



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.10.1996
COM(96) 489 final

96/0244 (CNS)

Proposal for a
COUNCIL REGULATION (EC)
**introducing arrangements for the management of fishing effort
in the Baltic Sea**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Under the Act of Accession of Austria, Finland and Sweden, provision is made for the arrangements governing access to waters specified in the Act to continue to apply during a transitional period ending on the date of implementation of the Community fishing permit system and not later than 31 December 2002.

The implementation of the Community arrangements under Council Regulation (EC) No 1627/94 on special fishing permits¹ implies that the Council will determine the conditions for access to waters and decide on the application of those arrangements in accordance with Article 4 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture².

In order to integrate Sweden and Finland gradually into the common fisheries policy, the Commission is providing first for the termination of the transitional arrangements governing access to the waters of the Baltic Sea by establishing arrangements for fishing effort in the areas of the Baltic Sea falling under the sovereignty or within the jurisdiction of the Member States.

These arrangements provide for the *a posteriori* monitoring by Member States of the fishing effort deployed by Community vessels in the fisheries concerned, mainly through

- the defining of fisheries in the Baltic Sea,
- the preparation by the Member States of lists of named vessels flying their respective flags and authorized to enter the fisheries;

¹ OJ No L 171, 6. 7.1994, p. 7.

² OJ No L 389, 31.12.1992, p. 1.

- the issue of special fishing permits by the Member States to vessels flying their flag authorized to fish in those fisheries;

- the amendment of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the CFP³, in particular as regards the recording of data on fishing effort in the logbook, the procedures for sending the lists of named vessels to the Commission, the collection of data on fishing effort by the Member States and the forwarding of the assembled data on fishing effort to the Commission.

This proposal lays down the procedure for the introduction of these arrangements.

³ OJ No L 261, 20.10.1993, p. 1.

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COUNCIL REGULATION (EC)
**introducing arrangements for the management of fishing effort
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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 Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Whereas, under the terms of the Act of Accession of Austria, Finland and Sweden, transitional arrangements governing access to waters are to apply until the Community system of special fishing permits is introduced;

Whereas these arrangements imply that Community measures will be adopted laying down the conditions of access to waters and resources and for the pursuit of fishing activities;

Whereas data need to be collected on the fishing effort deployed by Community vessels in the fisheries to which the arrangements apply in order to obtain a clearer understanding of the exploitation of those fisheries;

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Whereas it is the responsibility of the flag Member State to introduce arrangements for monitoring fishing effort; whereas it is necessary therefore to ensure the transparency and fairness of the management and control procedures;

Whereas the monitoring of fishing effort in the Baltic Sea will not prejudice the setting by the Council of levels for fishing effort in accordance with the procedure laid down in Article 8 of Regulation (EEC) No 3760/92 in particular to take account of the condition of resources in that area,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation establishes the procedure for the introduction of a system for the management of fishing effort in the IBSFC areas (subdivisions 22 to 32) falling under the sovereignty or within the jurisdiction of the Member States.

The system shall take effect on 1 January 1998.

Article 2

1. The Member States shall draw up lists of named fishing vessels flying their respective flags which are authorized to engage in fishing activities in the fisheries defined in the Annex hereto.
2. The Member States may include other vessels on their lists of named vessels at a later date, provided there were entitlements to fish at the time that the reference lists were established.

3. The Member States may at a later date replace the vessels entered on their lists of named vessels.

Article 3

Each Member State shall issue special fishing permits in accordance with Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits⁴ for vessels flying its flag which engage in fishing activities in the fisheries referred to in the Annex.

Article 4

1. Member States shall send the Commission by 30 March 1997 at the latest information concerning the lists of named vessels referred to in Article 2.
2. Member States shall notify the Commission at regular intervals of any changes to the information referred to in paragraph 1.
3. The Commission shall forward the information referred to in paragraphs 1 and 2 to the Member States.

Article 5

The Council, where necessary, acting in accordance with the procedure laid down in Article 8(4) of Regulation (EEC) No 3760/92 may set levels for fishing effort taking into account in particular the condition of stocks in the fisheries referred to in the Annex hereto.

⁴ OJ No L 171, 6.7.1994, p. 7.

Article 6

1. Member States shall take steps to ensure *a posteriori* monitoring of the fishing effort deployed by vessels flying their flag in the fisheries referred to in the Annex.
2. Before 31 December 1997, the Council shall take a decision on a proposal submitted by the Commission, by 30 June 1997 at the latest, for amendments to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy and in particular as regards Title IIa on the recording of data on fishing effort in the logbook, the procedures for forwarding the lists of named vessels to the Commission, the collection of data on fishing effort by the Member States and the forwarding of the assembled data on fishing effort to the Commission, in order to ensure compliance with the arrangements for the management of fishing effort referred to in this Regulation.

Article 7

1. This Regulation shall apply to vessels of more than 15 metres between perpendiculars.
2. The fishing effort of vessels below that limit shall be assessed globally for each fishery.

Article 8

This Regulation shall enter into force on the seventh day following its publication in the Official Journal of the European Communities.

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

Done at Brussels,

For the Council

ANNEX

DEFINITION OF FISHERIES

Fishery		
Gear	Target species	IBSFC areas
Towed gear	Demersal species	Subdivisions 22-32 of which: subdivisions 22-24 subdivisions 25-32
Static gear and driftnets	Demersal species	Subdivisions 22-32 of which: subdivisions 22-24 subdivisions 25-32
Purse seine Pelagic trawl Small-meshed driftnet	Pelagic species (herring, sprat)	Subdivisions 22-32 of which: subdivisions 22-23 IBSFC Management Unit 3* subdivisions 22-32 excl. Man. Unit 3
Longline driftnet	Salmon, sea trout	Subdivisions 22-32 of which: subdivisions 24-31 subdivision 32
Other gear	Salmon, sea trout	Subdivisions 22-32 of which: subdivisions 24-31 subdivision 32

* As defined in the Convention on fishing and conservation of the living resources in the Baltic Sea and the Belts

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