



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.06.1997
COM(97) 263 final

97/0158 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

**concerning the conclusion of the Agreement in the form of an exchange of letters
amending the Agreement on cooperation in the sea fisheries sector between the
European Community and the Islamic Republic of Mauritania**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Community and Mauritania have concluded an Agreement on cooperation in the sea fisheries sector which contains in particular technical and financial provisions governing the use by Community fishermen of the fishing opportunities provided for in the Agreement.

It has become apparent that some of those provisions have to be elucidated in order that the Agreement may be better applied. The adjustments agreed as a result are set out in an Agreement in the form of an exchange of letters amending the provisions in question of the Agreement on cooperation.

The Council is asked to approve the agreement in the form an exchange of letters as soon as possible.

**Proposal for a
COUNCIL REGULATION (EC)**

**concerning the conclusion of the Agreement in the form of an exchange of letters
amending the Agreement on cooperation in the sea fisheries sector between the
European Community and the Islamic Republic of Mauritania**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 in conjunction with Article 228 (2) and the first subparagraph of Article 228(3) thereof,

Having regard to the proposal from the Commission

Having regard to the opinion of the European Parliament,¹

Whereas the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania was approved by Council Regulation (EC) No 408/97;²

Whereas the Community and Mauritania have initialled an Agreement in the form of an exchange of letters amending the cooperation Agreement;

Whereas it is in the Community's interest to approve this Agreement in the form of an exchange of letters,

¹ O.J. nr

² O.J. nr L 62 of 4.3.97, p. 1

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters amending the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Article 3

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Communities.

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

Done at,

For the Council

The President

AGREEMENT

in the form of an exchange of letters concerning the amendment to the agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania initialled in Brussels on 20 June 1996

A. Letter from the European Community

"Sir,

With reference to the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania, initialled in Brussels on 20 June 1996, I have the honour to inform you that the European Community agrees to the amendments to the following technical provisions of the Agreement, provided that the Islamic Republic of Mauritania is disposed to do likewise.

- datasheet No 5 on cephalopods shall be replaced by the corresponding datasheet attached;
- datasheet No 9 on pelagic fishing shall be replaced by the corresponding datasheet attached;
- pole-and-line tuna vessels and surface longliners may be granted quarterly licences. Fees shall continue to be calculated on the basis of the annual statement of catches per vessel and be subject, in accordance with datasheet No 8, to payment of an advance of ECU 2 000 per year;
- whether or not scientific observers are present on board, owners of pelagic vessels who are in possession of a licence shall contribute ECU 350 per month per vessel to the cost of scientific observation. Clearly, shipowners shall not be liable for the salaries of scientific observers on board their vessels.

I should be much obliged if you would acknowledge receipt of this letter and confirm your agreement with its contents."

Please accept, Sirs, the assurance of my highest consideration.

On behalf of the Council
of the European Union

B. *Letter from the Government of the Islamic Republic of Mauritania*

Sirs,

I am in receipt of your letter of today's date which reads as follows:

"Sir,

With reference to the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania, initialled in Brussels on 20 June 1996, I have the honour to inform you that the European Community agrees to the amendments to the following technical provisions of the Agreement, provided that the Islamic Republic of Mauritania is disposed to do likewise.

- datasheet No 5 on cephalopods shall be replaced by the corresponding datasheet attached;
- datasheet No 9 on pelagic fishing shall be replaced by the corresponding datasheet attached;
- pole-and-line tuna vessels and surface longliners may be granted quarterly licences. Fees shall continue to be calculated on the basis of the annual statement of catches per vessel and be subject, in accordance with datasheet No 8, to payment of an advance of ECU 2 000 per year;
- whether or not scientific observers are present on board, owners of pelagic vessels who are in possession of a licence shall contribute ECU 350 per month per vessel to the cost of scientific observation. Clearly, shipowners shall not be liable for the salaries of scientific observers on board their vessels.

I should be much obliged if you would acknowledge receipt of this letter and confirm your agreement with its contents."

I have the honour to confirm that the contents of your letter are acceptable to the Government of the Islamic Republic of Mauritania and that your letter and this one constitute an Agreement in accordance with your proposal.

Please accept, Sirs, the assurance of my highest consideration.

For the Government of
the Islamic Republic of Mauritania

FISHING DATASHEET No 5

FISHING CATEGORY: CEPHALOPODS

1. Fishing zone: Same as laid down by the Mauritanian law applying to its national vessels.

During a period laid down annually by decree of the Minister responsible for sea fishing, fishing is not authorized within the lines between the following points:

20°46N	17°03W
19°50N	17°03W
19°21N	16°45W

2. Authorized gear: bottom trawl

Doubling of the cod-end is prohibited.
Doubling of the twine forming the cod-end is prohibited.

3. Minimum authorized mesh size: 70 mm

4. Biological recovery: Two (2) months: September and October

The Contracting Parties may decide by common agreement to adjust the above period of biological recovery.

5. By-catches: - / -

6. Authorized tonnage / Fees:

Periods	1-08-1996 to 31-10- 1996	1-11- 1996 to 31-7- 1997	01-08- 1997 to 31-10- 1997	1-11- 1997 to 31-07- 1998	01-08- 1998 to 31-07- 1999	01-08-1999 to 31-07-2000	01-08- 2000 to 31-07- 2001
Authorized tonnage (GRT) (1)	7 500	8.400	12 000	11.100	13 500	15 000	15 000
Number of vessels authorized to fish	25	28	40	37	45	50	50
Fees in ECU/GRT/annum	365	365	384	384	403	423	444

7. Comments: (1) The authorized tonnage (GRT) may vary by a maximum of 3% during the first and second years and by a maximum of 2% during the last three years.

FISHING DATASHEET No 9

FISHING CATEGORY: PELAGIC FREEZER TRAWLERS

1. Fishing zone:

1.1. north of latitude 19°21N: the line between the following points:

20°46,3N	17°03W
20°10,7N	17°24,2W
19°50N	17°12,8W
19°43N	16°58W
19°21N	16°45W

1.2. south of latitude 19°21N: 12 nautical miles from the low-water mark

2. Authorized gear: Pelagic trawl

3. Minimum authorized mesh size: 40 mm

4. Biological recovery: -/-

5. By-catches: 3% fish, 0% cephalopods and 0% crustaceans

6. Authorized tonnage / Number of vessels / Fees:

Periods	1-08-1996 to 31-07-1997	01-08-1997 to 31-07-1998	01-08-1998 to 31-07-1999	01-08-1999 to 31-07-2000	01-08-2000 to 31-07-2001
Number of vessels authorized to fish	22	22	22	22	22
Fees in ECU/GT/month	2	2	2	2	2

7. Comments: The vessels fall into three categories:

- Category 1: gross tonnage of less than or equal to 3000 GT; ceiling: 12 500 T/vessel/annum
- Category 2: gross tonnage of more than 3000 GT but less than or equal to 5000 GT; ceiling: 17 500 T/vessel/annum
- Category 3: gross tonnage of more than 5000 GT but less than or equal to 8000 GT; ceiling: 22 500 T/vessel/annum

ISSN 0254-1475

COM(97) 263 final

DOCUMENTS

EN

03 11

Catalogue number : CB-CO-97-251-EN-C

ISBN 92-78-20648-2

Office for Official Publications of the European Communities

L-2985 Luxembourg