



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.11.1998
COM(1998) 685 final

Proposal for a

COUNCIL REGULATION (EC)

of December 1998

allocating for 1999 catch quotas between Member States
for vessels fishing in Estonian waters

(presented by the Commission)

EXPLANATORY MEMORANDUM

Consultations between the Community and Estonia took place in Tallinn on 19-20 October 1998 and resulted in an Agreed Record of conclusions defining a reciprocal fisheries arrangement for 1999.

These consultations were held on the basis of the Agreement on Fisheries Relations between the European Community and the Republic of Estonia, signed in Brussels on 19 December 1996.

The fisheries arrangement for 1999 provides for, *inter alia*, certain catch quotas for Community vessels in the Estonian 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 1999 to Community vessels fishing in the Estonian zone under the above mentioned arrangement.

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.

Estonia is compensated for the quotas obtained in its waters by way of a financial contribution of ECU 519,000, in accordance with Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Estonia.

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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 aquaculture¹, 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 Estonia², and in particular Articles 3 and 6 thereof, the Community and Estonia have held consultations concerning their mutual fishing rights for 1999 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 1999 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1999, the results of the consultations held with Estonia;

Whereas to ensure efficient management of the catch possibilities available in Estonian 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 policy³;

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 847/96⁴, were not agreed with Estonia;

¹ OJ No L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) n° 1181/98 (OJ No L 164, 9.6.1998, p. 1).

² OJ No L 332, 20.12.1996, p. 16

³ OJ No L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) n° 2205/97 (OJ No L 304, 7.11.1997, p. 1).

⁴ OJ No L 115, 9.5.1996, p. 3

Whereas, for imperative reasons of common interest, this Regulation will apply from 1 January 1999,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1999 vessels flying the flag of a Member State are hereby authorized to make catches within the quota limits set out in the Annex in waters falling within the fisheries jurisdiction of Estonia.

Article 2

The financial contribution provided for in Article 4 of the Agreement on fisheries relations between the European Community and the Republic of Estonia shall be set for the period referred to in Article 1 at ECU 519,000, payable to an account designated by Estonia.

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 the day of its publication in the Official Journal of the European Communities. It shall apply from 1 January 1999.

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

Done at Brussels, December 1998.

For the Council
The President

ANNEX

Allocation of Community catch quotas in Estonian waters for 1999

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

Species	ICES division	Community catch quotas	Quotas allocated to Member States	
Cod	III(d)	500	Denmark	186
			Finland	80
			Germany	84
			Sweden	150
Herring	III(d)	3,000	Denmark	1,431
			Finland	0
			Germany	1,073
			Sweden	496
Salmon	III(d)	6,750	Denmark	2,626
			Finland	2,526
			Germany	292
			Sweden	1,306
Sprat	III(d)	13,000	Denmark	7,560
			Finland	0
			Germany	2,010
			Sweden	3,430

FINANCIAL STATEMENT

1. **TITLE:** Proposal for a Council Regulation allocating for 1999 catch quotas between Member States for vessels fishing in Estonian 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 Estonian waters;
- supply the Community market; and
- decrease the fishing effort in Community waters.

4.2 **Period covered:** Year 1999

5. **CLASSIFICATION OF EXPENDITURE:**

5.1 DO

5.2 CD

6. **TYPE OF EXPENDITURE:**

Financial compensation paid for fishing possibilities in Estonian waters.

7. **FINANCIAL CONSEQUENCES:** ECU 519,000

The financial compensation provided for in Article 4 of the Agreement has been negotiated on the basis of average landing prices for 1997 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)	1,000 ¹	33.75 (6,750 units)	3,000	13,000
Weighted average landing prices 1997 (ECU/tonne)	1,096	2,397	166	100
Market value (in ECUs)	1,096,000	80,899	498,000	1,300,000
Negotiated (percentage) In ECUs	25% 274,000	25% 20,250	12.5% 62,250	12.5% 162,500

¹ 500 tons allocated in Estonia waters and 500 tons transferred to Community waters

Total financial compensation (Article 4): ECU 519,000

Average price ECU/tonne: 30.47

8. ANTI-FRAUD PROVISIONS:

The financial contribution granted by the Community is utilised by Estonia to develop its fisheries sector in accordance with Article 4 of the Agreement. The amount is administered by the Estonian Fisheries Fund.

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 previous years, has mainly been used by Estonia for the continued improvement of scientific research on fisheries and the training of fisheries managers and control activities. This has entailed improved scientific assessment and enforcement in the fishery zone of Estonia 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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DOCUMENTS

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