



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.03.1995
COM(95) 104 final

Proposal for a

COUNCIL REGULATION (EC)

amending Council Regulation (EC) No 3363/94 of 20 December 1994
allocating, for 1995, Community catch quotas in Greenland waters

(presented by the Commission)

EXPLANATORY MEMORANDUM

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On 20 December 1994, the Council adopted Regulation (EC) No 3363/94 laying down Community catch quotas in Greenland waters for 1995, in the framework of the EU-Greenland bilateral Fisheries Agreement.

In this Council Regulation, quotas allocated to Norway were provisional, and applicable only until 31 March 1995 pending the conclusion of the bilateral fisheries arrangement between the Community and Norway for 1995.

The Community and Norway have now concluded their bilateral arrangement for 1995. This arrangement includes the definitive quantities of fishing possibilities in Greenland waters to be allocated to Norway.

In order to fulfil the commitments agreed with Norway, the Community should avail itself of the offer of supplementary catch possibilities made on 22 February 1995 by the Greenland Home Rule Government, under the terms of Article 8 of the bilateral Fisheries Agreement. In particular, the following quantities will have to be purchased:

- Greenland halibut (West Greenland) 400 tonnes
- Roundnose grenadier (West Greenland) 400 tonnes

This proposal amends Council Regulation (EC) No 3363/94 to the effect of laying down definitive fishing possibilities for Norway in Greenland waters, under the terms of the bilateral Fisheries Agreement between the Community and Greenland.

The Council is requested to adopt this proposal.



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COUNCIL REGULATION (EC) No/95

of March 1995

amending Council Regulation (EC) No 3363/94 of 20 December 1994
allocating, for 1995, Community catch quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No. 3760/92 of 20 December establishing a Community system for fisheries and aquaculture⁽¹⁾ and, in particular, Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3363/94 of 20 December 1994 lays down, for 1995, Community catch quotas in Greenland waters, including the quantities allocated to third countries;

Whereas the quantities allocated to Norway were provisional quotas, pending the conclusion of the bilateral fisheries arrangement between the Community and Norway for 1995;

Whereas the Community and Norway have now concluded their bilateral arrangement for 1995, including definitive fishing possibilities for Norway in Greenland waters. Whereas these quotas require the Community to purchase supplementary catch possibilities from Greenland, under the terms of the bilateral Fisheries Agreement between the Community and Greenland,

HAS ADOPTED THIS REGULATION

Article 1

The Annex of Regulation (EC) No 3363/94 is amended as follows:

The Annex is replaced by the Annex of this Regulation.

⁽¹⁾ OJ No L 389, 31.12.1992, p. 1.



Article 2

This Regulation shall enter into force on 1 April 1995.

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

Done at Brussels,

For the Council
The President

ANNEX

Allocation of Community catch quotas in Greenland waters for 1995

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway ⁽⁷⁾	Quantities allocated to Iceland ⁽⁷⁾	Faroeese quotas under EC/ Greenland protocol ⁽⁷⁾
Cod	all zones	31 000	Germany 25 360 United Kingdom 5 640			
Redfish ⁽¹⁾	NAFO 1 ICES XIV/V	5 500 46 820	Germany 5 395 United Kingdom 105 Germany 46 270 France 330 United Kingdom 220			500
Greenland halibut	NAFO 1 ICES XIV/V	1 750 4 650	Germany 550 Germany 4 040 United Kingdom 210	1 200 ⁽⁸⁾ 400		150 150
Deep-water prawns	ICES XIV/V ⁽⁵⁾	4 525	France 1 012 Denmark 1 012	2 500		1 150
Atlantic halibut ⁽²⁾	NAFO 1 ICES XIV/V	200 200		200 200		
Catfish	NAFO 1 ICES XIV/V	1 000 1 000	Germany 1 000 Germany 1 000			
Blue whiting	ICES XIV/V	30 000	Denmark 3 000 France 3 000 Germany 24 000			
Capelin	ICES XIV/V	63 150 ⁽⁶⁾	Community 8 150	25 000	30 000	10 000
Roundnose Grenadier	NAFO 1 ICES XIV/V	1 750 4 650	Germany 550 Germany 4 400 United Kingdom 250	1 200		
Roundnose Grenadier ⁽³⁾	all zones	2 000	Community 2 000			
Polar cod ⁽⁴⁾	all zones	2 000	Community 2 000			

- (1) A maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.
- (2) If by-catches of Atlantic halibut in trawl cod and redfish fisheries imply over-runs of this quota, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries can nevertheless continue until the respective quotas have been exhausted.
- (3) Experimental fishery, to be conducted at depths greater than 1 500 metres. The maximum by-catch of Greenland halibut will be 40% and will be counted against this quota.
- (4) To be fished only by pelagic trawl or longline. A by-catch of up to 10%, excluding deep-water prawns and Greenland halibut, will be admitted. The by-catch will be counted against this quota.
- (5) Up to 1 000 tonnes can be caught in NAFO areas 0/1 under agreement with Greenland license holders.
- (6) 70% of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faroe Islands. Calculated on the basis of a provisional TAC of 950 000 tonnes. Upon revision of this TAC in the course of 1995, the Community quota shall be revised accordingly.
- (7) Shown for information only.
- (8) Trawl fishing is not allowed north of 64°30'N.

FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation amending Council Regulation (EC) No 3363/94 of 20 December 1994 allocating, for 1995, Community catch quotas in Greenland waters.

2. **BUDGETARY LINE CONCERNED:** B7-800

3. **LEGAL BASIS:** Article 43 of the Treaty

4. **DESCRIPTION:**

4.1 General objective:

To establish the definitive fishing quotas for Norway in Greenland waters after the conclusion of the bilateral arrangement on mutual access fishing rights between the Community and Norway for 1995.

4.2 Period covered:

Until 31 December 1995.

5. **CLASSIFICATION OF EXPENDITURE:** C.D.

6. **TYPE OF EXPENDITURE:**

The expense is the payment for supplementary catch possibilities in Greenland waters, under the terms and conditions of Article 8 of the bilateral Fisheries Agreement between the Community and Greenland. The supplementary catch possibilities proposed are 400 tonnes of Greenland halibut and 400 tonnes of roundnose grenadier.

7. **AMOUNT OF EXPENDITURE:**

The amount to be paid for the 400 tonnes of Greenland halibut and the 400 tonnes of roundnose grenadier is calculated on the basis of a contribution of 319.58 ECU per ton of cod-equivalent, taking into account a cod equivalent of 0.8 for Greenland halibut and 0.6 for roundnose grenadier:

400 tonnes Greenland halibut	x 0.8 x 319.58 =	102,266 ECU
400 tonnes of roundnose grenadier	x 0.6 x 319.58 =	76,699 ECU

Total . . 178,965 ECU

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8. ANTI-FRAUD PROVISIONS:

Under the Fisheries Agreement between the Community and Greenland, the financial contribution from the Commission is not subject to any specific provision as to the end use of funds.

9. ELEMENTS OF COST/BENEFIT ANALYSIS:

The bilateral, mutual-access Agreement between the Community and Norway is managed on an annual basis, by calculating the balance between Community catch possibilities in Norwegian waters and Norwegian catch possibilities in Community waters for different species. This arrangement is variable annually according to the state of the different fish stocks concerned. For 1995, the arrangement with Norway was particularly difficult to achieve due to the poor state of some of the fish stocks in Community waters. This fact made it extremely difficult to compensate the access of Community vessels to Norwegian resources with Norwegian access to the poor Community resources. For this reason, it was necessary to compensate Norway with some of the Community catch possibilities in Greenland waters under the terms of the bilateral Agreement between the Community and Greenland.

In spite of the improvement of the catch possibilities under the Third Protocol of the Agreement with Greenland, some of the concessions made to Norway require the purchase of additional fishing possibilities from Greenland.

For this reason, the purchase of such fishing possibilities from Greenland has been the only way to find a satisfactory solution to the mutual-access arrangement with Norway, without jeopardizing the conservation of some fish stocks in Community waters.

10. ADMINISTRATIVE EXPENSES: None

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