Proposal for a Council Regulation on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension of the 2000-01 Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast for the period 1 January to 31 December 2002

(2002/C 126 E/11)


(Submitted by the Commission on 28 January 2002)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37, in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) The European Community and the Republic of Guinea have held negotiations to determine the amendments or additions to be made to the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast (1) at the end of the period of application of the Protocol thereto.

(2) During the negotiations, the two parties have decided to extend the current Protocol (2) for one year, from 1 January 2002 to 31 December 2002, by means of an Agreement in the form of an Exchange of Letters initialled on 22 October 2001, pending the conclusion of the negotiations on the amendments to be made to the Protocol.

(3) It is in the Community's interest to approve that extension.

(4) The allocation of the fishing opportunities for trawlers and tuna boats among the Member States should be confirmed,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast for the period 1 January 2002 to 31 December 2002 is hereby approved on behalf of the European Community.

The text of this Agreement is attached to this Regulation.

Article 2

The fishing opportunities for trawlers and tuna boats fixed in Article 1 of the Protocol shall be allocated pro rata temporis among the Member States as follows:

(a) fin-fish/cephalopods:
   - Spain: 844 GRT
   - Italy: 750 GRT
   - Greece: 906 GRT

(b) shrimps:
   - Spain: 1 050 GRT
   - Portugal: 300 GRT
   - Greece: 150 GRT

(c) tuna seiners:
   - France: 19 vessels
   - Spain: 19 vessels

(d) pole-and-line tuna vessels:
   - France: 7 vessels
   - Spain: 7 vessels

(e) surface longliners:
   - Spain: 14 vessels
   - Portugal: 2 vessels

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 3

This Regulation shall enter into force on the third day following that of 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.

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AGREEMENT

in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast for the period 1 January to 31 December 2002

A. Letter from the Community

Sirs,

I have the honour to confirm that we agree to the following interim arrangements for the extension of the Protocol currently in force (1 January 2000 to 31 December 2001) setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast, pending the negotiations on the amendments to be made to the Protocol to the Fisheries Agreement:

1. The arrangements applicable over the last two years will be extended for the period from 1 January to 31 December 2002. The Community's financial contribution under the interim arrangements will correspond to the yearly amount provided for in Article 2 of the Protocol currently in force. Payment will be made no later than 30 June 2002. Payment of the financial contribution provided for in Article 6 and the terms relating thereto will also apply.

2. During the interim period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 1 of the Annex to the Protocol. The fees applicable to trawlers will be those for the second year.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its contents.

Please accept, Sirs, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from the Government of the Republic of Guinea

Sirs,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to confirm that we agree to the following interim arrangements for the extension of the Protocol currently in force (1 January 2000 to 31 December 2001) setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast, pending the negotiations on the amendments to be made to the Protocol to the Fisheries Agreement:

1. The arrangements applicable over the last two years will be extended for the period from 1 January to 31 December 2002. The Community's financial contribution under the interim arrangements will correspond to the yearly amount provided for in Article 2 of the Protocol currently in force. Payment will be made no later than 30 June 2002. Payment of the financial contribution provided for in Article 6 and the terms relating thereto will also apply.

2. During the interim period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 1 of the Annex to the Protocol. The fees applicable to trawlers will be those for the second year.
I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its contents.

I have the honour to confirm that the above is acceptable to the Government of the Republic of Guinea and that your letter and this letter constitute an agreement in accordance with your proposal.

Please accept, Sirs, the assurance of my highest consideration.

For the Government of the Republic of Guinea