

**ARCHIVES HISTORIQUES
DE LA COMMISSION**

**COLLECTION RELIEE DES
DOCUMENTS "COM"**

COM (79)75

Vol. 1979/0025

Historical Archives of the European Commission

Disclaimer

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

KOMMISSIONEN FOR DE EUROPÆISKE FÆLLESSKABER

KOM(79) 75 endelig udg.

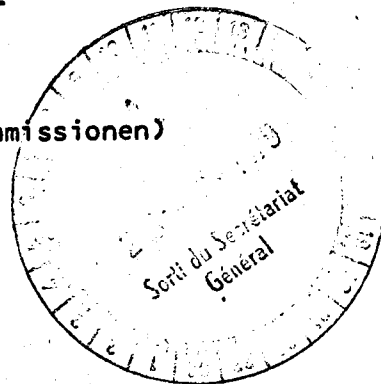
Bruxelles, den 16. februar 1979

Forslag til

RÅDETS FORORDNING (EØF)

om fastlæggelse af fangstkvoter for 1979 for fiskeri fra fartøjer, der sejler under Fællesskabets medlemsstaters flag, efter visse bestande, der både forekommer i farvande under Fællesskabets medlemsstaters højhedsområde eller jurisdiktion og i farvande under Norges højhedsområde eller jurisdiktion

(forelagt Rådet af Kommissionen)



KOM(79) 75 endelig udg.

BEGRUNDELSE

I overensstemmelse med artikel 7 i fiskeriaftalen mellem Fællesskabet og Norge, har de to parter ført konsultationer og foranstaltninger til bevarelse af bestande, der forekommer i de to parters fiskerijurisdiktionsområder.

Disse konsultationer har resulteret i, at delegationerne er blevet enige om at henstille til deres myndigheder, at der indføres fangstbegrænsninger for visse fælles bestande i Kattegat. Disse henstillinger er udførligt refereret i det "godkendte referat" af 20. december 1978 som er vedlagt.

Fornålet med dette forslag er at iværksætte de kvotaforanstaltninger, som de to delegationer har anbefalet.

Fællesskabets indførelse af de foranstaltninger, som dets delegation har anbefalet, ^{skal} ikke forsinkes af drøftelser om fordelingen af disse kvoter mellem medlemsstaterne. Det er derfor kun de kvoter, der under konsultationerne blev opnået enighed om for Fællesskabet som helhed, der er fastsat i forordningen, som der herved fremsættes forslag til. Det er Kommissionens hensigt senere at fremsætte forslag til en forordning om fordelingen af disse kvoter mellem medlemsstaterne.

Fællesskabets gennemførelse af bevaringsforanstaltningerne, andre end kvoterne, som blev foreslået af de to delegationer, vil blive behandlet i et separat forslag af Kommissionen.

FORSLAG TIL
RÅDETS FORORDNING (EØF)

om fastlæggelse af fangstkvoter for 1979 for fiskeri fra fartøjer, der sejler under Fællesskabets medlemsstaters flag, efter visse bestande, der både forekommer i farvande under Fællesskabets medlemsstaters højhedsområde eller jurisdiktion og i farvande under Norges højhedsområde eller jurisdiktion

RÅDET FOR DE EUROPÆISKE FELLESKABER HAR -

under henvisning til traktaten om oprettelse af Det europæiske økonomiske Fællesskab, særlig artikel 43,

under henvisning til forslag fra Kommissionen,

under henvisning til udtalelse fra Europa-Parlamentet¹⁾, og

ud fra følgende betragtninger:

Fællesskabet og Norge har parafetret en rammeaftale om fiskeri;

Kommissionen har forelagt Rådet aftalen til godkendelse;

i overensstemmelse med betingelserne i denne aftale har der fundet konsultationer sted mellem Fællesskabet og Norge, og ved afslutningen heraf besluttede de to delegationer at henstille til deres myndigheder, at der for visse bestande, der forekommer i begge parters fiskerizoner, herefter benævnt "fælles bestande," for 1979 fastsættes fangstkvoter for hver part inden for dens egen zone og inden for den anden parts zone;

./..

1) EFT

Fællesskabet bør for sit vedkommende bekræfte resultatet af disse konsultationer ved at fastlægge fangstkvoter for dets egne fiskere i overensstemmelse med henstillingen fra dets delegation ;

bestemmelser vedrørende fordelingen af disse kvoter mellem Fællesskabets fiskere bør ikke fastsættes, for Fællesskabet har vedtaget et generelt system vedrørende bevaringen og forvaltningen af dets fiskeressourcer -

UDSTEDT FØLGENDE FORORDNING:

Artikel 1

1. Fangster af de i bilag nævnte arter, der tages af fartøjer, som sejler under Fællesskabets medlemsstaters flag, i de i bilag I angivne havområder, og som henhører under Fællesskabets medlemsstaters eller Norges fiskerijurisdiktion, begrænses i 1979 til de i kolonne 3 i bilag anførte kvoter.
2. Den anden af de i stk. 1 omhandlede fangster, som de nævnte fartøjer må tage i de farvande, der henhører under Norges eksklusive økonomiske zone, begrænses til de i kolonne 4 i bilag anførte kvoter.

Artikel 2

Fiskeri efter makrel i den del af det i artikel 1, stk. 1, omhandlede område, der ligger syd for $60^{\circ}00' N$, er forbudt inden 15. august 1979.

Artikel 3

Senest den 15. i hver måned sender medlemsstaterne Kommissionen oplysninger om fangsterne af de arter, som der er fastsat kvoter for i denne forordning, og som er taget af fartøjer, der sejler under deres flag, under fiskeri i de i artikel 1 omhandlede områder i løbet af den forudgående måned, med nærmere angivelse af det fiskerijurisdiktionsområde, hvor fangsterne er taget.

Artikel 4

Denne forordning træder i kraft på tredjedagen efter offentliggørelsen i De Europæiske Fællesskabers Tidende.

Den anvendes til den 31. december 1979.

Denne forordning er bindende i alle enkeltheder og gælder umiddelbart i hver medlemsstat.

Udfærdiget i Bruxelles, den

På Rådets vegne
Formand

B I L A G

Art (1)	ICES statistiske division (2)	Kvota omhandlet i artikel 1, stk. 1 (t) (3)	Kvota omhandlet i artikel 1, stk. 2 (t) (4)
Torsk	IV (1)	152 600	19 500
Kuller	IV (1)	72 400	14 300
Hestemakrel	IV (1), VIa VII	230 000	5 000
Makrel	IV + IIIa	19 750 (2)	5 000
Sperling	IV (1)	498 000	50 000
Rødspætte	IV (1)	116 920	15 000
Sej	IV + IIIa	111 000	37 700
Tobis	IV (1)	521 000	150 000
Hvilling	IV (1)	75 900	6 400

1) indbefattet den del af ICES division IIIa, der ligger vest for en ret linje fra Hanstholm fyr til Lindesnes fyr.

2) heraf må højst 2 350 t fiskes i Skagerrak som fastsat i forordning (EØF) nr. /79 om fastsættelse af visse bevaringsforanstaltninger for 1979 for fiskeri fra fartøjer, der sejler under Fællesskabets medlemsstaters flag, i Skagerrak og Kattegat efter visse bestande, der både forekommer i farvande under Fællesskabets medlemsstaters højhedsområde eller jurisdiktion og i farvande under Norges og Sveriges højhedsområde eller jurisdiktion (1).

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.

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 consultations.

4. 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.

IV. 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 O + 1 and ICES zone XIV

V. 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.

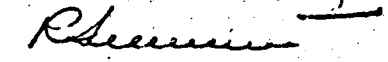
2. The Norwegian Delegation reserves the right to revert to the question of the justification for the quota and the catch area limitation established by EEC for the blue whiting stock in 1979 in ICES VI a and VII.

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

NORWAY-EEC
 JOINT STOCK QUOTAS 1979
 Thousand metric tonnes

Species and ICES areas	TAC	EEC ZONE			NORWEGIAN ZONE			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: I, II, IIIa	145		80 (2)			5		34,65	109
Blue Backed: IV, VIa (3)			5			5			
VIIId, e, f, h									
May pout (4) IV				20 (5)			50 (5)		
Skellet: IV				30 (5)			150 (5)		
Blue Whiting: II VIa(3)									
VIIb									
VIII(6) & XIV				125 (7)					
Ling: IV, VI, VII				1					
G: IV, VI, VII				14	(8) (9)				
H: IV, VI, VII				5					
Fish: IV, VI & VII				12,5	(10)				
Long shark: IV, VI, VII			0,8	(10)					
Liver)									
Beagle: IV, VI, VII			1						
Hers			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) Area 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) Area: 12° W
- 7) The Community will consider increasing this quantity upon request by the Norwegian party
- 8) Lingcod and Gusk 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 VII d,e,f,h		35
	Sprat	IV		71
	Shrimp	ICNAF 0 and 1 (3)		5,016
		XIV		experimental fishery
	Greenland halibut	XIV		1,6
	Halibut	ICNAF 0 + 1		0,2
		XIV		(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 ICES 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 4.350 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.

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.