

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 243 final.

Brussels, 29 May 1978.

Proposal for a  
COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation  
and management of fishery resources in the 200 nautical  
mile zone off the coast of the French department of Guyana  
for the period 1 June to 31 December 1978

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(submitted to the Council by the Commission)

COM(78) 243 final.

Council Regulation (EEC) N° ... laying down certain interim conservation and management measures applicable to the waters of the French Department of Guyana.

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EXPLANATORY MEMORANDUM

1. On 31 January 1978 the Community adopted certain conservation measures for the period up to 31 May 1978, in order to allow a further period in which the Commission could explore the possibility of bilateral negotiations with neighbouring coastal states fishing in these waters.
2. In considering arrangements for the rest of 1978, the Commission has been guided by three principle considerations, namely, the continuing need for caution in the management of the French Guyana shrimp stock, the necessity of guaranteeing supplies to the local processing plant, and the need to allocate in an equitable manner the resources remaining after the needs of the local plant have been met to vessels which do not land their catches in French Guyana.
3. As far as the total allowable level of shrimp fishing in these waters is concerned, the Commission considers that pending further scientific field-work and analysis, a TAC for the year 1978 of 3.300 tons, which amounts approximately to 20% of recent total catches in the Guyanas-Brazil shrimp fishery, seems to be appropriate.
4. If activity in the French Guyanan shrimp-processing industry is to be kept at last year's level, landings at Cayenne will have to be 2.400 tons in 1978. In order to attain this goal, and given that landings from 1 January to 31 May are estimated to reach 850 tons, it will be necessary for the vessels (73) currently under contract to land at Cayenne to operate at their full capacity for the rest of the year, and, taking into account the fact that these vessels can no longer fish in Brazilian waters, they must be permitted to fish freely in French Guyanan waters. 1.500 tons have therefore been allocated to the vessels concerned, which is their estimated catch capacity in the period concerned.

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5. Taking into account the allocation to vessels landing in Cayenne mentioned in paragraph 4, and the estimated level of total catches from French Guyanan waters in the first five months of the year (1.200 t), a TAC for 1978 of 3.300 t will mean that allocations to vessels not landing in Cayenne will be reduced in comparison with allocations made in the first part of the year. The resultant quantity has been divided between interested flag states on the basis of previous fishing activity in these waters, as reflected in vessel numbers.
  
6. As for fishing for other species, the Commission proposes that fishing for tuna should be limited to long-liners, in order to avoid the risk of unauthorized fishing for shrimp. Furthermore, in response to a recent request from Venezuela, the Commission proposes that 20 Venezuelan vessels should be licensed to conduct an artisanal fishery for fish species other than tuna. (Most of these catches are in fact landed in French Guyana.)
  
7. The Commission holds the view that this Regulation should in principle be adopted on the basis of Article 43 of the Treaty. In view of the urgency resulting from the expiry date of the current Regulation, however, the Commission proposes that these measures be adopted by an interim Regulation under Article 103, pending adoption following the normal procedures of a second Regulation based on Article 43.

## PROPOSAL

## COUNCIL REGULATION (EEC) N°

of

laying down certain interim measures for the conservation and management of fishery resources in the 200 nautical mile zone off the coast of the French department of Guyana for the period 1 June to 31 December 1978.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular to Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the Council adopted on 3 November 1976 a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas in Regulation (EEC) N° 1014/77(1), the Council laid down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain third countries in the 200 mile zone situated off the coast of the French department of Guyana, these measures having been extended several times;

Whereas in Regulation (EEC) N° 205/78(2) the Council adopted revised interim measures applicable to these waters, and in particular laid down specific limitations on the fishing activity of vessels not landing their catches in French Guyana;

Whereas the above Regulations were adopted in order to establish interim measures pending examination of the feasibility of concluding fishery agreements between the Community and the countries concerned;

Whereas pending the conclusion of this examination further interim measures should be established;

Whereas the dependence of fishing vessels supplying the processing industry installed within the territory of the French department of Guyana on the resources of the waters of French Guyana has been increased by restrictions recently imposed in other waters, and a readjustment of quota allocations is therefore necessary;

Whereas this processing industry depends upon the landings of foreign vessels fishing in French Guyanan waters; whereas continued fishing by these vessels should therefore be ensured;

Whereas these measures must be taken without delay, and it is therefore necessary to adopt them as interim measures, on the basis of Article 103 of the Treaty, subject to their being replaced later by identical measures adopted under Article 43 of the Treaty,

HAS ADOPTED THIS REGULATION :

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(1) OJ N° L 123, 17.5.1977, p. 1

(2) OJ N° L 29, 1.2.1978, p. 6

Article 1

1. The only catches which vessels flying the flag of a third country shall be authorized to take during the period from 1 June to 31 December 1978 in the fishing zone extending 200 nautical miles off the French department of Guyana and covered by Community rules on fisheries are laid down in the Annex.
2. The fishing quotas shall be granted subject to compliance with the conservation and surveillance measures and all other provisions governing fishing in the zones referred to in paragraph 1.

Article 2

1. Fishing within the fishing zone referred to in Article 1 shall be subject to the possession of a licence issued by the Commission on behalf of the Community, and to observance of the conditions set out in the licence.

These licences are issued to the authorities of the third countries concerned on demand within the limits indicated in paragraphs 2 and 3.

2. For fishing species other than shrimp, licences shall be issued for vessels fishing with long lines in accordance with the number laid down by country in paragraph 2 of the Annex.
3. For shrimp fishing, licences may be issued :
  - (a) to the vessels which are under contract to land their catches in the French Department of Guyana, the number of which is laid down by country in paragraph 3 of the Annex. These licences shall be valid from the date of issue until 31 December 1978;
  - (b) to vessels other than those referred to in subparagraph (a), on the basis of a fishing plan presented by the authorities of the country concerned and approved by the Commission which may not provide for a total number of fishing days for all of the vessels covered by the fishing plan which exceeds the limit indicated in paragraph 4 of the Annex. The validity of each of the licences issued on the basis of a fishing plan shall be limited to the fishing period provided for in the plan.
4. Notwithstanding paragraph 3, all licences issued to the vessels of a third country shall cease to be valid as soon as it is established that the quota referred to in Article 1 is exhausted.

The Commission shall inform the authorities of the country concerned thereof.

5. Vessels licensed to fish shall keep a log book in which the following information is to be entered after each haul :

- (a) the quantity (in lbs.) of each species caught;
- (b) the date and the time of the haul;
- (c) the geographical position in which the catches were made.

### Article 3

When an application for a licence is submitted to the Commission, the following information shall be supplied :

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) intended area of fishing;
- (k) species which it is intended to fish;
- (l) period for which a licence is requested.

### Article 4

Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

### Article 5

1. The licence holder shall comply with the conditions of the licence and communicate to Cayenne radio station (call sign FFJ) the information specified therein.

2. The French authorities shall immediately and directly communicate to the Commission the information referred to in paragraph 1.

### Article 6

The French authorities shall take appropriate measures to ensure the implementation of Article 1, including the regular inspection of vessels.

### Article 7

1. The French authorities shall inform the Commission of any infringement or irregularity within 24 hours of its detection, as well as the name of the vessel involved and details of any action taken.

2. In the event of it being duly established that there has been non-compliance, the licence shall be withdrawn by the issuing authority.

### Article 8

The validity of the licences issued by the Commission under paragraph 3(a) of Article 2 of Regulation (EEC) N° 205/78 is hereby extended until 30 June 1978.

### Article 9

This Regulation shall enter into force on 1 June 1978.

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

Done at Brussels,

For the Council,  
The President.

**A N N E X**  
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1. Fishing possibilities for the period 1 June to 31 December 1978 :

(a) Species : Shrimps :

	Quantity (tons)
<u>Country</u> : Barbados	: 65
Guyana	: 65
Japan	: 285
Korea	: 140
Surinam	: 65
Trinidad & Tobago	: 65
United States of America	: 1465

(b) Species : tuna-like species :

Country : Japan  
Korea

(c) Species : fish other than tuna-like species

Country : Venezuela.

2. Number of vessels referred to in Article 2 (2) :

Japan	5
Korea	23
Venezuela	20

3. Vessels referred to in Article 2 (3) (a) :

United States	: 68
Japan	: 10

4. Maximum number of fishing days referred to in Article 2 (3) (b) :

Barbados	: 735
Guyana	: 735
Japan	: 905
Korea	: 1585
Surinam	: 735
Trinidad and Tobago	: 735
United States of America	: 790

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