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REPORT

on the proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004
(COM(2001) 470 – C5-0479/2001– 2001/0203(CNS))

Committee on Fisheries

Rapporteur: Carlos Lage

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 5 October 2001 the Council consulted Parliament, pursuant to Article 37 in conjunction with Article 300 paragraph 2 and 3, alinea 1 of the EC Treaty, on the proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004 (COM(2001) 470 - 2001/0203 (CNS)).

At the sitting of 22 October 2001 the President of Parliament announced that she 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 (C5-0479/2001).

The Committee on Fisheries had appointed Carlos Lage rapporteur at its meeting of 11 September 2001.

The committee considered the Commission proposal and draft report at its meetings of 12 September, 9 October and 20 November 2001.

At the last meeting it adopted the draft legislative resolution by 10 votes to 1, with 1 abstention and decided to apply the procedure without debate under Rule 114(1).

The following were present for the vote: Daniel Varela Suanzes-Carpegna, chairman; Rosa Miguélez Ramos and Hugues Martin, vice-chairmen; Carlos Lage, rapporteur; Elspeth Attwooll, Arlindo Cunha, Carmen Fraga Estévez, Ian Stewart Hudghton, Heinz Kindermann, Brigitte Langenhagen, Giorgio Lisi (for James Nicholson), Patricia McKenna, Camilo Nogueira Román, Struan Stevenson (for Antonio Tajani), Ilda Figueiredo (for Salvador Jové Peres pursuant to Rule 153(2)) and Margie Sudre.

The opinions of the Committee on Budgets and the Committee on Development and Cooperation are attached. The report was tabled on 20 November 2001

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

LEGISLATIVE PROPOSAL

Proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004 (COM(2001) 470 – C5-0479/2001 – 2001/0203(CNS))

The proposal is amended as follows:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1
Recital 2a (new)

Whereas it is important to improve the information supplied to the European Parliament and whereas the Commission should draw up a yearly report on the state of implementation of the Agreement;

Justification

Although the Commission has recently begun to draw evaluation reports on the implementation of fisheries agreements the European Parliament would like to receive more frequent debriefings in order to be able to closely follow the application of the protocol in question.

Amendment 2
Article 2a (new)

During the final year of the Protocol's validity and before any agreement on the renewal thereof is concluded, the Commission shall submit to Parliament and the Council a report on the application of the Agreement and the conditions under which it was implemented. This report also includes a

¹ OJ not yet published.

cost benefit analysis.

Justification

The Commission recently started to present evaluation reports to the Parliament. These reports contain valuable information but unfortunately do not include a cost-benefit analysis. In order to get a complete picture of the implementation of protocols this kind of information is absolutely necessary.

Amendment 3
Article 2b (new)

On the basis of such a report and following consultation of the European Parliament the Council shall grant, where appropriate, the Commission a negotiating mandate with a view to the adoption of a new protocol.

Justification

Only on the basis of the evaluation report on the implementation of the fisheries agreement the European Parliament and the Council are able to carry out their respective duties.

Amendment 4
Article 2c (new)

The Commission shall forward to the Council and the Parliament a copy of the report on the targeted measures which the authorities of Cape Verde will provide on the basis of article 3 of the protocol.

Justification

Targeted measures are becoming increasingly important from both the financial and social point of view. Therefore the information as laid down in the Protocol and given to the Commission should be forwarded to the Parliament and the Council.

Amendment 5 Article 2a (new)

The Member States whose vessels are fishing under this Protocol are obliged to notify the Commission of the quantities of each stock taken in the Cap Verde fishing zone in accordance with the arrangements laid down in Commission Regulation (EC) No 500/2001 of 14 March 2001¹.

Justification

The Commission Regulation (EC) No 500/2001 states that the Member States are obliged to notify the Commission of the quantities of the catches taken in the fishing zone of third countries in the framework of EU fisheries agreements. The introduction of a new article - as the Commission included already in its proposal for the conclusion of a fisheries protocol with Madagascar² - can help to achieve a more realistic picture of the actual catches of the EU shipping fleet. It could be useful in both directions, to identify more exactly the under-utilisation of fishing opportunities, and to discover if catches are not declared properly.

¹ OJ L 73, 15.3.2001, p. 8.

² COM(2001) 409 final

Amendment 6
Article 2b (2) (new)

2. The Commission shall take that report into consideration in the negotiations with the Government of Cape Verde and take into account the European Parliament's opinion on the extension of the Protocol.

Justification

The Committee on Budgets demands that the general assessment report and the position of Parliament on the current extension of the 1997-2001 Protocol be taken into account in the negotiation with the third country. This position is in line with the conclusion N° D of the Working Document on European Community Fisheries Agreements (PE 289.538) approved by the Committee on Budgets on 23 May 2000. It is also in line with the position taken by the Parliament on other fisheries agreements.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004 (COM(2001) 470 – C5-0479/2001–2001/0203(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2001) 470¹),
 - having been consulted by the Council pursuant to Article 37 in conjunction with Article 300 paragraph 2 and 3, alinea 1 of the EC Treaty (C5-0479/2001),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinions of the Committee on Budget and the Committee on Development and Cooperation (A5-0402/2001),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Calls for the conciliation procedure to be initiated should the Council intend to depart from the text approved by Parliament;
 5. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

¹ OJ not yet published.

EXPLANATORY STATEMENT

INTRODUCTION

The current fisheries agreement between the European Union and the Government of the Republic of Cape Verde was concluded in 1991 for an initial period of three years and thereupon renewed with 3-year periods by means of successive protocols. Both contracting parties initialled a new three-year protocol on 7 June 2001. The previous protocol expired on 5 September 2000 and was replaced by a new protocol running from 1 July 2001 to 30 June 2004.

Mainly due to upcoming elections in Cape Verde negotiations on the renewal of the fishing agreement were interrupted. As a result fishing activities by EU vessels in the waters of Cape Verde were suspended when the previous protocol expired.

In order to resume fishing activities without any further delay, the government of the Republic of Cape Verde and the European Union decided to allow the resumption of fisheries on a provisional basis until the legal provisions required by the contracting parties for the validity of this international agreement are adopted.

Provisional application is subject to payment of the first instalment of financial compensation on a bank account of the public treasury (400 000 €) before 31 January 2002 for the first year and before 30 June 2003 for the following years. The amounts for targeted measures (280 000 € per year) are transferred to the bank account of the responsible ministry before 30 June 2002.

CONTENTS OF THE PROTOCOL

Fishing possibilities and financial cost

The following table shows the content of the successive protocols concluded with the Republic of Cape Verde.

	6/9/91 - 5/9/94	6/9/94 - 5/9/97	6/9/97 - 5/9/2000	1/7/2001 - 30/6/2004
FISHING POSSIBILITIES				
Freezer tuna seiners	21 vessels	23 vessels	37 vessels	37 vessels
Pole-and-line tuna vessels and surface longliners	24 vessels	17 vessels	10 vessels 26 vessels	18 vessels 62 vessels
Bottom longliners	2 vessels of less than 210 GRT	3 vessels of less than 210 GRT	3 vessels of less than 210 GRT	630 GRT/month max. of 4 vessels
Experimental cephalopod fishing	2 vessels			
Financial compensation	ECU 1 950 000	ECU 1 063 500 (= 4850 tonnes/tuna)	ECU 1 086 000 (= 5000 tonnes/tuna)	1 200 000 €/3 years (7000 tonnes tuna/year)
Funding for scientific and technical programmes	ECU 500 000	ECU 261 900	ECU 267 440	840 000 €/3 years (total of targeted measures)
Funding for study grants	ECU 160 000	ECU 174 600	ECU 178 300	

Fishing opportunities set out in the Protocol shall be allocated among Spain, France and Portugal.

The fishing possibilities in the new protocol show a considerable increase compared to those in the former protocol not only in the number of ships allowed to fish but also in terms of allowable catches of tuna that go up from 5000 tonnes in the previous protocol to currently 7000 tonnes per year, representing an increase of 40%. If the annual amount of tuna caught exceeds this quantity, the compensation will be increased proportionally.

With regard to licences for tuna vessels, there is -with the exception of tuna freezer seiners- an increase in all sectors, from 10 to 18 the number of pole-and-line vessels and from 26 to 62 the number of surface longliners. Concerning the bottom longliner the Cape Verdean authorities allow a monthly average of 630 GRT with a maximum of 4 vessels simultaneously fishing.

The total cost of the fishing agreement with Cape Verde is 2 040 000 €, representing an increase of 33% compared financial contribution (1 531 740 €) in the previous protocol, broken down as follows:

Financial compensation:	€ 1 200 000
Scientific and technical programmes:	€ 840 000

Taking into account inflationary effects, price increases and the increased number of fishing possibilities (the number of pole-and-line vessels and surface longliners more than doubled while tonnage tuna allowed to catch goes up with 40%) this price rise seems acceptable for the Community.

Fees applicable to fishing vessels

Provisions applicable to tuna seiners and surface longliners

The fee is 25 € (before 20 ECU) per tonne caught in the Cape Verde fishing zone.

Licences are to be issued after payment of a lump sum of 2 850 € (used to be 1 800 €) per year for each tuna seiner, 400 € (used to be 300 €) per year for each pole-and-line tuna vessel and 2 100 € (1 000 € in the former protocol) for each surface longliner.

Provisions applicable to other vessels

For bottom longliners there is a fee of 168 € per GRT (formerly 130 €) for annual licences, although they can be requested for shorter periods, with a proportionate reduction in the amount.

The obligation to land catches

During the negotiations for the renewal of the protocol, the issue of landing catches in Cape Verdean ports has been a serious point of discussion on which for some time no agreement could be reached for some time. Together with upcoming elections this was a reason why no new protocol could be concluded and the fisheries agreement was suspended for almost one year. In the new protocol it is stated that the tuna fishing vessels will make an effort to provide the Cape Verdean canning industry with the necessary raw material on the basis of international market prices. This provision is similar to the one which was part of the former protocol. Furthermore, the fleet of the surface longliners commits itself to land in one of the country's ports at least 5% of the catches made in the EEZ of Cape Verde. This figure could go up when the processing industry further develops and e.g. EU hygiene standards are met. In the package of targeted measures 180 000 € has been reserved for the improvement of the quality control of fisheries products and fisheries surveillance.

EVALUATION

The rapporteur congratulates the Commission with presenting evaluation reports in the last year of the application of the protocol, as was one of the Parliament's demands formulated repeatedly in amendments to fisheries agreements. Unfortunately in these assessment reports no cost-benefit analysis has been included. In the evaluation paper concerning the fisheries agreement with Cape Verde particularly the information given on the level of exploitation of the fish resources (taken from studies of the Instituto Nacional de Desenvolvimento das Pescas do Cap Vert (INDP)) is valuable because it provides a scientific basis to determine responsible fishing efforts. Unfortunately in other areas, such as the situation of the resources, scientific research and surveillance, essential information is missing in the assessment paper. Concerning the state of the stocks, pirate fishing around the many Cape Verdean islands constitutes a major problem. As mentioned above the modest sum of 180 000 € has been made available to step up inspection measures e.g. for the introduction of the satellite vessel monitoring for all the legally fishing vessels in the EEZ of Cape Verde.

The utilisation of the available fishing possibilities has been very good for the surface longliners (100% of licences issued), the pole-and-line vessels (97%) and the seiners (81%) though weak for the bottom longliners. Catches have been reported to be 1571 tonnes in 1997, 1305 tonnes in 1998 and were expected to be 2200 tonnes in 1999. The reference tonnage was 5000 tonnes/year.

COMMENTS ON THE COMMISSION PROPOSAL

The rapporteur strongly regrets it that the Commission has not been able to reach agreement with the government of Cape Verde earlier. The suspension of the last protocol in September 2000 has led to much economic and social discomfort. This been said the rapporteur welcomes the new agreement which offers a substantial increase in fishing opportunities for Community vessels e.g. by raising the number of surface longliners from 26 to 62 and the number of pole and line vessels from 10 to 18. These results may offer some relief to the Community fishermen which have been hit by the failure to reach a fisheries agreement with Morocco.

The renewal of the fisheries agreement between the EU and the Republic of Cape Verde for another period of three years is in the mutual interest, meeting the wishes of the Cape Verdeans and the needs of segments of the Community fleet, mainly the ones that target highly migratory species. The fact that the agreement has a particular impact on tuna-fishing makes it easy to understand that the number of licences is to be increased, justified by the need for vessels to follow the concentration and movements of fish stocks which often oblige them to enter and leave Cape Verdean waters.

The rapporteur welcomes the increase of the targeted measures into the protocol which has gone up to 41 % (formerly 29%) of the total financial contribution. It is however regrettable that the Commission has not observed the demands of the Parliament, as expressed in an amendment to the previous protocol, to inform the Parliament on the results of the projects set up in the framework of these targeted measures.

According to the scientific data in the evaluation document the current catches are well below critical borders although thorough examination is not possible since the paragraphs in the assessment paper on the state of the resources remain empty. This is regrettable because in the previous protocol provisions (for example in the field of computerisation and the compiling and scientific processing of data giving more precise information about local fish resources) were included to set up scientific research with the explicit objective to monitor the state of the stocks.

In the previous as well as in the current Protocol a provision referred to the need for Community tuna vessels to endeavour to 'contribute towards supplying the Cape Verde tuna canning factories'. For the first time an amount of obligatory landing has been fixed in the protocol. When, with the financial aid of the Community, the local processing industry further develops this figure is expected to go up automatically on the assumption that it is profitable for Community fishermen to land in Cape Verdean ports instead of e.g. Dakar in the Senegal. Both parties also have been able to agree on a distinction of fishing zones for Community vessels on the one hand and local fishermen on the other. This is a major step forward since it allows both parties to fish unhampered.

The Cape Verdean authorities are increasingly concerned to improve the systems for accurately checking and monitoring the various fleets and vessels operating in local waters, in

particular by installing automated systems using satellites. This is also a general concern of the European Parliament which, in various ways and on many occasions, has pointed out the urgent need for research and investments in this field. Your rapporteur therefore underlines the importance of the Community's contribution in this field. The amounts involved, however, seem to be very modest to fight illegal fisheries and to guarantee the sustainability of resources in the medium and long term.

CONCLUSION

In the light of the above consideration, the rapporteur recommends the approval of the Commission's proposal for a new protocol on fisheries relations between the government of Cape Verde and the Community.

6 November 2001

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Fisheries

on the proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004
(COM(2001) 470 – C5-0479/2001 – 2001/0203(CNS))

Draftsman: Bárbara Dührkop Dührkop

PROCEDURE

The Committee on Budgets appointed Bárbara Dührkop Dührkop draftsman at its meeting of 22 September 1999.

It considered the draft opinion at its meeting of 5 November 2001.

At this meeting it adopted the following amendments unanimously.

The following were present for the vote: Terence Wynn, chairman; Reimer Böge, vice-chairman; Bárbara Dührkop Dührkop, vice-chairman and draftsman; Joan Colom i Naval, Carlos Costa Neves, Anne Elisabet Jensen, Wilfried Kuckelkorn, Juan Andrés Naranjo Escobar, Bartho Pronk (for Jean-Louis Bourlanges), Per Stenmarck, Kyösti Tapio Virrankoski, and Ralf Walter.

BACKGROUND/GENERAL COMMENTS

1. The previous Protocol to the Fisheries Agreement between the European Economic Community and the Republic of Cape Verde setting out the fishing opportunities and financial contribution expired on 5 September 2000. On 7 June 2001, the two parties initialled a protocol for a period of three years (1 July 2001 to 30 June 2004). A draft Council Decision concerning the provisional application of the new protocol pending its final entry into force is subject to a separate procedure (without consultation of the Parliament).
2. The Commission informed the Parliament's Committee on Fisheries immediately about the new protocol as initialled and transmitted the text of the protocol, but no draft financial statement. On 6 September 2001, Commission adopted the Proposal for a Council Regulation on the Conclusion of the Protocol.
3. The protocol foresees the following financial contributions through the EU budget:

in €

	2001	2002	2003	Total
Commitment appropriations				
Financial compensation	400 000	400 000	400 000	1 200 000
Scientific and technical programmes to promote better understanding of fisheries resources	50 000	50 000	50 000	150 000
Awards for study and practical training	20 000	20 000	20 000	60 000
Costs of participation in training courses and international meetings	30 000	30 000	30 000	90 000
Programmes to develop quality control for fishery products and fisheries monitoring and surveillance	180 000	180 000	180 000	540 000
Total Commitments	680 000	680 000	680 000	2 040 000
Payment appropriations	680 000	680 000	680 000	2 040 000

4. The present protocol provides for higher fishing opportunities (authorised catches of 7 000 tonnes annually) compared to its predecessor (authorised catches of 5 000 tonnes per year). This increase was negotiated by the Commission, though the average amount of catches was only 2 000 tonnes per year under the 1997-2000 protocol.
5. According to the increased reference amount, the total annual costs for the EU budget are increasing from € 1 531 740 for the previous protocol to € 2 040 000 for the protocol now initialled (increase of 33.2%). The contribution from the EU budget per tonne authorised catches is adjusted to the average contained in most fisheries agreements with ACP states. It equals € 75 per tonne in the new protocol, compared to € 80 in the previous protocols. Consequently, the share of the ship-owners has been increased from € 20 to € 25 per tonne.

6. The financing for targeted actions constitute 41.2% of the total EU financing (€ 280 000 per year), which is also comparable to other fisheries agreements with ACP countries. The main part of the targeted measures is foreseen for quality control monitoring and surveillance measures (€ 180 000 annually). Smaller amounts are foreseen for the Scientific programmes to improve the knowledge of maritime resources, study grants and training.
7. The Commission proposal does not contain an article to take account of Commission Regulation (EC) No 500/2001 of 14 March 2001¹ stating that the Member States are obliged to notify the Commission of the quantities of the catches taken in the fishing zone off Cape Verde. This provision was recently introduced in the new protocol with Madagascar² and can help to achieve a more realistic picture of the actual catches of the EU shipping fleet. It could be useful in both directions, to identify more exactly the under-utilisation of fishing opportunities, and to discover if catches are not declared properly.

CONCLUSIONS

1. The Committee on Budgets deplores that the European Commission has presented its proposal for a Council regulation on the conclusion of the present protocol only 3 months after initialling the protocol. The committee welcomes the fact that the protocol provides for the financial compensation for the first year to be paid before 31 January 2002. This will leave the necessary time for the consultation of Parliament before the first payment to Cape Verde has to be effected.
2. The Committee on Budgets welcomes the inclusion of a suspension clause in the protocol, which gives the possibility to suspend the fishing agreement either in the case that the Community fails to make the payments provide for in the protocol (Article 4) or in the case that the circumstances prevent fishing activities in the fishing zone of Cape Verde (Article 5). Such clauses will help to avoid the difficulties which occurred in the context of other fisheries agreements when the fishing could not be carried through as provided for in the respective protocols and agreements (for example in the case of Guinea-Bissau or Greenland).
3. The average amount of declared catches in the period 1997 to 2000 was 2 000 tonnes. Therefore, it can be questioned, if it is necessary to increase the reference amount from 5 000 to 7 000 tonnes in the new protocol accompanied by an increase of the financial contribution.
4. The Committee on Budgets maintains its amendments on the evaluation report and the consultation of the Parliament prior to the initialling of a new protocol, and calls, therefore, on the Committee on Fisheries, as the committee responsible, to incorporate the following amendments in its report:

¹ OJ L 73, 15.3.2001, p. 8.

² COM (2001) 409 final.

AMENDMENTS

The Committee on Budgets calls on the Committee on Fisheries, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 Article 2a (new)

The Member States whose vessels are fishing under this Protocol are obliged to notify the Commission of the quantities of each stock taken in the Cap Verde fishing zone in accordance with the arrangements laid down in Commission Regulation (EC) No 500/2001 of 14 March 2001².

Justification

The Commission Regulation (EC) No 500/2001 states that the Member States are obliged to notify the Commission of the quantities of the catches taken in the fishing zone of third countries in the framework of EU fisheries agreements. The introduction of a new article - as the Commission included already in its proposal for the conclusion of a fisheries protocol with Madagascar³ - can help to achieve a more realistic picture of the actual catches of the EU shipping fleet. It could be useful in both directions, to identify more exactly the under-utilisation of fishing opportunities, and to discover if catches are not declared properly.

Amendment 2 Article 2b (1) (new)

1. In the course of the application of the extension of the Protocol until December

¹ OJ C (not yet published).

² OJ L 73, 15.3.2001, p. 8.

³ COM(2001) 409 final

2001 the Commission shall submit to the Council and European Parliament a new general assessment report including a cost benefit analysis as soon as possible.

Justification

Before the expiry of the previous protocol, the European Commission presented to Parliament an evaluation report on the previous protocol after initialling the new protocol. The Commission did not provide the European Parliament with information allowing a serious assessment and the presentation of an opinion by the Parliament before the start of negotiations.

Amendment 3
Article 2b (2) (new)

2. The Commission shall take that report into consideration in the negotiations with the Government of Cape Verde and take into account the European Parliament's opinion on the extension of the Protocol.

Justification

The Committee on Budgets demands that the general assessment report and the position of Parliament on the current extension of the 1997-2001 Protocol be taken into account in the negotiation with the third country. This position is in line with the conclusion N° D of the Working Document on European Community Fisheries Agreements (PE 289.538) approved by the Committee on Budgets on 23 May 2000. It is also in line with the position taken by the Parliament on other fisheries agreements.

16 October 2001

OPINION OF THE COMMITTEE ON DEVELOPMENT AND COOPERATION

for the Committee on Fisheries

on the proposal for a Council regulation on 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 Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004
(COM(2001) 470 – C5-0479/2001 – 2001/0203 (CNS))

Draftsman: Joaquim Miranda

PROCEDURE

The Committee on Development and Cooperation appointed Joaquim Miranda draftsman at its meeting of 11 July 2001.

It considered the draft opinion at its meeting of 13 September 2001..

At meeting of 11 October 2001, it adopted the following conclusions unanimously.

The following took part in the vote Joaquim Miranda, chairman and rapporteur; Lone Dybkjær, vice-chair; Margrietus J. van den Berg, vice-chairman; Marie-Arlette Carlotti, Nirj Deva, Concepció Ferrer (for Vitaliano Gemelli), Roger Helmer (for Hervé Novelli), Karin Junker, Bashir Khanbhai, Glenys Kinnock, Karsten Knolle, Wolfgang Kreissl-Dörfler, Paul A.A.J.G. Lannoye, Miguel Angel Martínez Martínez, Hans Modrow, Didier Rod, Francisca Sauquillo Pérez del Arco, Bob van den Bos, Anders Wijkman (for Domenico Mennitti) and Jürgen Zimmerling.

SHORT JUSTIFICATION

The Committee on Development and Cooperation refers to its previous 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 area¹, and to the Development Council resolution (Luxembourg, 5 June 1997) on the consistency of Community development cooperation policy with other policies.

For the approach towards fisheries to be consistent with that towards development, the common fisheries policy must not jeopardise the aims of European development policy, especially in relation to sustainable development and combating poverty. By means of the fisheries agreements that it concludes, the EU obtains access to the exclusive economic zones of third countries, many of them developing countries. The agreements on access provide third countries with substantial financial compensation; however, at the same time they place their fish stocks under increasing pressure, sometimes to the detriment of local fishing communities. The issue of management of fish stocks must be approached with caution if the sustainable exploitation of fishery resources in the ACP countries and worldwide is to be achieved.

The Committee on Development and Cooperation wishes to emphasise the need to ensure that fisheries agreements are of mutual benefit to the countries concerned and to the EU.

The new EU-Cape Verde Fisheries Protocol

The European Commission and Cape Verde have initialled a Protocol to the Fisheries Agreement for a period of three years extending from 1 July 2001 to 30 June 2004. Under this Protocol there are increased fishing possibilities for the EU tuna and deep-water fleet, a substantial increase in the EU and shipowners' financial contribution to Cape Verde and the inclusion of targeted and technical measures with a view to contributing towards sustainable fisheries in the waters of Cape Verde.

The particular situation of Cape Verde needs to be taken into account: the geographical situation of the Cape Verde islands means that they have an extremely large EEZ of over 735 000 km² to control and manage. This makes Cape Verde's task particularly difficult with regard to the management of overlapping stocks like thunnidae. This means that particular attention needs to be paid to strengthening Cape Verde's ability to carry out controls on its EEZ. Within the framework of the fisheries agreement with the EU, increased attention and resources need to be devoted to aspects involving controls on European fishing activity: sharing catch data, systematic use of the VMS and the carrying of observers on board.

The fishing possibilities include an increase in the number of surface longliners from 26 to 62 and of pole-and-line vessels from 10 to 18, while the number of tuna seiners remains the same, at 37. The Gross Registered Tonnes (GRT) for bottom longliners will rise from 210 to 630. Vessels from Spain, France and Portugal fish under the Agreement.

¹ See in particular: Crampton report (A4-0149/97, OJ C358, 24.11.1997); Joint Assembly resolution on fisheries in the context of ACP-EEC cooperation (OJ C14, 17.1.1994); Joint Assembly resolution on ACP-EU cooperation in the fisheries sector beyond the year 2000 (ACP-EU 2187/97, OJ C96, 30.3.1998)

The financial contribution will go up from €510 580 to €680 000 per year. The share of the financial contribution to be allocated to specific measures will be increased from 30% to 42% (€280 000 per year). These measures will include new programmes such as the control and surveillance of fishing activities and support for the quality and control of fishery products.

Shipowners' financial contributions have also gone up from €2 000 to €2 750 for tuna seiners, from €1 000 to €2 000 for surface longliners, from €300 to €400 for pole-and-line vessels, and from €130 to €168 for bottom longliners.

CONCLUSIONS

The Committee on Development and Cooperation:

1. Welcomes the fact that, under the new Protocol with Cape Verde, 42% of the total financial contribution is intended to assist the development of the Cape Verde fisheries sector;
2. Welcomes further the obligation under the new Protocol to land at least 5% of catches (by surface longliners) in Cape Verde's exclusive economic zone as a means of contributing towards the supply of tuna canning factories in Cape Verde, a matter that apparently gave rise to dispute during the negotiations; for this reason, the Commission should sensitise and inform Community tuna vessel owners as to the need to respond positively and appropriately to requests from the Cape Verdean authorities and unload a maximum amount of their catches in Cape Verde so that the processing thereof, provided they have the capacity, benefits local communities;
3. Considers it important that arrangements and budgetary provisions in respect of EU development cooperation be made consistent with the new provisions of the Fisheries Agreement in this regard;
4. Calls on the Commission to ensure that all the contractual clauses of the Agreement are observed by vessels flying Community flags, and particularly the provisions on controls (use of the VMS, carrying observers on board, sharing catch data);
5. Recognises the damage done to dolphins by seine nets, and to seabirds, in particular albatrosses, by long-lines; calls, consequently, on the Commission and national and international fishing organisations to undertake research and apply already existing technology whereby marine mammals and birds can be protected from such fishing practices;
6. Draws attention to the requirements concerning the employment of Cape Verde seamen and, in particular, the working and salary conditions corresponding to the political desire for local training and development;
7. Calls for the relevant parliamentary committee to be informed of the progress of the negotiations, so that it can make its views known to the Commission;

8. Recommends that the Committee on Fisheries approve the proposal.