



Procedure file

Basic information		
CNS - Consultation procedure Regulation	2006/0156(CNS)	Procedure completed
EC/Gabon Fisheries Partnership Agreement		
See also 2013/0216(NLE)		
Subject 3.15.15.02 Fisheries agreements with African countries		
Geographical area Gabon		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		24/11/2005
		PSE ARNAOUTAKIS Stavros	
	Committee for opinion	Rapporteur for opinion	Appointed
Council of the European Union	DEVE Development		
	BUDG Budgets		20/09/2004
		Verts/ALE TRÜPEL Helga	
	Council configuration	Meeting	Date
European Commission	Agriculture and Fisheries	2793	16/04/2007
	Economic and Financial Affairs ECOFIN	2759	07/11/2006
	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
11/08/2006	Legislative proposal published	COM(2006)0454	Summary
28/09/2006	Committee referral announced in Parliament		
21/12/2006	Vote in committee		Summary
21/12/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0477/2006	
31/01/2007	Debate in Parliament		
01/02/2007	Results of vote in Parliament		
01/02/2007	Decision by Parliament	T6-0017/2007	Summary
16/04/2007	Act adopted by Council after consultation of Parliament		
16/04/2007	End of procedure in Parliament		
26/04/2007	Final act published in Official Journal		

Technical information	
Procedure reference	2006/0156(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	See also 2013/0216(NLE)
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/39556

Documentation gateway					
Legislative proposal		COM(2006)0454	11/08/2006	EC	Summary
Committee opinion	DEVE	PE378.521	05/10/2006	EP	
Committee draft report		PE378.552	25/10/2006	EP	
Committee opinion	BUDG	PE382.398	12/12/2006	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0477/2006	21/12/2006	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0017/2007	01/02/2007	EP	Summary

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act
Regulation 2007/450 OJ L 109 26.04.2007, p. 0001 Summary

EC/Gabon Fisheries Partnership Agreement

PURPOSE: to conclude a Fisheries Partnership Agreement between the European Community and the Gabonese Republic.

PROPOSED ACT: Council Regulation.

CONTENT: in presenting this Regulation the European Commission is requesting the Council to conclude a Fisheries Partnership Agreement (FPA) between the European Community and the Gabonese Republic.

Background

On 28 October 2005 the Community and the Gabonese Republic negotiated and initialled a Fisheries Partnership Agreement which offers Community fishermen fishing opportunities in the Gabonese fishing zone. This Agreement repeals and replaces the Agreement between the European Community and the Gabonese Republic on fishing off the Gabonese coast, which entered into force on 3 December 1998. (For a summary of this Agreement please refer to CNS/2001/0301). The Regulation consists of firstly the Agreement itself and secondly, a new Protocol in which the fishing opportunities are laid out. The new Protocol covers the period 3 December 2005 to 2 December 2011, although it will only enter into force once all the Parties have notified each other of the completion procedures necessary for that purpose. The main objective of the new FPA is to strengthen co-operation between the European Community and the Gabonese Republic in a bid to develop a sustainable fisheries policy and the sound exploitation of fishery resources in the Gabonese fishing zone.

Main objectives:

- Economic, financial, technical and scientific co-operation in the fisheries sectors. The promotion of responsible fishing in Gabonese waters. The conservation and sustainable exploitation of fisheries resources and lastly the development of the Gabonese fishing sector.
- To establish the conditions allowing Community fishing vessels access to Gabonese waters.
- Co-operation on Gabonese fishing policies. To ensure that the rules and conditions in the Agreement are complied with. To ensure that conservation and management measures are effective and to help prevent illegal, undeclared and unregulated fishing in Gabonese waters.
- To facilitate the establishment of partnerships between companies working in the fishing sector.

Principles and objectives underlying the implementation of the Agreement:

Both Parties agree to promote responsible fishing in the waters off Gabon based on the principle of non-discrimination between the different fleets fishing in those waters. Further, they agree that the Agreement be implemented in accordance with the principles of good economic and social governance. Employment of Gabonese and/or ACP seamen on board Community vessels shall be governed by the ILO Declaration on Fundamental Principles and Rights at work.

Licences and financial contribution:

Community vessels may fish in the Gabonese fishing zone on condition that they are in possession of a fishing licence issued under this Agreement and in conformance with the Protocol. The procedure for obtaining a fishing licence for a vessel, the taxes applicable and the method of payment to be used by ship-owners are set out in the Annex attached to the Protocol. Ship-owners will have to pay EUR 35 per tonne of tuna caught compared to the previous amount of EUR 25 per tonne. Advances are fixed at EUR 4 550 per year per tuna seiner and EUR 2 030 per year per surface longliner.

As far as the financial contribution is concerned the Community has agreed to grant Gabon a financial contribution totalling EUR 860 000 per year. (For further details on the financial aspect please refer to the Financial summary below). Of this amount, 60% will be set aside for promoting and developing Gabon's fishing policies. Financial support will be based on an annual and multi-annual programme. In addition to receiving the Community contribution, the Gabonese government can expect to receive an additional EUR 142 000 per year in ship fees.

The fishing opportunities will be allocated through Member State applications and a Member State's historical rate of utilisation. Community vessels may only fish in the Gabonese fishing zone if they are in possession of a fishing licence issued under the FPA. Any fishing activities governed by the FPA will be subject to the laws and regulations in force in Gabon. The amount of tonnage fixed by the Protocol stands at 11 000 tonnes of tuna per year.

Promoting co-operation:

The Protocol specifies that both parties will seek economic, scientific and technical co-operation in the fisheries and related sectors. Co-operation will take the form of exchanging information and know-how, and the setting up of joint enterprises.

Institutional aspects:

A Joint Committee has been set up to monitor the Agreement's application. The Joint Committee will be responsible for monitoring the annual and multi-annual programming of the Agreement. It will meet at least once a year but can be convened upon the request of either of the Parties.

The Agreement will apply for a period of six years following date on which it enters into force and may be tacitly renewed for additional periods of six years unless a notice of termination is given. The Agreement may be suspended at the initiative of one of the Parties in the event of a serious disagreement. Suspension will require the interested Party to notify its intention in writing at least three months prior to the suspension taking effect. Similarly the Agreement can be terminated by either Party in the event of unusual circumstances such as the degradation of the stocks concerned.

The fishing opportunities set out in the Protocol to the Agreement will be allocated among the Member States as follows:

Tuna fishing: Surface longliners: Spain 13 and Portugal 3.

Tuna fishing: Freezer tuna seiners: Spain 12 and France 12.

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol the Commission will take licence applications from other Member States into account.

For further information concerning the financial implications of this measure, please refer to the financial statement.

EC/Gabon Fisheries Partnership Agreement

The committee adopted the report by Stavros ARNAOUTAKIS (PES, GR) approving the proposed regulation on the conclusion of the Fisheries Partnership Agreement between the EC and Gabon. It adopted a few amendments under the consultation procedure:

- before any extension of the Agreement or the conclusion of any new Agreement, the Commission should report to Parliament and the Council on the implementation of the Agreement. Only after the report has been received and Parliament consulted should the Council confer a negotiating mandate on the Commission with a view to adopting a new Protocol;
- the Commission should report annually to Parliament and the Council on the results of the multiannual sectoral programme described in Article 7 of the Protocol;
- the Commission should evaluate each year whether Member States whose vessels operate under the Protocol have complied with reporting requirements;
- the EC financial compensation should be used for the development of coastal populations dependent on fisheries as well as for the creation

of small local freezing and processing industries.

EC/Gabon Fisheries Partnership Agreement

The European Parliament adopted a resolution drawn up by Stavros ARNAOUTAKIS (PES, GR) approving the proposed regulation on the conclusion of the Fisheries Partnership Agreement between the EC and Gabon, subject to a few amendments. (Please refer to the summary of 21/12/2006.)

EC/Gabon Fisheries Partnership Agreement

PURPOSE: to conclude a Fisheries Partnership Agreement between the European Community and the Gabonese Republic.

PROPOSED ACT: Council Regulation (EC) No 450/2007 on the conclusion of the Fisheries Partnership Agreement between the Gabonese Republic and the European Community.

PURPOSE: PROPOSED ACT: Council Regulation.

CONTENT: in presenting this Regulation the European Commission is requesting the Council to conclude a Fisheries Partnership Agreement (FPA) between the European Community and the Gabonese Republic. The main objective of the new FPA is to strengthen co-operation between the European Community and the Gabonese Republic in a bid to develop a sustainable fisheries policy and the sound exploitation of fishery resources in the Gabonese fishing zone.

Main objectives:

- Economic, financial, technical and scientific co-operation in the fisheries sectors. The promotion of responsible fishing in Gabonese waters. The conservation and sustainable exploitation of fisheries resources and lastly the development of the Gabonese fishing sector.
- To establish the conditions allowing Community fishing vessels access to Gabonese waters.
- Co-operation on Gabonese fishing policies. To ensure that the rules and conditions in the Agreement are complied with. To ensure that conservation and management measures are effective and to help prevent illegal, undeclared and unregulated fishing in Gabonese waters.
- To facilitate the establishment of partnerships between companies working in the fishing sector.

Principles and objectives underlying the implementation of the Agreement: both Parties agree to promote responsible fishing in the waters off Gabon based on the principle of non-discrimination between the different fleets fishing in those waters. Further, they agree that the Agreement be implemented in accordance with the principles of good economic and social governance. Employment of Gabonese and/or ACP seamen on board Community vessels shall be governed by the ILO Declaration on Fundamental Principles and Rights at work.

Licences and financial contribution: Community vessels may fish in the Gabonese fishing zone on condition that they are in possession of a fishing licence issued under this Agreement and in conformance with the Protocol. The procedure for obtaining a fishing licence for a vessel, the taxes applicable and the method of payment to be used by ship-owners are set out in the Annex attached to the Protocol. Ship-owners will have to pay EUR 35 per tonne of tuna caught compared to the previous amount of EUR 25 per tonne. Advances are fixed at EUR 4 550 per year per tuna seiner and EUR 2 030 per year per surface longliner.

As far as the financial contribution is concerned the Community has agreed to grant Gabon a financial contribution totalling EUR 860 000 per year. Of this amount, 60% will be set aside for promoting and developing Gabon's fishing policies. Financial support will be based on an annual and multi-annual programme. In addition to receiving the Community contribution, the Gabonese government can expect to receive an additional EUR 142 000 per year in ship fees.

Fishing opportunities and allocation: the fishing opportunities will be allocated through Member State applications and a Member State's historical rate of utilisation. Community vessels may only fish in the Gabonese fishing zone if they are in possession of a fishing licence issued under the FPA. Any fishing activities governed by the FPA will be subject to the laws and regulations in force in Gabon. The amount of tonnage fixed by the Protocol stands at 11 000 tonnes of tuna per year.

The fishing opportunities provided for in the Agreement have been laid down according to two categories: (1) for the fishing category "freezer tuna seiners": 24 vessels; (2) for the fishing category "surface longliners": 16 vessels.

The allocation among the Member States is as follows:

- Tuna fishing: Surface longliners: Spain 13 and Portugal 3.
- Tuna fishing: Freezer tuna seiners: Spain 12 and France 12.

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol the Commission will take licence applications from other Member States into account.

Promoting co-operation: the Protocol specifies that both parties will seek economic, scientific and technical co-operation in the fisheries and related sectors. Co-operation will take the form of exchanging information and know-how, and the setting up of joint enterprises.

Institutional aspects:

A Joint Committee has been set up to monitor the Agreement's application. The Joint Committee will be responsible for monitoring the annual and multi-annual programming of the Agreement. It will meet at least once a year but can be convened upon the request of either of the Parties.

The Agreement will apply for a period of six years following date on which it enters into force and may be tacitly renewed for additional periods of six years unless a notice of termination is given. The Agreement may be suspended at the initiative of one of the Parties in the event of a serious disagreement. Suspension will require the interested Party to notify its intention in writing at least three months prior to the suspension taking effect. Similarly the Agreement can be terminated by either Party in the event of unusual circumstances such as the degradation of the stocks concerned.

Repeal: this Agreement repeals and replaces the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon which entered into force on 3 December 1998.

ENTRY INTO FORCE: the Regulation shall enter into force on 3 May 2007. The Agreement shall enter into force on the date on which the Parties notify each other in writing that they have completed the necessary internal procedures to that end.