

COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION COMMUNICATION TO THE COUNCIL

ON THE TRANSITIONAL CONTINUANCE OF BILATERAL RELATIONS IN
THE FISHERIES SECTOR BETWEEN ITALY AND YUGOSLAVIA

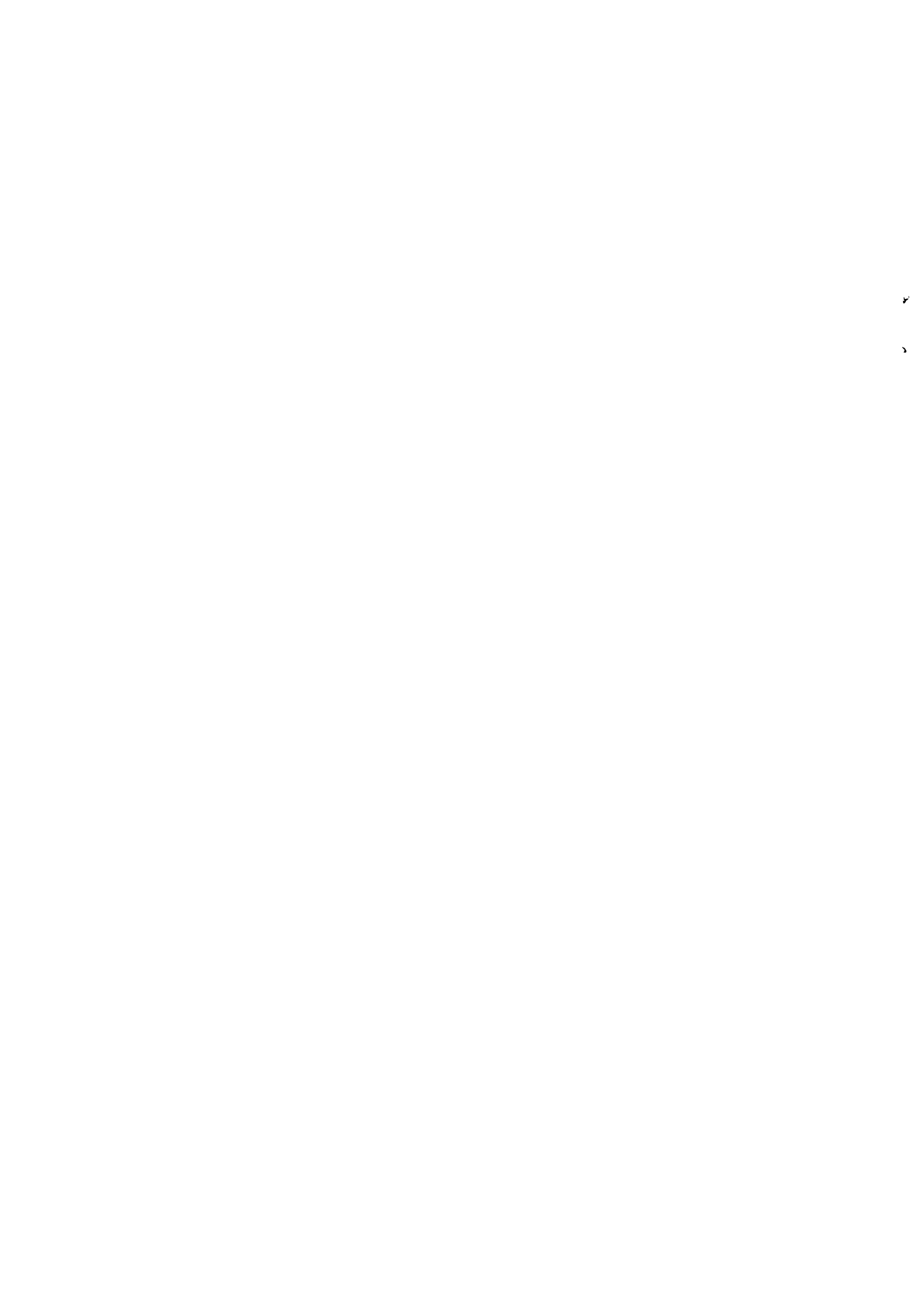
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ON THE TRANSITIONAL CONTINUANCE OF BILATERAL
RELATIONS IN THE FISHERIES SECTOR BETWEEN ITALY
AND YUGOSLAVIA

1. Exposé des Motifs

Following the decision of the Council of 13 December 1976 to authorize an extension of the bilateral fisheries agreement between Italy and Yugoslavia until 31 December 1977 at the latest pending the conclusion of a fisheries agreement between the Community and Yugoslavia, the Commission has during 1977 repeatedly invited the Yugoslavian authorities to renegotiate this agreement with the Community. It has become apparent that Yugoslavia is not at this moment prepared to open formal negotiations with the Community on this subject. In order to allow continuance of Italian fishing in Yugoslavian waters within a Community framework, the Commission proposes that the benefits of the conditions for fishing laid down in the existing agreement, which expires at the end of this year, be carried over for a further year by an exchange of letters between the Community and Yugoslavia.



2. Text of Draft Communication

1. In its Resolution of 3 November 1976, the Council agreed that it was necessary to maintain by "appropriate Community agreements" existing rights for Community fishermen in the waters of third countries. With this in view the Commission has in the course of 1977 requested the opening of negotiations between Yugoslavia and the Community with a view to concluding a fisheries agreement between the two Parties.

2. It appears that Yugoslavia is not yet prepared to embark on negotiations for a fisheries agreement with the Community as such. Moreover, in the absence of any fishing reciprocity with the Community, the Yugoslav authorities have indicated that they are only willing to allow a continuation of the existing fishing rights granted to Italian fishermen under the Italian-Yugoslav Agreement of 1973.

3. Insofar as any break in the existing fishery relations between Yugoslavia and Italy would cause considerable difficulties to the fishermen concerned, the problem arises as to how the existing agreement may best be carried over for a further year, pending the conclusion of negotiations between the Community and Yugoslavia.

4. Since the existing agreement concerns fishing within Yugoslav territorial waters, for which no possible reciprocity in fishing terms is offered by the Community, it is evident that Yugoslavia is in a position to demand another form of compensation and that the Community could decide to provide it without being inconsistent with the general position it has adopted on this subject.

5. The Commission would propose that the optimum interim solution from the Community point of view would be an exchange of letters between the Community and Yugoslavia, in which the Community would, on an interim basis, undertake the financial obligations previously incurred by Italy under the 1973 agreement. The proposed texts of such an exchange of letters is given in Annex I.

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6. The financial terms of the existing agreement and the implications of this proposal for the Community are given in Annex II. It is clear that the contribution of the Community under this arrangement would be limited to payment of a contribution supplementary to that paid by the beneficiaries of the arrangement.

Terms of Exchange of lettersa) Commission-Yugoslavia

"The Commission of the European Communities, while awaiting the opening of negotiations between Yugoslavia and the Community, is anxious to assure the maintenance of access to Yugoslavian waters for a further year from 1 January 1978 of those Community fishermen which have previously benefitted from the terms of the bilateral agreement of 15 June 1973 between Italy and Yugoslavia. To this end, the European Community is ready to assume the financial obligations previously accepted by Italy under the terms of the said Agreement, without prejudice to the terms and conditions of any future agreement to be negotiated between the European Community and Yugoslavia."

b) Yugoslavia-Community

"The Federal Secretary has taken note of the request by the Commission of the European Communities for the opening of negotiations between Yugoslavia and the Community in order to conclude a fisheries agreement.

Pending a decision by the Yugoslav authorities on this matter, and without prejudice to such a decision, the Yugoslav authorities are prepared to extend the terms of the existing agreement on sea fisheries between Italy and Yugoslavia until 31 December 1978. It notes that the European Community is ready to accept the financial obligations previously accepted by Italy under the terms of the said Agreement."

FINANCIAL IMPLICATIONS

1. Under the present Agreement, Italy pays 570 million lire (or 550,000 units of account, approximately) for access by 100 trawlers to Yugoslav waters. If one assumes that the average trawler covered by the Agreement weighs 80 tons, this charge amounts to a rate of 68,75 units of account, or about \$80 US., per ton of fishing vessel (550,000 ÷ (80 x 100)).

(This rate compares with charges of up to \$250 per ton demanded by certain African countries.)

2. It is proposed that Community financial participation be limited to the charges incurred by the Italian authorities in 1976 after deduction of reasonable fees to be paid by the fishermen themselves.
3. At the present time, the budget for 1978 as it is to be approved at any time by the budgetary authority does not contain an appropriate budgetary line to cover this expenditure. The creation of this line will therefore be proposed within the preliminary draft supplementary or corrective budget which will be presented next spring, following the Council decision on the agricultural prices proposals and connected measures.