

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 75 final

Brussels, 16 February 1979

PROPOSAL

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 waters under the sovereignty or jurisdiction of the Member States of the Community and in those under the sovereignty or jurisdiction of Norway

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

In accordance with Article 7 of the Agreement on fisheries negotiated between the Community and Norway the two parties have consulted about measures for conservation of stocks occurring within the areas of fisheries jurisdiction of both parties, hereafter called "joint stocks".

These consultations have resulted in agreement between the delegations to recommend to their authorities the introduction of limitations on catches of certain joint stocks. The details of the said recommendations are set out in the "agreed record ..." of 20 December 1978 attached hereto.

It is the purpose of the present proposal to implement the quota measures recommended by the two delegations.

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.

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 thereof,

Having regard to the proposal from the Commission,

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

Whereas the Community and Norway have negotiated a Framework
Agreement on fisheries;

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

Whereas in accordance with the terms of this agreement consultations
have taken place between the Community and Norway at the conclusion of
which the two delegations decided to recommend to their authorities
the fixing for 1979 of catch quotas for certain fish stocks occurring
in the fishery zones of both parties, hereafter called 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 recommendation of its delegation,

(1) OJ No

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 :

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 areas of sea defined in the Annex and falling under the fisheries jurisdiction of Member States of the Community or Norway 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 by the said vessels in the waters falling within the Norwegian exclusive economic zone shall be limited to the quotas set out in column 4 of the Annex.

Article 2

Fishing for mackerel in the part of the area referred to in Article 1 (1) situated south of 60°00' N shall be prohibited before 15 august 1979.

Article 3

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

Article 4

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)	ICES statistical division (2)	Quota referred to in Article 1 (1) (tonnes) (3)	Quota referred to in Article 1 (2) (tonnes) (4)
Cod	IV (1)	152.600	19.500
Haddock	IV (1)	72.400	14.300
Horse Mackerel	IV (1), VIa VII	230.000	5.000
Mackerel	IV + IIIa	19.750 (2)	5.000
Norway Pout	IV (1)	498.000	50.000
Plaice	IV (1)	116.920	15.000
Saithe	IV + IIIa	111.000	37.700
Sandeel	IV (1)	521.000	150.000
Whiting	IV (1)	75.900	6.400

(1) Including the part of ICES division IIIa West of a line drawn from the lighthouse of Hanstholm to that of Lindesnes.

(2) Of which no more than 2.350 t may be fished in the Skagerrak as stipulated in Regulation (EEC) No. 179, laying down certain measures for 1979 for the conservation of fishery resources applicable to vessels flying the flag of Member States of the Community in Skagerrak and Kattegat for certain stocks occurring both in the maritime waters under the sovereignty or jurisdiction of the Member States of the Community and in those under the sovereignty or jurisdiction of Norway or Sweden (1).

(1) OJ N°

AGREED RECORD OF CONCLUSIONS OF FISHERY CONSULTATIONS BETWEEN NORWAY
AND THE EUROPEAN ECONOMIC COMMUNITY - Brussels, 19-20 December 1978

- I. 1. A Norwegian delegation, headed by Mr. K. Raasok, and a Community delegation, headed by Mr. R. Simonnet, met in Brussels on 19 and 20 December 1978 to consult on mutual fisheries relations for 1979.
2. The meeting in Brussels was a continuation of previous meetings in Oslo and Brussels.
3. The consultations were based upon the principles laid down in the initialled draft agreement on fisheries between the Community and Norway.
4. The arrangements for 1979 shall be without prejudice for future fishery arrangements between the parties.

II. Joint stocks

1. In order to arrive at an objective basis for the future sharing of the joint stocks the two delegations agreed to establish a joint working group with the purpose of developing proposals for defining and evaluating the relative attachment of joint stocks to the fishing zones of the two parties.

The working group which shall include scientists and administrators, may request ICES to make available any scientific and statistical data necessary for its work. The group shall submit a report on its findings not later than 15 June 1979.

2. In the absence of a study as referred to in para 1, the two delegations could not agree upon an objective basis for the distribution between the parties of the TACs to be set for 1979 for the joint stocks of cod, haddock, saithe, whiting and plaice.

The delegations therefore, being unable to achieve agreement on a management scheme for these stocks for 1979, informed each other of their respective intentions as regards the management of these stocks by the unilateral declarations attached to this protocol in annexes III and IV.

3. The delegations agreed to recommend to their authorities to adopt the following arrangements .

a) Each party shall adopt regulations for fishing in its own zone by its own vessels, by vessels of the other party and by vessels of third parties as well as for fishing by its own vessels in the other party's zone so as to ensure that the catch limits will be respected.

b) Each party may allocate part of its share of the TAC to third countries to be fished within the zone of that party. In such cases the other party should be informed about the quotas allocated and other relevant regulations.

c) As regards North Sea herring the two parties will prohibit directed fishing in ICES sub-area IV and that part of sub-area IIIa which lies West of a line drawn between Lindesnes and Hanstholm throughout the whole of 1979. If this prohibition were to be lifted by either party, the parties will consult on the TAC and the allocation between the two parties.

d) As regards fishing for mackerel in ICES IV in 1979, the parties agreed to consult at a later stage on the regulatory measures, to be implemented with a view to securing a management arrangement in accordance with the scientific recommendation that 100 000 tons shall be fished in the area north of 60°N and west of 2°E

Fishing for mackerel in ICES zone IV South ^{of} 60° N will not start before 15 August.

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III.

Exclusive stocks

1. With respect to North Sea sprat, the Community delegation considered this to be an exclusive Community stock whereas the Norwegian delegation, referring to reported catches of this stock in the Norwegian zone, held the view that this is a joint stock. However, for practical management purposes, the parties will regard it as an exclusive Community stock in 1979. Norway will permit fishing for sprat by Norwegian fishermen and fishermen of third countries in its own economic zone in 1979.

2. The delegations agreed to recommend to their respective authorities to authorise fishing in 1979 by vessels of the other party as set out in Annex II.

3. Prawn + Greenland halibut

3.1. The Community delegation pointed out that the prawn and Greenland halibut stocks in the Canadian and Community part of ICNAF subareas 0 + 1 are managed by Community and Canadian authorities under a scheme of joint management. The quotas granted for these stocks to Norway under the present arrangements shall be taken partly in the Canadian zone.

These quotas are subject to approval by Canada. Norwegian fishing of these quotas in the Canadian part of this area will be subject to licensing by the Canadian authorities.

3.2. If it becomes clear during 1979 that Greenland coastal fishermen or Canada will not fulfill the quota of prawns allocated to them, the quota allocated to Norway shall be increased by a proportional share of the extra quantity which would then become available. However, if the proportional share of the extra quantity should be higher than 1 500 t Norway might be allocated supplementary quantities following consultation:

.../..

11.

Cod off West and East Greenland

If the situation of the cod stocks off West and East Greenland improves and the Community decides to authorize fishing by EEC fishermen other than Greenland fishermen, the two parties will consult with a view to establishing a quota for Norway for these stocks, taking into account Norwegian fishing interests in the area.

5. Minke Whale

5.1. The Norwegian delegation requested rights to catch minke whale in the EEC zone in 1979.

5.2. As regards the West Greenland stock the EEC delegation proposed that the request be discussed between the parties concerned with a view to establishing a quota for Norway in conformity with the recommendation for a TAC by the IWC (International Whaling Commission).

5.3. As regards the EEC zone off East Greenland, the delegations will take note of any IWC recommendation of a TAC of minke whales of the East Greenland, Iceland and Jan Mayen stock. It was agreed that the parties concerned including Iceland should consult as soon as possible on the allocation of this TAC.

V. Licensing

The delegations agreed that licensing of each others vessels in 1979 should be limited to the following fisheries :

- A. EEC fishery in the Norwegian economic zone :
All fishing north of 62° N
Industrial fishing in the North Sea
- B. Norwegian fishery in the EEC zone :
Fishing in ICNAF area 0 + 1 and ICES zone XIV

.../..

Fishery Regulations

1. The delegations agreed to recommend to their authorities to consult on fishery regulations in the North Sea with a view to achieving as far as possible the harmonization of regulatory measures in the zones of the two parties.

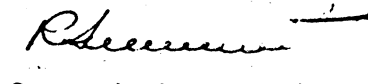
2. The Norwegian Delegation reserves the right to revert to the question of the justification for the quota and the catch area limitation established by EEC for the blue whiting stock in 1979 in ICES VI a and VII.

VI. Consultations

If during 1979 a revision of TAC's for stocks covered by this protocol is recommended by the scientific bodies the parties shall consult.

The two parties will consult on the implementation of the arrangements of the present agreed record of conclusions.


Kjell Raasok


Raymond Simonnet

JOINT STOCK QUOTAS 1979
Thousand metric tonnes

Species and ICES areas	TAC	E E C Z O N E			N O R W E G I A N Z O N E			At disposal for EEC	At disposal for Norway	
		EEC and third countries	NORWAY (1)	TOTAL	NORWAY and third countries	EEC (1)	TOTAL			
	1	2	3	4	5	6	7	8	9	
Skrei IV, & IIIa	145		80 (2)			5		34,65	109	
Blue Fackerel IV, VIa (3)			5			5				
VIId, e, f, h										
Norway pout (4) IV				20 (5)			50 (5)			
Sandeel IV				30 (5)			150 (5)			
Blue Whiting II VIa(3)										
IIb										
III VIa(3) & XIV				125 (7)						
Longfin ling IV, VI, VII				1						
Greenling IV, VI, VII				14 (8) (9)						
Atlantic fish IV, VI, VII				5 (10)						
Atlantic fish IV, VI & VII			12,5 (10)							
Spiny shark IV, VI, VII			0,8 (10)							
(over)										
Beagle IV, VI, VII			1							
Others			5			5				

- (1) Any part of this allocation not taken may be added to the allocation in the party's own zone
- (2) Of which 75.000 t. has to be taken N 60°N and W 2°E
- (3) East of 56°30'
- (4) Including Blue Whiting
- (5) Within the total quota for Norway pout and Sandeel up to 20.000 t may be interchanged
- (6) West of 12° W
- (7) The Community will consider increasing this quantity upon request by the Norwegian party
- (8) Longfin and tusk are interchangeable
- (9) May only be fished by long-liners.

(10) Except catches between 6 and 12 nautical miles according to the Anglo-Norwegian Fishery Agreement 1964.

QUOTAS 1979

Thousand metric tonnes

	SPECIES	ICES AREAS	TO EEC In Norwegian Zone	TO NORWAY In EEC Zone
NORWAY NORTH OF 62°	Arcto-Norwegian Cod	I, IIa and IIb	32	
	Arcto-Norwegian Haddock	"	15	
	Saithe	"	13	
	Redfish	"	16 (1)	
	Greenland halibut	"	1	
	Others (by-catches)	"	2,5	
E.E.C.	Mackerel	VIa ⁽²⁾ and VIId,e,f,h		35
	Sprat	IV		71
	Shrimp	ICNAF 0 and 1 ⁽³⁾		5,016
		XIV		experimental fishery
	Greenland halibut	XIV		
		ICNAF 0 + 1		1,6)
	Halibut	XIV		0,2) (4) (5)
	Redfish	ICNAF 0 + 1		0,2)

(1) Of which 15.000 t. of *Sebastes Mentella* may be fished in a directed fishery in ICES subarea IIb and that part of IIa which falls to the north of 71°15' N and west of 20° E, and 1000 t. *Sebastes Marinus* may be taken as by catches in subarea I and that part of subarea IIa where no directed fishery for redfish is permitted.

(2) North of 56°30'

(3) Of which 650 tonnes west of the median line (Canadian zone) and 4.360 tonnes/^{east} of the median line and south of 68°N.

(4) The quotas for Greenland halibut, and redfish are interchangeable

(5) May only be fished by long-liners

Declaration by the Norwegian delegation concerning a catch arrangement for some joint stocks in the North Sea in 1979.

The Norwegian delegation while emphasizing that the future sharing between Norway and the Community of the joint stocks must be based upon the zonal attachment of these stocks, has undertaken to implement a practical catch arrangement for 1979 concerning cod, haddock, saithe, whiting and plaice in the North Sea. The catch arrangement set out below is to be regarded as an ad hoc arrangement and reflects only catch requirements for 1979.

The present catch arrangement is acceptable to Norway only on the express understanding that it is not held to reflect or prejudice the shares of the joint stocks to be allocated to Norway on the basis of the zonal attachment of these stocks and therefore implies a transfer to the EEC of parts of Norway's shares of the joint stocks referred to.

	Norway's catch requirements (1)	EEC's catch in Norwegian zone
Cod	30	19,5
Haddock	10	14,3
Saithe	89	37,7
Whiting	9	6,4
Plaice	3	15

(1) Norway will make an additional transfer to the EEC of a total quantity of a maximum of 4000 tons for these stocks should Norwegian catches fall below the catch requirements stated.

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DECLARATION BY THE COMMUNITY DELEGATION CONCERNING
A CATCH ARRANGEMENT FOR SOME JOINT STOCKS IN THE
NORTH SEA IN 1979

1. The Community delegation recalling that no agreement between the Community and the Norwegian delegation could be reached upon an objective basis for the distribution between the Parties of the TAC's to be set for 1979 for the joint stocks of cod, haddock, saithe, whiting and plaice in the North Sea has undertaken to implement a practical catch arrangement for 1979 concerning the said joint stocks.

The catch arrangement set out below is to be regarded as an ad hoc arrangement and reflects only catch requirements for 1979.

SPECIES	TAC 1979	EEC's CATCH REQUIREMENTS (1000 TONS)	NORWAY's CATCH IN EEC ZONE (1000 TONS)
COD	183	153	6
HADDOCK	83	73	3
SAITHE	200	111	12,5
WHITING	85	76	3,5
PLAICE	120	117	1

2. The present agreement is acceptable to the Community subject to the express reservation that it does not prejudice in any way the Community's rights concerning the conservation, management and division of the stocks to which it refers; and that the overall level of reciprocal fishing activity for 1979 resulting from the agreement cannot be considered as meeting in a manner completely satisfactory to the Community the provisions of the framework agreement negotiated with Norway.

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