

EUROPEAN PARLIAMENT

# Working Documents

1981 - 1982

23 March 1981

DOCUMENT 1-54/81

REPORT

drawn up on behalf of the Committee on Agriculture

on the proposal from the Commission of the  
European Communities to the Council (Doc. 1-939/80)  
for a regulation laying down certain measures for  
the conservation and management of fishery resources  
applicable to vessels flying the flag of certain  
non-member countries in the 200 nautical-mile zone  
off the coast of the French department of Guyana

Rapporteur: Mr C. JOSSELIN

12.7



By letter of 20 February 1981, the Council of the European Communities consulted the European Parliament, pursuant to Rule 43 of the Treaties establishing the EEC, on a proposal for a Council regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical-mile zone off the coast of the French department of Guyana.

By letter of 6 March 1981, the Council requested application of the urgent procedure provided for in Rule 14 of the Rules of Procedure.

The President of the European Parliament referred this proposal to the Committee on Agriculture.

At its meeting of 16 and 17 February 1981, the Committee on Agriculture appointed Mr Josselin rapporteur.

The Committee on Agriculture considered this proposal at its meeting of 16 - 18 March 1981.

At the same meeting it unanimously adopted the motion for a resolution and the explanatory statement thereto.

Present: Sir Henry Plumb, chairman; Mr Battersby acting for, Mr Abens (deputizing for Mrs Cresson), Mr Barbagli (deputizing for Mr Ligios), Mr Bocklet, Mr Curry, Mr De Keersmaeker (deputizing for Mr Früh), Mr Diana, Mr Fanton, Mr Gautier, Mr Helms, Mr Hord, Mr Louwes (deputizing for Mr Delatte), Mr Maher, Mr B. Nielsen, Mr d'Ormesson, Mr Provan, Miss Quin, Mr Tolman, Mr Wettig and Mr Woltjer.



The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical mile zone off the French department of Guyana.

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(81) 20 final),
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc.1-939/80),
  - having regard to the report of the Committee on Agriculture (Doc.1-54/81 ),
  - having regard to its opinion of 21 November 1980<sup>1</sup> on the proposal from the Commission of the European Communities to the Council for a regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical mile zone off the coast of the French department of Guyana (Doc. 1-363/80),
1. Approves the Commission proposal which aims at developing the shrimp-processing industry of the French department of Guyana;
  2. Welcomes therefore the obligation imposed on ships of the United States, Japan and Korea to conclude contracts to land their entire catches of shrimps in the French department of Guyana in order to obtain fishing licences from the Community;
  3. Approves the increase in the number of licences allocated to vessels flying the flags of Barbados, Guyana, Surinam and Trinidad and Tobago; stresses that fishing can play a not inconsiderable role in the economic development of these States;

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<sup>1</sup>OJ No. C 327, 15.12.1980, p. 93 (Doc. 1-537/80)

4. Approves the system of penalties instituted under Articles 14 and 15 of the Commission proposal consisting in the withdrawal of or refusal to grant a licence; calls nonetheless for a clause to be included stipulating the obligation to forward to the Commission a copy of the logbook on pain of having the licence withdrawn.
  
5. Encourages the setting up of a system for the exchange of information between countries bordering on the Caribbean and other States, such as Brazil, in order to ensure that shrimp stocks are not over-exploited and therefore do not become extinct.

EXPLANATORY STATEMENTI - THE PRESENT SYSTEM

1. Fishing by vessels from non-member countries off the coast of the French department of Guyana during the period from 1 January 1980 to 31 March 1981 has been governed by Council Regulation (EEC) No. 3450/80<sup>1</sup>. The regulation lays down that vessels from non-member countries may fish in the exclusive economic zone of Guyana on condition that they hold a fishing licence issued by the Commission on behalf of the Community and that they do not exceed the quantities laid down in Annex I to the said regulation.

2. It should be noted that the Committee on Agriculture delivered an opinion<sup>2</sup> on the Commission's proposal to the Council which led to this regulation and that the European Parliament issued its opinion on 21 November 1980<sup>3</sup>. In its opinion, Parliament called notably for an overall approach to the problem of fishing in the Caribbean and for fishing policy to be integrated into development policy.

II - NEW PROVISIONS LAID DOWN IN THE DRAFT REGULATION

3. The Commission's proposal includes most of the provisions contained in Regulation (EEC) No. 3450/80 but with the following fundamental differences:

- (a) there are no longer any quantitative limits as regards authorized catches. In the explanatory memorandum to its proposal the Commission nonetheless points out that it intends to restrict fishing 'to the level provided for in the Community regulation in force in 1980'.

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<sup>1</sup>OJ No. L 360, 31.12.1980, p. 7

<sup>2</sup>Doc. 1-537/80 - rapporteur: Mrs Cresson

<sup>3</sup>OJ No. C 327, 15.12.1980, p. 93 (Doc. 1-537/80)

- (b) The Commission proposes an increase in the number of vessels obliged to land their catches in the French department of Guyana so as to provide work for its processing industry. The number of licences will rise from 83 to 100. Furthermore, the Commission no longer intends to allocate a specific number of licences to each country, as under the current regulation (United States: 61; Japan: 22); an overall total is fixed, to apply, in addition to the two aforementioned countries, also to Korea. In its explanatory memorandum the Commission points out that it will 'give priority in the allocation of licences to vessels which have traditionally fished in the region, taking into account, where appropriate, the general interests of the Community'.

American, Japanese and Korean vessels which do not land their catches in French Guyana will no longer be granted fishing rights. Licences will be issued on condition that the interested parties have concluded a landing contract.

- (c) Coastal countries of the region which do not land their catches in French Guyana will be granted privileged treatment compared with other countries.

Thus, the number of licences assigned to Barbados rises from 5 to 18, to Guyana from 5 to 18, to Surinam from 15 to 18 and to Trinidad and Tobago from 10 to 18. This provision answers the concern felt by the European Parliament for the ACP States.

- (d) The Commission states that its proposal seeks to restrict fishing activity to a volume the shrimp stocks can support, whilst at the same time allowing achievement of a level of average catches per vessel high enough to ensure that shrimp fishing upon which the local processing industry depends, is profitable. This has been done by no longer granting 38 licences to vessels of the United States (10), Japan (10) and Korea (18) to land their catches outside French Guyana. Under Regulation (EEC) No. 3450/80, 101 licences were granted to these countries. In the present proposal the number is reduced to 100, but account has to be taken of the fact that fishing activity must be adjusted to the capacity of French Guyana's processing industry.

### III - OTHER PROVISIONS

4. The Commission proposal provides for three types of licence:

- (a) Licences for shrimp fishing granted to vessels under contract to land their catches in Guyana. As we have seen, this measure concerns the United States, Japan and Korea.
- (b) Licences for shrimp fishing granted to vessels which are not obliged to land their catches in Guyana. As we have just seen, these apply to vessels flying the flags of Barbados, Guyana, Surinam and Trinidad and Tobago. The licences are valid for 1,500 days at sea at the most and for the fishing period provided for in the fishing plan which the authorities of these countries are obliged to submit to the Commission.
- (c) Licences for fishing species other than shrimps. These apply to Japan, Korea, Venezuela and Barbados. The number of licences granted (26) remains unchanged from Regulation (EEC) No. 3450/80 and the vessels concerned are not obliged to land their catches in French Guyana.

5. As under the regulation currently in force, shrimp fishing remains prohibited in waters less than 30 meters deep. However, the period of prohibition will now last from 1 May until 31 October (instead of until 31 December). This change is justified for biological reasons.

Catches of species other than shrimps are authorized only in the case of vessels using long lines.

6. The masters of the vessels concerned must keep a logbook containing a record of fishing operations and catches.

It will be the responsibility of the French authorities to ensure proper application of the regulation and in particular to verify the accuracy of catch declarations.

7. At present the French authorities have one aircraft and one launch at their disposal for locating vessels engaged in illegal fishing, i.e. fishing without a licence, in the region. This equipment is occasionally backed up by units of the French national navy patrolling in the region.

The equipment deployed by France in the region is for the moment sufficient to locate and punish the poachers. Further methods of apprehending poachers exist, moreover, under administrative cooperation agreements between France and States such as Surinam or Guyana.

8. Articles 14 and 15 of the Commission's proposal lay down penalties to be applied in cases where vessels infringe the provisions. These penalties consist in the withdrawal of or the refusal to grant a licence.

The Commission should expressly provide for the withdrawal of licences from ships whose masters do not forward to it a copy of their logbook within a period of 30 days from the last day of each fishing trip, as required by Article 10 of the proposed Regulation.

#### IV - CONCLUSIONS

9. The Committee on Agriculture appreciates the pragmatism of the proposal which seeks to align shrimp fishing by vessels from third countries with the capacity of the processing industry of French Guyana and thus to promote the development of the latter. The capacity of this industry which reached 2,700 tonnes in 1980 should rise to 3,500 tonnes by the end of 1981.

10. It also welcomes the fact that no licences will henceforth be granted to vessels from industrialized countries which do not land their catches in Guyana and that the number of licences allocated to the ACP countries has been increased.

11. Lastly the Committee on Agriculture, whilst welcoming the system of penalties introduced, calls for the system to include cases of failure to forward copies of the logbook to the Commission.

12. With this reservation, the Committee on Agriculture approves the Commission's proposal.