million EUR (to three decimal places)

	Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)			Total
Specify the co-financing body								
TOTAL appropriations co-financed								

<sup>1</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy (OJ L 343, 22.12.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/1224/2024-10-11>).

<sup>2</sup> Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81, ELI: <http://data.europa.eu/eli/reg/2017/2403/oj>).



### 3.3. Estimated impact on revenue

- ☒ The proposal/initiative has no financial impact on revenue.
- ☐ The proposal/initiative has the following financial impact:
  - ☐ on own resources
  - ☐ on miscellaneous revenue

million EUR (to three decimal places)

Budget revenue line:	Appropriation s available for the current financial year	Impact of the proposal/initiative <sup>3</sup>					
		Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)	
Article .....							

For miscellaneous 'assigned' revenue, specify the budget expenditure line(s) affected.

[...]

Specify the method for calculating the impact on revenue.

[...]

## 4. DIGITAL DIMENSIONS

### 4.1. Requirements of digital relevance

Reporting requirement	Description	Use of digital technology
Vessel position data (Article 14(2)(b) of the Protocol, Chapter IV, Section 2, of the Annex, and Appendix 5)	The vessel must be equipped with a vessel monitoring device and provide, at regular intervals, information identifying the vessel, its position, its course and its speed (VMS data).	Yes, via VMS
Electronic fishing logbooks (Article 14(2)(b) of the Protocol, Chapter III, Section 1, of the Annex, and Appendix 5)	The master must record catch data on a daily basis in an electronic fishing logbook integrated into an electronic recording and reporting system (ERS).	Yes, via ERS
Vessel authorisation applications (Chapter II, Section 1, paragraph 2, of the Annex to the Protocol)	An authorisation database is used to apply for fishing authorisations from the partner country.	Yes, via LICENCE

<sup>3</sup> As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% for collection costs.

Daily transmission of data (Chapter III, Section 1, of the Annex to the Protocol, and Appendix 5)	Electronic fishing logbook data are transmitted automatically and on a daily basis to the fisheries monitoring centre (FMC) of the flag State.	Yes, via ERS
Entries into and exits from the fishing zone, prior notifications and declarations of landing and transshipment (Article 14(2)(b) of the Protocol and Chapter IV, Section 1 and Section 4, of the Annex)	Recording and transmission of each entry into and exit from the fishing zone via ERS or other electronic means of communication.	Yes, via ERS
Aggregated quarterly data	The flag State provides the European Commission with the aggregated quantities of catches and discards on a quarterly basis.	Although this is not specified in the bilateral agreement, the data will be provided via a digital database (effort and catch reporting, ECR)
Protection of personal data	Fishing activity data are processed confidentially and securely.	Yes, requires secure software systems

#### 4.2. Data

The key reporting requirements are based on digital technology, in particular via the vessel monitoring system (VMS, which transmits vessel positions and vessel identification data) and the daily automatic transmission of electronic fishing logbooks (via the ERS, which transmits identified, localised and quantified catch data).

The quarterly and annual reports of aggregated catch data use an implicit digital database to aggregate the data (ECR database), which is fed by the flag Member States.

##### Data protection and confidentiality

- The Agreement stresses the importance of protecting personal data. Specific measures ensure that data shared for the purpose of fishing activities are processed securely, in line with the requirements of the GDPR and in accordance with the strategic objective of creating a secure and competitive digital economy.

##### Data sharing and transparency

- The Agreement encourages data sharing between São Tomé and Príncipe and the European Union, promoting transparency and accountability in fishing activity. This reflects the European data strategy's objective of enhancing data access and use, facilitating better decision-making and resource management.

##### Consideration of the 'only once' principle

- The ‘only once’ principle is not mentioned, but the information provided by operators is provided to the public authorities only once, in accordance with the principle of flag State responsibility: the flag State collects data from vessels and holds that data in the VMS and ERS databases, which can be used by various parties, and minimises duplication and the administrative burden by making it possible to use the same data to meet various requirements for reporting to different authorities.

FAIR principles: findable, accessible, interoperable and reusable

#### **Findability**

- Putting in place electronic reporting systems ensures that data are catalogued and can be searched in a systematic manner, helping to make the data easy to find. Automated systems such as ERS allow structured data archiving, which is in line with the findability aspect of the FAIR principles.

#### **Accessibility**

- Data must be accessible to authorised entities through secure digital platforms that allow real-time sharing and minimise unnecessary barriers. This controlled accessibility ensures that the right stakeholders have access to information as needed, in accordance with the FAIR principles.

#### **Interoperability**

- The use of the UN/FLUX format for data exchange improves interoperability. This standardisation allows different systems to share and use data smoothly, thereby meeting one of the core objectives of the FAIR principles.

#### **Reusability**

- Laying down standards for quality and secure data management in the Agreement means that the data are more likely to be of high quality and thus reusable for different objectives, such as scientific research, policy development and fisheries management. Ensuring high-quality data and compliance with international standards promotes reuse of the data in various contexts, thus complying with the reusability aspect of the FAIR principles.
- In short, the requirements of the bilateral agreement are aligned with the European data strategy through enhanced data protection, increased sharing and the use of digital systems. They take into account the ‘only once’ principle by reducing duplication of data submissions and are aligned with the FAIR principles in order to ensure that data are well managed for broad use for a range of purposes.

### **4.3. Digital solutions**

- The main digital solutions used are the VMS, ERS, LICENCE and ECR systems, which are the existing digital solutions for fisheries control put in place by the European Commission and used by the flag Member States.
- The data referred to in 4.1 are usually exchanged by means of these digital solutions between a vessel (Union operator) and its flag State, and then between the Union and the partner country (in particular between the fisheries monitoring centres, which are the State control bodies).

- The aggregated data are derived from the declarations submitted by operators to the flag Member State, which reprocesses them and feeds them into a European Commission database (effort and catch reporting, ECR).
- Applications for fishing authorisations sent to the partner country use data from the Fleet database (the EU fishing register) and the LICENCE database, those data then being transmitted by the European Commission to the partner country.

#### **What measures are in place to protect digitally transmitted data?**

The Agreement specifies that data must be processed securely and confidentially (Appendix 6).

#### **Is there a plan to address failures of the digital systems?**

Yes, provision is made for alternative methods of communication in the event of system failure, so as to ensure continuity of reporting (Appendix 5).

#### **Timeline for the implementation of the digital systems?**

The ERS system should be put in place within 12 months of the date of signature of the Agreement, with adjustments to be made within six months for amendments to the standards.

### **4.4. Interoperability assessment**

The use of the UN/FLUX format for data exchange improves interoperability. This standardisation allows different systems to share and use data smoothly.

### **4.5. Measures to support digital implementation**

Support for implementation is provided by the European Commission.