## Basic information

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|---|---|
| **2003/0290(CNS)**<br><br>CNS - Consultation procedure<br>Regulation | Procedure completed |
| EC/Guinea fisheries agreement: protocol for the period from 1st January 2004 to 31 December 2008<br><br>**Subject**<br><br>3.15.15.02 Fisheries agreements with African countries<br><br>**Geographical area**<br><br>Guinea | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| PECH Fisheries | MCKENNA Patricia (V/ALE) | 20/01/2004 |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| BUDG Budgets | DÜHRKOP DÜHRKOP Bárbara (PSE) | 21/01/2004 |
| DEVE Development and Cooperation | VAN DEN BERG Margrietus (PSE) | 13/04/2001 |

### Council of the European Union

| Council configuration | Meetings | Date |
|---|---|---|
| Agriculture and Fisheries | 2578 | 2004-03-22 |

### European Commission

| Commission DG | Commissioner |
|---|---|
| Maritime Affairs and Fisheries | |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 10/12/2003 | Legislative proposal published | COM(2003)0765 | Summary |
| 15/01/2004 | Committee referral announced in Parliament | | |

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|---|---|---|---|
| 16/03/2004 | Vote in committee | | |
| 16/03/2004 | Committee report tabled for plenary, 1st reading/single reading | A5-0164/2004 | |
| 22/03/2004 | Act adopted by Council after consultation of Parliament | | |
| 01/04/2004 | Decision by Parliament | T5-0257/2004 | Summary |
| 26/04/2004 | End of procedure in Parliament | | |
| 29/04/2004 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 2003/0290(CNS) |
| **Procedure type** | CNS - Consultation procedure |
| **Procedure subtype** | International agreement |
| **Legislative instrument** | Regulation |
| **Legal basis** | EC Treaty (after Amsterdam) EC 037<br>EC Treaty (after Amsterdam) EC 300-p2/3-a1 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | PECH/5/20505 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee report tabled for plenary, 1st reading/single reading | | A5-0164/2004 | 16/03/2004 | |
| Text adopted by Parliament, 1st reading/single reading | | T5-0257/2004<br>OJ C 103 29.04.2004, p. 0680-0775 E | 01/04/2004 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2003)0765 | 10/12/2003 | Summary |

## Additional information

| Source | Document | Date |
|---|---|---|
| European Commission | EUR-Lex | |

## Final act

Regulation 2004/0830
OJ L 127 29.04.2004, p. 0031-0032 

# EC/Guinea fisheries agreement: protocol for the period from 1st January 2004 to 31 December 2008

2003/0290(CNS) - 01/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 375 votes in favour, 7 against with 39 abstentions a non-binding resolution drafted by Patricia McKENNA (Greens /EFA, Dublin) on the proposal for a Council regulation on the conclusion of the protocol defining for the period 1 January 2004 to 31 December 2008 the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast. The Parliament included a number of provisions, highlighting that the Protocol must: - meet all criteria of applicable treaties concerning fisheries, development and the environment signed by the European Union. The protocol must guarantee that additional fishing opportunities are subject to the participation of local fishermen and companies and the availability of tangible evidence of the practice of sustainable management in economic, social and environmental terms in the fishing area; - assure that the Government of the Republic of Guinea spend the compensation in order to improve the economic, social and environmental situation of the people of the Republic of Guinea; - protect the interest of local coastal communities living on fisheries whereas they are often not in the position to do so for themselves; - seek that the European Community, in contributing financially towards the reinforcement of fisheries surveillance activities, effectively assures the fight against illegal fishing; - guarantee that the joint ventures set up between Community operators and Guinean operators encourage the participation of the local community and improve the economic situation of the people of the Republic of Guinea; - guarantee the protection of mammals and birds from nets and long lines by use of any environmentally-friendly methods; - look at the possibilities for developing a surveillance policy with neighbouring countries to provide better collaboration and protection of fish stocks in the region. Moreover, Parliament states that : - levels of fishing opportunities for all fleet segments in the present protocol should be re-evaluated following the conclusions of the scientific sub-committee of the Fishery Committee for the Eastern Central Atlantic (CECAF), meeting in February 2004; - In the course of the protocol's application, and before the start of negotiations on its possible renewal, the Commission shall submit to the European Parliament and the Council a general assessment report including a cost benefit analysis and an evaluation on the implementation of the targeted measures. - fishing opportunities for fin-fish and cephalopod trawlers should be considered in 2005 or 2006, in the light of evidence of the status of all stocks affected; - fishing opportunities for fin-fish and cephalopod trawlers should not be increased in 2005 or 2006 unless there is clear and unequivocal evidence of a significant improvement in the status of all stocks affected by these fleets. The European Parliament should be consulted on any increase and should be provided with the scientific justification; - the Council shall authorise the Commission, where appropriate, to start negotiations with a view to the adoption of a newprotocol; - the Commission will produce by the end of 2004 a study into the possible means of converting sums currently included as "targeted measures" into specific projects funded by the Commission that are subject to proper auditing with verification of the project results; - the Commission shall report on the feasibility of funding a coordinated, regional surveillance programme in the waters of CECAF that would include both aerial and maritime components; - in cases where Member States fail to submit to the Commission data on catches by vessels flying their flag, the Commission should consider initiating legal proceedings against the offending Member States and, if the situation persists, revoking access rights.

# EC/Guinea fisheries agreement: protocol for the period from 1st January 2004 to 31 December 2008

2003/0290(CNS) - 10/12/2003 - Legislative proposal

PURPOSE : to approve the Protocol defining for the period 1 January 2004 to 31 December 2008 the fishing opportunities and the financial contribution provided for in the Agreement between the EEC and the Republic of Guinea on fishing off the Guinean coast. PROPOSED ACT : Council Regulation. CONTENT : this new Protocol replaces the existing fisheries Protocol with Guinea and comes into force on 1 January 2004. The details are as follows: - it grants fishing opportunities for an annual average of 2 500 GRT per month for fin-fish and cephalopod trawlers, for an annual average of 1 500 GRT per month for shrimp trawlers, for 34 freezer tuna seiners, for 14 pole-and-line tuna vessels and for 9 surface longliners; - fishing opportunities for fin-fish and cephalopod trawlers may be increased in 2005 and 2006 to a maximum level of 3 500 GRT provided that the following three conditions are fulfilled: - availability of scientific evidence of the sound state of stocks; - equivalent reduction in the quota of licences issued outside the scope of agreements; - satisfactory rate of use of fishing opportunities. The financial contribution amounts to EUR 3 400 000, comprising EUR 2 000 000 in financial compensation and EUR 1 400 000 for measures aimed at achieving objectives associated with the sustainable management of Guinean fisheries resources. These amounts may be increased in 2005 up to a maximum of EUR 3 825 000 and in 2006 up to a maximum of EUR 4 250 000, in proportion to the above-mentioned increases in fishing opportunities. In addition to the financial contribution, provision is made for two payments, of EUR 500 000 and EUR 300 000, in the first two years of the Protocol for the purchase of at least two surveillance vessels to combat illegal fishing. The Protocol emphasises the need to preserve fisheries resources and to give priority to traditional non-industrial fishing. In addition, it is aimed at contributing towards food security by substantially reducing discards and setting up a collection system for catches to be landed in Guinea by Community vessels. The Protocol relies on the Fisheries Agreement as a means of developing fisheries in Guinea. This new Protocol will make it possible to promote business partnerships between Community operators and Guinean operators aimed at joint, responsible exploitation of Guinean fisheries resources. Community vessel-owners will be able to continue fishing (in particular for shrimp, demersal fish species, cephalopods and tuna) in Guinea's exclusive economic zone (EEZ). In addition, the exclusivity clause (Community vessels may fish in Guinea only under the Agreement) and the social clause have been included in the Protocol. The fishing opportunities provided for in the Protocol are allocated among the Member States as follows: 1) Shrimp fishing: - Spain 1 050 GRT; - Portugal 300 GRT; - Greece 150 GRT; 2) Tuna seiners: - France 17 vessels -Spain 17 vessels 3) Pole-and-line tuna vessels: - France 7 vessels - Spain 7 vessels 4) Surface longliners: - Spain 8 - Portugal 1 The fishing opportunities provided for in the Protocol for fin-fish and cephalod fishing for 2004 will be allocated among the Member States as follows: - Spain 844 GRT; - Italy

750 GRT; - Greece 906 GRT. FINANCIAL STATEMENT : - Budget line - B78000: International Fisheries Agreements. - Overall figures - Total allocation for action (Part B): EUR 3 900 000 in the first year, EUR 4 125 000 in the second year, and EUR 4 250 000 per year in the third, fourth and fifth years, in commitment appropriations. - Period of application: 1 January 2004 to 31 December 2008. - Overall multiannual estimate of expenditure: minimum: EUR 17 800 000; maximum: EUR 20 775 000. - Overall financial impact of human resources and other administrative expenditure: EUR 275,955. - Total commitments and payments - minimum EUR 18, 077 million; maximum 21, 025 million. - Impact on human resources : 3 permanent staff will be assigned to the management of the action.

# EC/Guinea fisheries agreement: protocol for the period from 1st January 2004 to 31 December 2008

2003/0290(CNS) - 26/04/2004 - Final act

PURPOSE : to conclude the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement between the EEC and Guinea. LEGISLATIVE ACT : Council Regulation 830/2004/EC on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2008 the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast. CONTENT : This Regulation approves the above-mentioned Protocol on behalf of the Community. The text of the Protocol is attached to the Regulation. The fishing opportunities provided for in the Protocol will be allocated among the Member States as follows: shrimp fishing: - Spain: 1050 GRT, - Portugal: 300 GRT, - Greece: 150 GRT; tuna seiners: - France: 17 vessels, - Spain: 17 vessels; pole-and-line tuna vessels: - France: 7 vessels, - Spain: 7 vessels; Surface longliners: - Spain: 8, - Portugal: 1. The fishing opportunities provided for in the Protocol for fin-fish and cephalod fishing for 2004 will be allocated among the Member States as follows: - Spain: 844 GRT - Italy: 750 GRT - Greece: 906 GRT If fishing opportunities are increased from 2005 as compared with 2004 in accordance with Article 1 of the Protocol, these increases must be allocated in proportion to the fishing opportunities indicated above for 2004. Finally, if licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol, the Commission may take into consideration licence applications from any other Member State. ENTRY INTO FORCE : 02/05/04.