EC/Morocco fisheries agreement: conversion of vessels and fishermen, extending deadlines

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PURPOSE : to amend Council Regulation 2561/2001/EC aiming to promote the conversion of fishing vessels and of fishermen that were, up to 1999, dependent on the fishing agreement with Morocco.
CONTENT : the agreement on the relations as regards sea fishing between the European Community and the Kingdom of Morocco expired on 30 November 1999; at that date, more than 400 fishing vessels and about 4 300 fishermen were forced to stop their activities. Council Regulation 2561/2001/EC aiming to promote the conversion of vessels and of fishermen that were, up to 1999, dependent on the fishing agreement with Morocco introduces a number of derogations from certain provisions of Regulation 2792 /1999/EC laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector. The necessary conversion is of exceptional magnitude and does not result from a deliberate choice by the stakeholders. In view of this array of constraints, the Council is justified in adopting exemption conditions, more favourable than the standard conditions, for a limited period of time. It has also been necessary to facilitate the permanent cessation of activity of the vessels, whether by demolition or by transfer to a third country, including within the framework of joint enterprises; it is also appropriate to facilitate the replacement of fishing gear for the permanent conversion towards other fishing activities, either in Community waters or in the waters of third countries with which the Community has concluded fisheries agreements. Concerning the fishermen, it is certain that a significant number of them will be unable to find a job in the fishing industry, and the Community should contribute to their reclassification or if necessary help them to stop working. In this regard, Regulation 2792/1999 makes it possible to allocate public appropriations, with FIFG part-financing, to the implementation of individual or collective social plans for their conversion from sea fishing. Regulation 2561/1999/EC provides that where a fishermen is paid an individual lump sum, the maximum eligible cost referred to in Regulation 2792/1999/EC is to be increased by 20%. Regulation 2792/1999/EC states that individual lump sums may be paid to fishermen provided the fishing vessel on which they were employed has permanently stopped its activities. However, the fishermen covered by the Morocco specific measure did not themselves take the decision to permanently stop the fishing activity of the vessel on which they were employed and may find themselves unemployed in the same way as fishermen whose vessel has permanently ceased its activity following conversion of the vessel to another activity in Community waters or other fishing methods. In the interests of equal treatment of fishermen and in order to cover the largest possible number, the rules restricting the grant of individual lump sums exclusively to fishermen whose vessel has permanently stopped its activities should be abolished. According to Regulation 2561 /2001/EC, fishermen are eligible for individual lump sums provided the Member States concerned notify the Commission, no later than three months after the entry into force of that Regulation, of the list of names of the fishermen meeting the conditions referred to, namely fishermen to whom compensation was granted, during 2000 and 2001, under Regulation2792/1999/EC, owing to the non-renewal of the fishing agreement with Morocco, for at least a six-month cumulative period of temporary cessation of activity. The Member States concerned all sent their lists of names to the Commission within the deadline laid down in the Regulation. The derogation rules provided for in Regulation 2561/2001/EC apply only to premiums and public aid granted under an administrative decision taken between 1 July 2001 and 30 June 2003 by the managing and paying authorities operating in the context of Structural Fund assistance to fisheries in Spain and in Portugal during 2000-06. The final date for eligibility of the expenditure is fixed at 31 December 2003 and the last date for submission to the Commission of the request for payment of the balance is 30 June 2004. For the purposes of the said derogation, the above-mentioned dates must also be amended by twelve months, only for the grant of individual lump sums. So that the proposed derogations can be applied, the reference date for taking account of the period of unemployment should be set at 1 January 2002, instead of being fixed in relation to the date on which the premium is paid. If the beneficiary has taken up work as a fisherman again within one year from 1 January 2002, the sum paid

will be reimbursed pro rata temporis. FINANCIAL IMPLICATIONS : The derogations proposed in this draft Regulation do not require any supplementary Community budgetary funding.