

EUROPEAN PARLIAMENT

Working Documents

1984-1985

9 April 1984

DOCUMENT 1-95/84

Report

drawn up on behalf of the Committee on Agriculture

on the proposal from the Commission of the European Communities to the Council (Doc. 1-1408/83 - COM(84) 38 final) for a Decision on the conclusion of the Agreement between the European Economic Community and the Government of the Republic of Senegal amending for the second time the Agreement on fishing off the coast of Senegal, signed on 15 June 1979, and of the new Protocol thereto

Rapporteur: Mr O. d'ORMESSON

PE 89.168/fin.

Or. Fr

By letter of 9 February 1984, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Article 43 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a decision on the conclusion of the Agreement between the European Economic Community and the government of the Republic of Senegal amending for the second time the Agreement on fishing off the coast of Senegal, signed on 15 June 1979, and of the new Protocol thereto.

On 15 February 1984, the President of the European Parliament referred this proposal to the Committee on Agriculture and the Committee on Development and Cooperation, as the committees responsible, and to the Committee on Budgets for an opinion.

At its meeting of 21 and 22 February 1984, the Committee on Agriculture appointed Mr O. d'Ormesson rapporteur.

The committee considered the Commission's proposal and the draft report at its meeting of 20 and 21 March 1984.

At this meeting, the committee decided by 21 votes in favour and 2 abstentions to recommend to Parliament that it approve the Commission's proposal without amendment.

The committee then adopted the motion for a resolution as a whole by 21 votes in favour and 2 abstentions.

The following took part in the vote: Mr Curry, chairman; Mr Fruh and Mr Colleselli, vice-chairmen; Mr Battersby, acting rapporteur; Mr Barbagli (deputizing for Mr Diana); Mr Bocklet, Mr Dalsass, Mr Eyraud, Mr Gatto, Mr Helms, Mrs Herklotz, Mr Hord, Mr Jurgens, Mr Keating (deputizing for Ms Quin), Mr Ligios, Mr Lucker (deputizing for Mr Tolman), Mr McCartin (deputizing for Mr Clinton), Mr Maffre-Baugé, Mr Maher, Mr M. Martin (deputizing for Mr Pranchère), Mr Mertens, Mr Provan and Mr Thareau.

The report was tabled on 24 March 1984.

The opinion of the Committee on Budgets is attached to the report.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

C O N T E N T S

A. MOTION FOR A RESOLUTION 5

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Opinion of the Committee on Budgets

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

Motion for a resolution

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision on the conclusion of the Agreement between the European Economic Community and the Government of the Republic of Senegal amending for the second time the Agreement on fishing off the coast of Senegal, signed on 15 June 1979, and of the new Protocol thereto

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(84) 38 final), (1)
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 1-1408/83)
 - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 1-95/84)
 - having regard to the result of the vote on the Commission's proposal,
- A. having regard to the report by Mr d'ORMESSON on the problems raised by the accession of Spain to the European Community in the fisheries sector in the Eastern Central and South East Atlantic and in the Mediterranean (Doc. 1-1117/83),
- B. whereas the agreement between the Community and Senegal initialled on 12 January 1984 is advantageous to both parties,
- C. whereas fisheries are a vital resource for the African littoral countries, as a means both of feeding their populations and developing industry related to fishing activity,

(1)OJ C 48 of 21.2.1984

- D. whereas it is important that adequate steps are taken to prevent the looting by ships from third countries of the fish stocks of the African littoral countries, which are a significant natural asset,
1. Approves the fisheries Agreement of 12 January 1984 initialled by the European Community and Senegal;
 2. Requests further information on the implementation of the Agreement of 15 June 1979 renewed on 21 January 1982 as regards catches and landings on the one hand and on the other the utilization of the sums made available to Senegal by the Community;
 3. Instructs its President to forward to the Council and Commission, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

Explanatory statementI. INTRODUCTION

1. On 15 June 1979 in Brussels the Community and Senegal signed an Agreement on fishing off the coast of Senegal together with the Protocol thereto and a related exchange of letters.

The European Parliament endorsed the Agreement on 16 November 1979 on the basis of two reports, one by Mr LIGIOS on behalf of the Committee on Agriculture (Doc. 1-474/79), the other by Mr ENRIGHT on behalf of the Committee on Development and Cooperation (Doc. 1-466/79).

2. The Agreement was implemented on a provisional basis by the Community (Council Decision 79/569/EEC) (1), until it was finally adopted by the Council on 27 June 1980 by means of Regulation (EEC) 2212/80 (2).

II. CONTENT OF THE AGREEMENT OF 15 JUNE 1979

3. In this Agreement the Government of the Republic of Senegal undertook to authorize Community vessels to fish in its waters provided that the Community for its part undertook to take all appropriate steps to ensure that its vessels adhered to the provisions of the Agreement.

Fishing activities are subject to the possession of a licence issued by the Senegalese authorities. Such licences are not transferable and are issued on payment of a fee. The Community also paid Senegal compensation, to be used to finance projects and services of a rural nature, in particular relating to sea fishing. This amounted to CFA 2,500 million (9 million ECU) for the first two years of the agreement.

(1) OJ No. L 154, 21.6.1979, p. 5

(2) OJ No. L 226, 29.8.1980, p. 16

4. The fees were set according to the following scale:

- (a) trawlers landing their entire catch: CFA 7,500 per gross register ton per year;
- (b) trawlers not landing their entire catch: CFA 15,000 per gross register ton per year;
- (c) tuna boats landing their entire catch: CFA 1 per kg of fish caught per year;
- (d) tuna boats not landing their entire catch: CFA 2 per kg of fish caught per year.

5. Community vessels are obliged to declare their catches to the Senegalese authorities, and any failure to observe this provision may incur suspension of the vessel's licence and other penalties.

6. Wet trawlers and tuna boats were obliged to land their entire catch.

Freezer tuna boats could be obliged to land up to 4,000 tonnes of tuna during the first year while freezer trawlers were required to land 100 kg of fish and crustaceans per gross register ton every six months.

Here too, failure to comply would render the owner liable to penalties including withdrawal of the licence.

7. For the first two years licences were issued to Community fishing vessels within the following overall tonnage limits:

- (a) tuna boats obliged to land their entire catch in Senegal: 3,300 GRT
- (b) trawlers obliged to land their entire catch in Senegal: 1,600 GRT
- (c) tuna boats not obliged to land their entire catch in Senegal: 23,000 GRT
- (d) trawlers not obliged to land their entire catch in Senegal: 12,300 GRT

8. The Community also undertook to take Senegalese seamen on board its vessels up to a proportion of 33% of their crew. Similarly, training grants could be granted to Senegalese nationals to improve their scientific, technical and economic competence in fishing, as part of development policy.
9. Finally, an arbitration procedure for settling disputes was established, and a joint committee set up to ensure that the Agreement was applied correctly.

III. CONTENT OF THE AGREEMENT OF 21 JANUARY 1982

10. The 1979 Agreement expired in November 1981, and on 12 November 1981 the Community and Senegal initialled a new Agreement in the form of an exchange of letters updating the initial Agreement, which came into force on a provisional basis (Council Decision 81/1055/EEC) (1). The final Agreement and a Protocol were signed on 21 January 1982.
11. The European Parliament delivered its opinion on the new Agreement on 23 April 1982 on the basis of a report by Mr d'ORMESSON on behalf of the Committee on Agriculture (Doc. 1-82/82) and a report by Mr de COURCY LING on behalf of the Committee on Development and Cooperation (Doc. 1-96/28).
12. It was finally put into force by the Community on 19 July 1982 by Council Decision 82/531/EEC (2).
13. The Agreement of 21 January 1982 amends the following points in the Agreement of 15 June 1979:

(1) Special licences valid for not more than four months were introduced for trawlers not obliged to land their entire catch in Senegal;

(1) OJ No. L 379, 31.12.1981

(2) OJ No. L 234, 9.8.1982, p.8

(2) The fees were set according to a new scale:

(a) trawlers landing their entire catch:

CFAF 8,500 per GRT per year for shrimp boats,
CFAF 7,500 per GRT per year for fish boats;

(b) trawlers not landing their entire catch and fishing throughout the year:

CFAF 17,000 per GRT per year for shrimp boats,
CFAF 15,000 per GRT per year for fish boats;

(c) freezer trawlers not landing their entire catch and fishing for a four-month period between 1 April and 30 September:

CFAF 10,500 per GRT;

(d) tuna boats landing their entire catch:

CFAF 2 per kg of fish caught;

(e) tuna boats not landing their entire catch:

CFAF 6 per kg of fish caught.

(3) Ten study and training grants for a five year period were provided for Senegalese nationals in the various scientific, technical and economic disciplines connected with fisheries.

(4) Community freezer trawlers would each accept an observer designated by Senegal.

(5) The overall tonnage limits for the issue of licences were reviewed as follows:

(a) Tuna boats obliged to land their entire catch in Senegal: 3,000 GRT

(b) Trawlers obliged to land their entire catch in Senegal: 2,150 GRT

- (c) Tuna boats not obliged to land their entire catch in Senegal: 23,300 GRT,
- (d) Trawlers not obliged to land their entire catch in Senegal:
- (i) for the whole year: 5,000 GRT
- (ii) for a four month period between 1 April and 30 September: 9,000 GRT
- over and above the tonnage referred to under (i)

(6) The compensation paid by the Community remained at CFAF 2,500 million for the two year term of the Agreement, but the Community also undertook to contribute CFAF 100 million towards the financing of a Senegalese scientific programme; that sum was to be put at the disposal of the Centre for Oceanographic Research at Dakar - Thiaroye (CRODT).

IV. CONTENT OF THE NEW AGREEMENT WITH SENEGAL

14. The Commission informed the Fisheries Council at its meeting of 31 January 1984 of the outcome of the negotiations on the terms for extending the 1979 fisheries Agreement after 15 November 1983 on expiry of the extension of 21 January 1982 mentioned in Chapter III.
15. On 12 January 1984 these negotiations concluded with the initialling of an Agreement amending the fisheries Agreement between the Community and Senegal and a new Protocol thereto.
16. The amendments to the Agreement itself involve:
- (a) greater freedom of choice of fishing periods for freezer trawlers which do not land their entire catch and which fish for a four month period specified for each vessel under an overall fisheries plan communicated twice-yearly by the Community to the Senegalese Government, to take into account the seasonal nature of their fishing. In the past this four month period had to lie between 1 April and 30 September, which was not flexible enough for this type of fishing. The fee remains at CFAF 10,500 per GRT;

(b) easing the requirement to carry a Senegalese observer for trawlers below a certain tonnage. Freezer trawlers of less than 500 GRT now need sign on an observer-seaman only, while those of over 500 GRT still have to carry an observer. The owner will pay the Senegalese Government CFAF 3,500 per day for a seaman-observer as opposed to CFAF 6,000 for an observer.

17. The Protocol, which will be in force between 16 January 1984 and 15 January 1986, differs from the Protocol concluded on 21 January 1982 in the amount of compensation paid to Senegal by the Community (CFAF 3,000 million instead of 2,500 million), the deletion of reference to the period between 1 April and 30 September for trawlers not obliged to land their entire catch in Senegal and fishing for four months, within a limit of 9,000 GRT and the raising of the limit for small trawlers obliged to land their entire catch in Senegal from 2,150 to 2,500 GRT.

The increase in compensation in CFAF is due to the latter's devaluation in relation to the ECU. The figure is still 8,350,000 ECU, plus 290,000 ECU to finance the abovementioned Senegalese scientific programme and 450,000 ECU for the 10 study and training grants.

18. In order to avoid any interruption in the fishing activities of Community vessels from 15 November 1983, the date on which the previous Protocol expired, the heads of the two delegations also initialled two exchanges of letters, the first extending the previous arrangements for two months(1) and the second provisionally applying the initialled Agreement(2).

The Council will finally adopt the amendments to the Agreement and the new Protocol thereto when it has obtained the opinion of the European Parliament.

V. CONCLUSIONS

19. The Committee on Agriculture welcomes the fisheries Agreement with Senegal, which will be of mutual benefit. For Senegal, the Agreement falls within the Convention of Lomé and represents an important aspect of

(1) Decision 84/53/EEC - OJ No. L 37, 8.2.1984, p. 46

(2) Decision 84/54/EEC - OJ No. L 37, 8.2.1984, p. 49

development aid. For the Community, the Agreement offers its fishermen new opportunities at a time when fishing in the Community's fisheries zones and other country's exclusive economic zones is less rewarding than in the past.

20. The Committee on Agriculture would however like more detailed information on :

- (a) the economic benefits to the two sides, especially as regards the catch levels, quantities landed, their commercial value, etc.,
- (b) the use made by Senegal of the compensation paid by the Community,
- (c) the progress of the Senegalese scientific programme being carried out by the CRCDT,
- (d) the utilization of the ten study and training grants provided by the Community,
- (e) surveillance of fishing activities.

21. With these reservations, the Committee on Agriculture approves the new fisheries Agreement with Senegal.

OPINION OF THE COMMITTEE ON BUDGETS

Letter from the chairman of the committee to Mr CURRY, chairman of the
Committee on Agriculture

Subject: Proposal from the Commission for a Council decision on the Agreement
between the European Economic Community and the Republic of Senegal
on fishing off the coast of Senegal (COM(84) 38 - Doc. 1-1408/83)

Dear Mr Chairman,

The Committee on Budgets considered the above proposal from the Commission
at its meeting of 21 March 1984.

The cost of extending the Agreement to 1984 and 1985 has only risen
slightly from 8.2 million ECU to 8.35 million ECU compared with the last two
years. Corresponding appropriations have been allocated under the 1984 budget.

The Committee on Budgets recommends that the Committee on Agriculture, as
the committee responsible, should deliver a favourable opinion on this
proposal from the Commission.

Yours sincerely,

Erwin LANGE

The following took part in the vote: Mr Lange, chairman; Mr Notenboom,
vice-chairman; Mr Adonnino, Mr Arndt, Mr Balfe, Lord Douro, Mr Helms
(deputizing for Mr Langes), Mr Louwés, Mr Newton Dunn and Mrs Scrivener.