

EUROPEAN PARLIAMENT



s e s s i o n d o c u m e n t s

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26 January 1993

A3-0012/93



R E P O R T

of the Committee on Agriculture, Fisheries and Rural
Development

on Commission proposal's for a Council regulation

- I. on the conclusion of the agreement on fisheries
between the European Economic Community and the
Republic of Estonia
- II. on the conclusion of the agreement on fisheries
between the European Economic Community and the
Republic of Latvia
- III. on the conclusion of the agreement on fisheries
between the European Economic Community and the
Republic of Lithuania
(COM(92) 0431 final - C3-0469 to 0471/92)

Rapporteur: Mr Niels Anker KOFOED

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PE 203.164/fin.

Or, EN

Consultation procedure requiring a single reading
Cooperation procedure (first reading)

**II Cooperation procedure (second reading) requiring the votes of a majority of the current Members of Parliament
*** Parliamentary assent requiring the votes of a majority of the current Members of Parliament

DA DE GR **EN** ES FR IT NL PT

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By letter of 11 December 1992 the Council consulted the European Parliament, pursuant to Article 43 of the EEC Treaty on the Commission proposals for a Council Regulation :

- I. on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Estonia,
- II. on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Latvia,
- III. on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Lithuania.

The Council simultaneously requested the application of urgent procedure in accordance with Rule 75 of the Rules of procedure.

At its meeting of 14 December 1992 the President of Parliament announced that he had referred these proposals to the Committee on Agriculture, Fisheries and Rural Development as the committee responsible and to the Committee on External Economic Relations for its opinion.

At its meeting of 15 December 1992 the Parliament rejected the use of urgent procedure.

At its meeting of 4 December 1992 the Committee on Agriculture, Fisheries and Rural Development had appointed Mr KOFOED rapporteur.

At its meeting of 26/27 January 1993 it considered the Commission proposals and draft report. It adopted the draft legislative resolutions unanimously, at the recommendation of its sub-committee on Fisheries.

The following took part in the vote: Borgo, chairman ; Vazquez Fouz, Graefe zu Baringdorf, vice-chairmen; Kofoed, rapporteur; Bocklet, Böge (for Keppelhoff-Wiechert), da Cunha Oliveira (for Thareau), Dalsass, Dessylas (for Ainardi), Fantuzzi, Funk, McCartin, McCubbin, Maher (for Garcia), Marck, Mottola, Navarro, Sierra Bardaji, Sonneveld, Verbeek, Welsh and Woltjer (for Rothe).

The opinion of the Committee on External Economic Relations is attached.

The report was tabled on 26 January 1993.

The deadline for tabling amendments is 4 February 1993, at 12 noon.

A

Commission proposal for a Council regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Estonia

Commission text*

Amendment

Article 2a (new)

The Commission shall examine the practical possibilities for co-operation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols are adopted according to Article 43 of the Treaty.

*for full text see (COM)(92)0431 final - OJ C 304 of 21 November 11 1992, p. 8

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament
on the Commission proposal for a Council regulation
on the conclusion of the agreement on fisheries
between the European Economic Community
and the Republic of Estonia

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92) 0431 final)¹;
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0469/92);
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93)
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 proposals;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ C 304 of 21 November 1992, p. 8

A.

Commission proposal for a Council regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Latvia

Commission text*

Amendment

Article 2a (new)

The Commission shall examine the practical possibilities for co-operation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols are adopted according to Article 43 of the Treaty.

*for full text see (COM(92) 0431 final - OJ C 304 of 21 November 1992, p. 12

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament
on the Commission proposal for a Council regulation
on the conclusion of the agreement on fisheries
between the European Economic Community
and the Republic of Latvia

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92) 0431 final)¹
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0470/92);
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93);
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 proposals;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ C 304 of 21 November 1992, p. 12

A

Commission proposal for a Council regulation on the conclusion of the agreement on fisheries between the European Economic Community and on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Lithuania

Commission text*

Amendment

Article 2a (new)

The Commission shall examine the practical possibilities for co-operation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols are adopted according to Article 43 of the Treaty.

*for full text see (COM(92) 0431 final - OJ C 304 of 21 November 1992, p. 16

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament
on the Commission proposal for a Council regulation
on the conclusion of the agreement on fisheries
between the European Economic Community
and the Republic of Lithuania

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92) 0431 final)¹;
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0471/92);
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93);
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 proposals;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ C 304 of 21 November 1992, p. 16

B

EXPLANATORY STATEMENT

BALTIC SEA : THE CONTEXT

The Baltic Sea is central to the activity of neighbouring countries, and it is not necessary to trace back the history of the region to the Hanseatic League to recall the importance of this basin as a link between its populations as well as an important fishing zone, where most fishing stocks spread over national borders.

In present times, the state of the Baltic Sea in terms of fishing opportunities is affected by high levels of exploitation and by high levels of pollution, worsened by the characteristics of the Baltic as a virtually closed basin.

Therefore close co-operation between concerned countries is needed both in scientific assessment of the stocks, management thereof and economic exploitation strategies, besides less specifically fisheries-related aspects, such as reduction of pollution level.

A multilateral body exists, i. e. the Baltic Fisheries Commission. The collapse of the Soviet empire has fostered its ability to be an efficient forum for co-operation, that was practically limited to Western members during the cold war period. One should expect from the activity of this Commission that in a near future the Baltic Sea may be managed as one single zone rather than an addition of national EEZs, with global TACs and common rules for technical conservation measures and orientation of the fleet profile (size, power, etc.)

Besides this multilateral organization, the Community has a range of contacts, especially in the form of fisheries agreements with Sweden (and Finland), which allow for exchange of quotas. Such agreements could not be achieved with the former Soviet Union, as this country insisted for a wider-ranging approach including North Sea and Atlantic as well as the Baltic, an approach the Community could not accept.

THE BALTIC STATES, FISHERIES AND THE EC

The present state of the world brings therefore new hopes for developments in this zone. As the restored States of Estonia, Latvia and Lithuania regained their sovereignty, they showed keen interest for co-operation with their Nordic and Community neighbours. They have joined the Baltic Commission and are willing to involve themselves in such actions as common conservation schemes, joint-ventures and exchanges of quota.

Such a co-operation must be viewed as a middle-term one. The bad conditions of stocks and the backward state of the industry in these countries implies that technical assistance, modernizing the land equipment for transformation and trade and training are given priority. It is nevertheless clear that Community enterprises wishing to benefit of the Baltic States' fishing grounds in the future do need to involve themselves from now on.

The three present agreements, written in almost identical terms, aim precisely at setting the frame for such co-operation at public and private levels.

The agreements establish the various fields of this co-operation :

- the establishment of TAC's according to international scientific advice, with the principle of exchange of quota or reciprocal access for common stocks, if necessary through a system of licences;
- common rules of management for national and trans-border stocks, and common possible management of such "international" stocks;
- financial and technical help by the Community for training;
- promotion of joint-ventures.

Unlike most fishing agreements, no actual figures are included in the agreement nor in any annexed protocol, leaving the Community and other parties the possibility to establish in due time and according to biological and economical prospects.

CRITICAL APPRAISAL OF THE AGREEMENTS

Although the three agreements are almost identical, the one with Estonia does not mention the possibility for joint-ventures to exploit resources in the Estonian EEZ, which is explicitly quoted - in two different wordings - in the other two agreements. Your rapporteur is therefore sceptical of the actual interest of mentioning joint-ventures at all and thinks that attention shall have to be paid to make sure that future financial and technical protocols with this country fair and are not used for objectives that would be extraneous to sound and mutually profitable co-operation in the economic sector of fisheries.

Excepted for this particular point for Estonia, the vagueness of these framework agreements without practical nor financial consequences does not allow salient points to be really criticized; the actual content of the cooperation, e.g. nature and volume of quotas exchanged, possibility of joint-ventures including all fields of the fishing industry and related sectors, level and usage of the financial compensation, with the States involved shall appear in the subsequent protocols, which shall be established from now on, and upon which the Parliament should be able to observe before they are made final.

This is why, while calling for an approval of the agreement, your rapporteur recommends that the Parliament should adopt an amendment giving the possibility of such timely monitoring.

OPINION

of the Committee on External Economic Relations

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

Brussels, 2 December 1992

Subject: - proposal for a Council regulation (EEC) on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Estonia

- proposal for a Council regulation (EEC) on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Latvia

- proposal for a Council regulation (EEC) on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Lithuania
(COM(92) 0431 final)

Dear Mr Borgo,

At its meeting of 2 December 1992 in Brussels the Committee on External Economic Relations considered the proposals for regulations referred to above.

The committee has already considered relations between the Community and the three Baltic republics, in particular through the cooperation agreements with these three countries on which it has submitted reports.

With reference to the agreements on fisheries, it recognizes their shared wish, and that of the Community, to ensure the conservation and rational management of fish stocks in their coastal waters.

It recognizes the principle that part of the fishery resources of the Baltic Sea consist of common or highly interrelated stocks which are exploited by fishermen from the Community or the three Baltic republics and that effective conservation and rational management of stocks can be achieved only by means of cooperation between the parties concerned and in the appropriate international fora, in particular the International Baltic Sea Fisheries Commission, and with due reference to the United Nations Convention on the Law of the Sea.

The three agreements covered by the regulations under consideration appear to define suitably the conditions and authorized catch quantities in the zones concerned, the conditions for cooperation which will facilitate the necessary scientific research and the possible financial contributions, whilst allowing sufficient flexibility to enable any adjustments to be made during the annual consultations which prove necessary, in the light of experience, in the interests of all the contracting parties.

The Committee on External Economic Relations therefore delivers a favourable opinion on these three proposals for regulations and considers that the Committee on Agriculture, Fisheries and Rural Development should propose their approval by the European Parliament.

The proposals for regulations were approved unanimously.¹

Yours sincerely,

Willy DE CLERCQ

¹ The following were present for the vote: De Clercq, chairman; Cano Pinto, vice-chairman; Christensen, de Vries, Gallenzi, Janssen van Raay (for Lemmer), Peijs, Price, Sonneveld (for Moorhouse), Titley (for Hindley) and Woltjer (for Mihr, pursuant to Rule 111(2)).

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