II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 29 February 1988

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, initialled at Brussels on 25 February 1988

(88/219/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 Articles 155 (2) (b), 167 (3) and 354 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the preliminary fishing arrangements concluded between the Community and Morocco on 1 August 1987 [1] expired on 31 December 1987; whereas the fishing activities of Community vessels were suspended from that date;

Whereas the Community and the Kingdom of Morocco have negotiated and initialled an Agreement concerning their relations in the sea fisheries sector which ensures fishing opportunities for fishermen of the enlarged Community in the waters over which Morocco has sovereignty or jurisdiction;

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 and Ceuta and Melilla when it adopts decisions, case by case, particularly 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 order to preserve the fishing activities of vessels of the enlarged Community, the two parties also initialled an Exchange of Letters providing for the provisional application of the Agreement from 1 March 1988; whereas it is therefore urgent that this Exchange of Letters be concluded as soon as possible, pending the conclusion of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco on maritime fishing relations 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

In order to take into consideration the interests of the Canary Islands, Ceuta and Melilla, the Agreement and, to the extent required for its application, the provisions of

[1] OJ No L 232, 19. 8. 1987, p. 19.

the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels flying 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 or in Ceuta and Melilla, under the conditions defined in note 6 of Annex I to 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 trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands (1).

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 Brussels, 29 February 1988.

For the Council

The President

W. von GELDERN

(1) OJ No L 56, 1. 3. 1986, p. 1.