

(98/C 323/52)

WRITTEN QUESTION E-0496/98**by Daniel Varela Suanzes-Carpegna (PPE) to the Commission***(2 March 1998)*

Subject: Need for clarification of Argentinian EEZ

In its answer to Written Question E-3951/97 ⁽¹⁾, the Commission states that it will address the question of the serious legal insecurity affecting Community vessels fishing in international waters in the vicinity of the Argentinian EEZ in due course and in the context of the common project to establish a system of cooperation in the south-east Atlantic.

It also points out that on 16 September 1996 Argentina submitted to the United Nations the geographical coordinates of its EEZ and that the Commission is not competent to settle matters relating to the demarcation of (Argentina's) EEZ.

Is the Commission not aware that the Community vessel Arpón was seized on 13 May 1997, despite the fact that Argentina had submitted the relevant coordinates concerning its EEZ on 16 September 1996?

What has been done to ensure that similar events cannot recur?

Is the Commission not aware that the checks made on the maps submitted to the UN showed that the coordinates were not consistent with the geographical references given in the case of the Arpón?

Is it the case that the Commission intends to do nothing vis-à-vis Argentina or the United Nations and will accept the current unclear situation and the attendant dangers for the Community fleet until such time as the common 'project' to establish a multilateral cooperation system in the area comes into force?

Is it not the case that the Commission's responsibilities for Community fisheries require it to ensure the proper legal safety of Community vessels in international waters and to check and confirm the correct legal demarcation of the EEZ of other states, thereby avoiding inaccuracies which may lead to new and unwanted conflicts?

⁽¹⁾ OJ C 310, 9.10.1998, p. 5.

Answer given by Mrs Bonino on behalf of the Commission*(22 April 1998)*

The Commission has carefully followed the case of the Community vessel Arpón. Even though this vessel was not operating within the framework of the fisheries agreement, both the Delegation in Buenos Aires and Directorate-General XIV have intervened on several occasions and at various levels.

The Commission agrees that situations such as those which led to this seizure cause difficulties in interpretation and generate a degree of instability for the ships operating in this region.

It therefore tackled the issue of the demarcation of Argentina's exclusive economic zone (EEZ) at a recent meeting with the Argentine authorities. According to the Argentine authorities the point called 'Restringa sur balneario los angeles', where the vessel was seized, does not figure on the maps deposited with the United Nations because these are on such a large scale. It does, however, appear on all the other maps used to calculate the baselines.

The Commission further considers that the coastal state has a clear duty under the terms of Article 56(2) and (75) of the Convention on the Law of the Sea to provide all the details necessary to define an EEZ and that it is answerable under international law if it fails to do so.

In order to be able to resolve this situation, the Argentine authorities are willing to hold a technical meeting with Spain in which the Commission is also willing to participate. If the legal uncertainty continues to persist afterwards, a more formal step may be envisaged.