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RECOMMENDATION FROM THE COMMISSION TO THE COUNCIL

to authorise the Commission to open negotiations on behalf of the European Union for the renewal of the protocol to the Fisheries Partnership Agreement with the Kingdom of Morocco

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1. EXPLANATORY MEMORANDUM

The European Union and the Kingdom of Morocco have concluded a Fisheries Partnership Agreement and its related protocol, which was adopted on 22 May 2006¹ and entered into force on 28 February 2007. The protocol, which grants fishing opportunities for EU vessels and fixes the financial counterpart, will expire on 27 February 2011.

The application of the current Agreement extends to waters south of 27° 40' N. In line with the specificity of the latter zone under international law and the legal conditions under which the EU has engaged with Morocco in a bilateral agreement including this zone, the Commission asked Morocco on several occasions throughout 2010 to provide an assessment of the benefits of the present Agreement to the local population. Morocco replied to this request on 13 December. While continuing to assess the situation on this basis, it is proposed to renew the current Protocol for one year, so as to allow for time to conclude negotiations on a revised protocol with appropriate guarantees, and for fishing activities to continue in the meantime. The Council is asked to adopt the negotiation guidelines attached to this recommendation.

2. RECOMMENDATION

In light of the above, the Commission recommends that:

- The Council authorises the Commission to open and conduct negotiations for the renewal of the protocol in the framework of the Fisheries Partnership Agreement with the Kingdom of Morocco;
- The renewal is to be limited to one year;
- The Commission is nominated as the Union negotiator for this subject;
- The Commission shall conduct such negotiations in consultation with the special committee pursuant to the provisions laid down in the Treaty on the functioning of the European Union;
- The Council approves the negotiation guidelines attached to this recommendation.

¹ OJ L 141 of 29 May 2006, p. 1

ANNEX

Negotiation guidelines

- The objective of the negotiations is the renewal of the protocol in the framework of the Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, in line with the 15 July 2004 Council conclusions on fisheries partnership agreements based on the Commission's communication of 23 December 2002.
- With a view to ensuring the promotion of sustainable and responsible fisheries, the Commission's negotiation objectives will be as follows:
 - Renewing the current Protocol for one year, necessary for the adoption of a new legal framework of EU-Morocco fisheries relations, subject to the following conditions:
 - An adjustment of fishing opportunities in line with the best available scientific advice;
 - Regular reporting on the implementation of sectoral policy, based on commonly agreed indicators, including the regional impact of the protocol.