COUNCIL DECISION

of 5 October 1987

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania

(87/517/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) and Article 354 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the Community and Mauritania have negotiated and initialled an Agreement on fishing off the coast of Mauritania, which provides fishing opportunities for the fishermen of the enlarged Community in the waters over which Mauritania has sovereignty or jurisdiction;

Whereas Decision 86/640/EEC [1] authorized Portugal to extend the fisheries cooperation agreement it concluded with Mauritania on 6 January 1984;

Whereas, pursuant to Article 155 (2) (b) of the Act of Accession, the Council is required to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, in particular with a view to the conclusion of fisheries agreements with third countries; whereas the said procedures need to be determined in this particular case;

Whereas, in addition, in order to enable fishing by vessels of the enlarged Community to continue, the two parties have initialled en Exchange of Letters providing for the provisional application of the Agreement from 1 July 1987; whereas it is therefore imperative to conclude that Exchange of Letters as soon as possible, pending conclusion of the Agreement on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Agreement are attached to this Decision.

Article 2

To take into consideration the interests of the Canary Islands, the Agreement and, to the extent required for its implementation, the provisions of the common fisheries policy on the conservation and management of fishery resources shall also apply to vessels sailing under the flag of Spain which are recorded on a permanent basis in the registers of the competent authorities at local level (registros de base) in the Canary Islands subject to the conditions defined in Note 6 of Annex I of Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in the trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands [2].

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Luxembourg, 5 October 1987.

For the Council

The President

N. WILHJELM

[1] OJ No L 376, 31. 12. 1986, p. 111.

[2] OJ No L 56, 1. 3. 1986, p. 1.