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ANNEX

ANNEX

to the

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on behalf of the European Union for the conclusion of a protocol to the Sustainable Fisheries Partnership Agreement with the Government of Cook Islands.

{SWD(2020) 102 final} - {SWD(2020) 103 final}

ANNEX

Directives for the negotiation of new protocol to the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands

The objective of the negotiations is the conclusion of a protocol to the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands, in line with Regulation (EU) N° 1380/2013 of the European Parliament and of the Council¹ and with the Council Conclusions of 19 March 2012² on the Commission Communication of 13 July 2011 on the external dimension of the Common Fisheries Policy³.

With a view to ensuring, through this new Protocol, the promotion of sustainable and responsible fishing, the Commission's negotiation objectives shall be based on the following:

- Ensure access to the fishing zone of the Cook Islands and the necessary authorisations for vessels of the Union fleet to carry out fishing activities in the that zone;
- Duly take into account the best available scientific advice and relevant management plans adopted by Regional Fisheries Management Organisations (RFMO), in order to ensure and enhance the environmental sustainability of fishing activities, directed exclusively at available surplus resources, taking into account the local fleet's fishing capacity, while paying special attention to the shared nature of the stocks concerned;
- Seek an appropriate share of the fisheries resources, commensurate with the Union fleets' interests, when they also interest other foreign fleets;
- Ensure that access to fisheries is based on the historical and the expected future activity of the Union fleet in the region, in the light of the most updated and best available scientific assessments;
- Continue dialogue in order to reinforce sectoral policy with a view to encouraging the implementation of a responsible fisheries policy, in connection with the country's development objectives - in particular as regards the governance, follow-up, control and monitoring of fishing activities and scientific advice - and taking into account the livelihood and interests of local fishing communities;
- Include a clause on the consequences of violations of human rights and democratic principles;
- Ensure that the Protocol will contribute to the promotion of growth and decent work linked to maritime activity, taking into account relevant International Labour Organisation (ILO) conventions.

In particular, the Protocol should define:

- the fishing opportunities, by category, to be granted to Union vessels,
- the financial compensation and the conditions for its payment, and
- the mechanisms for implementing sectoral support.

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

² Réf: ST 7087 2012 REV 1 COR 1 of 20.03.2012.

³ Réf: COM(2011) 417 final of 13.07.2011.

In order to avoid interruption of fishing activities, the new Protocol should include a clause of provisional application from the day following the date of expiry of the current Protocol.

In case the negotiations for a new Protocol to the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands would take more time than expected⁴, and in order to avoid a long period of interruption of fishing activities, the Commission should seek to agree with the Government of the Cook Islands on a prolongation of the current Protocol⁵, for a limited period, if possible of not more than one year, while continuing to try to reach an agreement for a new protocol in accordance with the above mentioned objectives.

⁴ Due in particular to consequences linked to the current global sanitary situation, stemming from the COVID-19 pandemic.

⁵ Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands (OJ L 131, 20.05.2016, p. 10.)