



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.12.1996
COM(96) 661 final

Proposal for a

COUNCIL REGULATION (EC)

**allocating for 1997 catch quotas between Member States
for vessels fishing in Lithuanian waters**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Consultations between the Community and Lithuania took place in Vilnius from 4 to 5 November 1996 and resulted in an agreement defining a reciprocal fisheries arrangement for 1997.

These consultations were held on the basis of the new framework Agreement on Fisheries Relations between the European Community and the Republic of Lithuania, concluded on This new Agreement, on the date of its entry into force, replaces the previous fisheries agreements concluded with Lithuania by the Community, as constituted before enlargement, and by Sweden and Finland respectively.

Taking into account that the annual consultations occurred prior to the ratification of the Agreement on Fisheries Relations being terminated, the fisheries arrangement agreed for 1997 will only be implemented from the date of its entry into force.

The fisheries arrangement for 1997 provides for, *inter alia*, certain catch quotas for Community vessels in the Lithuanian fishing zone in the framework of the exchange of fishing possibilities and reciprocal access quotas.

The purpose of this proposal for a regulation is to allocate among Member States the quotas available in 1997 to Community vessels fishing in the Lithuanian zone under the above mentioned arrangement.

The fisheries arrangement agreed with Lithuania for 1997 has been negotiated on behalf of the enlarged Community. The fishing possibilities now obtained by the enlarged Community are distributed among Member States on the basis of the traditional fishing pattern in the Baltic Sea before the entry into force of the new Agreement, when Denmark, Finland, Germany and Sweden were the only Member States with fishing rights in the region. Therefore, the fishing possibilities cannot be considered as "new" in the sense of Article 8 of Regulation (EEC) No 3760/92, as they result from the amalgamation of the existing fishing possibilities under the previous fisheries agreements concluded with Lithuania by the Community, as constituted before enlargement, and by Sweden and Finland respectively.

As a consequence of the Act of Accession of Austria, Finland and Sweden to the European Union, in particular Article 121, paragraph 1, footnote 9 of the table, Member States of the Community, as constituted before enlargement, have been compensated for their lower share of the cod stock up to the level required by the Council Declaration.

Lithuania is compensated for the quotas obtained in its waters by way of a financial contribution of ECU 1,041,048, in accordance with Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Lithuania.

Proposal for a
COUNCIL REGULATION (EC) No/96

of December 1996

**allocating for 1997 catch quotas between Member States
for vessels fishing in Lithuanian 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⁾, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for in the Agreement on Fisheries Relations between the European Community and the Republic of Lithuania⁽²⁾, concluded on, and in particular Articles 3 and 6 thereof, the Community and Lithuania have held consultations concerning their mutual fishing rights for 1997 and the management of common living resources;

Whereas, in the course of these consultations, the delegations agreed to recommend to their respective authorities that certain catch quotas for 1997 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1997, the results of the consultations held with Lithuania;

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

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

Whereas additional conditions for the year-to-year management of TACs and quotas, in accordance with the provisions laid down in Article 2 of Council Regulation (EC) No 847/96⁽⁴⁾, were not agreed with Lithuania;

(1) OJ No L 389, 31.12.1992, p. 1.

(2) OJ No C 284, 27.9.1996, p. 8.

(3) OJ No L 261, 20.10.1993, p. 1.

(4) OJ No L 115, 9.5.1996, p. 3.

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1997 vessels flying the flag of a Member State are hereby authorised to make catches within the quota limits set out in the Annex in waters falling within the fisheries jurisdiction of Lithuania.

Article 2

The financial contribution provided for in Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Lithuania shall be set for the period referred to in Article 1 at ECU 1,041,048, payable to an account designated by Lithuania.

Article 3

Stocks referred to in the Annex shall not be subject to the conditions stipulated in Articles 2, 3 and 5 (2) of Council Regulation (EC) No 847/96.

Article 4

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, December 1996.

For the Council
The President

ANNEX

Allocation of Community catch quotas in Lithuanian waters for 1997

(in metric tonnes, fresh round weight; for salmon: numbers of individual fish)

Species	ICES division	Community catch quotas	Quotas allocated to Member States	
Cod	IIIId	1,675	Denmark	(755)
			Finland	(35)
			Germany	(330)
			Sweden	(555)
Herring	IIIId	3,000	Denmark	(755)
			Finland	(375)
			Germany	(570)
			Sweden	(1,300)
Salmon	IIIId	4,100 ⁽¹⁾	Denmark	(1,110) ⁽¹⁾
			Finland	(1,385) ⁽¹⁾
			Germany	(125) ⁽¹⁾
			Sweden	(1,480) ⁽¹⁾
Sprat	IIIId	12,000	Denmark	(3,795)
			Finland	(1,540)
			Germany	(1,010)
			Sweden	(5,655)

⁽¹⁾ Number of individual fish.

FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation allocating for 1997 catch quotas between Member States for vessels fishing in Lithuanian 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 objectives:**

- maintain and develop the traditional activity of Community fishermen in Lithuanian waters;
- supply the Community market; and
- decrease the fishing effort in Community waters.

4.2 **Period covered:** Year 1997

5. **CLASSIFICATION OF EXPENDITURE:**

5.1 DO

5.2 CD

6. **TYPE OF EXPENDITURE:**

Financial compensation paid for fishing possibilities in Lithuanian waters.

7. **FINANCIAL CONSEQUENCES:** ECU 1,041,048

The financial compensation provided for in Article 4 of the Agreement has been negotiated on the basis of average landing prices for 1995 in Community ports in the Baltic Sea. A deduction has been made for estimated fleet exploitation costs for each of the species.

7.1 Method of calculation:

	COD	SALMON	HERRING	SPRAT
Quota obtained (in tonnes)	3,500	20.5 (4,100 units)	3,000	12,000
Weighted average landing prices 1995 (ECU/tonne)	967	2,906	152.74	81.83
Market value (in ECUs)	3,385,000	59,573	458,220	981,960
Negotiated (percentage) In ECUs	25% 846,125	25% 14,893	12.5% 57,270	12.5% 122,760

Total financial compensation (Article 4): ECU 1,041,048

Average price ECU/tonne: 56.21

8. ANTI-FRAUD PROVISIONS:

The financial contribution granted by the Community is utilised by Lithuania to develop its fisheries sector in accordance with Article 4 of the Agreement. The amount is administered by the Ministry of Agriculture together with the Ministry of Environmental Protection of the Republic of Lithuania.

9. ELEMENTS OF COST/BENEFIT ANALYSIS:

The Community fleet in the Baltic Sea has been severely hit by reductions in catch possibilities, mainly due to biological factors (low salinity of the water and the M-74 disease) and pollution of the water. Any increase in fishing possibilities above current critical catch levels will contribute towards preventing the fleet, and connected industries and services ashore, from collapsing and disappearing. This will also avoid, to a certain extent, payments under lay-up schemes or social programmes.

Experience has taught us that the financial compensation, similar to that paid in 1996, has mainly been used by Lithuania for the continued improvement of scientific research on fisheries and the training of fisheries managers. This has entailed improved scientific assessment and enforcement in the fishery zone of Lithuania and has contributed to a more rational exploitation of the stocks, to the benefit of all concerned in the Baltic Sea.

The expenses proposed are foreseen in the budgetary planning for the period concerned.

10. ADMINISTRATIVE EXPENSES:

The proposal does not require new Commission staff or additional administrative costs.

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