



European Communities

EUROPEAN PARLIAMENT

SESSION DOCUMENTS

English Edition

31 October 1990

A3-0268/90



R E P O R T

of the Committee on Agriculture, Fisheries and Rural Development

on the Commission proposal for a Council regulation on the conclusion of an agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania
(COM(90) 0244 final - C3-0206/90)

Rapporteur: Mr Paul HOWELL

DOC_EN\RR\98230

PE 143.338/fin.
Or. FR

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

*	= Consultation procedure requiring a single reading	**II	= Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment
I	= Cooperation procedure (first reading)	*	= Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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By letter of 2 July 1990 the Council consulted the European Parliament, pursuant to Article 43 of the EEC Treaty, on the Commission proposal for a Council regulation on the conclusion of the agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania.

At the sitting of 9 July 1990 the President of Parliament announced that he had referred this proposal to the Committee on Agriculture, Fisheries and Rural Development as the committee responsible and to the Committee on Budgets and the Committee on Development and Cooperation for their opinions.

At its meeting of 18-19 September 1990 the Committee on Agriculture, Fisheries and Rural Development appointed Mr Howell rapporteur.

At its meetings of 25-26 September 1990 and 30-31 October 1990 it considered the Commission proposal and the draft report.

At the latter meeting, and on the recommendation of the Subcommittee on Fisheries, it adopted the draft legislative resolution unanimously.

The following took part in the vote: Colino Salamanca, chairman; Graefe zu Baringdorf, vice-chairman; Howell, rapporteur; Carvalho Cardoso, Domingo Segarra, Fantuzzi, Funk, Happart, Keppelhoff-Wiechert, Lane, Lataillade (for Guillaume), Maher (for Kofoed), Morris (for McCubbin), Sonneveld, Stevenson and Verbeek.

The opinion of the Committee on Development and Cooperation is attached to this report. The opinion of the Committee on Budgets will be published separately.

The report was tabled on 31 October 1990.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A
Proposal for a Council regulation on
the conclusion of the agreement between
the European Economic Community and the
United Republic of Tanzania on fishing off Tanzania

Commission text¹

Amendments

(Amendment No. 1)
Article 2a (new)

Before expiry of the periods of
validity of the agreement or the
protocol, and before any agreement
to renew the agreement is concluded,
the Commission shall submit to the
Council and to the European
Parliament a report on the
utilization and implementation of
the agreement.

¹ For full text see COM(90) 0244 final - OJ No. C 187, 27.7.1990, p. 33

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council regulation on the conclusion of the agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania

The European Parliament,

- having regard to the Commission proposal to the Council (COM(90) 0244 final)¹
 - having been consulted by the Council pursuant to Article 43 of the Treaty (Doc. C3-0206/90),
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (Doc. A3-0268/90),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 187, 27.7.1990, p. 33

EXPLANATORY STATEMENTINTRODUCTION

1. The Commission has recently submitted to Parliament a proposal for a regulation on the conclusion of an agreement determining fishing opportunities off the coast of Tanzania.

2. Although fishing agreements had been concluded with other states in the region such as the Seychelles and Mozambique, no such agreement existed with Tanzania. The new agreement therefore fills a gap, and gives Community fishermen the opportunity to fish in waters which are particularly rich in thunnidae.

3. At its meeting of 17 September 1989, the Subcommittee on Fisheries decided to prepare a report on this proposal on behalf of the Committee on Agriculture, Fisheries and Rural Development.

Substance of the agreement

4. The new agreement covers an initial period of three years, and is renewable every three years. It provides for fishing opportunities for 46 tuna seiners and eight surface longliners, and therefore offers greater opportunities than those previously negotiated with Tanzania's neighbours.

	SEYCHELLES	MADAGASCAR	COMORES	TANZANIA
TUNA SEINERS (No. of vessels)	40	45	40	46
OTHER VESSELS	-	-	-	8 surface longliners
ANNUAL TUNA CATCH (TONNES)	unrestricted (est. 46000)	12 000	6 000	7 000
ANNUAL COST (k ECU)	3 300*	967**	4 667	560
Fishing rights/tonne of tuna EC contribution + licence (ECU)	50 + 20	50 + 20	50 + 20	50 + 20
Cost/tonne of thunnidae (ECU) (charged to the EEC budget)	71.74	80.58	77.78	80
* Based on an estimated 46 000 tonnes, the average catch during the last period				
**Excluding the cost of the shellfish survey				

5. This development is certainly welcome, although what the practical implications of the disparities in the figures will be for the fishing vessels operating in the area remains to be seen, given that the species to be targeted are migratory.

6. The proposed financial compensation is 350 000 ECU per year. The total cost of the agreement to the Community budget is 560 000 ECU per year, including the fishing rights, the contribution to the scientific programme and the study grants. In comparison with the cost of the agreements with Tanzania's neighbours, this figure is reasonable.

7. The customary terms apply to licence fees and to the basis on which licences are issued - i.e. valid for one year, subsequently renewable. Licence fees of 20 ECU per tonne, with a lump sum of 1000 ECU payable by surface longliners to cover the first 50 tonnes, or 200 ECU by surface longliners to cover the first 10 tonnes.

Critical appraisal

8. From the strictly commercial point of view, this agreement should be considered to be a good one. The rapporteur must, however, point out the rules which Parliament wishes to be applied when fishing agreements are concluded in the wake of the Guerneur report require that an element of development aid should be included, and this is almost totally absent from the agreement signed with Tanzania.

9. This fact may cause some surprise, especially in view of the fact that the Lomé IV Convention contains a special section in fishing activities. There is no such provision in the EEC-Tanzania agreement of the kind which we have come to expect in fishing agreements with African countries in particular, such as a zone reserved for small-scale local operations, the training of local fishermen and/or their inclusion as crew members, clauses for monitoring catches, means of compulsory unloading within territorial waters, special provisions to prevent wastage of by-catches, etc.

10. Even if, from the point of view of those who earn their living from fishing, this is a much more beneficial agreement than the others, the fact that the Commission, in negotiating it, completely overlooked this important aspect of Community policy should still be queried.

11. For this reason, the rapporteur feels that it must be stressed yet again that the current system of a posteriori parliamentary ratification of fishing agreements deprives Parliament of any real influence over the substance of those agreements, which are binding on the Community. This procedure should definitely be reviewed in order to avoid disparities of the kind which have been seen to exist amongst the various agreements signed with neighbouring countries and to prevent the kind of gaps evident in this agreement from recurring.

12. However, the rapporteur stresses that other steps to develop T. fishing may also be taken in the form of Community aid programmes under the Lomé Convention. Whilst recommending that the Committee on Agriculture, Fisheries and Rural Development approve the Commission proposal, the rapporteur therefore asks the Commission to take these comments into consideration when drawing up its development aid programmes and/or when the EEC-Tanzania Protocol is next renewed, three years after the agreement enters into force.

13. Furthermore, to enable Parliament to monitor the actual implementation of the agreement, the rapporteur requests the Committee on Agriculture, Fisheries and Rural Development to table an amendment to the proposal for a regulation requesting that a report be submitted to Parliament as it has done in the case of earlier agreements.

OPINION

of the Committee on Development and Cooperation

Letter from the chairman of the committee to Mr COLINO SALAMANCA, chairman of the Committee on Agriculture, Fisheries and Rural Development

Strasbourg, 21 October 1990

Subject: Proposal for a Council regulation (EEC) on the conclusion of the Agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania (COM(90) 204 final)

Dear Mr Colino Salamanca,

At the meeting of 17 October 1990, the Committee on Development and Cooperation considered the above proposal and adopted the following opinion in the form of a letter.

The Committee on Development would draw the attention of the Committee on Agriculture, Fisheries and Rural Development to its previous reports and opinions on other fisheries agreements concluded with various countries of the ACP area, in particular the GUERMEUR report on fisheries agreements with the developing countries, adopted by the European Parliament on 19 February 1987². The committee believes that the report by Mr GUERMEUR must constitute the basic frame of reference for all agreements of this nature.

The Committee on Development has always stressed the need for fisheries agreements to be concluded with the ACP countries which are of benefit both to the countries of the ACP area and to the countries of the EEC. Legally, the fisheries agreements are commercial agreements, but this committee has insisted that they should have a development component, in the sense that they should cover matters such as the financing of scientific and technological programmes in the fisheries sector, awards, the landing of a percentage of catches in the country of origin, the employment of local crews, as well as other matters not yet covered by fisheries agreements: the transfer of fisheries technology, joint ventures, ex post assessment, regional aspects, etc.

18 October 1990

²DOC. A2-204/86; OJ C 76, 23.2.1987

The Committee on Development and Cooperation,

taking account of the above factors,

1. Welcomes the conclusion of the present fisheries agreement with the United Republic of Tanzania, which follows the agreements already concluded with other countries of the region.
2. Points out that the present agreement adheres to the general principles governing other fisheries agreements with other countries: in return for fishing rights for tuna and other species, financial compensation of 350 000 ECU per year for three years will be paid, as well as 430 000 ECU to finance scientific programmes and 200 000 ECU to finance awards.
3. Regrets that the present agreement has not set a limit for catches and that it was concluded without prior knowledge of the country's fish stocks.
4. Regrets that no provision has been made in the present fisheries agreement with Tanzania for the following:
 - a. The possibility of creating joint ventures in connection with local processing, marketing and boat-building; points out once again that joint ventures are an excellent vehicle for technology transfers and the flow of capital.
 - b. regional measures, including regional research and exploitation of resources, the financing of regional training centres for the fishing sector, a regional awards policy, etc.
5. Calls once again on the Commission to study the possibility of concluding regional fisheries agreements with the countries of this area.
6. Requests the Commission to submit in due course a report assessing the present fisheries agreement with a view to adapting it satisfactorily to the interests of Tanzania and of the Community's vessels.
7. Calls on the Commission to see to it that vessels flying the flags of the Community Member States comply with each and every contractual clause of the present agreements.
8. Requests that the EP be involved in the fisheries agreement negotiation process by means of a procedure that enables it to be informed of the proposals put forward, so that it can then make its position clear before the Commission receives its negotiating brief from the Council.
9. Requests that the EP committee responsible be informed of the progress of the negotiations so that it can make its views known to the Commission.

Requests the Committee on Agriculture:

- . To take account of this opinion of the Committee on Development and Cooperation when drawing up its report.
- . To approve the proposal.

(sgd) Henri SABY

The following were present for the vote: Saby, chairman; Belo and Bindi, vice-chairmen, Arbeloa, Hermans, Magnani Noya, Mendes Bota, Morris, Perschau, Pons, Schmidbauer, Simons and Telkämper.

