

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 341 final

Brussels, 18 June 1979

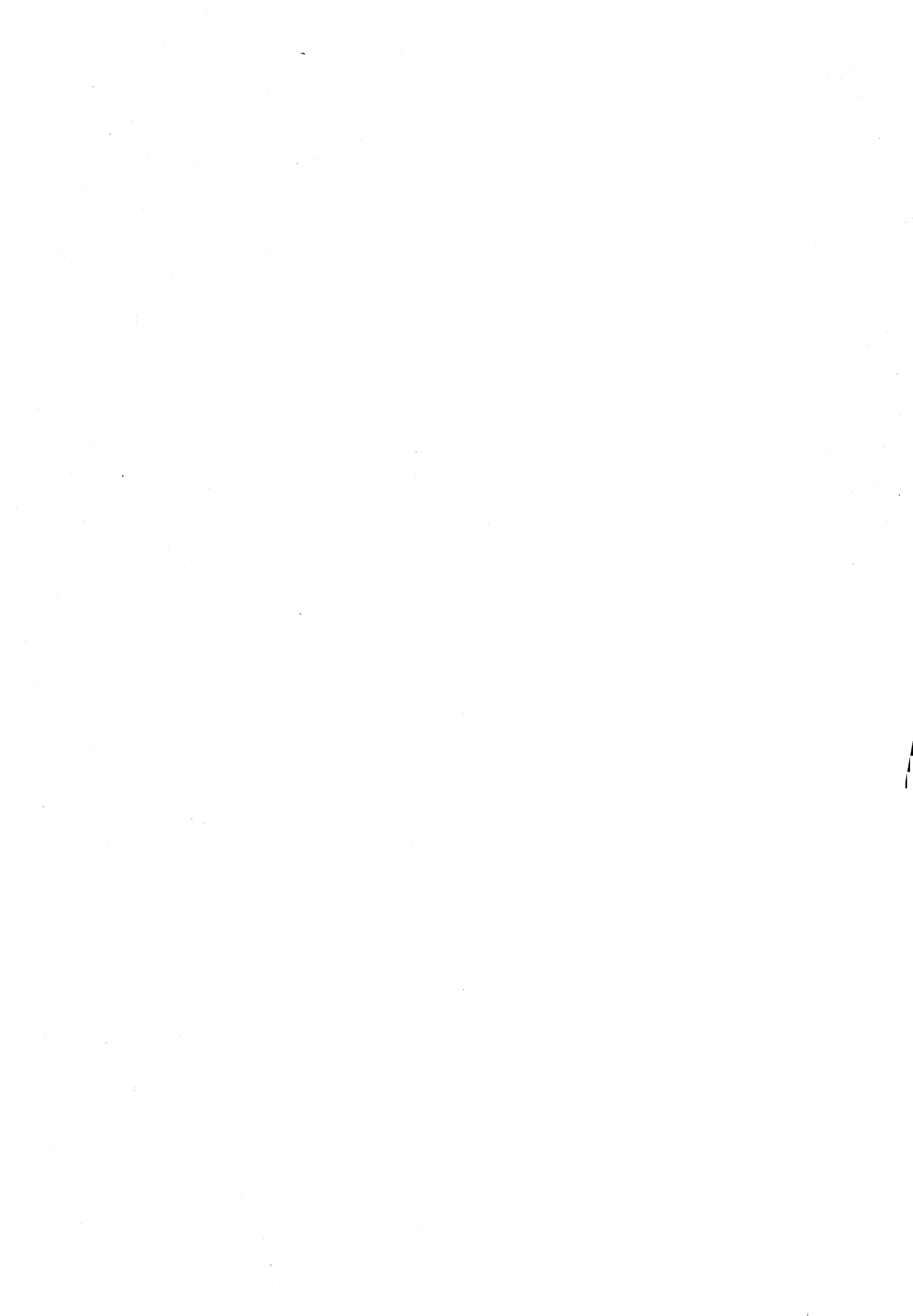
## Proposal for a COUNCIL DECISION

authorizing the Republic of Italy to agree with  
the Socialist Federal Republic of Yugoslavia upon  
the provisional maintenance of the fishing arrange-  
ments currently in force

---

(submitted to the Council by the Commission)

COM(79) 341 final



## EXPLANATORY MEMORANDUM

1. In its Resolution of 3 November 1976 the Council noted that it was necessary to maintain through "appropriate Community agreements", the rights secured by Community fishermen in the waters of non-member countries.
2. Under the Agreement signed between Yugoslavia and Italy on 15 June 1973, fishermen who are Italian nationals are authorized to fish in certain areas of Yugoslav territorial waters, subject to financial counter-concessions from the Italian State. The Agreement expired on 31 December 1976.
3. To ensure that Italian fishermen could continue to fish in Yugoslav waters, the Council authorized Italy by its Decision of 13 December 1976, to agree with Yugoslavia on an interpretation whereby the said Agreement could be renewed until a fisheries agreement was concluded between the Community and Yugoslavia or until 31 December 1977 at the latest.
4. Following that decision the Commission has on several occasions in 1977 and 1978 invited the Yugoslav authorities to negotiate an agreement with the Community. As there was no response from the Yugoslav authorities, the Council, by its Decisions of 20 December 1977, 21 June 1978, and 19 December 1978, authorized Italy to renew the arrangements agreed with Yugoslavia in 1977, in each case for six months.  
The Yugoslav authorities are not yet prepared to open negotiations with the Community for a specific fisheries agreement.
5. For the same motives as those in paragraph (3), those being to ensure that fishing relations with a non-member state are not affected to the detriment of Community fishermen, the Commission proposes that the Council authorizes Italy to agree with Yugoslavia an arrangement prolonging the 1973 agreement until 31 December 1979.
6. When the Council made the previous decisions concerning the prolongation of this agreement, the Council decided that the Commission should be responsible for a part of the reciprocal concession due from Italy to Yugoslavia in the terms of the agreement. Until now, the Commission's contribution has been based on

the financial reciprocal concession laid down in the Italian-Yugoslav 1973 agreement. However it is foreseeable that Yugoslavia will be updating the financial charges; due to this, the Commission therefore proposes to keep to the original sum with the possibility of an adjustment following a subsequent increase in Italy's financial obligation. Annexed is an estimate of the financial implications, based on the sum remaining the same.

PROPOSAL FOR A  
COUNCIL DECISION

authorizing the Republic of Italy to agree with  
the Socialist Federal Republic of Yugoslavia upon  
the provisional maintenance of the fishing arrangements  
currently in force

---

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas by its resolution of 3 November 1976 the Council agreed upon the need to ensure, through appropriate Community agreements, the securing and maintenance of fishing rights for Community fishermen in the waters of non-member countries;

Whereas by its Decision of 19 December 1978 the Council authorized the Republic of Italy to agree with the Socialist Federal Republic of Yugoslavia upon the provisional maintenance until 30 June 1979 of the fishery agreement concluded by these two States in 1973 pending the conclusion of a fishery agreement between the Community and Yugoslavia;

Whereas it has not yet been possible to conclude such an agreement, and it therefore appears necessary, in order to avoid harming the interests of Community fishermen to extend the existing arrangements agreed between Italy and Yugoslavia for a further period;

Whereas this decision must be adopted before 30 June 1979 in order to avoid an interruption in supplies for Italian fishermen who usually fish in the Yugoslav fisheries zone in order to help maintain Community supplies; it should therefore be immediately adopted on the basis of Article 103 of the Treaty,

HAS DECIDED AS FOLLOWS :

Sole Article

The Republic of Italy is hereby authorized to agree with the Socialist Federal Republic of Yugoslavia upon the provisional maintenance until 31 December 1979 of the fishing arrangements established under the agreement on fisheries between Italy and Yugoslavia of 15 June 1973.

Done at

For the Council  
The President

ANNEX

FINANCIAL IMPLICATIONS

1. Under the fisheries agreement signed in 1973 between Yugoslavia and Italy, the latter paid Lit 570 million per year in 1976 and 1977 in return for the admission of Italian fishermen into Yugoslav territorial waters. The payment for 1978 had been fixed at the same amount, but that for 1979 is the object of negotiations not yet concluded.
2. The Commission proposes that the Community's contribution to the payment to be negotiated with Yugoslavia be fixed at the same amount as in 1977. An 80% contribution to half the annual amount of 570 million is equal to 228 million lire (= 202411 UCE at the rate applicable on 1.6.79).
3. The Budget for 1979 contains a heading covering this expenditure : Article 890, Reimbursements in respect of certain financial obligations relating to fishing in the Adriatic.

