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DRAFT OPINION

of the Committee on Development

for the Committee on Fisheries

on the proposal for a Council decision on the conclusion of the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force (COM(2012)0260 – C7-0000/2012 – 2012/0134(NLE))

Rapporteur: Gesine Meissner

PA_Leg_Consent

SHORT JUSTIFICATION

Guinea-Bissau is one of the least developed countries with about two-thirds of households living below the poverty line. The country ranks 176 out of 187 countries worldwide on the Human Development Index 2011. It is also a highly indebted developing country, highly dependent on donor support, which provides around 80% of the national budget.

The country's economy is highly dependent on agriculture, in particular cashew production. Furthermore, Guinea-Bissau is extremely rich in fishery resources. Around 12.000 artisanal fishermen, many of them of foreign origin, operate in the coastal regions; subsistence fishing is carried out by many more, and food dependency on fisheries is high given the lack of alternative sources of animal protein.

A new problem arose in the country about five years ago during the presidency of Joao Bernardo Vieira and has highly increased since the military coup of April 2012: drug trafficking. Guinea-Bissau has become a central trans-shipment point for cocaine from Latin America to be distributed in Africa and Europe.

The political situation in the country is highly unstable. The military coup of 12 April 2012 interrupted the presidential elections which took place because of the death of President Sanha in January 2012. The coup leaders established a 'Transitional National Council' and a 'Transitional Government'. Neither of these institutions has been recognized internationally and both the UN and the EU condemned the coup immediately and demanded the restoration of constitutional order. Additionally, the European Council adopted a set of sanctions against several persons associated with the coup. On 13 June 2012 the European Parliament adopted a resolution on the military coup in Guinea-Bissau condemning the coup in the strongest terms, demanding the conclusion of the electoral process and calling for the strengthening of the EU commitment to building a democratic and stable Guinea-Bissau.

Technical elements of the proposal

The Fisheries Partnership Agreement (FPA) between the European Community and the Republic of Guinea-Bissau dates from 17 March 2008 and has been implemented by successive protocols.

On the basis of a mandate from the Council, the Commission started negotiations with Guinea-Bissau with a view to renewing the Protocol to the FPA between the two parties. At the end of those negotiations, a new Protocol was initialled on 10 February 2012. The new Protocol covers a period of three years from the date of its signature. However, the military coup of 12 April 2012 forced the EU to suspend its cooperation with Guinea-Bissau, including the implementation of the fisheries Protocol.

Fishing opportunities have been reduced compared to the previous Protocol, allegedly due to the under-utilisation of the previous Protocol. The corresponding commercial value has, however, been revised upwards to take account of catch volumes per unit of effort (CPUE) and price developments. The amount for support for the sectoral fisheries policy of Guinea-Bissau remains stable.

Your rapporteur regrets that the new Protocol is less precise compared to the previous Protocol as regards the objectives and performance indicators to be taken into account when assessing the performance of the EU contribution in support of Guinea-Bissau's sectoral fisheries policy. Moreover, there is no longer an obligation for Guinea-Bissau to communicate the allocation of the financial support received. Last but not least, there are no longer provisions on the need for Guinea-Bissau to submit an annual report on the implementation of the measures programmed and financed, the results obtained and any difficulties encountered.

In addition, this Protocol seems less ambitious than the previous one as it aims at the achievement "over time" of the objective of sustainable and responsible fishing. Similarly, Article 12 of the previous Protocol, which provided for the suspension of the application of the Protocol for failure to implement Guinea-Bissau's undertakings on responsible and sustainable fishing, is not reproduced in the current Protocol.

Finally, your rapporteur is concerned about possible under-programming of the amounts intended to finance the sectoral fisheries policy. The Commission should try to avoid this happening by enhanced dialogue with Guinea-Bissau authorities on the programming and implementation of the sectoral policy.

Having said that, your rapporteur welcomes new, more detailed provisions, concerning the role of the Joint Scientific Committee - but regrets the lack of reference to its role as regards exploratory fishing and new fishing opportunities - and on decisions concerning the closure of a fishery to be applied on a non-discriminatory basis to all the vessels concerned by that fishery, thus also including national vessels and those flying the flag of a third country.

Your rapporteur also welcomes the increase in the number of local seamen onboard EU fishing-vessels, who will be guaranteed basic working rights as laid down by the ILO.

The ex-post assessment of the FPA acknowledges that, for the EU, the Agreement has had a modestly positive cost, as the benefit ratio is just 2.2. However, the global financial contributions under this Agreement have provided an annual average of about 7,3% of the State budget of Guinea Bissau, and the sectoral support element has contributed some 88% of budgeted fisheries expenditure, thus making an important contribution to the economic stability of the country. The ex-post assessment also shows notable improvements on agreed strategic objectives such as strengthened fisheries monitoring control and surveillance capacity and sanitary inspection capacity, and there have been positive steps in the drafting of new legislation, fisheries statistics and resource management. In addition, the Agreement is coherent with the EU's national and regional development approaches as it has specific synergies with a number of EDF regional development programmes.

Conclusion

One important aim of the Protocol is to provide fishing opportunities for EU vessels in the waters of Guinea-Bissau within the limits of the available surplus. On the other hand, the FPA is of great importance for Guinea-Bissau from a financial perspective but also with a view to reducing its dependency on cashew production and international aid, and to strengthening the

country's economy whose weakness, compounded to its political instability, enabled narco cartels to become more and more powerful - a development which is greatly destabilising the country.

Although your rapporteur takes the view that it is in the interest of both parties to conclude a new Protocol, she would like to stress that there is no need to speed up the EPs internal procedure. The FPA between the EU and Guinea-Bissau should not be concluded before the reinstatement of the constitutional order and the rule of law, and the conclusion of the electoral process, including free and fair legislative elections.

The Committee on Development calls on the Committee on Fisheries, as the committee responsible, to propose that Parliament consents to the conclusion of the Protocol as soon as it is considered by the EU that the country returns to internationally agreed standards of democracy and human rights.

The Committee on Development considers that the Commission should duly take into account the following points during the implementation of the Agreement:

- (a) the transparency of the procedures for identifying and reporting the total catches should be improved along with the measures to prevent illegal, unreported and unregulated fishing, in particular by improving the infrastructure for the monitoring and control of fishing activities in the Republic of Guinea-Bissau Exclusive Economic Zone, thereby ensuring that fishing is responsible and sustainable;
- (b) access by EU vessels to the surplus of fisheries resources should be limited in accordance with the maximum sustainable yield after the nutrition needs of the local populations have been met;
- (c) the Commission should endeavour to avoid the risk of under-programming of the amounts intended to finance the sectoral fisheries policy by increased dialogue with the Guinea-Bissau authorities on the programming and implementation of the sectoral policy;
- (d) the Joint Committee provided for in the Protocol should ensure that the integrity of the entire mechanism of the Agreement, as regards corruption problems, is beyond doubt;
- (e) a report on the implementation of the Protocol - and in particular of the annual and multiannual guidelines and objectives provided for in Article 3 thereof - should be drawn up and sent to Parliament and to the Council in order to promote transparency and to ensure that the budget envelop supporting the sectoral fisheries policy is in fact used for this purpose.