

PARLIAMENTARY QUESTION

B/1165

The Honourable Third Member for Curepipe and Midlands (Mr Dowarkasing)

To ask Dr. the Honourable Minister of Agro Industry and Fisheries:-

Whether he will state if a new Fisheries Partnership Agreement has been finalized with the European Union and, if not, why not?

Reply

Mr. Speaker Sir,

A new Fisheries Partnership Agreement with the European Union has not been finalized yet.

I wish to inform the House that a Fishing Agreement was first signed in November 1990 between EC and Mauritius. There have, so far, been five protocols under the Agreement and the fifth one lapsed on 2 December 2007.

Upon the request of the EC to conclude a new Fisheries Partnership Agreement (FPA) with Mauritius a first round of negotiations took place between both parties in June 2007 in Brussels. An agreement could not be reached as the EC was proposing a reference tonnage of 3,000 tonnes compared to 6,500 tonnes under the outgoing protocol. However, during discussions the draft Agreement, its Protocol and Annexes [including the Vessel Monitoring System (VMS) Protocol] were thoroughly scrutinized and both sides agreed on the major parts of the instruments. Subsequently, it was agreed by both parties

to have a second round of negotiations in Mauritius in the third quarter of 2007.

However, on 19th October 2007, the EC requested that Mauritius expresses a strong support and a formal and written commitment to the reform of the Indian Ocean Tuna Commission (IOTC) at the FAO meeting of the Informal Group of Legal Experts held in October 2007 in Rome so as to delink the IOTC from FAO. We were advised that such a decision would have wider repercussions, including on the issue of sovereignty.

Mauritius did not consider this as relevant to conclude the FPA. The EC was informed accordingly. They then postponed the second round of negotiations. Government also reiterated its commitment to the reform of IOTC in particular for the fight against IUU fishing which is in the interest of Mauritius to safeguard our fisheries resources in our EEZ.

With a view to clarifying the framework within which a second round of negotiation could take place, representatives of the European Commission came to Mauritius from 07 to 08 November 2007. They presented an Action Plan termed “Actions to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing in Mauritius waters and ports” as a pre-requisite for Mauritius to negotiate the FPA.

During that session the EC delegation informed the Mauritian team that:-

- (i) they maintain their original proposal made in Brussels during the first round of negotiations for a reference tonnage of 3000 tonnes based on reported catches for period of 2004-2007;
- (ii) The duration of the new FPA would be for 6 years;
- (iii) Mauritius should use 100% of the financial contribution to implement the proposed “Action Plan”;
- (iv) Implementation of the proposed “Action Plan” will be subject to scrutiny every three months in 2008 and thereafter on a yearly basis; and
- (v) If the EC is not satisfied with the implementation of the proposed “Action Plan”, it will suspend payment of the financial contribution to Mauritius.

I am informed that such conditions do not apply to the FPA concluded by the EC with other countries, including the neighboring Indian Ocean States.

Mr Speaker, Sir,

The House may wish to note that in the last protocol, the reference tonnage was 6,500 tonnes. Seychelles has now a reference tonnage of 66000 tonnes (increased from 54000 tonnes), Comoros, a reference tonnage of 6000 tonnes (increased from 4670 tonnes) while Madagascar has its reference tonnage unchanged, that is 11000 tonnes. What we cannot understand is that the Commission would like to decrease the reference tonnage for Mauritius while at the same time maintaining its

fishing opportunities in our waters for 41 purse-seiners and 49 long liners.

It was noted that the cost of implementation of the proposed “Action Plan” would be more than Euro 1 million (about Rs 45 million) per year **only** for the aerial patrol and surveillance of our maritime zones whilst the reference tonnage of 3000 tonnes would fetch an annual amount of **only** around Euro 472,000 (about Rs 21 million).

On 12 December 2007, I wrote to Mr. Joe Borg, European Commissioner for Fisheries and Maritime Affairs to reiterate our commitment to conclude a forward-looking and sustainable bilateral Fisheries Partnership Agreement with the European Community that takes fully into account the interests of both sides and respects their sovereign rights.

As negotiations could not be concluded by 2 December 2007, and in order to ensure continuity of fishing operations of EC vessels in our waters, Mauritius proposed to the EC a one-year extension of the Fifth Fisheries Protocol under the existing terms and conditions. The EC did not agree to the request.

Mauritius then proposed to issue private licences directly to the EC fishing vessels to fish in our maritime zones upon application as is presently the practice with other foreign countries pending finalisation of the new Fisheries Partnership Agreement. This was done in view of our very good relations with the EC. Unfortunately, the EC again did not agree to this proposal.

The EC instead informed Mauritius that it has already requested its fleet to leave Mauritian waters as from 3 December 2007. Furthermore, the Commission also issued a formal notification to its fishing fleet operators to the effect that no direct negotiations for private fishing licences between individual ship-owners and the Mauritius authorities are authorized.

On 14 December 2007, Mr. Joe Borg, the European Commissioner for Fisheries and Maritime Affairs confirmed the availability of his services to pursue the negotiation process for a new Fisheries Partnership Agreement that would be in the best interest of both parties.

On 7 January 2008, I replied to a letter from Commissioner Borg to again reiterate our readiness to conclude a new FPA with the EC.

Our Embassy in Brussels had a meeting with the Cabinet of Commissioner Borg on Friday 11 January 2008 to pursue discussions with the EC side on the outstanding issues before formal negotiations could take place on the FPA.

Moreover, an informal meeting was held by our Mission in Brussels with the Director, International Relations and Market Access, Directorate General (Fisheries) of the Commission on 14 May 2008, the following has been outlined:-

- (i) There is a political commitment by Mauritius to conclude a Fisheries Partnership Agreement (FPA) as

soon as possible on both sides. The Commission also confirmed its interest to conclude such an agreement.

- (ii) The Commission will show some flexibility in the negotiation process.
- (iii) The issue of IUU has to be seen in a wider context. As combating IUU fishing has to be regional because of the migratory nature of Tuna and the countries in the South West Indian Ocean nationally do not have the capacity to police alone, their respective EEZ. Therefore, the proposed Protocol and IUU may not be incorporated into the FPA text itself but annexed to it.
- (iv) A technical meeting may be held between the EC and Mauritius during a meeting scheduled for early June 2008 in La Réunion to further discuss the FPA including IUU fishing.

Subsequently on Wednesday 4th June 2008, during a stopover in Mauritius following the meeting in Reunion Island, the representatives of DG Fish Office of the European Commission had an informal technical meeting with representatives of my Ministry to explore avenues for holding of the second Technical Meeting with a view to finalizing outstanding issues prior to concluding the Fisheries Partnership Agreement.

My Ministry then participated in the Second Technical meeting held in Brussels from 4 to 5 August 2008. This meeting focused mainly on cross cutting issues regarding catch data, Vessel Monitoring System (VMS) and IUU fishing in the Mauritius waters. Both sides agreed that there was a need to review

actual catch data for the period 2006 to 2007 in view of concluding the FPA.

Subsequently, the Commission would ensure that the additional supportive information be tabled to support the Mauritian case with EU Member States with the object to eventually finalise and conclude the negotiation with Mauritius for a Fisheries Partnership Agreement to the satisfaction of both parties.

A second round of negotiations is expected to be held by end of this year. The intention on both sides is to conclude the negotiations. The onus now lies on the EC.