## Basic information

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|---|---|
| **2019/0076(NLE)**<br>NLE - Non-legislative enactments | Procedure completed |
| EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol<br>**Subject**<br>3.15.15.02 Fisheries agreements with African countries<br>**Geographical area**<br>Gambia, The | |

## Key players

European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| PECH Fisheries | AVRAM Carmen (S&D) | 23/07/2019 |
| | Shadow rapporteur<br>SCHREIJER-PIERIK Annie (EPP)<br>BILBAO BARANDICA Izaskun (Renew)<br>ROOSE Caroline (Greens/EFA)<br>MOBARIK Baroness Nosheena (ECR)<br>HAZEKAMP Anja (GUE/NGL) | |

| Former committee responsible | Former rapporteur | Appointed |
|---|---|---|
| PECH Fisheries | | |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| DEVE Development | The committee decided not to give an opinion. | |
| BUDG Budgets | CHASTEL Olivier (Renew) | 23/07/2019 |

| Former committee for opinion | Former rapporteur for opinion | Appointed |
|---|---|---|

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|---|---|---|---|
| | DEVE Development | | |
| | BUDG Budgets | | |

| Council of the European Union | Council configuration | Meetings | Date |
|---|---|---|---|
| | Environment | 3754 | 2020-03-05 |

| European Commission | Commission DG | Commissioner |
|---|---|---|
| | Maritime Affairs and Fisheries | VELLA Karmenu |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 12/03/2019 | Preparatory document | COM(2019)0135 | |
| 18/06/2019 | Legislative proposal published | 08974/2019 | Summary |
| 16/09/2019 | Committee referral announced in Parliament | | |
| 12/11/2019 | Vote in committee | | |
| 14/11/2019 | Committee report tabled for plenary, 1st reading/single reading | A9-0026/2019 | Summary |
| 18/12/2019 | Decision by Parliament | T9-0098/2019 | |
| 18/12/2019 | Results of vote in Parliament | | |
| 05/03/2020 | Act adopted by Council after consultation of Parliament | | |
| 06/03/2020 | End of procedure in Parliament | | |
| 11/03/2020 | Final act published in Official Journal | | |

## Technical information

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| **Procedure reference** | 2019/0076(NLE) |
| **Procedure type** | NLE - Non-legislative enactments |
| **Procedure subtype** | Consent by Parliament |
| **Legal basis** | Treaty on the Functioning of the European Union TFEU 218-p7<br>Treaty on the Functioning of the European Union TFEU 043-p2<br>Treaty on the Functioning of the European Union TFEU 218-p6a |
| **Other legal basis** | Rules of Procedure EP 165 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | PECH/9/00453 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE641.099 | 13/09/2019 | |
| Committee opinion | BUDG | PE640.656 | 06/11/2019 | |
| Committee report tabled for plenary, 1st reading/single reading | | A9-0026/2019 | 14/11/2019 | Summary |
| Text adopted by Parliament, 1st reading/single reading | | T9-0098/2019 | 18/12/2019 | |

**Council of the EU**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | 08974/2019 | 18/06/2019 | Summary |
| Document attached to the procedure | 08984/2019 | 18/06/2019 | Summary |
| Document attached to the procedure | 09949/2019 | 18/06/2019 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Commission document (COM) | COM(2019)0134 | 12/03/2019 | Summary |
| Preparatory document | COM(2019)0135 | 12/03/2019 | Summary |

## Additional information

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

## Final act

Decision 2020/0392
OJ L 075 11.03.2020, p. 0001 Summary

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 12/03/2019 - Document attached to the procedure

PURPOSE: signature, on behalf of the European Union, and provisional application of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and its Implementation Protocol.

PROPOSED ACT: Council Decision.

BACKGROUND: the Commission negotiated on behalf of the European Union a new Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia as well as a new Implementation Protocol to the Partnership Agreement. The Partnership Agreement and the Protocol were initialled at the end of those negotiations on 19 October 2018.

The Partnership Agreement repeals the previous Agreement that was concluded between the Government of the Republic of The Gambia and the European Economic Community on fishing off the coast of The Gambia and that entered into force on 2 June 1987.

The objective of the Protocol is to enable the European Union and the Republic of The Gambia to work more closely together to promote a sustainable fisheries policy and a responsible exploitation of fisheries resources in Gambian waters.

In order to ensure an expeditious start of fishing activities by Union vessels, the Partnership Agreement and the Implementation Protocol should be applied provisionally upon their signature.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the European Union, the signing of the Partnership Agreement on Sustainable Fisheries between the European Union and the Republic of Gambia and its Protocol of Implementation, subject to the conclusion of these two acts.

The main aim of the new Agreement is to provide an updated framework taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Republic of The Gambia in the field of fisheries.

The aim of the Protocol is to grant fishing opportunities to European Union vessels in Gambian waters taking into account available scientific assessments.

The Protocol provides for fishing opportunities in the following categories:

- 28 tuna seiners;

- 10 pole-and-line vessels;

- 3 trawlers (targeting black hake, a deep-sea demersal species).

The annual financial contribution is EUR 550 000, based on:

- an annual amount for access to the fisheries resources in the Gambian fishing zone of EUR 275 000 equivalent to a reference tonnage, for highly migratory species, of 3 300 tonnes per year;

- support for development of the sectoral fisheries policy of The Gambia, amounting to EUR 275 000 a year. This support meets the objectives of The Gambia’s national policy on the sustainable management of continental and maritime fishery resources.

The negotiation of a new Fisheries Partnership Agreement with The Gambia forms part of the Union’s external action in relation to ACP countries and takes into account, in particular, Union objectives on respecting democratic principles and human rights.

The new Agreement and the new Protocol covers a period of six years from the date of provisional application.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 18/06/2019 - Legislative proposal

PURPOSE: to conclude the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and of the Protocol on the implementation of that Partnership Agreement.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Council authorised the European Commission to negotiate, on behalf of the European Union, a new Agreement between the European Union and the Republic of The Gambia, and a Protocol setting out the fishing opportunities and financial contribution.

At the end of the negotiations an Agreement and Protocol were initialled by the negotiators on 19 October 2018. The new Agreement repeals and replaces the existing Agreement which entered into force on 2 June 1987; it covers a period of six years from the date of its provisional application, renewable by tacit agreement.

The Partnership Agreement and the Protocol have been provisionally applied from the date of their signature. They should now be approved.

CONTENT: the draft Council Decision seeks the approval, on behalf of the Union, of the EU-Gambia Sustainable Fisheries Partnership Agreement and the Protocol implementing that Partnership Agreement.

The main aim of the new Agreement is to provide an updated framework taking into account the priorities of the reformed Common Fisheries Policy1 and its external dimension, with a view to establishing a strategic partnership between the European Union and the Republic of The Gambia in the field of fisheries.

The aim is also to enhance cooperation between the European Union and the Republic of The Gambia to promote a sustainable fisheries policy and sound exploitation of fisheries resources in the Gambian fishing zone, in the interest of both parties

The aim of the Protocol is to grant fishing opportunities to European Union vessels in Gambian waters taking into account available scientific assessments, in particular those of the Fishery Committee for the Eastern Central Atlantic (CECAF), and in accordance with the best available scientific advice and the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus.

The Commission would be authorised to approve, on behalf of the Union, the amendments to the Protocol to be adopted by the Joint Committee set up under the Partnership Agreement.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 18/06/2019 - Document attached to the procedure

**PROTOCOL on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia.**

The new Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia repeals and replaces the existing Agreement, which entered into force on 2 June 1987; it covers a period of six years from the date of its provisional application and is tacitly renewable.

The new Protocol on the implementation covers a period of six years from the date of its provisional application, i.e. the date of its signature by the Parties.

***Objective***

The objective of the Protocol is to provide fishing opportunities for European Union vessels in Gambian waters taking into account available scientific assessments, in particular those of the Committee on Fisheries for the Eastern Central Atlantic (CECAF) and respecting the best scientific advice and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus.

***Fishing opportunities and financial contribution***

The fishing opportunities granted to Union vessels shall be as follows:

- 28 freezer tuna seiners;

- 10 pole-and-lines;

- 3 trawlers (targeting deep-water hake, deep-water fishing).

The annual financial contribution amounts to EUR 550 000, allocated as follows:

- an annual amount for access to the fisheries resources in the Gambian fishing zone of EUR 275 000 equivalent to a reference tonnage, for highly migratory species, of 3 300 tonnes per year, and;

- specific annual amount for the support of the implementation of The Gambia's sectoral fisheries policy of EUR 275 000 per year. This support meets the objectives of The Gambia’s national policy on the sustainable management of continental and maritime fishery resources.

The Joint Committee may reassess and decide to review the fishing opportunities insofar as the recommendations and resolutions adopted within ICCAT and other regional scientific bodies indicate that such a review is compatible with the sustainable management of the fisheries resources covered by this Protocol.

Both the Union and The Gambia shall ensure that catches made by Union vessels are monitored on regular basis. In the case of demersal species, as soon as the catch level reaches 80 % of the total allowable catch, The Gambia shall notify the Union authorities. On receipt of this notification, the Union shall likewise inform the Member States thereof. Member States shall then act appropriately to ensure that catch levels of demersal species do not surpass the total allowable catch.

***Sectoral support***

The Joint Committee shall adopt a multiannual sectoral programme and its implementing rules, covering in particular the objectives to be achieved over time, both on an annual and multiannual basis, with a view to developing responsible and sustainable fishing activities taking into account the priorities expressed by The Gambia in its national policies relating to or having an impact on the following areas:

- support and management measures for fisheries, aquaculture and artisanal fisheries;

- sanitary and quality management with a view to developing export capacities;

- fisheries monitoring, control and surveillance and fight against illegal, unreported and unregulated (IUU) fishing;

- the development and strengthening of scientific capacity in the field of fisheries.

Any proposed amendments to the multiannual sectoral programme must be approved by the Joint Committee.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 18/06/2019 - Document attached to the procedure

**Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia**

The new Agreement repeals and replaces the existing Agreement, which entered into force on 2 June 1987; it covers a period of six years from the date of its provisional application and is tacitly renewable.

***Principles and objectives***

The objectives of the agreement are as follows:

- provide an updated framework, taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Republic of Gambia in the fisheries sector;

- to renew cooperation between the European Union and the Republic of The Gambia to promote a sustainable fisheries policy and the responsible exploitation of fisheries resources in the Gambia's fishing zone, in the interest of both parties.

The Parties undertake to promote sustainable fisheries in the Gambian fishing zone on the basis of the principle of non-discrimination between the different vessels present in that zone.

***Scope***

This Agreement establishes the principles, rules and procedures governing:

- the conditions under which Union vessels may engage in fishing activities in the Gambian fishing zone;

- economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting sustainable fishing in the Gambian fishing zone and the development of the Gambian fisheries and maritime sectors;

- cooperation on management, control and surveillance measures in the Gambian fishing zone with a view to ensuring that the above rules and conditions are complied with and that the measures for the conservation of fish stocks and management of fishing activities, in particular those concerning the fight against illegal, unreported and unregulated (IUU) fishing, are effective;

- partnerships between operators aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

***Financial contribution***

The Union shall grant The Gambia a financial contribution under this Agreement in order to: (i) support part of the access costs of Union vessels to the Gambian fishing zone and fisheries resources, without prejudice to the access costs borne by the vessel owners; (ii) reinforce The Gambia's capacity to develop a sustainable fisheries policy through sectoral support.

The Agreement establishes a Joint Committee, composed of representatives of the Union and the Gambian authorities, to monitor the implementation of the Agreement. The Joint Committee may adopt amendments to the Protocol.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 12/03/2019

PURPOSE: to approve the conclusion of a sustainable fisheries partnership agreement between the European Union and the Republic of The Gambia and of the implementation protocol thereto.

PROPOSED ACT: Council decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Commission negotiated a new agreement between the European Union and the Republic of The Gambia on sustainable fisheries and a protocol setting out the fishing opportunities and the corresponding financial contribution. At the end of the negotiations, the partnership agreement and the protocol were initialled on 19 October 2018.

The partnership agreement and the protocol have been provisionally applied from the date of their signature. They should now be approved on behalf of the European Union.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, the sustainable fisheries partnership agreement between the European Union and the Republic of The Gambia and its implementation protocol.

***Objectives***

The new agreement repeals and replaces the existing agreement, which entered into force on 2 June 1987. Its objective is to provide an updated framework, taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, with a view to establishing a strategic partnership between the European Union and the Republic of Gambia in the fisheries sector.

The aim of the Protocol is to grant fishing opportunities to European Union vessels in Gambian waters taking into account available scientific assessments, in particular those of the Fishery Committee for the Eastern Central Atlantic (CECAF), and in accordance with the best available scientific advice and the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), within the limits of the available surplus.

***Fishing opportunities***

The Protocol provides for fishing opportunities in the following categories:

- 28 tuna seiners;

- 10 pole-and-line vessels;

- 3 trawlers (targeting black hake, a deep-sea demersal species).

***Financial consideration***

The annual financial contribution amounts to EUR 550 000, based on

- an annual amount of EUR 275 000 for access to the fisheries resources in the Gambian fishing zone, equivalent to a reference tonnage, for highly migratory species, of 3 300 tonnes per year;

- support for the development of Gambia's sectoral fisheries policy amounting to EUR 275 000 per year. This support is in line with the objectives of Gambia's national policy for the sustainable management of continental and marine fisheries resources.

The new agreement covers a period of 6 years from the date of its provisional application, that being the date on which it is signed by the parties and is renewable by tacit agreement.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 11/03/2020 - Final act

PURPOSE: to conclude the Partnership Agreement on Sustainable Fisheries between the European Union and The Gambia and the Protocol implementing the Partnership Agreement.

NON-LEGISLATIVE ACT: Council Decision (EU) 2020/392 on the conclusion of the Partnership Agreement on Sustainable Fisheries between the European Union and the Republic of The Gambia and the Protocol implementing that Partnership Agreement.

CONTENTS: the Council decided to approve, on behalf of the Union, the EU-Gambia sustainable fisheries partnership agreement and the protocol implementing the EU-Gambia sustainable fisheries partnership agreement.

The Partnership Agreement repeals the Agreement between the European Economic Community and the Government of the Republic of The Gambia on fishing off The Gambia, which entered into force on 2 June 1987. The Partnership Agreement and the Protocol have been applied provisionally from the date of their signature.

The main objective of the new Agreement is to provide an updated framework, taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, by granting fishing opportunities for European Union vessels in Gambian waters, taking into account available scientific evaluations, while promoting a sustainable fisheries policy and the responsible exploitation of fisheries resources, in the interest of both Parties.

The new Protocol implementing the Fisheries Partnership Agreement between the European Union and The Gambia covers a period of six years from the date of its provisional application and is tacitly renewable.

The fishing opportunities granted to EU vessels under the Protocol concern:

- highly migratory species - 28 tuna seiners and 10 pole-and-line vessels;

- deep-sea demersal species - 3 trawlers.

The total financial contribution paid by the Union is set at EUR 3 300 000, i.e. EUR 550 000 per year.

An annual amount of EUR 275 000 shall be paid by the European Union for access to fisheries resources in the Gambian fishing zone, equivalent to a reference tonnage, for highly migratory species, of 3 300 tonnes per year, while the other half of the annual contribution shall be used for structural support to strengthen the sustainable management of fisheries resources and the development of the Gambian fisheries sector.

The Agreement covers in particular cooperation in the fight against illegal, unreported and unregulated fishing and measures in favour of the blue economy, including aquaculture. In addition, special support shall be given to the artisanal fisheries sector.

The Partnership Agreement establishes the Joint Committee responsible for monitoring its implementation. It provides for a procedure for approving amendments to the Protocol to be adopted by the Joint Committee.

ENTRY INTO FORCE: 5.3.2020.

# EU/Gambia Sustainable Fisheries Partnership Agreement and Implementation Protocol

2019/0076(NLE) - 14/11/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Carmen AVRAM (S&D, RO) on the draft Council decision on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and of the Protocol on the implementation of that Partnership Agreement.

The committee recommended that the European Parliament give its consent to the conclusion of the Agreement and Protocol.

The new agreement repeals and replaces the existing agreement, which entered into force on 2 June 1987 but expired in the meantime. The new Protocol covers a period of six years from the date of its provisional application and is renewable by tacit agreement.

The main aim of the new Agreement is to provide an updated framework taking into account the priorities of the reformed Common Fisheries Policy and its external dimension, by granting fishing opportunities to European Union vessels in Gambian waters, taking into account the best available scientific advice, while promoting a sustainable fisheries policy and sound exploitation of fishery resources, in the interest of both parties

The fishing opportunities granted to the European Union vessels concern, on the one hand, the highly migratory species – 28 freezer tuna seiners and 10 pole-and-lines – and, on the other hand, the deep-water demersal fish – 3 trawlers.

Under the strict provisions envisaged by the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement, the total financial contribution paid by the Union shall be set at EUR 3 300 000, meaning EUR 550 000 per year.

An annual amount of EUR 275 000 will be paid by the European Union for access to the fisheries resources in the Gambian fishing zone, equivalent to a reference tonnage, for highly migratory species, of 3 300 tonnes per year, while the other half of this yearly contribution will be used, as structural support, to strengthen the sustainable management of fisheries resources and the development of the Gambian fishing sector.

The Agreement covers the cooperation in the fight against illegal, unreported and unregulated fishing and the promotion of the blue economy, including aquaculture. Also, a special support will be given to the artisanal fisheries sector, which is now facing difficult times.

The explanatory statement accompanying the recommendation stressed that there should be a very strong scientific cooperation on responsible fishing between the European Union and the Republic of The Gambia. This cooperation should focus on exploratory fisheries and new fishing opportunities, good cooperation between the economic operators, and the much needed electronic exchanges of data, in order for Gambia to make important steps towards a sustainable fishing attitude.

Structural support will help the country overcome constraints such as the lack of storage facilities, the high cost of energy and poor management, which, lately, resulted in some of the fish factories going bankrupt.