



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.1997
COM(97) 711 final

Proposal for a

COUNCIL REGULATION (EC)

allocating, for 1998, Community catch quotas in Greenland waters

(presented by the Commission)

EXPLANATORY MEMORANDUM

The European Community and the Government of Denmark and the Home Rule Government of Greenland agreed to extend their Fisheries Agreement in 1994 for an additional period of six years until 31 December 2000. The Parties to the Agreement subsequently agreed on a Third Fisheries Protocol covering the same six years and laying down the terms and conditions for fishing by Community vessels in Greenland waters, in particular catch quotas for the Community for each year of the Protocol. They also agreed to allow for the establishment of joint ventures and temporary associations.

The Agreement allows for the quantities to be taken by vessels which do not fly the flag of a Member State of the Community, to the extent where this is necessary for the proper functioning of the fisheries agreements concluded by the Community with other Parties.

Under the provisions of the Third Fisheries Protocol, the authorities responsible for Greenland undertake to offer to the Community, by 15 November each year, such supplementary catch possibilities as referred to in Article 8 of the Agreement, which at that time are expected to be available in the following year. On 7 November 1997, the Greenland Home Rule authorities offered supplementary quantities for 1998:

Cod	NAFO 0,1; ICES V, XIV	2,000 t
Redfish (demersal)	ICES V, XIV	15,000 t
Redfish (pelagic)	ICES V, XIV	11,500 t
Greenland halibut	NAFO 0,1	1,750 t
Greenland halibut	ICES V, XIV	1,800 t
Halibut	NAFO 0,1	400 t
Halibut	ICES V, XIV	400 t
Catfish	NAFO 0,1	5,000 t
Blue whiting	ICES V, XIV	10,000 t
Roundnose grenadier	NAFO 0,1	1,775 t
Roundnose grenadier	ICES V, XIV	1,575 t

Depending on the outcome of negotiations between the Community and Norway and considering the quantities of the species concerned already available to the Community for 1998 under the Third Fisheries Protocol, it may be felt to be in the Community's interest to accept one or more of the supplementary quantities offered by the Greenland Home Rule Government. To that end, the Commission will complete its proposal as soon as possible.

Therefore, the Commission proposes that the Council should agree to react appropriately to the supplementary catch possibilities referred to above and to allocate the annual catch quotas in Greenland waters by adopting the attached Council Regulation.

Proposal for a
COUNCIL REGULATION (EC) No/98

of December 1997

allocating, for 1998, Community catch quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No. 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture¹, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on fisheries between the European Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand², has been extended for an additional period of six years, until 31 December 2000;

Whereas the European Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand, have subsequently approved the Third Fisheries Protocol, establishing the conditions for fishing and, in particular, the catch quotas for Community vessels in Greenland waters for the period from 1 January 1995 to 31 December 2000;

Whereas these quotas may be used by vessels not flying the flag of a Member State of the Community, to the extent that this is necessary for the proper functioning of the fisheries agreements which the Community has concluded with third countries;

Whereas the Community shall inform the authorities responsible for Greenland of its reaction to offers regarding supplementary catch possibilities, as referred to in Article 8 of the Fisheries Agreement, not later than six weeks after receipt of the offer;

Whereas, to ensure efficient management of the catch possibilities available, they should be allocated among Member States by means of quotas in accordance with Article 8 of Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the relevant control measures provided for by Council Regulation (EC) No 2847/93 of 12 October 1993, establishing a control system applicable to the common fisheries policy³;

Whereas no agreement has been reached with the authorities responsible for Greenland on whether the relevant fish stocks should be subject to the provisions of Council Regulation (EC) No. 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas⁴,

¹ OJ No L 389, 31.12.1992, p. 1. Regulation as amended by the 1994 Act of Accession

² OJ No L 29, 1.2.1985, p. 9.

³ OJ No L 261, 20.10.1993, p. 1.

⁴ OJ No L 115, 9.5.1996, p. 3

Whereas, for imperative reasons of common interest, this Regulation will apply from 1 January 1998,

HAS ADOPTED THIS REGULATION

Article 1

For 1998, the allocation of the Community catch quotas in Greenland waters shall be as set out in the Annex.

Article 2

Fishing quotas set out in the Annex shall not be subject to the conditions laid down in Articles 2, 3 and 5 (2) of Council Regulation (EC) No. 847/96.

Article 3

Should the authorities responsible for Greenland make an offer regarding supplementary catch possibilities, as referred to in Article 8 of the Fisheries Agreement, the Council shall, acting by a qualified majority on a proposal from the Commission, take a decision on that offer within six weeks of receipt thereof.

Article 4

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

It shall apply from 1 January 1998.

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

Done at Brussels, December 1997.

For the Council
The President

ANNEX

Allocation of Community catch quotas in Greenland waters for 1998

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway ⁽⁹⁾	Quantities allocated to Iceland ⁽⁹⁾	Faroese quotas under EC/Greenland ⁽⁹⁾
Cod	all zones	31 000	Germany 25 360 United Kingdom 5 640			
Redfish	NAFO 0/1 ICES XIV/V ⁽¹⁾	6 000 47 820	Germany 5 395 United Kingdom 105 Germany 46 270 France 330 United Kingdom 220	1 000 ⁽⁸⁾		500
Greenland halibut	NAFO 0/1 ICES XIV/V	1 700 5 550	Germany 550 Germany 4 040 United Kingdom 210	1 000 1 150		150 150
Deep-water prawns	ICES XIV/V ⁽⁵⁾	5 674	France 1 012 Denmark 1 012	2 500		1 150
Atlantic halibut ⁽²⁾	NAFO 0/1 ICES XIV/V	200 200		200 ⁽⁷⁾ 200 ⁽⁷⁾		
Catfish	NAFO 0/1 ICES XIV/V	1 000 1 000	Germany 1 000 Germany 1 000			
Blue whiting	ICES XIV/V	30 000	Denmark 3 000 France 3 000 Germany 24 000			
Capelin	ICES XIV/V	111 150 ⁽⁶⁾	Community 55 150	16 000	30 000	10 000
Roundnose grenadier	NAFO 0/1 ICES XIV/V	1 350 5 150	Germany 550 Germany 4 400 United Kingdom 250	800 500		
Roundnose grenadier ⁽³⁾	all zones	2 000	Community 2 000			
Polar cod ⁽⁴⁾	all zones	2 000	Community 2 000			

- (1) A maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.
- (2) If by-catches of Atlantic halibut in trawl cod and redfish fisheries imply over-runs of this quota, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries can nevertheless continue until the respective quotas have been exhausted.
- (3) Experimental fishery, to be conducted at depths greater than 1 500 metres. The maximum by-catch of Greenland halibut will be 40% and will be counted against this quota.
- (4) To be fished only by pelagic trawl or longline. A by-catch of up to 10%, excluding deep-water prawns and Greenland halibut, will be admitted. The by-catch will be counted against this quota.
- (5) Up to 1 000 tonnes can be caught in NAFO areas 0/1 under agreement with Greenland license holders.
- (6) 70% of the Greenland share of the TAC for capelin. Upon revision of the TAC in the course of 1998, the Community quota shall be revised accordingly.
- (7) To be fished only with longline.
- (8) May be fished by pelagic trawl.
- (9) Shown for information only.

FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation (EC) allocating, for 1998, Community catch quotas in Greenland waters.

2. **BUDGETARY LINE CONCERNED:** B7-800

3. **LEGAL BASIS:** Article 8 (4) of Council Regulation (EEC) No. 3760/92

4. **DESCRIPTION:**

4.1 General objective:

Establish the definitive fishing quotas to be granted to Norway in Greenland waters in order to balance the arrangements on mutual access fishing rights between the Community and Norway for 1998.

4.2 Period covered:

1 January to 31 December 1998.

5. **CLASSIFICATION OF EXPENDITURE:** C.D. Obligatory expenditure.

6. **TYPE OF EXPENDITURE:**

Financial compensation under Article 9 (2) of the Third Protocol (see Council Regulation (EC) No 3354/94) for supplementary catch possibilities offered by Greenland pursuant to Article 8 of the Fisheries Agreement (see Council Regulation (EEC) No 223/85).

7. **AMOUNT OF EXPENDITURE:**

Minimum amount: ECU 958,740
Maximum amount: ECU 1,757,690

The amount required to be committed in 1998 is calculated on the basis of a contribution of *ECU 319.58 per ton of cod-equivalent*. This gives the following calculation:

Minimum amount

3,000 tonnes of cod-equivalent..... x 319.58 = 958,740 ECU

Maximum amount

5,500 tonnes of cod-equivalent..... x 319.58 = 1,757,690 ECU

8. ANTI-FRAUD PROVISIONS:

Under the Fisheries Agreement between the Community and Greenland, the financial contribution from the Commission is not subject to any specific provision as to the end use of funds.

9. ELEMENTS OF COST/BENEFIT ANALYSIS:

The bilateral, mutual-access Agreement between the Community and Norway is managed on an annual basis, by calculating the balance between Community catch possibilities in Norwegian waters and Norwegian catch possibilities in Community waters for different species. This arrangement is variable annually according to the state of the different fish stocks concerned. For 1998, the arrangements with Norway are particularly difficult to achieve due to the poor state of the key fish stocks in Community waters. This situation is exacerbated by the continued emergency situation for North Sea herring and the not yet satisfactory state of the cod, haddock and mackerel stocks in the North Sea and Western Community fishing waters. This fact makes it extremely difficult to compensate the access of Community vessels to Norwegian resources with Norwegian access to the poor Community resources. On the other hand, the TAC for Arctic cod has been decreased. Likewise, the Community share of "cohesion cod" will be lower in 1998 but still has to be compensated. Community fishing vessels are dependent on having continued access to high value species in Norwegian waters, such as cod, haddock and plaice in the Barents Sea.

These reasons make it necessary to compensate Norway with some of the catch possibilities that are available to the Community under the terms of its Fisheries Agreement with Greenland. In order to avoid jeopardising the conservation of fish stocks in Community waters whilst at the same time maintaining, to the extent possible, Member States' fishing activities, a purchase of supplementary fishing possibilities from Greenland is the only available means to achieve a balanced mutual access arrangement with Norway for 1998.

10. ADMINISTRATIVE EXPENSES: None

ISSN 0254-1475

COM(97) 711 final

DOCUMENTS

EN

03 11

Catalogue number : CB-CO-97-731-EN-C

ISBN 92-78-29679-1

Office for Official Publications of the European Communities

L-2985 Luxembourg

8