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Plenary sitting

A8-0061/2014

11.12.2014

RECOMMENDATION

on the proposal for a Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe
(08585/2014 – C8-0018/2014 – 2014/0115(NLE))

Committee on Fisheries

Rapporteur: João Ferreira

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe
(08585/2014 – C8-0018/2014 – 2014/0115(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (08585/2014),
 - having regard to the draft protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe (08554/2014),
 - having regard to the request for consent submitted by the Council in accordance with Article 43 and Article 218(6), second subparagraph, point (a), and paragraph 7, of the Treaty on the Functioning of the European Union (C8-0018/2014),
 - having regard to its resolution of 25 October 2012 on the EU 2011 Report on Policy Coherence for Development¹,
 - having regard to Council Decision 2014/334/EU of 19 May 2014 on the signing, on behalf of the European Union, and provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe²,
 - having regard to Rule 99(1), first and third subparagraphs, and paragraph 2, and Rule 108(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Fisheries and the opinion of the Committee on Budgets (A8-0061/2014),
1. Gives its consent to conclusion of the protocol;
 2. Calls on the Commission to forward to Parliament the minutes and the conclusions of the meetings of the Joint Committee provided for in Article 9 of the Agreement, as well as the multiannual sectoral programme provided for in Article 3 of the new protocol and the results of the corresponding annual evaluations, and the minutes and the conclusions of the meetings provided for in Article 4 of the new protocol; calls on the Commission to facilitate the participation of representatives of Parliament as observers in the meetings of the Joint Committee; calls on the Commission to submit to Parliament and

¹ OJ C 72 E, 11.3.2014, p. 21.

² OJ L 168, 7.6.2014, p. 1.

the Council, within the last year of application of the protocol and before the opening of negotiations for its renewal, a full report on its implementation, without unnecessary restrictions on document access;

3. Calls on the Commission and Council, acting within the limits of their respective powers, to keep Parliament immediately and fully informed at all stages of the procedures relating to the protocol and its renewal, pursuant to Article 13(2) of the Treaty on European Union and Article 218(10) of the Treaty on the Functioning of the European Union;
4. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Democratic Republic of São Tomé and Príncipe.

SHORT JUSTIFICATION

The Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe forms part of the network of tuna fishing agreements in West Africa and allows EU vessels to fish in that country's waters.

Under the previous protocol, which was in force from 13 May 2011 to 12 May 2014, 40 EU tuna vessels were authorised to fish: 28 seiners and 12 surface longliners. The annual financial contribution stood at EUR 682 500, around 35% of which was to be used to support the sectoral fisheries policy of São Tomé and Príncipe.

Following the negotiations on the renewal of the existing protocol, a new protocol was initialled on 19 December 2013; it will cover a four-year period from 23 May 2014 and provide fishing opportunities for 34 EU vessels (28 tuna seiners and six surface longliners). The annual financial contribution was set at EUR 710 000 for the first three years and EUR 675 000 for the fourth year, EUR 325 000 being earmarked for support for the sectoral fisheries policy of São Tomé and Príncipe. The fees to be paid by shipowners have risen from EUR 35/tonne to EUR 55 for the first two years, 60 for the third year and 70 for the fourth year.

At the Joint Committee meeting of 18 to 20 August 2014, the representatives of the EU and of São Tomé and Príncipe welcomed the conclusion of the new four-year protocol.

The rapporteur recommends that Parliament should approve the conclusion of this protocol. However, he also considers it necessary to set out some additional considerations on the agreement, the background, the results and the prospects for the future.

The first fisheries agreement between the EEC and São Tomé and Príncipe was signed in 1984. Eight protocols have been implemented since then, two of them under the Fisheries Partnership Agreement. However, the results obtained to date in the field of sectoral cooperation are extremely scant. This situation must be remedied as a matter of urgency. The Fisheries Partnership Agreement, alongside other instruments providing development support, such as the European Development Fund, should foster the genuinely sustainable development of the São Toméan fisheries sector and of related industries and activities, so that more of the added value resulting from the exploitation of São Tomé's natural resources remains in the country.

The rapporteur takes the view that the Commission should take the necessary steps – possibly including revision and strengthening of the sectoral support component of the agreement – to guarantee a real change of direction by comparison with the approach followed in the past 20 years.

The main aspects that need to be changed include:

- more and more reliable data on catches and on the conservation status of fishery resources in general should be made available to the São Toméan authorities, along with support for the country to develop its own capacities for obtaining this data. The lack of data is a well-known problem that clearly limits the ability of the São Toméan authorities to negotiate the

agreement on terms that might be more favourable for the country and more effective in terms of ensuring that its resources are exploited sustainably;

- more support should be provided for the training of observers and the development of São Tomé and Príncipe's monitoring capacity. There are glaring weaknesses in this area that cannot be ignored by the Commission. Fishing vessels frequently enter and leave the São Toméan Exclusive Economic Zone (EEZ) without the authorities being aware of their movements. There is therefore an urgent need to enhance São Tomé's ability to monitor the EEZ and carry out checks on catches;

- support should be provided for the development of fisheries infrastructure, in particular a reference laboratory that will make it possible to end the embargo on exports of fishery products to the European Union. This infrastructure is essential for the development of the São Toméan fisheries sector and in order to attract investment into the country.

In general, the Commission should make greater efforts to ensure that the conditions necessary for the proper takeup of aid have been established, with due respect for São Tomé and Príncipe's sovereignty and for the country's policy choices and priorities.

To conclude, the rapporteur would stress that full account must be taken of paragraphs 2 and 3 of the draft legislative resolution. Parliament must be immediately and fully informed of developments at all stages of the procedures relating to the protocol and its renewal. It is proposed that an annual report should be submitted to Parliament and the Council on the results of the multiannual sectoral programme referred to in Article 3 of the protocol, as well as on compliance by Member States with the catch reporting requirements.

20.11.2014

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Fisheries

on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe

08585/2014 – C8-0018/2014 – 2014/0115(NLE))

Rapporteur: José Manuel Fernandes

SHORT JUSTIFICATION

On the basis of the power conferred on it by the Council, the European Commission has conducted negotiations with the Democratic Republic of São Tomé and Príncipe with a view to renewing the Protocol to the Fisheries Partnership Agreement, for a period of 4 years, between the European Union and the Democratic Republic of São Tomé and Príncipe that expired on 12 May 2014.

That new Protocol was signed in accordance with a Council Decision and will apply on a provisional basis from the date of its signature.

The main purpose of the Protocol to the Agreement is to grant fishing opportunities to European Union vessels in São Toméan waters, in compliance with the best scientific opinions available and the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus. The Commission's negotiating position was based in part on the results of an ex-post evaluation of the previous Protocol carried out by external experts.

The aim is also to strengthen cooperation between the European Union and the Democratic Republic of São Tomé and Príncipe with a view to establishing a sustainable fisheries policy and sound exploitation of fisheries resources in São Toméan fishing zone, in the interests of both parties.

The overall financial contribution under the Protocol is EUR 2 805 000 over 4 years.

It comprises:

- an annual amount for access to the EEZ of São Tomé and Príncipe of EUR 385 000 for the first three years and EUR 350 000 for the fourth year, equivalent to a reference tonnage of 7 000 tonnes per year, and
- a specific amount of EUR 325 000 per year for four years to support the implementation of the sectoral fisheries policy of São Tomé and Príncipe (small-scale fishing and the monitoring, control and combating of illegal, unreported and unregulated (IUU) fishing).

Type of expenditure(EUR)	2014	2015	2016	2017	Total
Preservation and management of natural resources	710 000	710 000	710 000	675 000	2 805 000
Total	710 000	710 000	710 000	675 000	2 805 000

If the overall annual quantity of catches by European Union vessels in São Toméan waters exceeds the annual reference tonnage, the total amount of the annual financial contribution shall be increased by EUR 55 for the first three years and EUR 50 for the fourth year for each additional tonne caught.

However, the total annual amount paid by the European Union shall not be more than twice the amount indicated in the protocol. Where the quantities caught by European Union vessels exceed quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

This support meets the objectives of the national fisheries policy and particularly the needs of the Democratic Republic of São Tomé and Príncipe in terms of providing support for small-scale fishing and fighting illegal fishing.

The Committee on Budgets calls on the Committee on Fisheries, as the committee responsible, to recommend that Parliament give its consent to the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Democratic Republic of São Tomé and Príncipe.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	20.11.2014
Result of final vote	+: 18 -: 5 0: 3
Members present for the final vote	Jean Arthuis, Richard Ashworth, Jean-Paul Denanot, Gérard Deprez, José Manuel Fernandes, Eider Gardiazabal Rubial, Jens Geier, Monika Hohlmeier, Bernd Kölmel, Zbigniew Kuźmiuk, Vladimír Maňka, Siegfried Mureşan, Victor Negrescu, Liadh Ní Riada, Patricija Šulin, Eleftherios Synadinos, Indrek Tarand, Marco Valli, Monika Vana, Daniele Viotti, Marco Zanni
Substitutes present for the final vote	Charles Goerens, Anneli Jäätteenmäki, Alfred Sant, Ivan Štefanec, Tomáš Zdechovský

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	3.12.2014
Result of final vote	+ : 19 - : 2 0 : 3
Members present for the final vote	Marco Affronte, Clara Eugenia Aguilera García, Renata Briano, Alain Cadec, David Coburn, Richard Corbett, Diane Dodds, Linnéa Engström, Ian Hudghton, Carlos Iturgaiz, Werner Kuhn, António Marinho e Pinto, Gabriel Mato, Norica Nicolai, Liadh Ní Riada, Ulrike Rodust, Remo Sernagiotto, Ricardo Serrão Santos, Isabelle Thomas, Ruža Tomašić, Peter van Dalen, Jarosław Wałęsa
Substitutes present for the final vote	Izaskun Bilbao Barandica, José Blanco López, Ole Christensen, Ian Duncan, Sylvie Goddyn, Anja Hazekamp, Mike Hookem, Francisco José Millán Mon