



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.1995
COM(95) 714 final

Proposal for a
COUNCIL REGULATION (EC)

allocating, for 1996, Community catch quotas in Greenland waters

(presented by the Commission)

EXPLANATORY MEMORANDUM

The European Community and the Government of Denmark and the Home Rule Government of Greenland agreed to extend their Fisheries Agreement in 1994 for an additional period of six years until 31 December 2000. The Parties to the Agreement subsequently agreed on a Third Fisheries Protocol covering the same six years and laying down the terms and conditions for fishing by Community vessels in Greenland waters, in particular catch quotas for the Community for each year of the Protocol. They also agreed to allow for the establishment of joint ventures and temporary associations.

The Agreement allows for the quantities to be taken by vessels which do not fly the flag of a Member State of the Community, to extent where this is necessary for the proper functioning of the fisheries agreements concluded by the Community with other Parties.

Under the provisions of the Fisheries Protocol, the authorities responsible for Greenland undertake to offer to the Community, by 15 November each year, such supplementary catch possibilities as referred to in Article 8 of the Agreement, which at that time are expected to be available in the following year. On 15 November 1995, the Greenland Home Rule authorities offered supplementary quantities for 1996:

Cod	NAFO 0,1; ICES V, XIV	2,000 t
Redfish (pelagic trawl)	ICES V, XIV	15,000 t
Greenland halibut	NAFO 0,1	1,750 t
Greenland halibut	ICES V, XIV	1,800 t
Halibut	NAFO 0,1	200 t
Halibut	ICES V, XIV	200 t
Catfish	NAFO 0,1	1,800 t
Blue whiting	ICES V, XIV	10,000 t
Roundnose grenadier	NAFO 0,1	1,750 t
Roundnose grenadier	ICES V, XIV	1,800 t

Depending on the outcome of negotiations between the Community and Norway and considering the quantities of the species concerned already available to the Community for 1996 under the Fisheries Protocol, it may be felt to be in the Community's interest to accept one or more of the supplementary quantities offered by the Greenland Home Rule Government. To that end, the Commission will complete its proposal as soon as possible.

Therefore, the Commission proposes that the Council should agree to react appropriately to the supplementary catch possibilities referred to above and to allocate the annual catch quotas in Greenland waters by adopting the attached regulation.

Proposal for a
COUNCIL REGULATION (EC) No/95
of December 1995

allocating, for 1996, 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 1992 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 the Agreement on fisheries between the European Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand⁽²⁾, has been extended for an additional period of six years, until 31 December 2000;

Whereas the European Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand, have subsequently approved the Third Fisheries Protocol, establishing the conditions for fishing and, in particular, the catch quotas for Community vessels in Greenland waters for the period from 1 January 1995 to 31 December 2000;

Whereas these quotas may be used by vessels not flying the flag of a Member State of the Community, to the extent that this is necessary for the proper functioning of the fisheries agreements which the Community has concluded with third countries;

Whereas it is appropriate to react [positively] [partly positively] [negatively] to the offer regarding supplementary catch possibilities made by the authorities responsible for Greenland pursuant to Article 8 of the Agreement on 15 November 1995;

Whereas, to ensure efficient management of the catch possibilities available, they should be allocated among Member States by means of quotas in accordance with Article 8 of Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the relevant control measures provided for by Council Regulation (EC) No 2847/93 of 12 October 1993, establishing a control system applicable to the common fisheries policy⁽³⁾,

⁽¹⁾ OJ No L 389, 31.12.1992, p. 1.

⁽²⁾ OJ No L 29, 1.2.1985, p. 9.

⁽³⁾ OJ No L 252, 15.9.1993, p. 2.

HAS ADOPTED THIS REGULATION

Article 1

For 1996, the allocation of the Community catch quotas in Greenland waters shall be as set out in the Annex.

Article 2

Should the authorities responsible for Greenland make an offer regarding supplementary catch possibilities, as referred to in Article 8 of the Agreement on fisheries, the Council shall, acting by a qualified majority on a proposal from the Commission, take a decision on that offer within six weeks of receipt thereof.

Article 3

This Regulation shall enter into force on 1 January 1996.

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

Done at Brussels, December 1995.

For the Council
The President

ANNEX

Allocation of Community catch quotas in Greenland waters for 1996

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway ⁽⁵⁾	Quantities allocated to Iceland ⁽⁸⁾	Faroese quotas under EC/ Greenland ⁽⁸⁾
Cod	all zones	31 000	Germany 25 360 United Kingdom 5 640			
Redfish ⁽¹⁾	NAFO 0/1 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 0/1 ICES XIV/V	1 350 4 650	Germany 550 Germany 4 040 United Kingdom 210	pm ⁽⁷⁾ pm ⁽⁷⁾		150 150
Deep-water prawns	ICES XIV/V ⁽⁵⁾	4 525	France 1 012 Denmark 1 012	pm		1 150
Atlantic halibut ⁽²⁾	NAFO 0/1 ICES XIV/V	200 200		pm ⁽⁷⁾ pm ⁽⁷⁾		
Catfish	NAFO 0/1 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⁾		pm	30 000	10 000
Roundnose grenadier	NAFO 0/1 ICES XIV/V	1 350 4 650	Germany 550 Germany 4 400 United Kingdom 250	pm		
Roundnose grenadier ⁽³⁾	all zones	2 000				
Polar cod ⁽⁴⁾	all zones	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 1996, the Community quota shall be revised accordingly.
- ⁽⁷⁾ To be fished only with longline.
- ⁽⁸⁾ Shown for information only.

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FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation (EC) allocating, for 1996, Community catch quotas in Greenland waters.

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

3. **LEGAL BASIS:** Article 8 (4) of Council Regulation (EEC) No. 3760/92

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 1996.

4.2 Period covered:

Until 31 December 1996.

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

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 maximum supplementary catch possibilities required will include 1,200 tonnes of Greenland halibut and 1,300 tonnes of roundnose grenadier.

7. **AMOUNT OF EXPENDITURE:**

The amount required to be committed in 1996 and to be paid for 1,200 tonnes of Greenland halibut and 1,300 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:

1,200 tonnes Greenland halibut	x 0.8	x 319.58	= 306,796 ECU
1,300 tonnes of roundnose grenadier	x 0.6	x 319.58	= 249,272 ECU

Total . . 556,068 ECU

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 1996, the arrangement with Norway is particularly difficult to achieve due to the poor state of some of the fish stocks in Community waters. This fact makes 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 will be 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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