

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	2005/0262(CNS) Procedure completed
EC/Angola fisheries agreement: denunciation of the agreement (derog. Regulation (EC) No 2792/1999) See also Regulation (EC) No 2792/1999 <a href="#">1998/0347(CNS)</a>	
Subject 3.15.15.02 Fisheries agreements with African countries	
Geographical area Angola	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>DEVE</b> Development		25/01/2006
	<b>BUDG</b> Budgets	PPE-DE <a href="#">RIBEIRO E CASTRO José</a>	20/09/2004
		Verts/ALE <a href="#">TRÜPEL Helga</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">2747</a>	24/07/2006
European Commission	Commission DG <a href="#">Maritime Affairs and Fisheries</a>	Commissioner	

Key events			
21/12/2005	Legislative proposal published	<a href="#">COM(2005)0677</a>	Summary
02/02/2006	Committee referral announced in Parliament		
19/04/2006	Vote in committee		Summary
20/04/2006	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0133/2006</a>	
16/05/2006	Results of vote in Parliament		
16/05/2006	Decision by Parliament	<a href="#">T6-0195/2006</a>	Summary
24/07/2006	Act adopted by Council after consultation		

	of Parliament		
24/07/2006	End of procedure in Parliament		
04/08/2006	Final act published in Official Journal		

### Technical information

Procedure reference	2005/0262(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
	See also Regulation (EC) No 2792/1999 <a href="#">1998/0347(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 300-p2; EC Treaty (after Amsterdam) EC 300-p3-a1; EC Treaty (after Amsterdam) EC 036; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/32877

### Documentation gateway

Legislative proposal		<a href="#">COM(2005)0677</a>	21/12/2005	EC	Summary
Committee draft report		<a href="#">PE369.851</a>	24/02/2006	EP	
Committee opinion	DEVE	<a href="#">PE370.197</a>	22/03/2006	EP	
Amendments tabled in committee		<a href="#">PE371.807</a>	24/03/2006	EP	
Committee opinion	BUDG	<a href="#">PE371.721</a>	27/03/2006	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0133/2006</a>	20/04/2006	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0195/2006</a>	16/05/2006	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Regulation 2006/1185</a> <a href="#">OJ L 214 04.08.2006, p. 0010-0011</a> Summary
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## EC/Angola fisheries agreement: denunciation of the agreement (derog. Regulation (EC) No 2792/1999)

PURPOSE : to denounce the Agreement between the EEC and the Government of Angola on fisheries off Angola and to derogate from Regulation 2792/1999/EC.

PROPOSED ACT : Council Regulation.

CONTENT : the Agreement between the EEC and Angola on fisheries was signed in Luanda on 1 February 1989. The Agreement entered into force on that same date.

The last Protocol annexed to the Agreement setting out, for the period from 3 August 2002 to 2 August 2004, the fishing opportunities for demersal, pelagic and tuna species and the financial contribution provided for by the Agreement, has not been renewed. After two rounds of

formal negotiations and numerous contacts between the Commission services and the Angolan authorities, the two parties have not been able to agree on the main principles of the new Protocol.

The new legislative framework adopted by Angola in October 2004 stipulates that the fishing activities subject to an Agreement between the Community and Angola shall be carried out in conformity with Angola's laws and regulations concerning fisheries. In accordance with the new Angolan Law on Biological Aquatic Resources, all fishing activities would have to be carried out in association with Angolan enterprises and the origin of the fish would have to be Angolan. In the case of tuna, the catches would be registered under ICCAT rules as Angolan catches. Furthermore, all EC vessels would have to be fitted with satellite tracking devices directly linked to the Angolan fishing vessel monitoring centre (tracking by coastal state in stead of flag state).

In these circumstances, the Commission has informed Angola in June that the negotiations have broken down, and it is considered necessary to formally denounce the Fisheries Agreement in accordance with the procedure set out in its Article 14.

This proposal is intended to formalize the denouncement through the adoption of a Council Regulation. The notice of the denouncement must be given to Angola by 31 October 2007, in order that the denunciation takes effect on 1 February 2008.

A number of Community fishing vessels which used to operate under the bilateral Agreement EC/Angola are affected by this denunciation. So far, these vessels have benefited from an aid scheme for a six month tie-up which started in August 2004. This scheme has been extended by another six months, following the presentation by the Spanish authorities of a conversion plan which was approved by the Commission. To facilitate the implementation of this conversion plan, it is now proposed to waive existing obligations to pay back construction and tie-up aids for those vessels which would decide to switch to the Angolan flag, or to demonstrate continuous activity in the year preceding the deletion from the Community fleet register for those which would opt for permanent withdrawal aid.

#### FINANCIAL IMPLICATIONS :

Budget lines including headings:

110301: ?International Fisheries Agreements?;

11010404: International Fisheries Agreements, administrative expenditure?;

1106: ?Financial Instrument for Fisheries Guidance?.

Duration of the action and of the financial impact:

The proposal has the following impact on the Community budget in the form of expenditures or revenues:

- the denunciation of the Agreement and the non-renewal of the protocol annexed to it, will free the commitment and payment appropriations assigned to a Fisheries Agreement between the Community and Angola under the budgetary multiannual programming as from 2004. Yearly payments under the last protocol, which expired in August 2004, amounted to EUR 15.5 million.

- waivers from the obligation under the FIG regulation<sup>10</sup> to pay back construction and tie-up aids would not entail, for the Community budget, any additional spending under the FIG, because the corresponding funds have already been allocated to Spain. They would not deprive the Community budget of revenues either, because Spain would have been entitled to re-allocate such funds to alternative projects.

Summary of commitment appropriations and payment appropriations, including operational expenditure and administrative expenditure within the reference amount:

- operational expenditure: none

- there is a small negative impact for the administrative expenditure included in the reference amount (reflecting the posts currently allocated to the management of the programme): 0.2 staff per annum amounting to EUR ?33,000 per annum for the first 2 years and EUR ?73,000 for the final year : -EUR 139,000 over 3 years.

Financial cost of human resources and associated costs not included in the reference amount:

- human resources: negative figure due to the denouncement of the fisheries agreement: the Commission estimates this figure to be EUR ? 65,000 per year over three years (reflecting the redeployment of officials previously dealing with the management of the fisheries agreement, amounting to 0.6 staff per annum): EUR -195,000;

- other administrative expenditure : EUR ?12,000 per year (costs of cancelled meetings, missions and conferences EUR -36.000.

## EC/Angola fisheries agreement: denunciation of the agreement (derog. Regulation (EC) No 2792/1999)

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The committee adopted the report by Pedro GUERREIRO (GUE/NGL, PT) approving unamended - under the consultation procedure - the proposed regulation denouncing the EC/Angola fishing agreement and derogating from Regulation (EC) No 2792/1999.

## EC/Angola fisheries agreement: denunciation of the agreement (derog. Regulation (EC) No 2792/1999)

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The European Parliament adopted a resolution drafted by Pedro GUERREIRO (GUE/NGL, PT) approving the proposal denouncing the EC/Angola fishing agreement and derogating from Regulation 2792/1999/EC.

## EC/Angola fisheries agreement: denunciation of the agreement (derog. Regulation (EC) No 2792/1999)

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**PURPOSE:** to denounce the Agreement between the EEC and Angola on fishing off Angola.

**LEGISLATIVE ACT:** Council Regulation 1185/2006/EC denouncing the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola and derogating from Regulation 2792/1999/EC.

**CONTENT:** the EEC/Angolan fishing Agreement was signed in 1989. The last Protocol annexed to the Agreement was valid from 2002-2004. The fishing opportunities and the financial contribution provided for by the Agreement has not, however, been renewed since certain conditions laid down in the new legislative framework on Biological Aquatic Resources adopted by the Government of Angola in 2004 are incompatible with Community requirements on Community fishing vessels fishing in Angolan waters. The purpose, therefore, of this Council Regulation is to denounce the Agreement in accordance with procedures set out in Regulation 2792/1999/EC.

In addition the Regulation provides compensation to those fishermen and owners of vessels who are affected by the cessation of activities. Within the context of FIG, the Commission adopted in 2005 a Decision approving the conversion plan for fishing vessels affected by the non-renewal of the fishing Protocol between the European Community and the Republic of Angola.

All vessels and fishermen affected by the denunciation of the Agreement will be exempted from certain provisions set out in 2792/1999/EC. In particular, they will not need to reimburse public aid for the temporary cessation of activities or for the renewal and modernisation of equipment ? nor will they be obliged to demonstrate continuous activity in the year preceding their deletion from the Community's fishing register.

**ENTRY INTO FORCE:** 11 August 2006.