



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.12.1996  
COM(96) 656 final

Proposal for a

COUNCIL REGULATION (EC)

**allocating for 1997 catch quotas between Member States  
for vessels fishing in Estonian waters**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

Consultations between the Community and Estonia took place in Tallinn from 15 to 16 October 1996 and resulted in an agreement defining a reciprocal fisheries arrangement for 1997.

These consultations were held on the basis of the new framework Agreement on Fisheries Relations between the European Community and the Republic of Estonia, concluded on ...  
..... This new Agreement, on the date of its entry into force, replaces the previous fisheries agreements concluded with Estonia by the Community, as constituted before enlargement, and by Sweden and Finland respectively.

Taking into account that the annual consultations occurred prior to the ratification of the Agreement on Fisheries Relations being terminated, the fisheries arrangement agreed for 1997 will only be implemented from the date of its entry into force.

The fisheries arrangement for 1997 provides for, *inter alia*, certain catch quotas for Community vessels in the Estonian fishing zone in the framework of the exchange of fishing possibilities and reciprocal access quotas.

The purpose of this proposal for a regulation is to allocate among Member States the quotas available in 1997 to Community vessels fishing in the Estonian zone under the above mentioned arrangement.

The fisheries arrangement agreed with Estonia for 1997 has been negotiated on behalf of the enlarged Community. The fishing possibilities now obtained by the enlarged Community are distributed among Member States on the basis of the traditional fishing pattern in the Baltic Sea before the entry into force of the new Agreement, when Denmark, Finland, Germany and Sweden were the only Member States with fishing rights in the region. Therefore, the fishing possibilities cannot be considered as "new" in the sense of Article 8 of Regulation (EEC) No 3760/92, as they result from the amalgamation of the existing fishing possibilities under the previous fisheries agreements concluded with Estonia by the Community, as constituted before enlargement, and by Sweden and Finland respectively.

As a consequence of the Act of Accession of Austria, Finland and Sweden to the European Union, in particular Article 121, paragraph 1, footnote 9 of the table, Member States of the Community, as constituted before enlargement, have been compensated for their lower share of the cod stock up to the level required by the Council Declaration.

Estonia is compensated for the quotas obtained in its waters by way of a financial contribution of ECU 765,530, in accordance with Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Estonia.

Proposal for a  
**COUNCIL REGULATION (EC) No ...../96**

of .... December 1996

**allocating for 1997 catch quotas between Member States  
for vessels fishing in Estonian waters**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture<sup>(1)</sup>, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for in the Agreement on Fisheries Relations between the European Community and the Republic of Estonia<sup>(2)</sup>, concluded on ....  
....., and in particular Articles 3 and 6 thereof, the Community and Estonia have held consultations concerning their mutual fishing rights for 1997 and the management of common living resources;

Whereas, in the course of these consultations, the delegations agreed to recommend to their respective authorities that certain catch quotas for 1997 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1997, the results of the consultations held with Estonia;

Whereas to ensure efficient management of the catch possibilities available in Estonian waters, quotas should be allocated among Member States in accordance with Article 8 of Council Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(3)</sup>;

Whereas additional conditions for the year-to-year management of TACs and quotas, in accordance with the provisions laid down in Article 2 of Council Regulation (EC) No 847/96<sup>(4)</sup>, were not agreed with Estonia,

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(1) OJ No L 389, 31.12.1992, p. 1.

(2) OJ No C 279, 25.9.1996, p. 6.

(3) OJ No L 261, 20.10.1993, p. 1.

(4) OJ No L 115, 9.5.1996, p. 3.

HAS ADOPTED THIS REGULATION:

*Article 1*

From 1 January to 31 December 1997 vessels flying the flag of a Member State are hereby authorised to make catches within the quota limits set out in the Annex in waters falling within the fisheries jurisdiction of Estonia.

*Article 2*

The financial contribution provided for in Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Estonia shall be set for the period referred to in Article 1 at ECU 765,530, payable to an account designated by Estonia.

*Article 3*

Stocks referred to in the Annex shall not be subject to the conditions stipulated in Articles 2, 3 and 5 (2) of Council Regulation (EC) No 847/96.

*Article 4*

This Regulation shall enter into force on 1 January 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, .... December 1996.

For the Council  
The President

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ANNEX

Allocation of Community catch quotas in Estonian waters for 1997

(in metric tonnes, fresh round weight; for salmon: numbers of individual fish)

Species	ICES division	Community catch quotas	Quotas allocated to Member States	
Cod	III d	500	Denmark	(225)
			Finland	(10)
			Germany	(100)
			Sweden	(165)
Herring	III d	5,000	Denmark	(1,260)
			Finland	(620)
			Germany	(945)
			Sweden	(2,175)
Salmon	III d	5,400 <sup>(1)</sup>	Denmark	(1,460) <sup>(1)</sup>
			Finland	(1,820) <sup>(1)</sup>
			Germany	(160) <sup>(1)</sup>
			Sweden	(1,960) <sup>(1)</sup>
Sprat	III d	30,500	Denmark	(9,645)
			Finland	(3,920)
			Germany	(2,565)
			Sweden	(14,370)

<sup>(1)</sup> Number of individual fish.

# FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation allocating for 1997 catch quotas between Member States for vessels fishing in Estonian waters.

2. **BUDGETARY LINE CONCERNED:** B7-800

3. **LEGAL BASIS:** Article 8 (4) of Council Regulation (EEC) No 3760/92

4. **DESCRIPTION:**

4.1 **General objectives:**

- maintain and develop the traditional activity of Community fishermen in Estonian waters;
- supply the Community market; and
- decrease the fishing effort in Community waters.

4.2 **Period covered:** Year 1997

5. **CLASSIFICATION OF EXPENDITURE:**

5.1 DO

5.2 CD

6. **TYPE OF EXPENDITURE:**

Financial compensation paid for fishing possibilities in Estonian waters.

7. **FINANCIAL CONSEQUENCES:** ECU 765,530

The financial compensation provided for in Article 4 of the Agreement has been negotiated on the basis of average landing prices for 1995 in Community ports in the Baltic Sea. A deduction has been made for estimated fleet exploitation costs for each of the species.

### 7.1 Method of calculation:

	<b>COD</b>	<b>SALMON</b>	<b>HERRING</b>	<b>SPRAT</b>
Quota obtained (in tonnes)	1,400	27 (5,400 units)	5,000	30,500
Weighted average landing prices 1995 (ECU/tonne)	967	2,906	152.74	81.83
Market value (in ECUs)	1,353,800	78,460	763,700	2,495,815
Negotiated (percentage) In ECUs	25% 338,450	25% 19,615	12.5% 95,450	12.5% 312,015

Total financial compensation (Article 4): ECU 765,530  
Average price ECU/tonne: 20.73

### 8. ANTI-FRAUD PROVISIONS:

The financial contribution granted by the Community is utilised by Estonia to develop its fisheries sector in accordance with Article 4 of the Agreement. The amount is administered by the National Estonian Board of Fisheries.

### 9. ELEMENTS OF COST/BENEFIT ANALYSIS:

The Community fleet in the Baltic Sea has been severely hit by reductions in catch possibilities, mainly due to biological factors (low salinity of the water and the M-74 disease) and pollution of the water. Any increase in fishing possibilities above current critical catch levels will contribute towards preventing the fleet, and connected industries and services ashore, from collapsing and disappearing. This will also avoid, to a certain extent, payments under lay-up schemes or social programmes.

Experience has taught us that the financial compensation, similar to that paid in 1996, has mainly been used by Estonia for the continued improvement of scientific research on fisheries and the training of fisheries managers. This has entailed improved scientific assessment and enforcement in the fishery zone of Estonia and has contributed to a more rational exploitation of the stocks, to the benefit of all concerned in the Baltic Sea.

The expenses proposed are foreseen in the budgetary planning for the period concerned.

### 10. ADMINISTRATIVE EXPENSES:

The proposal does not require new Commission staff or additional administrative costs.





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# DOCUMENTS

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