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Agreement with Greenland

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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PECHE 136

ADDENDUM TO THE "I/A" ITEM NOTE

from : Working Party on External Fisheries Policy
on : 30 June 2005
to : Permanent Representatives Committee / Council

Subject : Adoption of draft negotiating directives for a Fisheries Partnership Agreement with Greenland

DRAFT NEGOTIATING DIRECTIVES FOR A FISHERIES PARTNERSHIP AGREEMENT WITH GREENLAND

1. The aim of the negotiations is to harmonise the current Fisheries Agreement between the EC and Greenland in line with the model set out for Fisheries Partnership Agreements. Due account will be taken of the Council Conclusions of 24 February 2003 on the Mid term Review of the Fourth Fisheries Protocol between the European Community, the Government of Denmark and the Home Rule Government of Greenland as well as the Council Conclusions of 19 July 2004 on an integrated framework for Fisheries Partnership Agreements with Third countries.

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Considering the European Union overall objective of contributing to sustainable fisheries inside and outside Community waters, the negotiations will have the following specific objectives:

- ensure access by Community fishing vessels to the fisheries resources in Greenland waters and
 - obtain the maximum amount fishing rights for vessels of EC Member States in Greenland waters, in line with the principle of sustainable fisheries and by taking due account of the available scientific advice and the precautionary approach.
 - in particular analyse the possibility of a cod quota taking into account the latest scientific advice, the expected development of the young age-classes of cod and the transfers from Greenland to Norway.
 - maintain the present cod “bank” and obtain a similar mechanism for Greenland halibut in case the situation of the stocks improve.
 - preserve transfers from the Fisheries Agreement with Greenland in order to ensure the proper functioning of the Community’s fisheries agreements with other third countries;
- strengthen co-operation between the European Community and Greenland throughout the fisheries sector and
 - ensure that co-operation between the European Community and Greenland remains close and stable and continues to address the development needs of Greenland.
 - ensure or reinforce administrative, technical and scientific co-operation with Greenland, in particular to monitor the fishing activities;
- ensure the appropriateness of the framework for the establishment of joint ventures in the fisheries sector, as well as to promote the establishment of joint venture and joint enterprises, including action to facilitate investments covering all sectors of the fishing industry;
- facilitate the supply of fishery products to the Community.

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2. The financial contribution to be offered should take account of the Council Conclusions of 19 July 2004 on an integrated framework for Fisheries Partnership Agreements with Third countries, including those on the sharing of costs between the Community and ship-owners, whilst also taking into account the specific conditions of the fisheries in Greenlandic waters. In particular, the financial contribution should be composed of the following elements:

- a financial contribution to be paid by the Community, including an amount to be devoted to the development of the fisheries sector in Greenland, with special attention to, inter alia, the financing of scientific and technical programmes in the fisheries sector, programmes for fisheries control and surveillance, support to the fisheries infrastructure, training programmes, support to traditional and artisanal fisheries. The areas of intervention would be defined with the Greenlandic authorities in the light of their needs and the results of a survey of the Greenlandic fisheries sector to be carried out by the Commission;
- a financial contribution to be paid by ship owners, implemented through the payment of licence fees which are fair, balanced and non-discriminatory.

The level of the financial contribution will be decided by harmonising the value of the fishing possibilities as in other EC agreements with third countries and by taking into account the analysis of the fishing possibilities. This will indicate the value of proposed fisheries rights granted to the EC.

The other component in the evaluation of the financial contribution, i.e. the Community's financial support for introducing responsible fishing and sustainable exploitation of fisheries resources in Greenland waters, will be determined in the light of the objectives identified by common accord between the Parties to be achieved in the context of the sectoral fisheries policy in Greenland and taking into account the evaluation of the current Budgetary Support Programme.

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3. Community ship-owners shall be required to comply with the obligations, *inter alia*, of signing on seamen and observers and of landing the catches.
4. In the negotiation process, due account should be taken of:
 - the provisions of the UN Convention on the Law of the Sea (UNCLOS) of 10 December 1982,
 - the principles of the Agreement of 4 August 1995 for the implementation of the provisions of the UN Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (New York Agreement),
 - the Agreement to promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas,
 - the Code of Conduct for responsible fishing and the International Plan of action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU),
 - the work of competent regional organisations to which the Community is a contracting Party,
 - the expertise and scientific advice of the International Council for the Exploration of the Sea (ICES).
5. The Negotiations will be conducted in accordance with the applicable procedures for Fisheries Negotiations between the Community and Third Countries.

The Commission shall keep the Council informed on the progress of the negotiations.