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REPORT

on the proposal for a Council regulation on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the agreement between the European Economic Community and the government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006
(COM(2002) 497 – C5-0493/2002 – 2002/0238(CNS))

Committee on Fisheries

Rapporteur: Manuel Pérez Álvarez

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 16 October 2002 the Council consulted Parliament, pursuant to Article 37 in conjunction with Article 300, paragraph 2 and paragraph 3, first subparagraph, of the EC Treaty, on the proposal for a Council regulation on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the agreement between the European Economic Community and the government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 (COM(2002) 497 – 2002/0238(CNS)).

At the sitting of 21 October 2002 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 (C5-0493/2002).

The Committee on Fisheries had appointed Manuel Pérez Álvarez rapporteur at its meeting of 12 September 2002.

The committee considered the Commission proposal and the draft report at its meetings of 12 September, 21 October and 11 November 2002.

At the last meeting it adopted the draft legislative resolution by 13 votes to 6 with 1 abstention.

The following were present for the vote: Struan Stevenson, chairman; Rosa Miguélez Ramos, Brigitte Langenhagen and Hugues Martin, vice-chairmen; Manuel Pérez Álvarez, rapporteur; Carlos Bautista Ojeda, Niels Busk, Arlindo Cunha, Ian Stewart Hudghton, Salvador Jové Peres, Heinz Kindermann, Paul A.A.J.G. Lannoye, Giorgio Lisi, Albert Jan Maat, Ioannis Marinos, Seán Ó Neachtain, Fernando Pérez Royo (for Carlos Lage), Yves Piétrasanta (for Patricia McKenna), Dominique F.C. Souchet (for Michael John Holmes), Catherine Stihler, Daniel Varela Suanzes-Carpegna and Herman Vermeer (for Elspeth Attwooll).

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

The report was tabled on 12 November 2002

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 the financial contribution provided for by the agreement between the European Economic Community and the government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 (COM(2002) 497 – C5-0493/2002 – 2002/0238(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2002) 497¹),
 - having been consulted by the Council pursuant to Article 37 in conjunction with Article 300, paragraph 2 and paragraph 3, subparagraph 1 of the EC Treaty, (C5- 0493/2002),
 - having regard to Rules 67 and 97(7) 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 (A5-0389/2002),
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. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 2 a (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

¹ OJ C not yet published.

state of implementation of the Agreement;

Justification

To underline the importance of providing adequate information to the European Parliament, to enable it to carry out its duties in conformity with the consultation procedure.

Amendment 2
Recital 2 b (new)

The Protocol to the Agreement should include the social clause adopted on 19 December 2001 at the plenary meeting of the Fisheries Sectoral Social Dialogue Committee, that all fishermen on board European Union vessels are guaranteed freedom of association, the right to collective bargaining, the elimination of discrimination, fair remuneration, and living and working conditions similar to those of European Union fishermen.

Justification

International fisheries agreements should include the social provisions adopted by the employers and unions (Europêche-Cogeca and ETF) at the above meeting.

Amendment 3
Article 4 a (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.

Justification

Before the conclusion of any new agreement the Commission should require the authorities of the State with which it is entering into negotiations to information on the basis of which the Commission will submit a general assessment report to the Parliament and the Council.

(Amendment 4
Article 4 b (new))

The Commission shall forward to the Council and the Parliament a copy of the report on the targeted measures which the authorities of Senegal will provide on the basis of Article 4 of the protocol.

Justification

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

Amendment 5
Article 4 c (new)

On the basis of these reports and following consultation of the European Parliament the Council shall grant the Commission a negotiating mandate in respect of the protocols for implementing the Agreement.

Justification

On the basis of these reports and following consultation of the European Parliament the Council shall grant the Commission a negotiating mandate in respect of the protocols for implementing the Agreement.

EXPLANATORY STATEMENT

Introduction

The Proposal for a Council Regulation as presented by the Commission concerns the renewal of the previous protocol (1 May 1997 - 30 April 2001) which was extended until 31 December 2001. The new protocol covers the period from 1 July 2002 to 30 June 2006.

According to officials of the European Commission, negotiations with Senegal have been very difficult. Senegal even suspended negotiations in the year 2001 in order to gain time to analyse fisheries issues and to conduct a study on the country's fisheries potential. Due to not being able to conclude negotiations in time, fisheries relations between both parties had to be interrupted from 31 December 2001 until the entry into force of the new protocol.

When the extension of the previous protocol expired, at the end of 2001, the EU vessels operating under the agreement had to stop their fishing activities in Senegalese waters until the negotiations for the new protocol were finalised.

The new protocol was signed on 25 June in Dakar, the capital of Senegal. The first annual payment should be made by the Community before 31 December 2002.

Background on fisheries in Senegal

According to FAO data, Senegal produced in 1998 over 440 000 tonnes of fish products of which around 200 000 tonnes (with a value of 310 million €) were exported. The country has some 60 000 fishermen and the sector provides altogether 600 000 jobs. According to FAO, maritime fisheries has a potential for 550 000 tonnes annually. In numbers, the vast majority of the fleet consists of around 12 000 so-called pirogues, 9 300 of which are motorised. Almost all of the tuna fisheries is carried out by foreign vessels.

The Commission's evaluation report on the fisheries relations with Senegal points out that the fisheries industry represents 2.3% of the GNP and 30 % of its exports.

According to Commission sources, the protocol's impact on the fish stocks in Senegal is small since EU fisheries only represented 1.7 - 3.3 % of the total catches in the zone. It should be noted that the EU fleet provided in 1997 for almost a quarter (24.8 %) of the total landings to the local industry at the Port of Dakar.

Content of the prolonged co-operation

The fisheries possibilities and the financial contribution from the Community undergo substantial change. As the European Commission puts it in its press release of 26 June 2002: "Fishing possibilities for EU vessels have been decreased on sensitive stocks and technical measures including a 2-month biological rest period have been agreed to give more protection to fish stocks and to minimise the risk of competition with the artisanal fleet." As shown in the table below fishing possibilities decreased for demersal species (high seas, coastal and deep sea), disappeared for pelagic fisheries and remained at roughly the same level for tuna fishery.

The provisions regarding tuna fishing relate to 12 pole-and-line vessels, 41 seiners and 23 longliners.

The countries benefiting from the protocol with Senegal are, in order of importance, Spain, France, Portugal, Italy and Greece.

The financial compensation paid by the Community will be stepped up from 12 million € to 16 million annually (out of which 3 million for targeted measures). The first payment has to be made before the end of this year.

Besides the protocol with the EU, the Senegalese government has concluded a major fisheries agreement with Japan and a number of neighbouring countries.

Comparative table		
	1 May 1997 - 31 December 2001	1 July 2002 - 30 June 2006
Fishing Possibilities		
Coastal demersal trawlers	331 GRT /month (with option for freezing facilities 150 GRT/month - 3 vessels**	1 500 GRT/quarter *
Deep sea demersal trawlers and surface longliners	3 750 GRT/month - 11 vessels **	3 000 GRT/ month, averaged over the year **
Freezer trawlers (deep sea demersal)	1 800 GRT/month - 7 vessels *	
Freezer trawlers for crustaceans (deep sea demersal)	4119 GRT/month - 29 vessels **	3 500 GRT/month, averaged over the year **
Pole-and-line vessels	12	16
Freezer Seiners	41	39
Surface longliners	23	23
Pelagic freezer trawlers	22 vessels (6 fishing simultaneously)	
Financial Envelope		
Total (full period of protocol)	48 million € (3 years)	64 million € (4 years)
Total (per year)	12 million €	16 million €
Financial contribution (per year)		13 million €
Targeted measures (per year)	informal agreement to spend 50% on targeted measures	3 million €
Breakdown Targeted Measures (per year)		
Stock research		500 000
Inspection		700 000
Safety small scale fisheries		500 000
Sustainable fisheries		500 000
Human Capital		700 000
Evaluation partnership actions		100 000
Licences		

(Inshore) demersal trawlers	198 - 264 € /GRT / year	246 - 285 € / year
Ocean going fish trawlers (deep-water demersal species)	39 - 59 € / GRT / per 4 month period	157 -169 € / year
Ocean going freezer trawlers (deep-sea demersal fishing for crustaceans except lobsters)	154 - 205 /GRT / year	210 - 226 € / GRT / year
Pole-and-line vessels	10 € tonne/fish caught	15 € /tonne fish caught
Tuna seiners	20 € tonne, advance payment of 1500 €	25 € /tonne, advance payment of 3000 €
Surface longliners	46 € tonne /, advance payment of 1150 €	48 € /tonne, advance payment of 2000 €

*** Partially landing in Senegal ports**

**** Not landing in Senegalese ports**

Other new technical elements concern *inter alia* a considerable reduction of the fishing zone, the inclusion of obligatory biological rest periods, an increased number of Senegalese seamen on board EU vessels (50%) and lower by-catch rates and larger mesh sizes.

Apart from the considerable reduction of the fishing possibilities, the new protocol includes a series of measures aimed at improving the sustainability of fisheries in Senegal (Partnership involving stock evaluation, control and surveillance, institutional support) and an annual Joint Scientific meeting.

Evaluation

The Commission's assessment report on Senegal describes in a comprehensive way the political and economic background of the country and the relevance of the fisheries sector. Furthermore, the evaluation report provides an overview of the implementation of the fisheries agreement.

The evaluation report also deals with the issue of Senegal's fishery's potential. According to estimates of Senegal's research institute, available resources would permit catches in 1996, the year when the study was conducted, of 465 000 tonnes. However, recent scientific analysis shows that coastal demersal resources - in spite of satisfactory utilisation rates in this segment (see below) - have plummeted and have forced the small-scale and industrial fleet to fish in neighbouring countries.

Concerning the utilisation of the fishing possibilities in its evaluation paper, the Commission reaches the conclusion that this has been "satisfying" for the tuna fleet, "average" for the trawl fishing and "insignificant" for pelagic fisheries. With regard to the declared catches the Commission draws the conclusion that these are "high" for the tuna and shrimp fleets as well as for demersal fisheries if taken into account the number of fishing vessels.

The Commission supplies the following utilisation rates

Utilisation Fishing possibilities 1997 - 2001	
	Utilisation

Category	Catches/average/year	Licences issued
1. Demersal coastal trawlers (not landing in Senegal)	1 325 tonnes	100%
2. Deep sea demersal trawlers (not landing in Senegal)	2075 tonnes	59%
3. Freezer trawlers of coastal demersal fish (landing partially in Senegal)	1000 tonnes	90%
4. Freezer trawlers of deep sea crustaceans (except langoustines) (not landing in Senegal)	825 tonnes	88%
5. Pole-and-line tuna vessels	50 tonnes	90 - 100%
6. Tuna seiners	3 750 tonnes	84%
7. Surface longliners	500 tonnes	51%
8. Pelagic freezer trawlers	0	0

Comments

Your rapporteur welcomes the initialling of the new protocol on fisheries relations between Senegal and the European Community. The renewal of the protocol is especially important in the aftermath of the failure to reach an agreement with Morocco. Moreover, the interruption of the fishing activities in Senegalese waters from the beginning of 2002 until 1 July 2002 forced the EU vessels to stop operations in the country's EEZ, causing severe economic damage.

The EU's annual financial contribution increases from 12 to 16 million €. It is widely known that Senegal demanded a much higher sum. For your rapporteur it is difficult to judge whether the annual 16 million € is a justifiable sum in exchange for the obtained fishing opportunities which declined considerably. It should be noted that a more flexible system of calculation (per month, average over the year) might have a positive effect on utilisation rates.

Your rapporteur supports the Commission's approach not to shut its eyes to the interests of the local fishing industry. The Senegalese economy is heavily dependent on the fisheries industry and one in 6 active Senegalese is employed in this sector. Economic incentives for Senegal such as increased EU landing of tuna in Dakar and an increase of the number of Senegalese fishermen to be employed on EU vessels, should therefore be welcomed.

To develop the local industry, from the total financial contribution 3 million € per year have been earmarked for this purpose. Your rapporteur regrets that the Commission in its evaluation paper does not dedicate a single word on the informal commitment by the Senegalese authorities to allocate 50% of the total compensation to the fisheries sector.

Concerning the conservation of resources, a biological rest period has been built into the new protocol. In the former protocol this provision existed but was only optional. The Commission agreed to ban pelagic fishing - which was hardly used in the former protocol anyway - in order to assist in preserving sensitive resources and the artisanal sector.

Conclusion

In the light of the above comments and taking into account the tabled amendments, the rapporteur recommends the approval of the proposal concerning the extension of the fisheries relation between the Government of the Republic of Senegal and the European Community for the period between 1 July 2002 and 30 June 2006.

11 November 2002

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 the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 (COM(2002) 497 – C5-0493/2002 – 2002/0238 (CNS))

Draftsman: Bárbara Dührkop Dührkop

PROCEDURE

The Committee on Budgets appointed Bárbara Dührkop Dührkop draftsman at its meeting of 21 October 2002.

It considered the draft opinion at its meeting of 11 November 2002.

At the meeting it adopted the following amendments unanimously.

The following were present for the vote: Terence Wynn, chairman; Reimer Böge, Anne Elisabet Jensen and Franz Turchi, vice-chairmen; Bárbara Dührkop Dührkop, draftsman; Ioannis Averoff, Joan Colom i Naval, Manuel António dos Santos, Den Dover, James E.M. Elles, Göran Färm, Markus Ferber, Salvador Garriga Polledo, Neena Gill, Catherine Guy-Quint, Jutta D. Haug, María Esther Herranz García, John Joseph McCartin, Jan Mulder, Juan Andrés Naranjo Escobar, Jean-Thomas Nordmann, Joaquim Píscarreta, Guido Podestà, Esko Olavi Seppänen (for Chantal Cauquil), Ioannis Souldakis (for Constanze Angela Krehl), Per Stenmarck, Rijk van Dam (for Michel Raymond), Kyösti Tapio Virrankoski and Ralf Walter.

SHORT JUSTIFICATION

1. The previous Protocol to the Fisheries Agreement between the Community and the Republic of Senegal expired on 31 December 2001. On 25 June 2002, the two parties initialled a new protocol for a period of four years (1 July 2002 to 30 June 2006). It will be the 17th since the entry into force of the fisheries agreement between the EC and Senegal in 1980. 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. On 1 July 2002, the Commission informed the Parliament's Committee on Fisheries about the new Protocol as initialled and transmitted the text of the Protocol, but no draft financial statement. On 2 October 2002, the Commission adopted the Proposal for a Council Regulation on the Conclusion of the Protocol.
3. The new Protocol grants fishing opportunities for 78 tuna vessels and 8000 GRT for trawlers and longliners. It foresees the following financial contributions through the EU budget:

	in €				
	2003	2004	2005	2006	Total
Commitment appropriations					
Financial compensation	13 000 000	13 000 000	13 000 000	13 000 000	52 000 000
resource monitoring and evaluation of stocks	500 000	500 000	500 000	500 000	2 000 000
fisheries inspection	700 000	700 000	700 000	700 000	2 800 000
improving the safety of small-scale fishing	500 000	500 000	500 000	500 000	2 000 000
institutional support	500 000	500 000	500 000	500 000	2 000 000
improving skills	700 000	700 000	700 000	700 000	2 800 000
evaluation and audit of partnership schemes	100 000	100 000	100 000	100 000	400 000
Total Commitments	16 000 000	16 000 000	16 000 000	16 000 000	64 000 000
Payment appropriations	16 000 000	16 000 000	16 000 000	16 000 000	64 000 000

The overall financial contribution to be paid to Senegal has been increased from EUR 12 000 000 per year to EUR 16 000 000 per year. Out of this amount, the Protocol foresees EUR 3 000 000/year for targeted measures, such as stock evaluations, control and the surveillance of the fishing activities, the improvement of the safety of the small-scale fishing vessels and institutional support for the introduction of sustainable and responsible fishing.

4. The new protocol contains a number of improvements compared to the protocol expired end-2001.
 - 19% of the Community's financial contributions are to be used for targeted measures, and a procedure has been introduced to monitor their implementation. This is a new element insofar as the targeted measures are now described in the protocol, while in the 1997-2001 protocol, the Senegalese authorities committed themselves to use 50% of the financial

contributions for targeted actions, with no provisions for verification.

- The protocol introduces a higher flexibility for part of the fishing opportunities: The opportunities for trawler fishing are expressed *per month, averaged over the year or per quarter* without a limit on the number of vessels.
 - The shipowners' fees have increased, resulting in a potential decrease in the need for EU contributions.
5. For a number of Member States, the agreement with Senegal has won additional economic importance by the discontinuation of the fisheries agreement with Morocco. The agreement has also political importance in the context of the relations of the EU to the ACP countries. However, the result of the negotiations is disappointing in that the fishing opportunities have been reduced and the financial contribution from the EU budget has been increased considerably from € 12 to 16 million annually (increase of 33%).
 5. The Commission proposal contains 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 Senegal. This provision is now entered in a lot of Commission proposals and welcomed by the committee. It can help to achieve a more realistic picture of the actual catches of the EU shipping fleet while being 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 welcomes the fact that the Protocol provides for the financial compensation for the first year to be paid not later than 31 December 2002. This leaves only limited, but sufficient, time for consultation of Parliament before the first payment to Senegal has to be effected.
2. The Committee on Budgets notes the inclusion of a suspension clause in the Protocol, which gives the possibility to suspend the fishing agreement in the case that the Community fails to make the payments provided for in the Protocol (Article 5). The committee has repeatedly stressed the importance to enter also a clause which provides for a procedure in the case that the circumstances prevent fishing activities in the Senegal fishing zone. Such an article is maintained in more and more fisheries protocols with third countries 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.
3. The Committee on Budgets welcomes the new elements entered in the protocol concerning targeted measures, greater flexibility and the shipowners' contribution, but will attentively follow the future negotiations on the renewal of other fisheries agreements and protocols. Given the situation in the financing of external actions, the constraints under heading 4 would grow into an even more difficult situation over the next years, if the trend in fisheries agreements continues towards more EU budget contributions for less fishing opportunities.

¹ OJ L 73, 15.3.2001, p. 8.

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 4b (1) (new)

1. In the course 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 new general assessment report including a cost benefit analysis.

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 2 Article 4b (2) (new)

2. The Council shall, on the basis of this report and taking account of the European Parliament's opinion thereon, authorise the Commission, where appropriate, to start negotiations with a

¹ OJ C ...

view to the adoption of a new Protocol.

Justification

The Committee on Budgets reiterates the demand for the general assessment report to be presented by the Commission before the beginning of negotiations on the renewed Protocol. The Council shall only give the authorisation to the Commission to start negotiations on the basis of the assessment report and the opinion of the European Parliament. This position is in line with conclusion 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.

11 November 2002

OPINION OF THE COMMITTEE ON DEVELOPMENT AND COOPRATION

for the Committee on Fisheries

on the proposal for a Council regulation on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 (COM(2002) 497 – C5-0493/2002 – 2002/0238 (CNS))

Draftsman: Joaquim Miranda

PROCEDURE

The Committee on Development and Cooperation appointed Joaquim Miranda draftsman at its meeting of 4 October 2002.

It considered the draft opinion at its meeting of 2 October 2002.

At its meeting of 11 November 2002 it adopted the following conclusions unanimously.

The following were present for the vote: Joaquim Miranda, chairman and rapporteur; Margrietus J. van den Berg, Marieke Sanders-ten Holte and Anders Wijkman, vice-chairmen; Niall Andrews (for Isabelle Caullery), Richard A. Balfe (for Nirj Deva), Jean-Pierre Bebear, Yasmine Boudjenah, John Bowis, Marie-Arlette Carlotti, Maria Carrilho, Vitaliano Gemelli, Richard Howitt, Glenys Kinnock, Karsten Knolle, Paul A.A.J.G. Lannoye, Nelly Maes (for Didier Rod), Miguel Angel Martínez Martínez, Hans Modrow, Luisa Morgantini, Ulla Margrethe Sandbæk, Francisca Sauquillo Pérez del Arco, Maj Britt Theorin and Elena Valenciano Martínez-Orozco (for Karin Junker).

SHORT JUSTIFICATION

After nine rounds of negotiations, Senegal and the EU have signed a new protocol to the long-standing fisheries agreement between the two parties (dating from 1980, the earliest agreement of this kind to be concluded), covering a four-year period (from 1 July 2002 to 30 June 2006).

Fishing opportunities

Overall fishing opportunities for demersal species have been cut from 10 000 gross tonnes (GT) to 8000 GT. In the interests of the local artisanal fleet, fishing opportunities for coastal demersal species have been reduced from 2131 GT to 1500 GT. The European Union has also withdrawn its request for fishing possibilities for pelagic species. Fishing opportunities for deep-water demersal species have also been slightly reduced (from 7869 GT to 6500 GT), but remain the same for tuna vessels (54) and surface longliners (23).

Community vessels operating under this protocol come from Spain, Portugal, France, Italy and Greece.

One of the innovations in this protocol is the establishment of a two-month biological rest period to aid the recovery of fish stocks. The fishing zones where Community vessels may operate have been reduced to curb the risk of competition with the artisanal fleet. There will be observers on board EU vessels. The number of Senegalese fishermen to be employed on EU vessels has been increased from 33% to 50%.

Financial contribution

The financial contribution has been raised from EUR 12 million to EUR 16 million per year, of which 18% (as against 50% in the previous protocol) – i.e. EUR 3 million – will be used for partnership measures aimed at supporting the conservation of fish stocks and strengthening the Senegalese fishing industry. The measures planned under this partnership include scientific research and evaluation of the state of fish stocks, the establishment in Senegal of a control and monitoring system which will increase the safety of artisanal fishing vessels, the creation of institutional structures for fisheries management in Senegal and training for fishermen. The cost of licences for shipowners operating under the agreement will be increased, providing a better balance of the cost of the protocol between the EU and shipowners.

The fishing industry in Senegal

Senegal is one of West Africa's foremost fishing countries. Artisanal fishing (which provides employment for around 150 000 people, including 30 000 fishermen) supplies 80% of the domestic market. Women play a dominant part in the processing and marketing of catches, and it is women who generally hold the real economic power in the sector.

Fishery products account for around 48% of the animal protein consumed in the country. Exports of fishery products (which have been growing steadily for 40 years) have become the main source of foreign currency. In 1999, the value of exports (\$ 301 million) placed Senegal

in third place among African fish-exporting countries, behind Morocco and Namibia but ahead of South Africa.

Artisanal fishing is the most important subsector in the Senegalese economy. Promoting the sustainable development of Senegalese fisheries means above all ensuring that the needs of artisanal fishing, particularly in terms of resources and fishing zones, are taken into account and treated as a priority.

State of resources and access

The CECAF¹/FAO 2000 report and a communication from the Centre for Oceanographic Research in Dakar confirm that coastal demersal resources are being overexploited and that biomass levels are lower than those needed to guarantee the sustainability of these species. However, the reduction in access possibilities in the present protocol (from 10 000 GRT to 8000 GRT) does not match the level of overfishing. Moreover the new, more flexible conditions for the fleet targeting deep-water demersal species will allow fishing activities to be concentrated in the more favourable periods.

CONCLUSIONS

1. Recalls Parliament's resolution of 25 October 2001 on fisheries and poverty reduction, as well as the Council resolution of 8 November 2001, which calls for the 'flexible adjustment of fishing possibilities on the basis of an assessment of the resources taking into account the best available scientific information and in accordance with the needs of the local fish industry';
2. Notes that the scientific data advocate a reduction in fishing effort for coastal and deep-water demersal species;
3. Calls for the appropriations provided for as a financial contribution to be allocated in a responsible and transparent manner, in close consultation with Senegalese fishermen's organisations;
4. Fears that the adjustment of financial compensation in the event of a reduction in access (Article 3 of the Protocol) following the joint annual scientific meeting established to adjust fishing opportunities may act as a brake on action to safeguard resources;
5. Bearing in mind that the external dimension of the CFP is in the process of being reformed and that Senegal is also currently reforming its national fisheries policy, calls for the mid-term review of the protocol to allow a fresh approach to be implemented;
6. Considers that the Protocol to the Agreement must include the social clause adopted at

¹ Fishery Committee for the Eastern Central Atlantic.

the plenary meeting of the Committee on social sectoral dialogue 'sea-fishing' on 19 December 2001, so that all fishermen on board EU vessels are guaranteed freedom of association, the right to collective bargaining, the elimination of discrimination, fair remuneration, and living and working conditions for local fishermen which are similar to those for EU fishermen;

7. Recommends to the Committee on Fisheries that it call for the immediate review of the protocol as regards access to coastal demersal species so as to take account of better scientific information.