

Proposal for a European Parliament and Council Decision on the mobilisation of the flexibility instrument

(2002/C 75 E/05)

COM(2001) 625 final

(Submitted by the Commission on 5 November 2001)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF
THE EUROPEAN UNION,

Having regard to the interinstitutional agreement on budgetary discipline and improvement of the budgetary procedure ⁽¹⁾, and in particular paragraph 24 thereof,

Having regard to the Commission proposal COM(2001) 384 final of 18 July 2001 aiming to promote the conversion of vessels and of fishermen that were, up to 1999, dependent on the fisheries agreement with Morocco,

Having regard to the conclusions of the conciliation meeting between the Council and a European Parliament delegation, in which the Commission also took part, held on 21 and 22 November 2001 on the Council's second reading of the 2002 budget,

Whereas:

- (1) Following the non-renewal of the fisheries agreement between the European Union and the Kingdom of Morocco, the Nice European Council called on the Commission to put forward proposals with a view to restructuring the Community fleet which operated in Moroccan waters.
- (2) The targeted measure for the conversion of the Spanish and Portuguese fleets proposed by the Commission on 18 July 2001, valued at EUR 197 million, provides for measures similar to those financed by the Financial Instrument for Fisheries Guidance (FIFG) and is modelled on its working methods, although it proposes special arrangements for the fleets concerned.
- (3) This measure comes under heading 2 ('Structural operations'), subheading 'Structural Funds', of the financial

perspective and supplements the compensatory amounts earmarked in this context since January 2000.

- (4) In accordance with paragraph 12(2) of the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure, the amounts to be earmarked for all the measures covered by heading 2 ('Structural operations') of the financial perspective do not allow for a margin.
- (5) The conditions for the use of the flexibility instrument, as set out in paragraph 24 of the abovementioned Interinstitutional Agreement, are therefore met,

HAVE DECIDED AS FOLLOWS:

Article 1

For the 2002 budget, the flexibility instrument shall be used to provide the sum of EUR 197 million in commitment appropriations.

Article 2

This sum shall be used to finance the targeted measure for the promotion of the conversion of the vessels and fishermen that were, up to 1999, dependent on the fisheries agreement with Morocco, which is covered by the 'Structural operations' heading in the financial perspective, under the new line B2-200 N of the 2002 budget.

Article 3

This decision shall be published in the *Official Journal of the European Communities* at the same time as the 2002 budget.

⁽¹⁾ OJ C 172, 18.6.1999, p. 1.