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I *Acts whose publication is obligatory*

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 971/83

of 28 March 1983

on the conclusion of the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast

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 it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean coast, together with the exchange of letters relating thereto, signed in Conakry on 7 February 1983,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the Revolutionary

People's Republic of Guinea on fishing off the Guinean coast together with the exchange of letters relating thereto are hereby approved on behalf of the Community.

The texts referred to in the first subparagraph are attached to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 16 of the Agreement ⁽²⁾.

Article 3

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

Done at Brussels, 28 March 1983.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No C 13, 17. 1. 1983, p. 249.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT

between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the Guinean Coast

THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community'), and the

GOVERNMENT OF THE REVOLUTIONARY PEOPLE'S REPUBLIC OF GUINEA,

CONSIDERING the spirit of cooperation resulting from the Lomé Convention and the good cooperative relations between the Revolutionary People's Republic of Guinea and the Community,

CONSIDERING the Guinean Government's desire to promote the rational exploitation of its fishery resources by means of fair cooperation,

RECALLING that in particular in respect of sea fishing, the Revolutionary People's Republic of Guinea exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coast,

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea,

RECOGNIZING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof takes account of the principles of international law,

DETERMINED TO CONDUCT their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing,

DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as 'Community vessels', in the waters over which the Revolutionary People's Republic of Guinea has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as 'Guinea's fishing zone'.

Article 2

The Government of the Revolutionary People's Republic of Guinea shall permit fishing activities by Community vessels in Guinea's fishing zone in accordance with this Agreement, and in particular Annex I hereto.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions

of this Agreement and the rules and regulations governing fishing activities in Guinea's fishing zone.

2. The Guinean authorities shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

Article 4

1. Fishing activities in Guinea's fishing zone may be carried out only by Community vessels in possession of a licence issued at the Community's request by the Guinean authorities.

2. The Guinean authorities will issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 8.

3. Licences shall be valid in the zones specified according to the nature of the activity and the type of vessel concerned.

4. Licences shall be valid, on application by the shipowner, for periods of whole months up to 12 months.

5. Each licence shall be issued for a given vessel and shall not be transferable.

6. At the Community's request, notably in cases of *force majeure*, the fishing licence for a given vessel may be replaced by a licence for another vessel, the specifications of which do not exceed those of the original vessel.

Article 5

1. Licences shall be issued by the authorities of the Revolutionary People's Republic of Guinea upon payment of a fee by the shipowner concerned.

2. The amount of the fee and the methods of payment are given in Annex I.

3. The fee for a licence issued pursuant to Article 4 (1) shall be set in proportion to the period for which the licence is valid.

Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

Article 7

Vessels authorized to fish in Guinea's fishing zone under this Agreement shall be obliged to forward to Guinea's Directorate-General for Fisheries full statistics concerning catches, including rejects, in accordance with the form given in Annex II.

Article 8

In return for the fishing opportunities granted under this Agreement, the Community shall pay the Revolutionary People's Republic of Guinea compensation as set out in the Protocol to this Agreement.

This compensation, which shall be paid without prejudice to financing accorded to the Revolutionary People's Republic of Guinea under the Lomé

Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.

The compensation shall be used to finance projects and services relating to fishing.

Article 9

The Parties agree to examine any dispute resulting from the interpretation or application of this Agreement in the most objective and conciliatory spirit, with a view to resolving it.

Article 10

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet once a year, alternating between the Revolutionary People's Republic of Guinea and the Community, and shall hold special meetings at the request of either Contracting Party.

Article 11

Should the Guinean authorities decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt Annex I referred to in Article 5 and the Protocol referred to in Article 8.

Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

Article 12

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the law of the sea.

Article 13

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the

conditions laid down in that Treaty and, on the other hand, to the territory of the Revolutionary People's Republic of Guinea.

Article 14

The Annexes and the Protocol form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to them.

Article 15

This Agreement shall be concluded for an initial period of three years from the date of its entry into force.

Unless one of the parties ends it by giving notice to that effect six months before the end of the three-year period, it shall remain in force for further periods of one year, unless denounced by notice given at least three months before the end of each such one-year period.

In that event the Contracting Parties shall enter into negotiations to determine by common agreement what amendments or additions to the Annexes or Protocol are required.

Article 16

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Udfærdiget i Conakry, den syvende februar nitten hundrede og treogfirs i to eksemplarer på dansk, engelsk, fransk, græsk, italiensk, nederlandsk og tysk, idet hver tekst har samme gyldighed.

Geschehen zu Conakry am siebten Februar neunzehnhundertdreiundachtzig in zwei Urschriften in dänischer, deutscher, englischer, französischer, griechischer, italienischer und niederländischer Sprache, wobei jeder Wortlaut gleichermaßen verbindlich ist.

Έγινε στο Κονακρί, στις επτά Φεβρουαρίου χίλια εννιακόσια ογδόντα τρία, σε δύο αντίτυπα, στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ιταλική και ολλανδική γλώσσα, και όλα τα κείμενα αυτά είναι εξίσου αυθεντικά.

Done at Conakry, on the seventh day of February in the year one thousand nine hundred and eighty-three, in duplicate, in the Danish, Dutch, English, French, German, Greek and Italian languages, each of these texts being equally authentic.

Fait à Conakry, le sept février mil neuf cent quatre-vingt-trois, en deux exemplaires, en langues allemande, anglaise, danoise, française, grecque, italienne et néerlandaise, chacun de ces textes faisant également foi.

Fatto a Conakry, il sette febbraio millenovecentottantatré, in duplice esemplare in lingua danese, francese, greca, inglese, italiana, olandese e tedesca, ciascun testo facente ugualmente fede.

Gedaan te Conakry, de zevende februari negentienhonderd drieëntachtig, in twee exemplaren in de Deense, de Duitse, de Engelse, de Franse, de Griekse, de Italiaanse en de Nederlandse taal, zijnde alle teksten gelijkelijk authentiek.

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

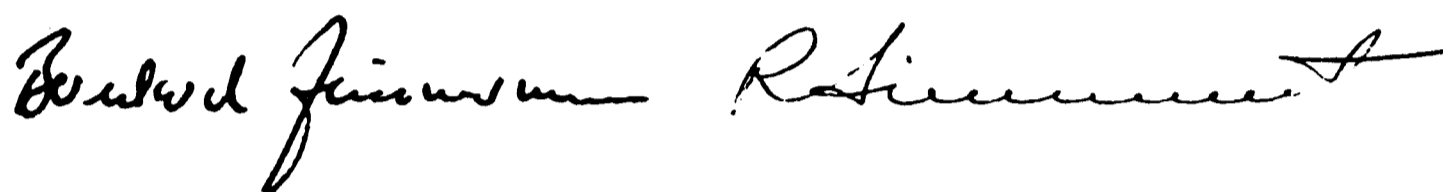
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen



For regeringen for Den revolutionære folkerepublik Guinea

Für die Regierung der Revolutionären Volksrepublik Guinea

Για την Κυβέρνηση της Λαϊκής Επαναστατικής Δημοκρατίας της Γουινέας

For the Government of the Revolutionary People's Republic of Guinea

Pour le gouvernement de la république populaire révolutionnaire de Guinée

Per il governo della Repubblica popolare rivoluzionaria di Guinea

Voor de Regering van de Revolutionaire Volksrepubliek Guinee



ANNEX I

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN GUINEA'S FISHING ZONE BY
COMMUNITY VESSELS

A. Issue of fishing licences

I. The relevant Community authorities must present to the Guinean authorities (Ministry of Agriculture and Fisheries) an application, in accordance with the specimen attached to this Annex, for each vessel that wishes to fish under the Agreement.

II. Provisions for trawlers and shrimp boats

1. Before receiving his licence the captain must present his vessel at the port of Conakry, submit her to inspection to comply with the rules and regulations in force, listed in the Annex hereto, and arrange to be represented by a factor designated by the Ministry of Agriculture and Fisheries.
2. The licence fees shall be equivalent to the following annual amounts:
 - (a) 100 ECU/GRT; or
 - (b) 80 tonnes ⁽¹⁾ of fish landed in a Guinean port; or
 - (c) 70 ECU/GRT and 30 % of the quantities specified under (b) for trawlers;
 - (d) 120 ECU/GRT for shrimp boats taking mixed catches including over 30 % of shrimps by weight.

The chosen fee is indicated by the shipowner when introducing his licence application.

3. Deliveries of fish shall be made according to a programme established when the licences are delivered, at least every other month, each delivery being declared to the Guinean authorities at least five days in advance.
4. The fees shall be paid on a *pro rata* basis relating to the period of validity of the licence.
5. Fees fixed in ECU shall be paid in the currency indicated by the Guinean authorities, in one instalment, at the time of the handing over of the licence at the latest.

III. Provisions applicable to tuna boats

1. The fees shall be set at 20 ECU per tonne caught in Guinea's fishing zone.
2. The licences shall be handed over after payment for the whole of the tuna fleet of an overall lump sum equivalent to the fee for a catch of 500 tonnes of tuna per year and the provision of a banker's guarantee covering payment of any additional sums due in respect of annual catches in excess of the abovementioned quantity. The quantities caught shall be determined in accordance with the statistics established by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

B. Fishing zones

The fishing zones accessible to Community vessels shall comprise all waters under Guinean jurisdiction beyond:

- (a) three nautical miles as regards shrimp boats not exceeding 135 GRT;
- (b) six nautical miles as regards shrimp boats exceeding 135 GRT;
- (c) 15 nautical miles as regards trawlers.

⁽¹⁾ Quantity applicable to a vessel of 200 to 400 GRT. Larger vessels will land 100 tonnes. Smaller vessels will land 60 tonnes.

C. Meshes authorized

The mesh authorized for the trawl body (mesh fully extended) shall be:

- (a) 60 mm for trawlers;
- (b) 25 mm for shrimp boats.

These mesh sizes apply under Guinean regulations to all ships flying the Guinean or any other flag and may be changed in the light of recommendations formulated by international scientific organizations.

D. Penalties

Infringements shall be penalized as follows:

- (a) payment of a fine of 50 000 to 75 000 ECU for non-compliance with mesh size or fishing zones;
- (b) suspension of fishing licence for failure to supply fishing statistics;
- (c) payment of a fine of 1 000 ECU per tonne of fish not landed.

E. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence of persons engaged in fishing should be improved.

To this end, the European Economic Community shall make it easier for nationals of Guinea to find places in establishments in its Member States or the ACP States and shall provide six three-year study and training grants for that purpose in the various scientific, technical and economic subjects connected with fisheries.

Specimen provided for in A.I

(Translation) (1)

MINISTRY OF AGRICULTURE AND FISHERIES

REVOLUTIONARY PEOPLE'S REPUBLIC OF GUINEA

Directorate-General of Sea and River Fisheries

Labour — Justice — Solidarity

PARTICULARS TO BE FURNISHED IN SUPPORT OF AN APPLICATION FOR A FISHING LICENCE

Applicant

Name:

Occupation or style of firm:

Registered office:

Subscribed capital:

Annual turnover:

Bank:

Address:

Vessels for which licence is sought:

.....
.....
.....
.....
.....

Vessel

Name:

Registration No:

Call sign:

Date and place of construction:

Nationality (flag):

Length: 1. o.a.: 2. b.p.

Breadth: 1. o.a.: 2. moulded breadth

Gross registered tonnage:

Net registered tonnage:

Engine type and rating:

Crew:

Type of fishing:

(1) The application must be submitted on a form in French.

A. *Trawling*

Length of trawl:

Opening:

Mesh size in the body:

Mesh size in the wings:

B. *Sardine fishing*

Length of net:

Depth of net:

C. *Tuna fishing*

Number of lines:

Length of net:

Number of bait tanks:

Volume of bait tanks:

Live baits:

Purse seine:

Is the vessel a freezer vessel?

If so, state:

— Total refrigerating power:

— Freezing capacity:

— Storage capacity:

Technical remarks and opinion of the Director of Fisheries:

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Authorizaton of the Minister of Agriculture and Fisheries:

Approved:

Number of licence issued:

Validity:

Date:

—

Annex to Annex I

Rules and regulations referred to in A. II. 1

REVOLUTIONARY PEOPLE'S REPUBLIC OF GUINEA

Labour — Justice — Solidarity

No 441/PRG/80

PRESIDENCY OF THE REPUBLIC

General Secretariat of the Government

DECREE

THE PRESIDENT OF THE REPUBLIC,

Having regard to Constitutional Law No 4/AN of 10 November 1958, promulgated by Order No 15 of 12 November 1958;

Having regard to Law No 001/AL/75 of 7 January 1975 electing the President of the Republic;

Having regard to Decree No 215/PRG of 1 June 1979 appointing the members of the Cabinet of the President of the Republic;

HAS DECREED AS FOLLOWS:

Article 1

The fees charged for safety inspection of boats, pleasure craft, industrial fishing vessels, harbour craft (including dredgers) and coasters shall be set as follows:

I. COMMISSIONING INSPECTION**A. For boats engaged in non-industrial fishing**

(a) Rowing or sailing boats (Kourou, Yooli, Gbanké) between 2,5 and 5 m long	100 sylis
(b) Motor or sailing boats between 5 and 9 m long (Boti)	200 sylis
(c) Motor or sailing boats between 9 and 12 m (Boti and Botibon)	250 sylis
(d) Motor or sailing boats over 12 m in length (Boti, Fanti and Botibon)	300 sylis

B. For boats engaged in the carriage of passengers and goods

(a) Gross registered tonnage between 3 and 5	350 sylis
(b) Gross registered tonnage between 5 and 7	400 sylis
(c) Gross registered tonnage between 7 and 10	450 sylis
(d) Gross registered tonnage between 10 and 13	500 sylis
(e) Gross registered tonnage exceeding 13	600 sylis

C. For pleasure craft

(a) Inflatable	1 500 sylis
(b) Polyester, fibre, aluminium, etc.	2 000 sylis

D. For trawlers, coasters, dredgers and harbour craft

(a) Gross registered tonnage between 100 and 150	1 500 sylis
(b) Gross registered tonnage between 150 and 400	2 000 sylis
(c) Gross registered tonnage between 400 and 700	3 000 sylis
(d) Gross registered tonnage between 700 and 900	3 500 sylis
(e) Gross registered tonnage between 900 and 1 200	4 000 sylis

II. ANNUAL SEAWORTHINESS INSPECTIONS**A. For vessels engaged in non-industrial fishing**

(a) Rowing or sailing boats (Kourou, Yooli, Gbanké) between 2,5 and 5 m long	1 000 sylis
(b) Motor boats 9 m long	1 500 sylis
(c) Sailing boats between 5 and 9 m long	2 000 sylis
(d) Motor boats between 9 and 12 m long	3 000 sylis
(e) Motor or sailing boats over 12 m long	4 000 sylis

B. For boats engaged in the carriage of passengers or goods

(a) Gross registered tonnage between 3 and 5	3 000 sylis
(b) Gross registered tonnage between 5 and 7	3 500 sylis
(c) Gross registered tonnage between 7 and 10	4 000 sylis
(d) Gross registered tonnage between 10 and 13	4 500 sylis
(e) Gross registered tonnage exceeding 13	5 000 sylis

C. For pleasure craft

(a) Inflatable	3 000 sylis
(b) Polyester, fibre, aluminium, etc.	5 000 sylis

D. For trawlers, dredgers and harbour craft

(a) Gross registered tonnage between 100 and 150	5 000 sylis
(b) Gross registered tonnage between 150 and 400	7 000 sylis
(c) Gross registered tonnage between 400 and 700	10 000 sylis
(d) Gross registered tonnage between 700 and 900	12 000 sylis
(e) Gross registered tonnage between 900 and 1 200	15 000 sylis

III. INSPECTION ON SAILING

(a) For ships with a classification certificate	300 sylis
(b) 50 cauris surcharge per gross registered tonne for any ship without a classification certificate.	

IV. EXCEPTIONAL TECHNICAL SEAWORTHINESS INSPECTION

- A. For boats engaged in non-industrial fishing**
- | | |
|--|-----------|
| (a) Rowing or sailing boats (Kourou, Yooli, Gbanké) between 2,5 and 5 m long | 100 sylis |
| (b) Motor or sailing boats between 5 and 9 m long | 200 sylis |
| (c) Motor or sailing boats between 9 and 12 m long | 250 sylis |
| (d) Motor or sailing boats 12 m long or more | 300 sylis |
- B. For boats engaged in the carriage of passengers**
- | | |
|--|-------------|
| (a) Gross registered tonnage between 3 and 5 | 500 sylis |
| (b) Gross registered tonnage between 5 and 7 | 750 sylis |
| (c) Gross registered tonnage between 7 and 10 | 1 000 sylis |
| (d) Gross registered tonnage between 10 and 13 | 2 000 sylis |
- C. For pleasure craft**
- | | |
|--|-------------|
| (a) Inflatable | 1 000 sylis |
| (b) Polyester, fibre or aluminium, etc. | 1 500 sylis |
- D. Trawlers, coasters, dredgers and harbour craft, etc.:**
shall pay 50 cauris per gross registered tonne.

Article 2

1 000 sylis shall be levied on the preparation of the crew list for each type of vessel.

Article 3

The Directorate of the Merchant Navy and its regional districts shall, each to the extent to which it is concerned, be responsible for the implementation of this Decree which repeals all previous provisions to the contrary.

Article 4

This Decree which takes effect as from 1 July 1980 shall be registered and published in the Official Journal of the Republic.

Conakry, 15 September 1980

AHMED SEKOU TOURE

Certified true copy

Brussels, 19 November 1982

*The Ambassador to the revolutionary
People's Republic of Guinea*

DAOUDA KOUROUMA

REVOLUTIONARY PEOPLE'S REPUBLIC OF GUINEA

Labour — Justice — Solidarity

No 178/PRG/81

PRESIDENCY OF THE REPUBLIC

General Secretariat of the Government

DECREE

THE PRESIDENT OF THE REPUBLIC,

Having regard to Constitutional Law No 4/AN of 10 November 1958, promulgated by Order No 15 of 12 November 1958;

Having regard to Law No CO1/AL/75 of 7 January 1975 electing the President of the Republic;

Having regard to Decree No 215/PRG of 1 June 1979 appointing the members of the Cabinet of the President of the Republic;

Having regard to Decree No 441/PRG of 15 September 1980 laying down the rates for safety inspections of boats and other vessels,

HAS DECREED AS FOLLOWS

CHAPTER I

ALLOCATION OF REVENUE OF REGIONAL MARITIME DISTRICTS

Article 1

Outside the Conakry Special Zone, revenue collected by the heads of regional maritime districts or merchant navy inspectors on duty in the regions for the various inspections provided for in Decree No 441/PRG of 15 September 1980 shall be divided as follows:

1. 30 % shall be paid to the regional budget;
2. 70 % shall be paid to the national budget.

Article 2

In the administrative regions, products and fishing gear seized as a result of boarding shall, after authorization by the Regional Governor, be publicly auctioned without delay by a Commission composed of the following:

1. *Chairman*: The Secretary-General of the Region responsible for Finance and Planning, or his representative;
2. *Vice-Chairman*: The Commandant of the Subdivision concerned;

Members:

3. A delegate of the Steering Committee;
4. A delegate of the local PRL;
5. The Head of the Regional Maritime District.

Article 3

Sums accruing from the application of Article 2 of this Decree shall be divided as follows:

1. 40 % to the regional budget;
2. 60 % to the national budget.

Article 4

Within 48 hours of the sale, the Commission shall draw up a detailed report to be sent to the Directorate-General for the Merchant Navy.

CHAPTER II

FEES FOR ISSUING WORK PERMITS, NAVIGATION LICENCES AND SAFETY CERTIFICATES

Article 5

The fees for issuing work permits, navigation licences and safety certificates shall be as follows:

Crew Members	
B Card	500 sylis
Seaman's ticket or booklet	750 sylis
Industrial fishing	
Navigation licence	1 500 sylis
Pleasure craft	
Licence	750 sylis
Traffic certificate	500 sylis
Sailing craft and motor boats	
Navigation licence	500 sylis
Safety certificate	
Safety certificate for passenger vessels	2 000 sylis
Safety certificate for gear (cargo vessels)	1 500 sylis
Radio-telegraphy safety certificate	1 500 sylis
Navigability certificate	1 500 sylis
Freeboard certificate	1 500 sylis
Provisional navigation certificate	3 000 sylis

Article 6

The Commissars-General of the Revolution, the Regional Governors, the Regional Treasurers and the Director-General of the Merchant Navy shall be responsible, each to the extent to which he is concerned, for implementing this Decree which shall take effect from 1 April 1981.

Article 7

This Decree shall be registered and published in the Official Journal of the Republic.

Conakry, 4 April 1981.

AHMED SEKOU TOURE

Certified true copy

Brussels, 19 November 1982

The Ambassador of the Revolutionary People's Republic of Guinea

DAOUDA KOUROUMA

ANNEX II

Specimen of form provided for in Article 7 of the Agreement

STATEMENT OF CATCH
(EEC-Guinea Fishery Agreement)

Month:

Year:

Name of vessel: Fishing method: Engine rating:

Nationality: Port or landing: Gross tonnage:

Company: Factor: Licence No:

Date	FISHING ZONE		Number of fishing hours	SPECIES OF FISH (kilograms)					Comments
	Longitude	Latitude					Other	Totals	
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
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29									
30									
31									
			Totals						

PROTOCOL

defining the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Revolutionary People's Republic of Guinea

Article 1

The fishing rights provided for in Article 2 of the Agreement are:

1. for trawlers and shrimp boats 3 000 GRT as a yearly average, not exceeding 25 permits at any one time;
2. 25 ocean-going freezer tuna boats (average GRT 900);
3. 25 wet tuna liners (average GRT 130).

Article 2

The compensation referred to in Article 8 of the Agreement shall be set for the lifetime of the Agreement at 2 100 000 ECU, one-third of that sum to be mobilized for each year of application of the Agreement.

Article 3

The fishing rights referred to in Article 1 (1) may be increased to a maximum of 5 000 GRT at the Community's request.

In that event, the compensation referred to in Article 2 shall be increased in proportion for the period concerned.

Article 4

1. The use to which the compensation is put shall be determined exclusively by the Revolutionary People's Republic of Guinea.
2. The compensation shall be paid into an account opened with a financial institution or to another recipient, as designated by the Government of the Revolutionary People's Republic of Guinea.

Article 5

The Community shall also contribute to the financing of a Guinean scientific programme designed to improve knowledge of the fishery resources of the fishing zone of the Revolutionary People's Republic of Guinea, the contribution not to exceed 200 000 ECU for the initial three-year Agreement period.

Article 6

If the European Economic Community fails to comply with the undertakings given in this Protocol, the Agreement on fishing may be suspended.

Exchange of letters

Letter No 1

From the Head of the Delegation
of the Revolutionary People's
Republic of Guinea

To the Head of the Community
Delegation

Sir,

With reference to the Agreement between the Revolutionary People's Republic of Guinea and the European Economic Community which was signed today. I have the honour to remind you that my Government gave its approval for the signing of the Agreement on the understanding that shipowners granted licences under the Agreement will assist in the practical training of Guinean nationals on the terms outlined below:

1. one-quarter of the crew of each trawler over 200 GRT, including a crew member responsible for supervising fishing activities, shall consist of Guinean seamen;
2. trawlers of 200 GRT or less must take on board at least one Guinean seaman;
3. the ocean-going tuna fleet shall have two Guinean seamen on board on a permanent basis.

The wet tuna fleet must take on eight Guinean seamen for the tuna fishing season in Guinean waters, each vessel to take on no more than one such seaman.

Such obligations may be discharged by payment of an annual lump sum equivalent to the wages of the seamen; the said sum will be used to train Guinean seaman.

The wages and other remuneration of the seamen shall be paid by the shipowner.

My Government wishes the Joint Committee referred to in Article 10 of the Agreement to study the question of the shipowners' contribution to the training of Guinean nationals.

I should be obliged if you would acknowledge receipt of this letter.

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

Letter No 2

From the Head of the Community
Delegation

To the Head of the Delegation
of the Revolutionary People's
Republic of Guinea

Sir,

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

'With reference to the Agreement between the Revolutionary People's Republic of Guinea and the European Economic Community which was signed today. I have the honour to remind you that my Government gave its approval for the signing of the Agreement on the understanding that shipowners granted licences under the Agreement will assist in the practical training of Guinean nationals on the terms outlined below:

1. one-quarter of the crew of each trawler over 200 GRT, including a crew member responsible for supervising fishing activities, shall consist of Guinean seamen;
2. trawlers of 200 GRT or less must take on board at least one Guinean seaman;
3. the ocean-going tuna fleet shall have two Guinean seamen on board on a permanent basis.

The wet tuna fleet must take on eight Guinean seamen for the tuna fishing season in Guinean waters, each vessel to take on no more than one such seaman.

Such obligations may be discharged by payment of an annual lump sum equivalent to the wages of the seamen; the said sum will be used to train Guinean seamen.

The wages and other remuneration of the seamen shall be paid by the shipowner.

My Government wishes the Joint Committee referred to in Article 10 of the Agreement to study the question of the shipowners' contribution to the training of Guinean nationals.

I should be obliged if you would acknowledge receipt of this letter.'

I have the honour to inform you that the Community will publish the letter so that it is brought to the attention of the shipowners concerned, and agrees that the terms of the shipowners' contribution to training shall be studied by the Joint Committee.

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

Letter

From the Head of the Delegation
of the Revolutionary People's Republic of Guinea

To the Head of the European
Community Delegation

Sir,

I refer to the Agreement we signed today on fishing by Community boats off the Guinean coast, and in particular to point II.1 in Annex I to the said Agreement.

I have the honour to inform you that my Government has designated the Société Nationale SOGUIPÊCHE to provide factoring facilities for Community vessels fishing in Guinea under our Agreement.

SOGUIPÊCHE, which shipowners can contact at the address given below, has experience in most aspects of sea fishing and can provide Community vessels with all the services they will require for their activities in Guinean waters (assistance in port and at sea, transport for seamen, the provisioning of vessels as far as the availability of supplies permits, etc.).

It is also well placed to facilitate financial transactions arising from the activities of Community vessels in Guinean waters, including payment of the wages of Guinean seamen working on board Community vessels and payment of various fees.

Community shipowners can contact the company at the following address for further details of services:

SOGUIPÊCHE
Boîte Postale 1203 — Conakry
Revolutionary People's Republic of Guinea
Telex: 775 SGP, 2153 Pechel
Telephone: 44 29 88, 44 29 90

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

For the Head of the Guinean Delegation

*The Guinean Ambassador to the
European Communities*

DAOUDA KOUROUMA
