II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 1 March 2002

on the conclusion of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005

(2002/220/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Under the second subparagraph of Article 14 of the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon [1], the Community and the Gabonese Republic have held negotiations with a view to determining amendments or additions to be made to that Agreement at the end of the period of validity of the Protocol annexed thereto.

(2) As a result of these negotiations, a new Protocol was initialled on 20 September 2001.

(3) Under this Protocol, Community fishermen enjoy fishing opportunities in the waters falling within the sovereignty or jurisdiction of the Gabonese Republic for the period from 3 December 2001 to 2 December 2005.

(4) In order to ensure uninterrupted fishing activities by Community vessels, it is essential that the new Protocol be applied as quickly as possible. For this reason, the two parties have initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled Protocol from 3 December 2001.

(5) The allocation of the fishing opportunities among the Member States should be defined,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005 is hereby approved on behalf of the Community.

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

[1] OJ L 308, 18.11.1998, p. 4.

Article 2

The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:

— tuna seiners:	France:	20 vessels
	Spain:	18 vessels
— surface longliners:	Spain:	20 vessels
	Portugal:	6 vessels
— trawlers	Spain:	900 GRT per month, averaged over the year
	Greece:	300 GRT per month, averaged over the year.

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 3

The Member States whose vessels fish under the Protocol shall be required to notify the Commission of the quantities of each stock caught in the Gabonese fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas [1].

Article 4

The President of the Council is hereby authorised 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, 1 March 2002.

For the Council

The President

R. DE MIGUEL

[1] OJ L 73, 15.3.2001, p. 8.