

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 656 final

Brussels, 16 November 1979

Proposal for a  
COUNCIL REGULATION (EEC)

laying down certain measures for the conservation  
and management of fishery resources applicable to  
vessels flying the flag of certain non-member  
countries in the 200 nautical-mile zone off the  
coast of the French department of Guyana

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(presented by the Commission to the Council)

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exploitation of the stock in adjacent Brazilian waters during this period resulting from the exclusion of foreign fleets by the Brazilian Government. This situation will not continue into 1980, however, as a fleet of 65 vessels flying the flag of Korea but permanently based in Brazil have recently been permitted to fish in northern Brazilian waters. The Commission does not therefore consider it prudent to increase fishing effort in French Guyanan waters for the time being. The Commission intends to review the level of shrimp fishing in these waters during the fishing season in the light of information received from vessels in accordance with the proposed Regulation, and will make proposals for a modification of the level of permitted fishing if this appears appropriate.

4. The allocation of catch quotas to vessels not landing their catches in French Guyana has been made on the same basis as for 1979, i.e., after the total allowable catch has been reduced by the estimated catch of the fleets based in French Guyana, the remaining quantity has been divided in proportion to the number of vessels of each flag based in countries which have recently conducted fishing operations in the region prior to the establishment of extended fishery zones. Those countries which have not requested licences during 1979, however, have been given reduced quotas for 1980.
5. Finally, in order to improve the database for future stock assessment, vessels fishing in French Guyanan waters will be required to submit copies of their logbooks to the Commission on a regular basis.

COUNCIL REGULATION (EEC)

laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical-mile zone off the coast of the French department of Guyana.

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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 Council adopted, on 3 November 1976, a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas in Regulation (EEC) No 3153/78 (2), the Council laid down certain interim measures for the conservation and management of fishery resources applicable for the year 1979 to vessels flying the flag of certain non-member countries in the 200 nautical-mile zone off the coast of the French department of Guyana;

Whereas it is necessary to regulate fishing in this area on a continuous basis in order to protect its fisheries resources;

Whereas the processing industry established within the territory of the French department of Guyana depends upon the landings of foreign vessels fishing in French Guyanan waters; whereas fishing by vessels under contract to land their catches in the French department of Guyana should therefore be ensured;

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(1)

(2) OJ No L 374, 30.12.1978, p. 31.

Whereas that part of the fisheries resources within the total allowable catch which will not be exploited by vessels landing their catches in the French department of Guyana should be allocated to other foreign fleets, in conformity with the principles emerging at the Third United Nations Conference on the Law of the Sea;

Whereas, in view of the limited and fluctuating nature of the fisheries resources in these waters which are not exploited by vessels landing their catches in the French department of Guyana, it is most appropriate to allocate such resources to other vessels by yearly autonomous decisions;

Whereas, in order to protect undersized shrimp, it is necessary to prohibit the fishing of this species in shallow water for part of the year;

HAS ADOPTED THIS REGULATION:

#### Article 1

1. Vessels flying the flag of a third country which are under contract to land their catches in the French department of Guyana shall be authorized for the period 1 January to 31 December 1980 to fish for shrimp in the fishery zone extending to 200 nautical miles situated off the coast of the French department of Guyana and covered by Community rules on fisheries, subject to the conditions laid down in this Regulation.
2. Vessels flying the flag of a third country which are not under contract to land their catches in the French department of Guyana shall be authorized for the period 1 January to 31 December 1980 to fish for the species laid down in paragraph 1 of Annex I within the quantitative limits established therein in the zone referred to in paragraph 1, subject to the conditions laid down in this Regulation.
3. Fishing pursuant to paragraphs 1 and 2 shall furthermore be subject to the conservation and surveillance measures and all other provisions governing fishing in the zone referred to in paragraph 1.

#### Article 2

1. Fishing for shrimp within the fishing zone referred to in Article 1 shall be prohibited in waters less than 30 metres in depth from 1 May to 31 December 1980.
2. Fishing for species other than shrimp shall be permitted by use of long lines only.

Article 3

1. Fishing within the fishing zone referred to in Article 1 shall be subject to the possession of a licence issued by the Commission on behalf of the Community, and to observance of the conditions set out in the licence.

Such licences shall be issued to the authorities of the third countries concerned on demand within the limits indicated in paragraphs 2 and 3.

2. For fishing species other than shrimp, licences may be issued for vessels within the limits of the number laid down by country in paragraph 2 of Annex I.

3. For shrimp fishing, licences, may be issued:

(a) to the vessels which are under contract to land their catches in the French department of Guyana, the number of which is laid down by country in paragraph 3 of Annex I. Such licences shall be valid from the date of issue until 31 December 1980;

(b) to vessels other than those referred to in subparagraph (a), on the basis of a fishing plan presented by the authorities of the country concerned and approved by the Commission which may not provide for a total number of fishing days for all of the vessels covered by the fishing plan which exceeds the limit indicated in paragraph 4 of Annex I. The maximum number of vessels which may fish at any one time under a fishing plan is laid down by country in paragraph 5 of Annex I. The validity of each of the licences issued on the basis of a fishing plan shall be limited to the fishing period provided for in the plan.

4. Notwithstanding paragraph 3, all licences issued to the vessels of a third country shall cease to be valid as soon as it is established that the quota fixed in paragraph 1 of Annex I is exhausted.

The Commission shall inform the authorities of the country concerned thereof.

Article 4

1. 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 intended to be fished;
- (l) period for which a licence is requested.

2. Licences shall not be issued until 15 days following the submission of the licence application.

3. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

4. The captains of vessels holding a licence must comply with the special conditions laid down in Annex II. Such conditions shall form part of the licence.

#### Article 5

1. The captains of vessels holding a licence for the fisheries mentioned in Annex I must supply the information specified in the licence to the Commission through the radio station indicated in paragraph 4 of Annex II.

2. Copies of the relevant pages of the logbook referred to in paragraph 3 of Annex II shall be submitted to the Commission within thirty days of the last day of each fishing trip within the fishing zone referred to in Article 1.

#### Article 6

The French authorities shall take appropriate measures to ensure the implementation of this Regulation including the regular inspection of vessels.

#### Article 7

Where an infringement is duly found to have taken place, the French authorities shall, without delay, inform the Commission of the name of the vessel involved and details of any action they have taken.

#### Article 8

The validity of the licences issued by the Commission under Article 2(3)(a) of Regulation (EEC) No 3153/78 is hereby extended until 31 January 1980.



Article 9

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels,

For the Council  
The President

## ANNEX I

## 1. Fishing possibilities for the period 1 January to 31 December 1980:

(a) Species:	Shrimps:	Quantity (tonnes)
Country:	Barbados:	30
	Guyana:	30
	Japan:	92
	Korea:	191
	Surinam:	90
	Trinidad and Tobago:	30
	United States of America:	107
(b) Species:	Tuna-like species:	
Country:	Japan	No limitation
	Korea	No limitation
(c) Species:	Fish other than tuna-like species:	
Country:	Venezuela	No limitation

## 2. Number of vessels referred to in Article 2 (2):

Japan:	5
Korea:	10
Venezuela:	6

## 3. Number of vessels referred to in Article 2(3)(a):

United States of America:	59
Japan:	22

## 4. Maximum number of fishing days referred to in Article 2 (3) (b):

Barbados:	360
Guyana:	360
Japan:	1 104
Korea:	2 292
Surinam:	1 080
Trinidad and Tobago:	360
United States of America:	1 284

## 5. Maximum number of vessels referred to in Article 2 (3) (b):

Barbados:	2
Guyana:	2
Japan:	6
Korea:	13
Surinam:	6
Trinidad and Tobago:	2
United States of America:	7

## ANNEX II

### Special conditions

1. The fishing licence must be on board the vessel.
2. The registration letters and numbers of the licensed vessel must be clearly marked on the bow of the vessel at both sides and on each side of the superstructure where it can best be seen.

The letters and numbers shall be painted in a colour contrasting with that of the hull or superstructure and shall not be effaced, altered, covered or otherwise obscured.

3. A log-book must be kept in which the following details are to be entered after each haul:
  - (1) the quantity (in kg) of each species caught;
  - (2) the date and time of the haul;
  - (3) the geographical position in which the catches were made.
4. Information must be transmitted by the licensed vessel to the Commission of the European Communities at Brussels (telex address 24189 FISEU-B) via CAYENNE radio station (call sign: FFJ) in accordance with the following timetable:
  - (1) on each occasion the vessel enters the 200 nautical-mile fishing zone off the coasts of the French Department of Guyana, hereafter called the "zone";
  - (2) on each occasion the vessel leaves the zone;
  - (3) on each occasion the vessel enters a port of a Member State;
  - (4) on each occasion the vessel leaves a port of a Member State;
  - (5) at weekly intervals, commencing either on the seventh day after the

vessel first enters the zone, as indicated under 4.1 above or on the seventh day after the vessel leaves a port as indicated under 4.4 above.

5. Messages transmitted under the provisions of the licence and in accordance with the timetable set out in point 4 above must contain the following information, where applicable, and be transmitted in the order given below:
  - name of vessel;
  - call sign;
  - licence number;
  - serial number of the message for the voyage in question;
  - indication of the type of message taking into account the timetable mentioned under point 4 above;
  - the date;
  - the time;
  - the geographical position;
  - the quantity (in kg) of each species of fish in the hold;
  - the quantity in kg of each species caught since the previous transmission;
  - the geographical coordinates in which the catches were taken;
  - the quantity (in kg) of each species transferred to other vessels since the previous transmission;
  - the name, call sign, and if applicable, the licence number of the vessel to which the transfer was made;
  - the name of the master.
  
6. The following codes shall be used to indicate the species of fish on board as mentioned in point 5 above:
  - S: Shrimp (Penaeidae).      R: Other
  - Z: Tuna
  
7. If it is impossible, for reasons of force majeure, for the message to be transmitted by the licensed vessel, it may be transmitted on that vessel's behalf by another vessel.