

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 74 final

Brussels, 16 February 1979

~~PROPOSAL~~ Proposal for a
COUNCIL REGULATION (EEC)

establishing catch quotas for 1979 for fishing by vessels flying the flag of Member States of the Community for certain stocks occurring both in the maritime waters under the sovereignty or jurisdiction of Member States of the Community and in those under the sovereignty or jurisdiction of Canada

(submitted to the Council by the Commission)

COM(79) 74 final

EXPLANATORY MEMORANDUM

1. Delegations from the Community and Canada consulted in November 1978 about the management of certain stocks of fish and prawn occurring within the waters under fisheries jurisdiction of both parties in Baffin Bay and Davies Strait.

The two delegations agreed to recommend to their authorities that catches of three joint stocks should be limited in 1979 under an arrangement of joint management. The details of the arrangements recommended by the delegations are set out in the "Agreed Record..." of 29 November 1978 attached hereto.

2. In the sub-area 3Ps as defined by ICNAF the delimitation of the fishery zone of France and Canada has not yet been agreed between those two countries. The Community and Canada have, however, consulted about catch quotas for certain stocks occurring within this area. The Community delegation has expressed the view that these stocks are to be considered as joint stocks. The Canadian delegation held the view that the French fishing zone does not extend beyond the territorial waters of the Department of St Pierre and Miquelon and that consequently the stocks of mutual interest are exclusive Canadian stocks.

Despite this disagreement the two delegations agreed on the levels at which catches by Community vessels operating in zone 3Ps should be limited.

the stocks

The Commission finds that in conformity with the Community's position / in question are to be considered as joint stocks pending settlement of the delimitation issue.

3. The purpose of the Regulation proposed hereby is to implement the recommendations of the Community's delegation by establishing quotas for Community vessels fishing for the joint stocks referred to under 1 and 2.

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4. The Community's adoption of the measures recommended by its delegation should not be delayed by discussions about the allocation between member States of these quotas. The Regulation proposed hereby therefore lays down only the quotas agreed upon in the consultations for the Community as a whole. The Commission intends to submit proposals for a Regulation allocating these quotas between the member States at a later stage.

5. The implementation by the Community of the conservation measures other than quotas recommended by the two delegations will be dealt with in a separate proposal from the Commission.

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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 hereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament(1),

Whereas the Community and Canada have negotiated an Agreement on fisheries;

Whereas the Commission has submitted this Agreement to the Council for approval;

Whereas, under this Agreement, the two parties undertake to cooperate in order to ensure the proper management and conservation of stocks occurring both within the area under the fisheries jurisdiction of Canada and within the fishery zone of the Community, hereafter called joint stocks;

Whereas in the consultations which have taken place between Canada and the Community concerning fishing in the waters of the Davis Straits, Baffin Bay and the north-eastern part of the Labrador Sea, constituting together ICNAF zones 0 + 1, the two delegations agreed to recommend to their authorities the fixing for 1979 of catch quotas for certain joint stocks for each party within its own zone and within that of the other party;

Whereas it is appropriate that the Community confirm for its part the outcome of these consultations by establishing catch quotas for its own fishermen in accordance with the recommendations of its delegation;

Whereas the delimitation of the fishery zones of France and Canada in ICNAF division 3PS has not yet been agreed between those two parties;

Whereas, pending a boundary settlement between Canada and France in the area, consultations have been held between the Community and Canada to decide upon interim arrangements for fishing by the vessels of each party in the waters concerned;

Whereas the Community should therefore confirm for its part the results of these consultations by fixing the quotas for certain joint stocks which may be fished by Community vessels in these waters,

Whereas provisions relating to the allocation of the said quotas between the fishermen of the Community should not be fixed until the Community has adopted a general system for the conservation and management of its fishery resources,

HAS ADOPTED THIS REGULATION :

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Article 1

1. Catches of the species referred to in the Annex by vessels flying the flag of Member States of the Community in the waters covered by statistical zones 0 and 1 and 3PS as defined in the International Convention for the Northwest Atlantic Fisheries (ICNAF) and falling under the fisheries jurisdiction of Member States of the European Community or Canada shall be limited for 1979 to the quotas set out in column 3 of the Annex.

2. The parts of the catches referred to in paragraph 1 which may be taken within the Canadian fisheries zone shall be limited to the quotas set out in column 4 of the Annex. Where no quota is indicated in column 4, the quota established in paragraph 1 may be taken anywhere in the area referred to in paragraph 1.

Article 2

Member States shall send to the Commission by the twentieth day of each month information concerning the catches of species subject to quota under this Regulation by vessels flying their flag fishing in the area referred to in Article 1 during the previous month, specifying the area of fisheries jurisdiction in which the catches were taken.

Article 3

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

It shall apply until 31 December 1979.

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

Species (1)	ICNAF statistical zone (2)	Quota referred to in Article 1 paragraph 1 (tonnes) (3)	Quota referred to in Article 1 paragraph 2 (tonnes) (4)
Greenland Halibut	0 + 1	19.600	not specified
Prawn	0 + 1	18.348	1.560
Roundnose Grenadier	0 + 1	7.500	not specified
Cod	3PS	3.900	not specified
Redfish	3PS	1.220	"
Witch Flounder	3PS	410	"
American Plaice	3PS	420	"



AGREED MINUTE

Delegations from Canada and the EEC, headed by Dr. A. May and Mr. R. Smonnet respectively, met in Brussels on 27 and 28 November 1978 to discuss the management in 1979 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.

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.

The delegations agreed to recommend to their authorities that the arrangements set out below be implemented in 1979.

I. Principles

1. The 1979 arrangements will apply to the stocks of Greenland halibut, roundnose grenadier and shrimps in ICNAF subarea 1 and ICNAF statistical area 0.
2. The total allowable catches (TAC) for the stocks referred to in paragraph 1 and the allocations thereof to the two parties shall be determined by agreement between the two parties. When deciding the TAC and the allocations to the two parties the parties may also set agreed limits for the amounts of the TAC and allocations which may be fished in each zone.
3. The two parties will consult on the question of allocations to third parties and all such allocations shall be determined by agreement between the two parties. When determining allocations to a third party the parties may set agreed limits for the amounts which may be fished in the zone of each party. The parties will not give allocations to a third party in any part of the area referred to in paragraph 1 until agreement has been reached with the other party.

4. Following agreement on the allocations to third parties the two parties will consult and agree on the issuing of licences to vessels of third parties for the purpose of taking the agreed allocations. While continuing to work towards a harmonisation of licensing and other fishing regulations applicable in the area referred to in paragraph 1 (see section III below), the parties agreed that licensing terms shall include the following :

- a provision stating that the fishery by vessels of the country concerned shall cease when that country's allocation has been taken in the area referred to in paragraph 1;
- a provision requiring reporting by the vessels licensed on their catches in the entire area referred to in paragraph 1 according to details which will be agreed between the two parties.

5. Each party will license vessels of the other party to fish within its zone. The licence will provide that fishing by vessels of the other party will cease when the total allocation has been taken in the area referred to in paragraph 1. The parties will waive licence fees for each others vessels in the area referred to in paragraph 1.

6. The two parties will continue appropriate administrative arrangements to ensure the cooperation required for the implementation of the scheme of joint management described above, including reporting of catches from third party vessels and each others vessels.

II. Specific decisions

1. The total allowable catch for 1979 for the stocks referred to in paragraph 1.1 shall be :

Greenland halibut	: 25 000 tons
Roundnose Grenadier	: 8 000 tons
Shrimp	: 29 500 tons

2. The part of the total allowable catch for shrimp which may be fished in the Canadian zone shall be limited to 3 000 tons and that which may be fished in the Community zone shall be limited to 26 500 tons, of which 3 000 tons shall be fished north of 68° N and 23 500 tons south of 66° N.

3. Allocations to the two parties shall be as follows :

Greenland halibut :		
Canada : 2 000 tons	EEC : 23 000 tons (provisional)	
Roundnose Grenadier :		
Canada : 500 tons	EEC : 7 500 tons	
Shrimp :		
Canada : 2 000 tons	EEC : 27 500 tons (provisional)	
of which	of which	
250 tons in the Canadian zone	2 750 tons in the Canadian zone	
1 750 tons in EEC zone south of 68° N	21 750 tons in EEC zone south of 62° N	

The EEC provisional allocations for Greenland halibut and shrimp also include possible allocations to third parties to be made by the parties in accordance with paragraph I (3) above.

4. Allocations to third parties :

Greenland halibut : Canada proposes to allocate 1 800 tons of this species to the Faroe Islands. The Community may also propose to allocate an unspecified amount of this species to Norway.

Shrimp : Norway and the Faroe Islands may, in accordance with paragraph I (3) above, be granted allocations of this species following consultations between these countries and the Community.

III. Fishery regulations

Following the meeting of a joint working group on fishery regulations and licensing terms and conditions, the record of which is annexed, the two parties agreed to pursue discussions at an early date with a view to achieving further harmonisation on these matters.

IV. Seals

1. Harp seals :

The parties noted the advice from STACRES on the status of the seal stocks. STACRES indicated that the Northwest Atlantic harp seal population currently numbers 1.3 - 1.4 million individuals aged one or older with a long-term sustainable yield in the range 220-240,000. Because of the age structure of the population the replacement yield in 1979 was estimated at 198-205,000. Advice from STACRES indicates that the population is growing and that the annual biological yield could be increased by allowing further population growth.

It was agreed by the parties that :

- an interim target population level of age one and older animals be established at 1.6 million and that catches be restricted to levels below the replacement yield until this target is achieved;
- the total regulated harvest in 1979 be established at the 1978 level of 170,000, not including the estimated annual harvest by Northern indigenous peoples of approximately 10,000. A total take of 180,000 in 1979 would constitute 90 % of the current replacement yield. Recent projections indicate that, at this annual catch limit, the interim target population level would be reached within 5-10 years.

2. Hooded seals :

The parties noted that STACRES indicated a sustainable yield in the range 15-20,000 and advised that it could not recommend any change in the TAC of 15,000. The parties thus agreed to set the TAC at 15,000 for 1979 on the understanding that the figure does not include the traditional take by Northern indigenous peoples. The parties also agreed to prohibit the hunting of whelping hooded seals in Davis Strait by vessels of over 50 gross tons in 1979.

Brussels, 29 November 1978

R. Simonnet
R. SIMONNET

A. May
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