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NOAM

25 June 1998 A4-0249/98



## REPORT

on the proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 (COM(98)0264 - C4-0344/98 - 98/0144(CNS))

Committee on Fisheries

Rapporteur: Mr Allan Macartney

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By letter of 9 June 1998 the Council consulted Parliament, pursuant to Article 43, in conjunction with Article 228(2) and the first subparagraph of Article 228(3) of the EC Treaty, on the proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001.

At the sitting of 15 June 1998 the President of Parliament announced that he had referred this proposal to the Committee on Fisheries as the committee responsible and the Committee on Budgets and the Committee on Development and Cooperation for their opinions.

At its meeting of 15 April 1998 the Committee on Fisheries had appointed Mr Macartney rapporteur.

The Committee on Fisheries considered the Commission proposal and the draft report at its meetings of 21 April, 25 May and 25 June 1998.

At the last meeting it adopted the draft legislative resolution unanimously.

The following took part in the vote: Fraga Estévez, chairman; Kindermann, vice-chairman; Macartney, vice-chairman and rapporteur; Andrews (for Gallagher pursuant to Rule 138(2)), Chichester (for Provan), Cunha and McCartin (for Varela Suanzes-Carpegna).

The opinions of the Committee on Budgets and the Committee on Development and Cooperation are attached.

The report was tabled on 25 June 1998.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

**A.**  
**LEGISLATIVE PROPOSAL**

**Proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 (COM(98)0264 - C4-0344/98 - 98/0144(CNS))**

The proposal is approved with the following amendments:

Text proposed by the Commission<sup>(1)</sup>

Amendments by Parliament

(Amendment 1)  
Recital 2a (new)

Whereas, in accordance with the Interinstitutional Agreement of 29 October 1993 on budgetary discipline, expenditure relating to this Protocol is also non-compulsory;

(Amendment 2)  
Recital 3a (new)

Whereas the Joint Statement of the three institutions, the European Parliament, the Council and the Commission, on improving the provision of information to the budgetary authority on fisheries agreements, was signed on 12 December 1996<sup>(2)</sup>;

<sup>(2)</sup> OJ C 20, 20.1.1997, p. 109

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<sup>(1)</sup> OJ C

(Amendment 3)  
Recital 3b (new)

Whereas the European Parliament adopted its Resolution on the proposal for a Council Regulation relating to the conclusion of the Protocol establishing the fishing possibilities and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 20 July 1994 to 19 July 1997<sup>(3)</sup>;

<sup>(3)</sup> OJ C 89, 10.4.1995, p. 195

(Amendment 4)  
Recital 3c (new)

Whereas it is important to improve the information supplied to the European Parliament and whereas the Commission should draw up an annual report on the state of implementation of this Agreement

(Amendment 5)  
Article 2a (new)

During the final year of the validity of the Protocol and before the conclusion of any extension agreement the Commission shall report to the Council and the European Parliament on the application and conditions of implementation of the Agreement.

(Amendment 6)  
Article 2b (new)

During the final year of the protocol's validity and before the conclusion of any renewal agreement, the Commission shall present to the Council and the European Parliament a comprehensive report on: the state of fish stocks in particular with regard to small-scale local fishermen, and the utilisation and conditions of implementation of the agreement, with regard to both the fisheries and the scientific aspects, as well as on its impact on vocational training.

## DRAFT LEGISLATIVE RESOLUTION

**Legislative resolution embodying Parliament's opinion on the proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 (COM(98)0264 - C4-0344/98 - 98/0144(CNS))**

**(Consultation procedure)**

The European Parliament,

- having regard to the Commission proposal to the Council, COM(98)0264 - 98/0144(CNS)<sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43, in conjunction with Article 228(2) and the first subparagraph of Article 228(3) of the EC Treaty (C4-0344/98),
  - having regard to Rule 58 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (A4-0249/98),
1. Approves the Commission proposal, subject to Parliament's amendments;
  2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
  3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
  4. Instructs its President to forward this opinion to the Council and Commission.

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<sup>1</sup> OJ C

**B.**  
**EXPLANATORY STATEMENT**

**Introduction**

The first fisheries agreement with the Islamic Federal Republic of the Comoros was signed in 1988 and was extended in 1991 with a further Protocol being concluded for the period from 20 July 1994 to 19 July 1997. The proposed new Protocol was initialled on 27 February 1998 and is to set the technical and financial conditions governing the fishing activities of Community vessels operating in Comoran waters during the period 28 February 1998 to 27 February 2001. Under the draft agreement, provisionally adopted by an exchange of letters between the two parties, the first installment of financial compensation must be paid before 1 September 1998.

**Main substance of the Protocol**

The table below provides an overview of the key data relating to the agreement, which is solely concerned with the exploitation of tuna resources.

<b>Development of the Agreement 1988 -</b>				
<b>2001</b>	1988-91	1991-94	1994-97	1998-2001
- Financial contribution:	ECU 1,400,000	ECU 1,400,000	ECU 1,080,000	ECU 1,080,000
. compensation	ECU 900,000 for 6,000 tonnes p.a.	ECU 900,000 for 6,000 tonnes p.a.	ECU 675,000 for 4,500 tonnes p.a.	ECU 540,000 for 4,500 tonnes p.a.
. scientific and technical programmes and grants	ECU 500,000	ECU 325,000 ECU 175,000	ECU 260,000 ECU 145,000	ECU 540,000
- Number of vessels				
. Tuna seiners	40	42	37	44
. longliners	-	-	-	16
- Fishing fee per tonne	ECU 20	ECU 20	ECU 20	ECU 20
- Lump sum licence fee	ECU 1,000 for 50 tonnes	ECU 1,000 for 50 tonnes	ECU 1,500 for 75 tonnes	ECU 1,750 for tuna seiners ECU 750 for longliners



As may be seen from the above table, the current protocol proposes little change from the situation pertaining during the 1994 -97 period, with the total Community financial contribution remaining unchanged at 1,080,000 Ecus for the same reference tonnage of 45,000t per annum.

However, a limited number of changes have been negotiated in order to better reflect the concerns of both parties and in particular with regard to the composition of the Community fleet and the development of a sustainable fisheries sector in the Comoro islands. The principal changes are as follows:

- (i) The number of vessels authorised to fish in Comoran waters has been increased by 23, which includes 16 surface longliners, added at the request of the Member States concerned. This figure reflects the fact that, while under the previous Protocol the uptake of licences rose to 95%, the total average annual catch was only 3,000t, compared to a reference tonnage of 4,500t. It is thus intended that the actual catch for the 1998-2001 period will come closer to the reference quantity.

The breakdown for the allocation of fishing opportunities is foreseen as follows:

- Tuna seiners: Spain: 22 vessels
- France: 21 vessels
- Italy: 1 vessel
- Surface longliners Spain: 13 vessels
- Portugal: 3 vessels

- (ii) Although the total financial contribution has remained unchanged, its distribution has been altered so that 50% will now be channelled specifically into the fisheries sector. Financial compensation of 540,000 Ecus will continue to be paid into the Public Treasury for the discretionary use of the Comoros government. However, an additional 540,000 will be distributed as follows:

- 250,000 Ecus: financing of scientific and technical programmes
- 70,000 Ecus: support for fisheries surveillance
- 50,000 Ecus: interinstitutional support for the Ministry of Fisheries
- 60,000 Ecus: study grants and practical training courses
- 70,000 Ecus Comoros contribution to international fisheries organisations
- 40,000 Ecus Comoros participation in international meetings

The aim of the changed distribution is to promote the development of a sustainable fisheries sector in the Comoros.

- (iii) The advance payable by Community ship owners for fishing licences has in the case of tuna seiners been increased from 1500 to 1750 Ecus.

### General Remarks

A long running and widely supported criticism of fisheries agreements, including this one, is the idea that they are essentially commercial rather than development orientated. With regard to the substance of the new Protocol, little specific comment is required save to welcome the increased expenditure on the development of the islands fisheries sector, which can only be of benefit to the economy of one of the world's poorest nations. Nevertheless, it is to be regretted that this agreement still does not include provisions enabling joint ventures to be set up in the area of local processing, production marketing and shipbuilding. This was a point raised in Parliament's opinion on the previous protocol with the Comoros for the period 20 July 1994 to 19 July 1997<sup>(1)</sup>, yet one which has, to date, failed to elicit any response from the Commission.

In respect of the procedure under which the European Parliament has been consulted, it is clear also that the criticisms contained in the earlier report remain largely valid and unanswered.

While it must be recognised that inter-institutional communication has improved since the conclusion of the previous Protocol, due to the inter-institutional agreement on improving the provision of information to the budgetary authority on fisheries agreements, signed on 12 December 1996<sup>(2)</sup>, the situation remains far from satisfactory.

The fact that the Commission immediately transmits the negotiated text of a Protocol, once agreed upon, albeit in one language only, does facilitate Parliament's work. However, although this is of practical value, Parliament cannot formally begin to deal with the matter until the financial statement and all language versions of the documents have been officially forwarded by the Council. Given the pressures on parliamentary time and the limited availability of slots in plenary, Parliament is severely tested in order to give its opinion before the date for which the initial payment arising out of the agreement is scheduled. This is far from being ideal since the rapporteur should be given sufficient time to contact affected parties (including of course the Comoran government in this case) to ascertain their views on the development of the fisheries agreements.

In the previous report, the European Parliament considered it imperative that the Council and Commission take the necessary measures to improve information flow in order that:

- the evaluation reports called for by the European Parliament be submitted before the start of negotiations on a new agreement;
- the European Parliament might be involved in the discussions concerning negotiations by establishing a procedure for notifying it on the negotiating brief;
- the European Parliament's opinion be requested before the Council takes a decision on the conclusion of an agreement in the form of an exchange of letters on provisional application of a protocol and, in principle, also before the expiry of an agreement in force.

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(1) OJ C 89, 10.4.1995, p.195

(2) OJ C 20, 20.1.1997, p.109

These calls have been ignored by the Commission and the Council. In particular, there can be no excuse for the Commission's failure to supply Parliament and the Council with a report on

the application and conditions of implementation of the Protocol and a comprehensive statement on the utilisation of payments. For these reasons, your rapporteur, while recognising the improvements provided for in the inter-institutional agreement, is recommending the retabling of the key amendments contained in Parliament's previous opinion.

### **Conclusion**

In the light of the above considerations, the rapporteur urges that approval be given to the proposal for a Council Regulation (EC) on the conclusion of the Protocol establishing the fishing possibilities and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period 28 February 1998 to 27 February 2001, subject to the amendments set out above.

3 June 1998

**OPINION**  
(Rule 147)

for the Committee on Fisheries

on the proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 (COM(98)0264 - C4-0344/98 - 98/0144(CNS)) (report by Mr Macartney)

Committee on Budgets

Draftswoman: Mrs. Karin Jöns

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**PROCEDURE**

At its meeting of 18 May 1998, the Committee on Budgets appointed Mrs. Karin Jöns draftswoman.

It considered the draft opinion at its meeting of 3 June 1998.

At this meeting it adopted the following conclusions unanimously.

The following took part in the vote: Tillich, acting chairmen; Jöns (for Samland), draftswoman; Böge, Bourlanges, Christodoulou (for Bardong), Dankert, Dührkop Dührkop, Fabra Vallés, Fabre-Aubrespy, Kellett-Bowman (for Elles), Seppänen and Wynn.

**1. THE COMMISSION PROPOSAL AND ITS ANTECEDENTS**

**The Procedure**

- 1.1 **On the 27 February 1998** a new protocol defining the fishing opportunities and the financial compensation for the period from 28 February 1998 till 27 February 2001 (3 years) was initialled following negotiations between the Government of the Islamic Federal Republic of the Comoros and the Commission.
- 1.2 **On the 30 March 1998**, DG XIV of the Commission informed the secretariat of the Fisheries Committee about the new protocol as initialled. Attached to this document was the agreement in the form of an exchange of letters **where the Commission was giving its agreement on behalf of the EU to proceed to the provisional implementation of this protocol by paying about 1/3 of the total financial compensation before the 1st September 1998** (ECU 0.45m- 1st instalment). Attached to these documents was also the Draft Financial Statement as proposed by DG XIV.

- 1.3. The draftsman never received directly from DG XIX any element regarding the draft financial statement or the Commission proposal.
- 1.4. The Commission has adopted its proposals on 6.05.1998, which include the final version of the financial statement.
- 1.5. The Council has not yet consulted the EP officially on the proposal for a Regulation.
- 1.6. The Committee on Fisheries envisages to adopt its draft report on 24 June, in order to facilitate the adoption of the EP opinion (July plenary session) before the date for the first installment (1st September). Timetables have been envisaged on the basis of the "code of conduct" adopted at the end of '96 on International Fisheries agreements (n° 3, 2nd paragraph) where the **three institutions** undertake, as part of the legislative process, to make every effort to ensure that all procedures are carried out as soon as possible. In spite of the lack of European Parliament official consultation the draftsman has prepared a draft opinion to be provisionally submitted to vote, while waiting for the Commission proposal for a Regulation to be duly made available (COM(1998)264 final).

#### **The results of the budgetary conciliation (24th July 1997)**

- 1.7. During the last budgetary conciliation the Council accepted, within the "ad hoc procedure for fisheries agreements", the reduction of 1998 PDB of ECU 5m in c.a. proposed by the European Parliament. This reduction reflected the fact that the Council agreed with the European Parliament that there were no reasons to enter in the budget appropriations as a "safety net". The total amount entered for item B7-8000 by the Council in c.a. and p.a. was decided on the basis of the Commission commitment not to make any payments before the European Parliament opinion was adopted. This can also be viewed as an important step in the cooperation between the two arms of the budgetary authority in ensuring a correct and sound management of item B7-8000.

#### **The Significance of the Council's and Commission's Acts**

- 1.8. The following points arise from this procedure:
  - the EP consultation on the modification of this fishing protocol has not yet occurred about two months and a half after negotiations with the third country were concluded; such a fact is apparently due to the fact that the Commission held back this proposal.
  - the Commission had the intention to proceed to the provisional implementation almost six months after the conclusion of negotiations of the protocol (1st September 98). The Commission introduced in the agreement, in the form of an exchange of letters, a paragraph where it confirms the EU agreement with the provisional implementation of this protocol, without having previously consulted the EP on it. That is why a decision with financial implications could be taken by the Council and implemented by the Commission without hearing the opinion of the other branch of the budgetary authority and without having a sufficient legal base from the Treaty. Furthermore, the Commission held back the proposal for a Regulation at least two months and a half after negotiations were closed;

- if the payment of the financial contribution would be made before the EP adopts its opinion on the Regulation, this means that the Commission considers the Council decision a sufficient legal base by which to pay the EU financial contribution.
- 1.9 The Committee on Budgets and the EP have protested several times against this kind of Council and Commission behaviour. It is unacceptable that the Council systematically decides upon the provisional application of these protocols without EP consultation, and that the Commission committed itself to pay part of the financial compensation to the third country independently of the adoption of the EP opinion. After the adoption of the "code of conduct" such a behaviour assumes special meaning. However, the commitment taken by the Commission during the trialogue of 26 of June 1997 and confirmed on last 24 July 1997 budgetary conciliation for not paying any contribution before the European Parliament opinion is adopted, is an important step in the solution of this problem.
- 1.10 At the beginning of this year the Committee on Budgets decided upon the general strategy to be followed on the consultations on this sector (see Working Document of 15 January - PE 224.559 and PE 224.559/Ann.). The Committee on Budgets has clearly supported your draftsman's proposal and the EP December 1996 resolution, according to which the correct implementation of the code of conduct by the Council and the Commission should also mean that provisional implementation of agreements should no longer be necessary. It also supported the draftsman's other proposals regarding EP information, classification of expenditure and implementation of the "code of conduct".
- 1.11 Accordingly, the Commission should, following the letter and the spirit of the "code of conduct", ensure that the deadline for the first payment is long enough after negotiations are concluded to permit the conclusions of the legislative procedures. Such a deadline has to take into account the time needed for the administrative procedures to be completed (i.e., translation, editing), for the Council to consult the EP, and for the latter to adopt its opinion. Whenever the Commission is not able to implement this approach, the Council should ensure EP consultation at least three/four months before the deadline for the first payment, thus respecting the letter and the spirit of the code of conduct; whenever the Commission holds back the proposal for the regulation on the fishing protocol for more than one or two months after negotiations are closed, it will also be necessary to avoid any payment while allowing the other institutions the normal deadline for examining and voting on the proposals.
- 1.12 At the request of the Committee on Budgets for an examination of the provisional implementation on the Mauritania agreement, the Committee on Legal Affairs has confirmed its interests on the subject of the provisional implementation and on "implications qui en découlent, en particulier lorsque le PE est consulté sur la base de la procédure d'avis conforme. Ce dernier est, en effet, préjugé si l'accord est appliqué - même provisoirement - avant que le PE ne soit prononcé".
- 1.13 The correct application of the treaty and of the code of conduct means that the **normal** EP consultation procedure should take place in due time and the Council should avoid the systematic utilization of atypical procedures such as the provisional application of international protocols. The third country, being aware of the fact that no payment

could be made before the EP consultation procedure is concluded (which always takes about three to four months), should be interested in not delaying negotiations unnecessarily. The Commission commitment cited above not to make any payment before adoption of EP opinion (point 1.7) is a good first step to avoid such a situation, mainly when the Commission holds back the proposal for a Regulation for such a long time.

## 2. THE CONTENTS OF THE PROTOCOL AND ITS FINANCIAL IMPLICATIONS

2.1 On the basis of the draft texts available, the draftsman is in a position to confirm that:

- The cost of this protocol is estimated up to a total amount of ECU 1.08m (ECU 0.54m to be paid in three annual instalments of ECU 0.18m as financial compensation, and ECU 0.54m for scientific and technical programmes (ECU 0.25m), training (ECU 0.06m), support to the national public Administration (ECU 0.05m), maritime surveillance (ECU 0.07m), contribution to international fisheries organisations (ECU 0.07m) and participation in international meetings (ECU 0.04m));

The budgetary impact of this Protocol is estimated as follows:

<i>(ECU million (current))</i>	1998	1999	2000	TOTAL
Commitments appropriations	0.72	0.18	0.18	1.08
Payment appropriations				
1998	0.45			0.45
1999		0.315		0.315
2000			0.315	0.315
TOTAL	0.45	0.315	0.315	1.08

- The annual financial compensation of ECU 0.18m can be increased where there is an increase in the fishing possibilities (+ 50 ECU/ton);
- According to the agreement in the form of an exchange of letters signed by the Commission, without consulting the EP, the EU agrees with the provisional implementation of this protocol, the first instalment expected to be paid before 1st September 1998 (ECU 0.18m);
- The former protocol in force for the period of 20.7.1994 till 19.07.1997 (three years), envisaged the payment from the EU of a total financial compensation of ECU 1.08m.

## 3. AMENDMENTS TO BE TABLED

- 3.1 In its meeting of 3 February 1998, the Committee on Budgets supported the draftsman's proposal for the strategy to follow in 1998 on this sector.
- 3.2 Therefore the amendments linked to the need to avoid any provisional implementation before EP consultation (amendments no 2 and 3) are still relevant, to cover cases where the Commission and the Council seem to insist on provisional implementation of International Fishery agreements without previous EP consultation. In this case it seems necessary to maintain the principle that before negotiations are started the EP, on the basis of the general assessment report made by the Commission on the previous agreement, gives its opinion on all the relevant aspects, including on the financial and budgetary ones. The text of such amendments could however be adjusted in accordance with the practice of the Committee on Fisheries.
- 3.3 Regarding the usual amendment on classification of expenditure, the draftsman proposes that the Committee on Budgets follows on this procedure the general strategic principles adopted at the beginning of this year, insisting therefore on the classification of the expenditure related to this protocol as also non compulsory (amendment no.1). The draftsman hopes that the existing tension on this matter between the European Parliament and the Council will be solved with the revision of the interinstitutional agreement on budgetary discipline.
- 3.4 These amendments are tabled once the Commission has committed itself not to pay any instalment before the European Parliament adopts its opinion.

#### **4. CONCLUSIONS**

The Committee on Budgets:

- 4.1 Notes that the adoption of the common declaration establishing the "code of conduct" has improved EP information in the decision-making process of this agreement.
- 4.2 Protests against the fact that the Council and the Commission have, once again, followed the procedure allowing the adoption of a decision concerning the provisional application of the Protocol and bearing financial and budgetary implications, without consulting the EP beforehand; such a procedure has a special significance given that the Commission has not yet adopted the proposal for a Council regulation adopting this protocol after two and a half months since negotiations were closed.
- 4.3 Once again, invites the Commission to start negotiations on the renewal of financial protocols on fisheries long before they are due to expire, and to close them in due time to allow the appropriate consultation of the EP; requests the Commission while negotiating not to confirm the EU agreement to a provisional application of any agreement/protocol; notes that a first step was already made on this sense, as the Commission has accepted not to make any payment before EP opinion is adopted.
- 4.4 Reminds the Commission that the Parliament will adopt its reports on the renewal of fishing protocols after the corresponding final proposal for a Council regulation is duly received by the different committees of the European Parliament; notes that the adoption of the opinion of the Committee on Budgets will only be possible once the



proposal for a Regulation adopted by the Commission with the corresponding final financial statement is made available, in good time before the vote in the responsible committee.

- 4.5 Requests therefore that the Committee on Fisheries adopt the following three amendments to the draft regulation:

(Amendment 1)  
2nd Recital (a) new

Whereas, in accordance with the Interinstitutional Agreement of 29 October 1993 on budgetary discipline, expenditure relating to this Protocol is also non-compulsory;

(Amendment 2)  
Article 2a (1) new

1. In the course of the last year of the Protocol's application, and before the start of negotiations on its possible renewal, the Commission shall submit to the Council and European Parliament a general assessment report.

(Amendment 3)  
Article 2a (2) new

2. The Council shall, on the basis of that report and taking account of the European Parliament's opinion thereon, authorize the Commission, where appropriate, to start negotiations with a view to the adoption of a new Protocol.

## **OPINION**

(Rule 147)

for the Committee on Fisheries

on the proposal for a Council regulation (EC) on the conclusion of the Protocol defining, for the period 28 February 1998 to 27 February 2001, the fishing opportunities and the financial contribution provided for in the Agreement between the European Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros (COM(98)0264 - C4-0344/98 - 98/0144(CNS)) (report by Mr Macartney)

Committee on Development and Cooperation

Letter from the chairman of the committee to Mrs Carmen Fraga Estévez, chairman of the Committee on Fisheries

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Brussels, 23 June 1998

Dear Mrs Fraga Estévez,

At its meeting of 23 June 1998 the Committee on Development and Cooperation considered the above proposal and adopted the following opinion in letter form.

The Committee on Development and Cooperation, referring to its past reports and opinions on other fisheries agreements concluded with various ACP countries, to Parliament and Joint Assembly resolutions on fisheries agreements and ACP-EU cooperation in this area<sup>(i)</sup>, and also to the Development Council resolution (Luxembourg, 5 June 1997) on the consistency of Community development cooperation policy with other policies, in particular fisheries policy, wishes to emphasize once again the need for a more ambitious development component to be incorporated into the fisheries agreements concluded with the ACP countries, so as to ensure that they are of mutual benefit to the countries concerned and to the EU countries.

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(i) See in particular: Guerneur report (A2-204/86, OJ C 76, 23.2.1987); Crampton report (A4-0149/97, OJ C 358, 24.11.1997); Joint Assembly resolution on fisheries in the context of ACP-EEC cooperation (OJ C 14, 17.1.1994); Joint Assembly resolution on ACP-EU cooperation in the fisheries sector beyond the year 2000 (ACP-EU/2187/97, OJ C 96, 30.03.1998).

### **The new fisheries protocol with the Comoros**

The new protocol, which is valid for a three-year period, is concerned exclusively with tuna fishing and does not differ greatly from the previous protocol (1994-97). The total financial contribution remains unchanged at ECU 1 080 000 for the same reference tonnage, i.e. 4 500 tonnes per year.

The number of vessels has increased by 23 and the new protocol provides for 16 surface longliners. The licence fee continues to be ECU 20, whilst the advance payment per year for each tuna seiner goes up to ECU 1750 (ECU 1500 under the previous protocol).

The ten-mile exclusion zone remains in force, so as not to affect small-scale fishing. However, as it has pointed out on previous occasions, the Committee on Development believes that twelve miles should be the standard size for exclusion zones, provided that this is technically possible.

The main change in the new protocol concerns the distribution of the financial contribution, 50% of which (i.e. ECU 540 000 as compared with ECU 405 000 under the previous protocol) will be specifically allocated to the development of the fisheries sector: ECU 250 000 to fund scientific and technical programmes, ECU 70 000 for support for the structures responsible for fisheries surveillance, ECU 50 000 for institutional support for the structure of the Fisheries Ministry, ECU 60 000 for the financing of study grants, practical training courses or seminars, ECU 70 000 for the Comoros' contribution to the international fisheries organizations, and ECU 40 000 for the expenses of Comorian delegates participating in international meetings concerning fisheries. This provision, which is becoming a standard feature of the new protocols contained in fisheries agreements between the Community and the ACP countries (e.g. Senegal and Madagascar) represents a step towards the desired consistency between fisheries policy and development activities.

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The Committee on Development and Cooperation, taking into account the above considerations and drawing attention to the lack of a Commission report analysing the results of the previous fisheries protocol with the Comoros,

1. Welcomes the fact that, under the new Protocol with the Comoros, 50% of the total financial compensation is intended for development of the Comorian fisheries sector. As has been pointed out on other occasions, local fishing is an effective means of sustainable social and economic development;
2. Also welcomes the inclusion of funding for support for the structures responsible for fisheries surveillance, which will contribute towards the management and the sustainable exploitation of resources;
3. Regrets the fact that the new protocol does not cover regional aspects relating to, inter alia, research, regional management and exploitation of resources, the financing of regional fisheries training centres, the exchange of information, monitoring and surveillance, etc., and calls on the Commission to consider the possibility of concluding regional fisheries agreements with countries in this area;

4. Calls on the Commission to draw up assessment studies of the new agreement, taking into account consistency considerations relating to the various activities carried out under EU policy;
5. Calls on the Commission to ensure that each and every contractual clause of the agreement is observed by vessels flying a Community flag;
6. Calls for the relevant Parliament committee to be informed of the progress of the negotiations, so that it can make its views known to the Commission;

Calls on the Committee on Fisheries:

- . to take this opinion by the Committee on Development and Cooperation into account when drawing up its report;
- . to approve the proposal.

Yours sincerely,

(sgd) Michel Rocard

The following were present for the vote: Rocard, chairman; Wurtz, vice-chairman; Fassa, vice-chairman; Corrie, Cunningham, Delcroix (for Carlotti), Girão Pereira (for Aldo), Günther, Howitt (for McGowan), Kinnoek, Liese, Maij-Weggen (for Fernández Martín), Martens, Nordmann, Lord Plumb, Pomes Ruiz, Redondo (for Lehideux), Salafranca (for Baldini), Telkämper and Thomas (for Vecchi).