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DRAFT OPINION

of the Committee on Budgets

for the Committee on Fisheries

on the proposal for a Council decision on the conclusion of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement in force between the two Parties
(COM(2013)0648 – C7-xxxx/xxxx – 2013/0315(NLE))

Rapporteur: François Alfonsi

PA_Leg_Consent

SHORT JUSTIFICATION

On the basis of a mandate from the Council, the European Commission has opened negotiations with the Kingdom of Morocco on the renewal of the Protocol to the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco. At the end of these negotiations a draft of the new Protocol was initialled by the negotiators on 24 July 2013. The new protocol covers a period of four years from its entry into force.

The main aim of the Protocol to the Agreement is to provide fishing opportunities for vessels from the European Union in the waters of the Kingdom of Morocco within the limits of the surplus available.

Under Articles 43(2) and 218(6)(a) of the Treaty on the Functioning of the European Union, the European Parliament can either consent or decline to consent.

A previous Protocol, applied provisionally from 28 February 2011, did not receive the Parliament's approval.

The new Protocol provides for a total financial contribution of EUR 120 584 000 for the whole period and EUR 120 000 000 for the whole period for preservation and management of natural resources. The annual financial contribution of EUR 30 000 000 is based on: a) an amount of EUR 16 000 000 linked to access and b) support for the development of the sectoral fisheries policy of the Kingdom of Morocco amounting to EUR 14 000 000. This support meets the objectives of the national fisheries policy and in particular the needs of the Kingdom of Morocco in the fight against illegal fishing.

In terms of content, the Agreement's characteristics are as follows:

Type of expenditure	2014	2015	2016	2017	Total €
Operational appropriations	30 000 000	30 000 000	30 000 000	30 000 000	120 000 000
Administrative expenditure	131 000	131 000	131 000	191 000	584 000
TOTAL	30 131 000	30 131 000	30 131 000	30 191 000	120 584 000

Your rapporteur believes that for several reasons this Protocol is highly problematic, due to:

- Serious doubts about the cost-benefit aspect of the agreement.

There was a very low cost-benefit ratio of the previous Protocol in force due to low utilisation of the fishing opportunities negotiated. An evaluation on behalf of the European Commission states that the cost of the agreement seemed very high in relation to the fisheries opportunities that have actually been taken up. The European fleets' estimated turnover was EUR 30.2 million, i.e., a mere EUR 0.83 for every euro invested by the EU. Using only the indicator of wealth created by European vessel owners subject to the agreement (direct and indirect

added value for the EU), an even less impressive cost/benefit ratio for the EU investment emerged: EUR 0.65 in added value generated for every euro invested. These figures are well below the level of the corresponding indicators for other fisheries agreements.

The figures clearly show the inefficiency of the Agreement from a financial perspective. It is concluded in the evaluation report that in terms of economic cost-effectiveness, the Agreement is the least successful of all the bilateral Fisheries Partnership Agreements.

The Commission has unfortunately not produced convincing evidence which would prove that the new agreement would increase the cost-benefit ratio.

- Doubts about the adherence to the principle of only fishing surplus stocks.

There are also ecological issues of concern with the Agreement. Of the 11 demersal stocks fished in the Moroccan waters, five appear overexploited (European hake, pageot acarné, octopus, squid, pink prawn), four appear fully exploited (porgy, large-eye dentext, dorade, rubber-lip grunt) while two stocks could not be sufficiently analysed due to lack of data (black hake, calmar). The almost total depletion of these stocks begs the question whether the principle of EU vessels only fishing surplus stocks is adhered to.

Once more, it is not clear how the new agreement would tackle these issues. It is also remarkable that the Commission claims that the new agreement would take into consideration the overfishing issue, while no recent scientific assessment exists on the situation of stocks in Moroccan water.

- The agreement completely ignores the Western Sahara question.

In addition to the aforementioned economical, ecological, environmental and other shortcomings of the Protocol, there are disputed legal issues with regards to Western Sahara, a territory occupied by Morocco. In the case of this Protocol, the issue at hand concerns whether or not the Protocol directly benefits the Sahrawi people as requested by the Legal Service of the European Parliament. The relevant documentation concerning the Protocol does not clarify this sensitive question and it seems that the European Commission has never sought the input or the consent of the Sahrawi people to fish in their waters.

Another noteworthy point is that Morocco has refrained from declaring an Exclusive Economic Zone in front of Western Sahara. Strictly legally speaking, this means that the EU is paying Morocco for fishing in international waters.

To conclude, you rapporteur believes that in terms of efficiency and effectiveness, but also in terms of regularity, the Agreement in its present form is highly questionable.

The Committee on Budgets calls on the Committee on Fisheries, as the committee responsible, to propose that Parliament declines to give consent.