



Plenary sitting

A9-0316/2021

8.11.2021

RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Implementing Protocol to the Fisheries Partnership Agreement between the Gabonese Republic and the European Community (2021-2026) (09172/2021 – C9-0253/2021 – 2021/0127(NLE))

Committee on Fisheries

Rapporteur: Izaskun Bilbao Barandica

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 draft Council decision on the conclusion, on behalf of the European Union, of the Implementing Protocol to the Fisheries Partnership Agreement between the Gabonese Republic and the European Community (2021-2026)
(09172/2021 – C9-0253/2021 – 2021/0127(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (09172/2021),
 - having regard to the Implementing Protocol to the Fisheries Partnership Agreement between the Gabonese Republic and the European Community (2021-2026) (09171/2021),
 - having regard to the request for consent submitted by the Council in accordance with Article 43(2) and Article 218(6), second subparagraph, point (a) (v), and paragraph 7, of the Treaty on the Functioning of the European Union (C9-0253/2021),
 - having regard to Rule 105(1) and (4), and Rule 114(7) of its Rules of Procedure,
 - having regard to the opinion of the Committee on Budgets,
 - having regard to the recommendation of the Committee on Fisheries (A9-0316/2021),
1. Gives its consent to the conclusion of the protocol;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Gabonese Republic.

EXPLANATORY STATEMENT

The European Union (EU) has signed a series of fisheries partnership agreements (FPAs) and protocols with non-EU countries, which provide for EU financial and technical support in exchange for fishing rights for surplus stocks in the country's exclusive economic zone (EEZ), in a legally regulated environment. These agreements also govern resource conservation and environmental sustainability, ensuring that all EU vessels are subject to the same rules of control and transparency, and supporting the partner country's own sustainable fisheries policy. At the same time, a clause on upholding human rights has been included in all protocols to fisheries agreements.

The Fisheries Partnership Agreement between the Gabonese Republic and the European Union entered into force on 11 June 2007 for a period of six years. This agreement is renewable by tacit agreement and is still in force.

A previous three-year protocol implementing the FPA expired on 23 July 2016. In 2015, the Commission carried out an ex-post evaluation of the 2013-2016 FPA protocol, as well as an ex-ante evaluation of a possible renewal of the protocol. The evaluation concluded that the EU fishing sector has a strong interest in operating in Gabon and that a renewal of the protocol would be in the interest of both parties.

The Commission conducted negotiations with Gabon with a view to concluding a new protocol for the implementation of the FPA (2021-2026). Following these negotiations, a protocol was initialled by the negotiators on 10 February 2021. The new protocol covers a period of five years from the date of its signature by both parties.

The new protocol provides for fishing opportunities in the following categories:

- 27 purse seine tuna vessels;
- 6 pole-and-line tuna vessels;
- 4 trawlers mainly targeting bottom-dwelling crustaceans, subject to authorisation based on the results of exploratory fishing trips;
- Support vessels in accordance with the relevant resolutions of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the limits set by Gabonese legislation.

The annual financial contribution from the European Union amounts to EUR 2 600 000, broken down as follows:

(a) an annual amount of EUR 1 600 000 for access to fisheries resources in the Gabonese fishing zone, equivalent to a reference tonnage, for highly migratory species, of 32 000 tonnes per year;

(b) support for the development of Gabon's sectoral fisheries policy amounting to EUR 1 000 000 per year. This support is in line with the objectives of the strategic plan for fisheries in Gabon.

The annual amount for commitment and payment appropriations is established during the

annual budgetary procedure¹.

The negotiation of this new protocol implementing the FPA with Gabon is part of the Union's external action towards the African, Caribbean and Pacific (ACP) countries, and takes particular account of the Union's objectives regarding respect for democratic principles and human rights.

The new protocol aims to grant fishing opportunities to European Union vessels in the Gabonese fishing zone in accordance with the best available scientific advice and the resolutions and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus.

The aim of the new protocol is also to enhance cooperation between the European Union and the Gabonese Republic to promote a sustainable fisheries policy and sound exploitation of fisheries resources in the Gabonese fishing zone and in the Atlantic Ocean, in the interest of both parties, with a view to promoting the development of a sustainable fisheries policy in all its dimensions. It provides, in particular, for vessels to be monitored via Vessel Monitoring System (VMS) and for the electronic transmission of catch data. The sectoral support available under the Protocol will help Gabon with its national fisheries strategy, including the fight against Illegal, Unregulated and Inreported (IUU) fishing.

This cooperation will also help to promote decent working conditions for fishing activity and to improve research, surveillance and control of fishing activity by Gabon and the development of its fisheries sector, in particular its small-scale fisheries sector.

Position of the Rapporteur

Under Articles 43(2) and 218(6)(a) of the Treaty on the Functioning of the European Union, the European Parliament can either give its consent or decline to consent to the conclusion of the protocol between the EU and the Gabonese Republic. The rapporteur recommends that Parliament should consent to the conclusion of the present protocol and considers that the Commission, when implementing the protocol, should consider the following:

In relation to the sectoral support, the rapporteur highlights the need for more transparency in order to be fully able to analyse how the funds are used and to assess if the set objectives are achieved and the desired results reached.

The rapporteur highlights especially the importance of involving woman in the sector and encourages the Commission to support, within the remit of the agreement and this new protocol, the involvement of more woman in the fisheries sector.

The rapporteur believes that the availability of up-to-date scientific data on fish stocks and overall fishing effort in Gabonese waters is of major importance. The implementation of the protocol should give appropriate focus on securing this data, so that the surplus within the meaning of Article 62 of the United Nations Convention on the Law of the Sea, targeted by the EU-fleet, can be correctly calculated.

¹ In accordance with the Interinstitutional Agreement on cooperation in budgetary matters, point 20 (OJ L 433I, 22.12.2020).

The rapporteur notes that the Commission's ex-post evaluation of the 2013-2016 FPA protocol considers important to have an instrument allowing for close sectoral cooperation, especially considering that Gabon is a major player in ocean governance at sub-regional level. The evaluation also points out the importance of strengthening relations with Gabon, which will enable alliances to be built within the framework of ICCAT.

The rapporteur believes that it is important to strengthen monitoring, control and surveillance and to improve the proper governance of fisheries in the region. The rapporteur therefore asks the Commission to fully use the instruments under this protocol to achieve improvements in this regard, especially that appropriate and regular monitoring of catches taken by vessels in the Gabonese fishing zone will take place and that shortcomings in this area will be addressed. Increased transparency of procedures for identifying the total catches are also important for identifying possible improvements along with the measures to prevent illegal, unreported and unregulated (IUU) fishing.

The rapporteur stresses that the Parliament must be fully informed at all stages of the procedures related to the implementation of the new protocol or its renewal. Therefore, the rapporteur encourages the Commission to provide annual reports on the implementation of the protocol and especially in relation to the sectorial support.

11.10.2021

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Fisheries

on the proposal for a Council decision on the conclusion of the Protocol implementing (for 2021-2026) the Fisheries Partnership Agreement between the Gabonese Republic and the European Community
(COM(2021)0247 – C9-0253/2021 – 2021/0127(NLE))

Rapporteur for opinion: José Manuel Fernandes

SHORT JUSTIFICATION

The current Fisheries Partnership Agreement between the European Union and the Gabonese Republic (hereinafter ‘the Partnership Agreement’) was signed on 4 June 2007 and entered into force on 11 June 2007 for a period of six years, tacitly renewed and still in force.

A previous three-year implementing protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement entered into force on 24 July 2013 and expired on 23 July 2016.

A new protocol setting out the fishing opportunities and financial contribution were initialled by the negotiators on 10 February 2021.

The new protocol covers a period of five years (2021-2026) from the date of its provisional application. It covers a period of five years from the date of provisional application laid down in Article 24, that being the date on which it is signed by both parties.

The main aim of the new Protocol is to provide an updated framework taking into account the priorities of the reformed common fisheries policy and its external dimension, with a view to continuing and strengthening the strategic partnership between the European Union and the Gabonese Republic in the field of fisheries.

The Protocol aims to grant fishing opportunities to European Union vessels in the Gabonese fishing zone in accordance with the best available scientific advice and the resolutions and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus. The Commission based its position in part on the results of an evaluation of the previous Protocol (2013-2016) and a forward-looking assessment of whether a new protocol should be concluded. These were carried out by external experts.

The aim is also to enhance cooperation between the European Union and the Gabonese Republic to promote a sustainable fisheries policy and sound exploitation of fisheries resources in the Gabonese fishing zone and in the Atlantic Ocean, in the interest of both parties. This cooperation will also help to promote decent working conditions for fishing activity.

The new Protocol provides for fishing opportunities in the following categories:

- 27 tuna purse seine vessels;
- 6 pole-and-line tuna vessels;
- support vessels in accordance with the relevant ICCAT resolutions and within the limits set by Gabonese legislation;
- 4 trawlers for possible fishing of deep-sea crustaceans, subject to authorisation based on the results of exploratory fishing trips.

The annual financial contribution from the European Union is EUR 2 600 000, based on:

a) an annual amount for access to the fisheries resources in the Gabonese fishing zone of EUR 1 600 000, equivalent to a reference tonnage, for highly migratory species, of 32 000 tonnes per year;

b) support for development of the sectoral fisheries policy of Gabon, amounting to EUR 1 000 000 per year. This support meets the objectives of Gabon's strategic plan for fisheries. The annual amount for commitment and payment appropriations is established during the annual budgetary procedure, including for the reserve line for protocols not yet having entered into force at the beginning of the year.

The Committee on Budgets calls on the Committee on Fisheries, as the committee responsible, to recommend approval of the proposal for a Council decision on the conclusion of the Protocol implementing (for 2021-2026) the Fisheries Partnership Agreement between the Gabonese Republic and the European Community.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Conclusion of the Protocol implementing (for 2021-2026) the Fisheries Partnership Agreement between the Gabonese Republic and the European Community
References	09172/2021 – C9-0253/2021 – 2021/0127(NLE)
Committee responsible	PECH
Opinion by Date announced in plenary	BUDG 5.7.2021
Rapporteur for the opinion Date appointed	José Manuel Fernandes 21.6.2021
Discussed in committee	31.8.2021
Date adopted	11.10.2021
Result of final vote	+ : 32 - : 4 0 : 4
Members present for the final vote	Robert Biedroń, Anna Bonfrisco, Olivier Chastel, Lefteris Christoforou, David Cormand, Paolo De Castro, Andor Deli, José Manuel Fernandes, Eider Gardiazabal Rubial, Vlad Gheorghe, Valentino Grant, Elisabetta Gualmini, Francisco Guerreiro, Valérie Hayer, Eero Heinäluoma, Niclas Herbst, Monika Hohlmeier, Moritz Körner, Joachim Kuhs, Zbigniew Kuźmiuk, Hélène Laporte, Pierre Larrourou, Janusz Lewandowski, Margarida Marques, Silvia Modig, Siegfried Mureşan, Victor Negrescu, Andrey Novakov, Jan Olbrycht, Dimitrios Papadimoulis, Karlo Ressler, Bogdan Rzońca, Nicolae Ştefănuţă, Nils Torvalds, Nils Ušakovs, Johan Van Overtveldt, Rainer Wieland, Angelika Winzig
Substitutes present for the final vote	Damian Boeselager, Henrike Hahn

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

32	+
ECR	Zbigniew Kuźmiuk, Bogdan Rzońca, Johan Van Overtveldt
ID	Hélène Laporte
NI	Andor Deli
PPE	Lefteris Christoforou, José Manuel Fernandes, Niclas Herbst, Monika Hohlmeier, Janusz Lewandowski, Siegfried Mureşan, Andrey Novakov, Jan Olbrycht, Karlo Ressler, Rainer Wieland, Angelika Winzig
Renew	Olivier Chastel, Vlad Gheorghe, Valérie Hayer, Moritz Körner, Nicolae Ştefănuţă, Nils Torvalds
S&D	Robert Biedroń, Paolo De Castro, Eider Gardiazabal Rubial, Elisabetta Gualmini, Eero Heinäluoma, Pierre Larrourou, Margarida Marques, Victor Negrescu, Nils Ušakovs
The Left	Dimitrios Papadimoulis

4	-
Verts/ALE	Damian Boeselager, David Cormand, Francisco Guerreiro, Henrike Hahn

4	0
ID	Anna Bonfrisco, Valentino Grant, Joachim Kuhs
The Left	Silvia Modig

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Conclusion of the Protocol implementing (for 2021-2026) the Fisheries Partnership Agreement between the Gabonese Republic and the European Community	
References	09172/2021 – C9-0253/2021 – 2021/0127(NLE)	
Date of consultation / request for consent	1.7.2021	
Committee responsible Date announced in plenary	PECH 5.7.2021	
Committees asked for opinions Date announced in plenary	DEVE 5.7.2021	BUDG 5.7.2021
Not delivering opinions Date of decision	DEVE 27.9.2021	
Rapporteurs Date appointed	Izaskun Bilbao Barandica 14.6.2021	
Discussed in committee	16.6.2021	11.10.2021
Date adopted	27.10.2021	
Result of final vote	+ : 19 - : 6 0 : 3	
Members present for the final vote	Clara Aguilera, Pietro Bartolo, François-Xavier Bellamy, Izaskun Bilbao Barandica, Isabel Carvalhais, Maria da Graça Carvalho, Rosanna Conte, Rosa D'Amato, Giuseppe Ferrandino, Søren Gade, Francisco Guerreiro, Anja Hazekamp, Niclas Herbst, Ladislav Ilčić, France Jamet, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, João Pimenta Lopes, Manuel Pizarro, Caroline Roose, Bert-Jan Ruissen, Annie Schreijer-Pierik, Peter van Dalen, Emma Wiesner, Theodoros Zagorakis	
Substitutes present for the final vote	Benoît Biteau, Valentino Grant	
Date tabled	8.11.2021	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

19	+
ECR	Ladislav Ilčić, Bert-Jan Ruissen
PPE	François-Xavier Bellamy, Maria da Graça Carvalho, Peter van Dalen, Niclas Herbst, Francisco José Millán Mon, Annie Schreijer-Pierik, Theodoros Zagorakis
Renew	Izaskun Bilbao Barandica, Søren Gade, Pierre Karleskind, Emma Wiesner
S&D	Clara Aguilera, Pietro Bartolo, Isabel Carvalhais, Giuseppe Ferrandino, Predrag Fred Matić, Manuel Pizarro

6	-
ID	France Jamet
The Left	Anja Hazekamp
Verts/ALE	Benoît Biteau, Rosa D'Amato, Francisco Guerreiro, Caroline Roose

3	0
ID	Rosanna Conte, Valentino Grant
The Left	João Pimenta Lopes

Key to symbols:

+ : in favour

- : against

0 : abstention