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DRAFT OPINION

of the Committee on Development

for the Committee on Fisheries

on the proposal for a Council regulation on the conclusion of a Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community
(COM(2007)0085 – C6-0098/2007 – 2007/0034(CNS))

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SHORT JUSTIFICATION

The European Union's development co-operation policy and the common fisheries policy (CFP) must be consistent, complementary and co-ordinated, contributing, as a whole, to poverty reduction and the sustainable development of the countries concerned.

The EU has committed itself to ensuring the sustainability of fisheries worldwide, as defined at the United Nations 2002 summit in Johannesburg, maintaining or restoring stock levels with a view to producing the maximum sustainable yield.

The EU has accepted the UN's Food and Agricultural Organization's "Code of Conduct for Responsible Fisheries", to promote long-term sustainable fisheries and to affirm that the right to fish carries with it the obligation to do so in a responsible manner so as to ensure effective conservation and management of the living aquatic resources.

The EU's presence in distant fishing grounds is a legitimate objective, but it must be recalled that the interest of European Union's fisheries ought to be protected alongside the interest in developing the nations with which fisheries agreements are signed.

The European Parliament's Development Committee welcomes the ACP-EU Joint Parliamentary Assembly resolution of 22 June 2006 on "Fisheries and their social and environmental aspects in developing countries", in particular in so far as it considers that the protection of EU and ACP fishing interests must be coordinated with the sustainable management of fishery resources in economic, social and environmental terms on the one hand, and with the livelihoods of coastal communities dependent on fisheries on the other.

The European Parliament's Development Committee further stresses the reference made in the ACP-EU Fisheries Partnership Agreement to the observation of the Cotonou Agreement; insists that full account must be taken of Article 9 of the Cotonou Agreement on human rights, democratic principles, good governance and the rule of law, and welcomes the guarantees given by the Commission services to the effect that they shall take into consideration the content of Article 9 when negotiating agreements with developing countries, including non-ACP developing countries.

The proposed agreement will repeal and replace the Agreement between the European Community and the Republic of São Tomé and Príncipe which entered into force in 1984.

The Protocol and the Annex have been concluded for a period of four years from the date on which the appropriate adoption procedures are completed. It shall be tacitly renewed for a further four year period.

The Protocol to the proposed agreement grants fishing possibilities for 25 freezer tuna seiners, from Spain and France, and 18 surface longliners, from Spain and Portugal, subject to a total of 43 licences.

The financial contribution is fixed at EUR 663 000 per year against a reference tonnage of 8 500 tonnes. A specific amount of EUR 110 500 per year is aimed at supporting and implementing initiatives taken in the context of São Tomé and Príncipe sectoral fisheries policy.

If the overall quantity of catches exceeds 8 500 tonnes per year, the financial contribution shall be increased by EUR 65 for each additional tonne caught.

However, the total annual amount paid by the Community shall not be more than twice the amount equivalent to the reference tonnage (i.e. EUR 1 105 000). Where the quantities caught by Community vessels exceed the quantities corresponding to twice the total annual amount (17 000 tonnes), the amount due for the quantity exceeding that limit shall be paid the following year.

Ship-owners' fees could create an additional annual income of around EUR 165 900 for São Tomé and Príncipe.

The European Parliament's Development Committee welcomes the referred link to national initiatives and hope that they may include the financing to local infrastructure projects of processing and marketing of the fish, thus allowing local populations to go beyond subsistence fisheries.

The European Parliament's Development Committee also welcomes the fact that the agreement is partly based on an evaluation of local fisheries and that it fosters scientific and technical cooperation with local authorities. The above mentioned ACP-EU resolution considers that scientific resource assessment must be a precondition for access to fishing, and that an annual evaluation of resources must be a condition for obtaining further fishing permits.

The European Parliament's Development Committee do not endorse the procedure adopted for this agreement because the European Parliament should have played a part in the negotiation mandate, which the Council would have given to the Commission, and should be informed of the development of the negotiations.

Parliament has been consulted about the proposed agreement only in March 2007, eight months and half after the agreement was initialled, with the aim of coming into effect on 1 June 2006. Parliament should object and should assert that this procedure is not acceptable.

The Commission and the Council must reach an agreement on the conditions that would give the Parliament a real opportunity to be consulted. In the absence of such circumstance, the Committee on Fisheries should lead Parliament's reaction to the present status quo, including the option of voting against fisheries agreements submitted under present procedure.

AMENDMENTS

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

Amendment 1
Recital 2 a (new)

(2a) The Community's financial contribution should be used for the development of coastal populations living on fisheries and the creation of small local fish freezing and processing industries;

¹ Not yet published in OJ.