

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 126 final

Brussels, 21 March 1980

Proposal for a COUNCIL REGULATION (EEC)

laying down certain measures for the conservation and management during 1980 of common fishery resources off the West Greenland coast applicable to vessels flying the flag of Canada or under charter to companies registered in Canada

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

The purpose of this proposal is to establish, for the year 1980, the terms and conditions for fishing in Community waters off West Greenland by Canadian vessels or vessels under charter to Canadian companies, in accordance with the outcome of consultations held in December 1979 and January 1980 between the Community and Canada concerning the management of certain joint fish stocks occurring in the Davis Strait and Baffin Bay. (The Agreed Record of these consultations is annexed to this memorandum). These consultations were held under the Agreement on Fisheries between the Community and Canada concluded on 3 December 1979, which both sides have agreed to extend until 31 December 1980 by an Agreement in the form of an exchange of letters approved by the Council on 21 January 1980.

The Canadian authorities have made their Agreement to these arrangements for 1980 conditional upon the Community's acceptance that six Norwegian and Faeroese vessels under charter to Canadian companies be permitted to fish allocations to Canada. It has been emphasised by Canada that the use of chartered vessels is a temporary arrangement with a view to facilitating the development of Canadian fishing operations in these waters, which will not extend beyond the year 1980. In view of the possibilities which the Community has under these arrangements to make over part of its own allocation in Canadian waters from these joint stocks to non-Community vessels, the Commission believes that it is in the Community's interest to accede to the Canadian request.

AGREED RECORD

- I
1. Delegations from Canada and the EEC, headed by Dr. A. May and Mr. M. Marcussen respectively, met in Brussels on January 29 and 30, 1980 to discuss pursuant to Art. IV of the Agreement on fisheries between the EEC and Canada the management in 1980 of certain fish stocks in the Davis Strait and Baffin Bay occurring both within the Canadian fishery zone and the fishery zone of the Community.
 2. The delegations agreed that the stocks under consideration should be managed jointly for a further year, without prejudice to the possibility of a longer term arrangement.
 3. The delegations agreed on the principle that in future years allocations to each Party from the TAC of each of the joint stocks in NAFO subareas 0 and 1 should be based on objective criteria. Noting the lack of agreement concerning the proper allocation and the importance of the different possible criteria listed below, the delegations agreed to establish a working group to review the available data and to recommend such further research as may be considered appropriate to determine the allocations.
Criteria:
 - The distribution between the zones of the Parties of
 - the actual catches
 - the biomass of the stocks concerned
 - spawning areas and nursery grounds
 - Other relevant criteria.
 4. The delegations agreed to recommend to their authorities that the arrangements set out below be implemented in 1980.
 5. The arrangements in 1980 will apply to the stocks of Greenland Halibut, Roundnose Grenadier and Northern Deepwater Prawn in NAFO subareas 0 and 1.

II TACs and allocations

1. The total allowable catch for 1980 for the stocks referred to in paragraph I.5 shall be (in metric tons):

| | | |
|-----------------------------|---|--------|
| Greenland Halibut | : | 25.000 |
| Roundnose Grenadier | : | 8.000 |
| Northern Deepwater Prawn | : | 29.500 |

The part of the total allowable catch for prawn which may be fished in the Canadian zone shall be limited to 5 000 tons.

2. Allocations to the two Parties shall be as follows (in metric tons):

| | <u>Canada</u> | <u>EEC</u> |
|---------------------|---------------|------------|
| Greenland Halibut | 3.500 | 21.500 |
| Roundnose Grenadier | 800 | 7.200 |
| Prawn | 2.500 (1) | 27.000 (2) |

(1) of which no more than 2.000 t may be taken in the EC zone and only south of 68°N

(2) of which no more than 2.500 t may be taken in the Canadian zone.

III Licensing arrangements

1. Each Party will licence vessels flying the flag(s) of the other Party, and vessels flying the flag of a third party and chartered by a company of the other Party, to fish within its zone. The Parties will waive licence fees for all the above vessels in NAFO subareas 0 and 1.
2. If a third party receives an allocation from the same stock from each of the two Parties, the two Parties will consult on the issuing of licences to vessels of such third party for the purpose of taking the agreed allocations.

Copies of licences issued by any Party to such third party shall be sent to the other Party within ten days from the date of issue.

3. Neither Party is obliged to grant access to its zone to any third party which has received an allocation from the other Party.
4. In the event that the third party vessels licensed by the Community to fish prawns in its zone are authorized by Canada to fish in the Canadian zone for a part of the allocations granted to them by the Community, the figure in footnote (1) of the paragraph II.2 shall be increased to 2.250 t.
5. Licensing terms shall include the following:
 - a provision stating that the fishery by vessels of the country concerned shall cease when that country's total allocations have been taken in NAFO subareas 0 and 1;
 - a provision requiring reporting by the vessels licensed on their catches in NAFO subareas 0 and 1 according to the details set out in the Annex hereto.

IV Other control arrangements

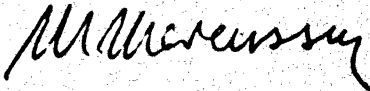
1. The Parties shall apply the control arrangements set out in the Annex hereto.
2. The Parties will continue to examine the need and possibilities for further co-operation on the control of fishing of the joint stocks in NAFO subareas 0 and 1.

V Implementation

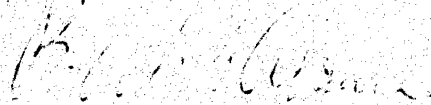
1. Each Party will authorize fishing by vessels of the other Party from 1 February 1980 in accordance with the provisions of this Agreed Record.

2. The Parties will implement the other arrangements in this Agreed Record as soon as possible, and at the latest by 1 April 1980.

Brussels, 1 February 1980



M. MARCUSSEN



B. APPLEBAUM

A N N E X

EEC-Canada Joint Control of certain fisheries in NAFO subareas 0 and 1

The following arrangements for control of the fisheries for the stocks mentioned in paragraph 1.5 above shall apply to the vessels of each Party, as well as to the vessels of third parties.

1. Reporting

Each Party shall require that all vessels over 80 gross registered tons fishing in its zone shall make the following reports to be transmitted by radio:

1.1 A weekly report containing the following information:

- name, call sign, identification numbers and letters of the vessel and name of its master
- licence number (if applicable)
- identification of type of message
- date, time, geographical position of the vessel
- quantity (1) of species subject to control caught since previous transmission
- subarea in which the catches were made
- quantities discarded by species since previous transmission (vessels fishing for prawn only)

1.2 A report upon entry into that part of NAFO subareas 0 and 1 subject to the fisheries jurisdiction of either Party containing the information mentioned under 1.1 except that the quantity of each species subject to control in the hold shall be communicated instead of the quantity caught since previous transmission.

(1) As used in this Annex, quantity shall be expressed in metric tons, round weight.

1.3 A report upon leaving the area referred to under point 1.2 containing the information mentioned under point 1.1 plus the following:

- quantity of each species transferred to other vessels since entry into the zone, and identification of the vessels to which the transfer was made
- quantity of each species landed since entry into the zone.

1.4 A notice of leaving to be given at least 48 hours prior to the vessels' scheduled exit from the part of NAFO subareas 0 or 1 or the part of ICES division XIV under fisheries jurisdiction of either of the Parties.

1.5 In the case of fishing operations requiring repeated daily entries into or exits from the zone, a single communication on first entry and last exit will suffice.

2. Logbooks

All vessels shall carry a logbook in which the following information shall be entered:

- vessel name
- side number
- licence number (if applicable)
- date
- day
- month
- year
- time and position tow began
- depth
- latitude
- longitude
- type of gear
- number of nets or hooks hauled
- mesh or hook size
- catch by species

- kept/discarded (when fishing for prawn only)
- subtotal for day
- total for voyage
- quantity processed today for human consumption
- quantity processed today for reduction
- total
- remarks
- master's signature
- a note indicating that for each tow which crosses the boundary line between the two Parties, fifty per cent of the catch shall be attributed to the zone of each Party.

3. Exchange of information

3.1 With respect to vessels authorized to fish in the zones of both Parties, each Party shall copy to the other Party entry and departure reports which it receives from vessels in accordance with section 1 above.

3.2 With respect to vessels authorized to fish in the zones of both Parties, the following elements of weekly catch reports shall be transmitted to the other Party on a weekly basis:

- name of vessel
- date, time, and geographical position of the vessel
- quantity of species subject to control caught since previous transmission.

3.3 With respect to vessels authorized to fish only in the zone of one of the Parties, each Party shall transmit weekly to the other Party a summary report of catches by such vessels.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas delegations from the Community and Canada have initialled an Agreement providing for the extension until 31 December 1980, of their Agreement on fisheries concluded on 3 December 1977, and have held consultations concerning the management during 1980 of common fishery resources off the West Greenland coast;

Whereas delegations from the two Parties have agreed to recommend to their authorities certain measures for the conservation and management of these resources, including the fixing of allocations for the vessels of the other Party and conditions for fishing in the waters concerned;

Whereas it is therefore appropriate that the Community implement these agreed measures with respect to vessels flying the flag of Canada or under charter to companies registered in Canada,

HAS ADOPTED THIS REGULATION:

Article 1

1. The area to which this Regulation applies shall be that part of the fishery zone of Denmark situated within subarea 1 as defined by the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, limited to the north by the parallel of 68°N latitude, and to the west by a line drawn parallel to and at a distance of 12 nautical miles from the baselines from which the territorial sea of Greenland is measured.
2. The catches which vessels flying the flag of Canada or under charter to Canadian companies shall be authorized to take during the period 1 January to 31 December 1980 in the area defined in paragraph 1 shall be limited to the quotas laid down in column 1 of Annex I.
3. Notwithstanding paragraph 2, fishing for deep-water prawn in the area referred to in paragraph 1 by the vessels referred to in paragraph 2 shall cease when the quantity indicated in column 2 of Annex I in respect of subareas 0 and 1 as defined by the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries has been fished.

Article 2

1. Vessels fishing in the fishery zone of Denmark for the quotas established in Article 1 shall comply with the conservation and control measures laid down in this Regulation and all other measures governing fishing activities in that zone.
2. Vessels referred to in paragraph 1 shall keep a logbook as specified in Annex II. The original of the logbook shall be kept on board the vessel. The pink and blue copies of the logbook shall be sent each month to the Commission at the latest by the last day of the month for the preceding month.
3. Vessels referred to in paragraph 1 shall transmit to the Commission, in accordance with the rules set out in Annex III, the information specified in that Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 shall be clearly marked on both sides of the bow of the vessel.

Article 3

1. Fishing shall be permitted only where a licence issued by the Commission on behalf of the Community at the request of the Canadian authorities is held on board and where the conditions set out in the licence are observed.
2. The number of licences issued in accordance with paragraph 1 shall not exceed twelve.
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.
4. Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

Article 4

The competent authorities of the relevant Member State shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 5

Where an infringement is duly established, the competent authorities of the relevant Member State shall, without delay, inform the Commission of the name of the vessel involved and of any action which they have taken.

Article 6

This Regulation shall enter into force on the third day following 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 Brussels,

For the Council
The President

ANNEX I

Quotas

| Species | 1 Quantity (tonnes) | 2 Quantity (tonnes) |
|--|---------------------------|---------------------------|
| Greenland halibut (Reinhardtius hippoglossoides) | 3.500 | |
| Round-nose grenadier (Coryphaenoides rupestris) | 800 | |
| Deep-water prawn (Pandalus borealis) | 2.000 | 2.500 |

ANNEX II

The following logbook shall be used when fishing within the area referred to in Article 1.

EUROPEAN COMMUNITIES' LOGBOOK FOR NATO ZONES 0 + 1

8.

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows:

- 1.1. On each occasion the vessel enters the zone defined in Article 1 paragraph 1:

- (a) the information specified under point 1.4 below;
- (b) the quantity (1) of each species of fish in the hold;

In the event that the fishing operation requires repeated daily entries into the joint management zone, a single communication on first entering the zone will suffice.

- 1.2. On each occasion the vessel leaves the zone after a previous notice of leaving of at least 48 hours:

- (a) the information specified under point 1.4 below;
- (b) the quantity of each species caught since the previous transmission;
- (c) the quantity of each species transshipped since the vessel entered the zone and the identification of the vessel of transshipment;
- (d) the quantity of each species landed in a port of the Community since the vessel entered the zone;
- (e) the quantity of discards specified by species since previous transmission (when fishing for prawns only).

In the event that the fishing operations require repeated daily exits from the joint management zone, a single communication on the last exit will suffice.

- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the zone:

- (a) the information specified under point 1.4 below;
- (b) the quantity of each species caught since the previous transmission;
- (c) the quantity of discards specified by species since previous transmission (when fishing for prawns only).

- 1.4. (a) the name, call sign, identification numbers and letters of the vessel, and the name of the master;
- (b) the licence number if the vessel is licensed to fish;
- (c) the serial number of the message;
- (d) identification of the type of message;
- (e) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

- 2.2. If it is impossible, for reasons of force majeure, for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. Name of radio station

Call sign of radio station

Prins Christians Sund
Julianehab
Godthab
Holsteinsborg
Godhavn

| | |
|-----|-------------------|
| OZN | } Central Godthab |
| OXF | |
| OXI | |
| OYS | |
| OZM | |

4. Form of communications

The information specified under point 1 shall contain the following particulars, which shall be given in the following order:

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code:
 - message — when entering one of the zones referred to under 1.1.1 and 1.1.2: IN,
 - message — when leaving one of the zones referred to under 1.1.1 and 1.1.2: OUT,
 - weekly message: WKL,
- the geographical position,

- the date on which fishing is expected to commence;
- the quantity of each species of fish in the hold, using the code mentioned in point 5 below;
- the quantity of each species discarded since the previous transmission using the code mentioned in point 5 below;
- the quantity of each species transshipped since the previous transmission;
- the name and call sign of the vessel of transshipment;
- the quantity of each species landed in a port of the Community since the previous transmission;
- the name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:

- A Deep-water prawn (*Pandalus borealis*)
- C Greenland halibut (*Rheinhardtius hippoglossoides*)
- D Cod (*Gadus morrhua*)
- F Halibut (*Hippoglossus hippoglossus*)
- I Round-nose grenadier (*Coryphaenoides rupestris*)
- U Redfish (*Sebastes marinus*)
- R Other

