



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.12.1995  
COM(95) 670 final

95/0338(CNS)

Proposal for a

COUNCIL REGULATION (EC)

**amending for the sixth time Regulation (EEC) No 1866/86 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound.**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

The Community is a Contracting Party to the International Baltic Sea Fisheries Commission (IBSFC), the organization that lays down rules concerning the conservation and management of fishery resources of the Baltic Sea. The Baltic Sea Commission recommends every year maximum catch levels as well as certain technical measures to ensure the conservation and responsible exploitation of fishery resources in the Baltic Sea.

The Community implements the technical measures agreed by IBSFC through Council Regulation 1866/86 as amended. At the 21st annual meeting of IBSFC, held on September 1995, certain new technical measures have been adopted to apply as of 1996. These measures concern the closed seasons for the cod fishery and the salmon and sea trout fishery.

The Community is bound to implement the measures recommended by IBSFC subject to the objection procedure laid down in the International Baltic Sea Convention. In the case of the technical measures adopted at the last meeting of IBSFC, there is no ground for an objection. Consequently, the Community must implement the said measures as of 1996. To this effect, it is proposed that Council Regulation 1866/86 be amended for the sixth time.

**Proposal for  
COUNCIL REGULATION (EC) No.  
of  
amending for the sixth time Regulation (EEC) No 1866/86 laying down certain  
technical measures for the conservation of fishery resources in the waters of the  
Baltic Sea, the Belts and the Sound.**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and, in particular, Article 43 thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion from the European Parliament<sup>2</sup>,

Whereas, under Articles 2 and 4 of Council Regulation (EEC) No. 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture<sup>3</sup>, the Council is responsible for adopting, in the light of the available scientific advice, the conservation measures necessary to ensure the rational and responsible exploitation of living marine resources on a sustainable basis; whereas, to that end, the Council may lay down technical measures concerning fishing gear and the ways in which it is used;

Whereas Regulation (EEC) No 1866/86<sup>4</sup> lays down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound;

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3 OJ No L 389, 31.12.92, p.1

4 OJ No L 162, 18.06.1986, p.1. Regulation as last amended by Regulation (EC) No 2250/95 (OJ No L 230, 27.09.95, p.1).

Whereas the International Baltic Sea Fishery Commission, set up by the Baltic Sea Convention and hereinafter referred to as the "Baltic Sea Commission", lays down the rules governing fishing operations in the Baltic Sea;

Whereas by letter of 11 September 1995 the International Baltic Sea Commission notified the Contracting States of certain recommendations, adopted at the 21st session of the Commission, to modify, among other things, the technical measures;

Whereas the International Baltic Sea Convention (hereinafter referred to as the Gdansk Convention) provides that the Community must give effect to the said recommendations in the waters of the Baltic Sea, the Belts and the Sound, subject to the objection procedure laid down in Article XI of the Convention; whereas there are no grounds for such objections.

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1866/86 is hereby amended as follows:

1. In Article 2.1 the provisions concerning salmon (*Salmo salar*) and sea trout (*Salmo trutta*) shall be replaced by the following:

"Salmon (*Salmo salar*) and sea trout (*Salmo trutta*)<sup>(1)</sup> :

With drifting or anchored nets:	15 June - 30 September
in subdivisions 29,30 and 31 north of 59°30' N:	1 June - 15 September
With drifting lines and anchored lines:	1 April - 15 November
in subdivisions subdivision 32:	1 July - 15 September

<sup>(1)</sup> The area of prohibition during the closed season is beyond four nautical miles measured from the baselines, except in subdivision 32 and the area east of longitude 22°30' E (Bengtskar lighthouse) inside the Finnish fishery zone

where the fishing with drifting lines and anchored lines is prohibited from 1 July to 15 September"

3. Footnote <sup>(4)</sup> of Annex IV is replaced by the following:

"<sup>(4)</sup> With the exception of subdivision 22-24 where normal trawls and danish seines with a mesh opening of 90 mm are allowed."

*Article 2*

This regulation shall enter into force on 1 January 1996.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The president



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