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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 306 final.

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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

concerning the proposal for a Council Regulation

(EEC) relating to certain interim measures for the conservation and management of certain herring stocks

COM(77) 306 final.



COMMUNICATION TO THE COUNCIL

1. At the 453rd meeting of the Council of 16 May the Commission submitted to the Council a proposal concerning the conservation of the stocks of herring in waters under the jurisdiction of Member States (doc. COM (77) 194).

In the course of this session the Council decided to continue the ban on herring fishing in the North Sea until June with the exception of a specific allocation to the Netherlands (1.500 tons); to ban herring fishing in the West of Scotland region during June, and to reexamine before the end of June the measures proposed by the Commission for application from July.

2. In this context, it is proposed to the Council to reexamine these problems on the basis of the Commission proposal COM (77) 194 presented on the 16 of May, but taking into account the latest available scientific advice.

This leads the Commission to propose the following amendments in annex I to this communication :

- reduction by 40 % of the quotas for the West of Scotland stock (VI a)
- a ban on fishing for herring within 12 miles of the east coast of Northern Ireland and Ireland between 53° 20' N and 54° 40' N
- a ban on fishing for herring for seven weeks beginning on the 1st of October 1977, in the parts of the Irish Sea where a similar measure has been applied by the Governments of the UK and of the Isle of Man during last year.

3. In the North Sea, continued fishing will have the effect of delaying for several years any replenishment of the stock and could even lead to its extinction. The ICES liaison Committee, in its latest report of March 1977, states that they "can only reiterate, even more strongly, the advice given on previous occasions that if the North Sea herring population is to survive, and be returned to a condition in which it can support a viable fishery, it is imperative that all directed fisheries on it are prohibited immediately."

The Commission must therefore maintain its proposal for a zero TAC for the year 1977 as the scientific evidence clearly militates in favour of that conclusion and does so also for the year 1978.

4. However, the Commission is aware that a complete ban on herring fishing in the North Sea for the rest of 1977 and for 1978 would cause the industry very serious problems in a situation of general economic recession.
5. An examination by the Commission of the extent to which the problems of the processing industry could be met by facilitating its access to herring from outside the Community, to which there is no obstacle, suggests that the possibilities nevertheless are extremely limited and the prospect of substituting another species for processing by the herring industry such as mackerel seems in the short term to be economically limited. In view of this situation the Commission considers that there should be a complete ban on direct fishing of juvenile herring in waters coming under the fisheries jurisdiction of any member State; the Commission also suggests that the fishing industry should examine whether it is possible to divert herring now used for ^{reduction to} human consumption; and the Commission considers that restrictions on by-catches should be increased where this is feasible.
6. These efforts, including the supply to the industry of catches from other than the North Sea (e.g. the Baltic Sea, Kattegat, Skagerak and West of Scotland, etc.), will not satisfy the needs of the industry which may claim that their needs can only be met by some quota from the North Sea stock; but the Commission must reply to this that any catch from the North Sea stock in 1977 and 1978 will further endanger its survival and that the result in the best of circumstances will be a very slow rebuilding of the stock necessitating an extremely strict conservation and management policy in the coming years. Taking into consideration the catches for the first half of 1977, which are estimated at about 32,500 tons and the necessity not to open up fishing to an extent which will mean the extinction of the stock only very limited quantities - of the magnitude of perhaps 15,000 tons - could be envisaged for the rest of the year.

7. This small quantity would need to be divided not only among member States but also among reciprocal countries in whose waters the Community has major fisheries interests. This would cause a severe problem - a problem which does not arise when there is zero TAC as third countries cannot reasonably allege discrimination against them when all traditional fishermen are unable to fish. The amount left for distribution among the member States, taking into account that about 6,000 tons is an inevitable by-catch of industrial fishing, would obviously be virtually nil.
8. The net result, therefore, of any suggestion to make possible a catch for the rest of this year of about 15,000 tons is either to face an insoluble problem on distribution or, when in order to solve that problem the authorised catch is raised beyond such a figure, to bring about the destruction of the North Sea herring stock.
9. Table IIa annexed shows the result if some allocation is made for all of 1977 to member States and reciprocal third countries proportional to a modified NEAFC key for 1976 and beginning from the Danish minimal by-catch of 15,000 tons. The total inevitably reaches about 84,000 tons for the year; it needs also to be noted that no further catch could be allocated to the United Kingdom which already has caught more than the 4,500 tons which would be, on this basis, its quota for the year 1977.
10. If a further table is made beginning from a presumed catch for the United Kingdom for the whole year of 8,800 tons the total figure based on the same NEAFC key reaches about 125,000 tons.



Annex I.

Amendments to doc. COM (77) 194

I. insert the following additional article

Article ..

1. Fishing for herring is prohibited from 1.7.1977 until 31.12.1977 within 12 miles from the base line off the east coast of Northern Ireland and Ireland between 53° 20' N and 54° 40' N.
2. Fishing for herring in the Irish Sea, division VII a as defined by ICES, is prohibited from 1.10.1977 until 19.11.1977 in the zone defined as follows :

Waters round the Isle of Man, and between the Isle of Man and the west coast of the United Kingdom, as delimited by a line running from CARMEL HEAD (Anglesey) to the CHICKEN ROCK (Calf of Man) lighthouse, thence clockwise round the Isle of Man, (at a distance of 12 miles from the baseline), as far as AYRE POINT (Isle of Man), thence eastward to SAINT BEES HEAD (United Kingdom).

II. Replace in Annex I the quota figures for the herring, West of Scotland (VI a) by the following :

| | | |
|----------------|---|------|
| Germany | : | 3,7 |
| Denmark | : | 0,2 |
| France | : | 1,2 |
| Ireland | : | 6,4 |
| Netherlands | : | 3,- |
| United Kingdom | : | 39,- |

ANNEXE IIa

Results of Quota calculation for North Sea Herring
for 1977 (Thousands of Tons)

based on allocating an annual quota of 15 000 tons to Denmark

(Modified NEAFC Key)

| Country | Quota 77 |
|---|----------|
| B | 0,7 |
| DK | 15,0 |
| D | 3,8 |
| F | 4,5 |
| NL | 6,2 |
| UK | 4,5 |
| EEC sub-Total | 34,7 |
| Faroës | 3,6 |
| Norway | 11,0 |
| Sweden | 1,0 |
| Iceland | 3,4 |
| Finland | 0,5 |
| Third Country Sub Total | 19,5 |
| Overrun of quotas (estimated) | 10,0 |
| Total for zone IV and VII d | 64,2 |
| Catches in Skagerrak (additional) | 20,- |
| Actual catches out of North Sea herring stock for zone IV and VII d and III a North | 84,2 |

ANNEXE II b

Results of quota calculation for North Sea Herring

for 1977 (Thousands of Tons)

based on allocating an annual quota of 8 800 tons to U.K.

(Modified NEAFC Key)

| Country | Quota 77 |
|---|----------|
| B | 1,4 |
| DK | 29,5 |
| D | 7,4 |
| F | 8,8 |
| NL | 12,2 |
| UK | 8,8 |
| EEC sub-Total | 68,1 |
| Faroes | 7,- |
| Norway | 21,6 |
| Sweden | 2,1 |
| Iceland | 6,7 |
| Finland | 0,9 |
| Third Country Sub-Total | 38,3 |
| Total for zone IV and VII d | 106,4 |
| Catches in Skagerrak (additional) | 20,- |
| Actual catches out of North Sea herring stock for zone IV and VII d and III and North | 126,4 |

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