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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	9 September 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEX to the Recommendation for a COUNCIL DECISION authorising the opening of negotiations on behalf of the European Union for the conclusion of an Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to the waters of Mayotte

Delegations will find attached document COM(2019) 407 final - ANNEX.

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ANNEX

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to the Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on behalf of the European Union for the conclusion of an Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to the waters of Mayotte

ANNEX

Negotiation directives

- The objective of the negotiations is the conclusion of an agreement between the European Union and the Republic of the Seychelles relating to the access for vessels flying the flag of the Republic of Seychelles to waters and marine biological resources of the European Union, namely to waters and marine biological resources of the exclusive economic zone (EEZ) off the coast of Mayotte.
- The agreement for the access to the waters of Mayotte, under EU jurisdiction, by Seychelles' vessels should therefore define the general framework, the general principles and the objectives that will form the basis for the access. It should contain a clause repealing the current access's agreement between the European Union and the Republic of Seychelles¹.
- With a view to ensuring, through this new Agreement, the promotion of sustainable and responsible fishing, the Commission's negotiation objectives shall be based on the following:
 - Ensuring access for vessels flying the flag of Seychelles to waters and marine biological resources of the European Union, namely to waters and marine biological resources of the EEZ off the coast of Mayotte, and the necessary fishing authorisations for vessels flying the flag of the Seychelles to carry out fishing activities in that EEZ;
 - Taking into account the best available scientific advice and relevant management plans adopted by Regional Fisheries Management Organisations (RFMO), in order to ensure the environmental sustainability of fishing activities and to promote ocean governance at the international scale. The fishing activities should be directed exclusively at available resources, taking into account the local fleet's fishing capacity, while paying special attention to the highly migratory nature of the stocks concerned;
 - Ensuring access for vessels flying the flag of Seychelles to marine biological resources based on criteria similar to those which apply to the EU fleet in the Indian Ocean Tuna Commission (IOTC) competence area, and on the evolutions observed during the past few years;
 - Including in the agreement licence fees, to be paid only by the vessel owners. No financial contribution from the Government of the Seychelles should be foreseen;
 - Ensuring that the Protocol will contribute to the promotion of sustainable growth and decent work linked to fishing activities, taking into account relevant conventions of the International Labour Organisation (ILO);
 - Including a clause on the consequences of violations of human rights and democratic principles.

¹ OJ L167 of 6.6.2014, p. 4.

- The Agreement in particular should define:
- The fishing area covered by the Agreement, the limits of which should be stated in an annex to the Agreement;
 - the fishing opportunities, by category, to be granted for to fishing vessels flying the flag of Seychelles; and
 - the fees required to be paid by fishing vessels flying the flag of the Seychelles in order to be authorised to have access the waters and marine biological resources of the Union in the EEZ off the coast of Mayotte and the conditions for such payments.