

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 436 final

Brussels, 24th July 1981

PROPOSAL OF A COUNCIL DECISION

concerning the modification of the Agreement, establishing fishing arrangements between the European Economic Community and the Kingdom of Norway for 1981

PROPOSAL FOR A COUNCIL REGULATION (EEC)

amending Regulation (EEC) No. 849/81 laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

(presented by the Commission to the Council)

COM(81) 436 final

EXPLANATORY MEMORANDUM

At its meeting in July 1981 the Advisory Committee for Fisheries Management of the International Council for the Exploration of the Sea (ICES) revised its recommendations as to the total allowable catches in 1981 for certain fish stocks in the North Sea and in the waters West of Scotland.

In the light of these revised recommendations the Community and Norway held talks on 14 and 15 July 1981 in order to review their decisions on the management of the stocks in question. The delegations agreed to recommend to their authorities that the TACs for cod and haddock in the North Sea should be increased in accordance with the revised recommendations of the ICES ; agreement was also reached on the sharing of the amended TACs between the two parties and on allocation of a herring quota to Norway in the waters West of Scotland. The delegations further agreed on a TAC for North sea herring.

At the conclusion of these consultations the heads of delegations initialled an exchange of letters modifying the Agreement establishing fishing arrangements between the Community and Norway for 1981.

The Commission proposes that the Council, after consultation of Parliament, approves the conclusions of these consultations by adopting the draft decision annexed hereto.

On the same occasion the Council is also invited to adopt the Regulation proposed hereby. The purpose of this Regulation is to implement provisionally the conclusions of these consultations by amending the quotas laid down in Council Regulation (EEC) No. 849/81 for Norwegian vessels in the fishing zones of the Member States of the Community.

PROPOSAL OF
COUNCIL DECISION

concerning the modification of the Agreement, establishing fishing arrangements between the European Economic Community and the Kingdom of Norway for 1981

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas by Council decision 81/205/EEC of 27 March 1981, the Agreement in the form of an exchange of letters, establishing fishing arrangements between the European Economic Community and the Kingdom of Norway (2) has been approved ;

Whereas in July 1981 the International Council for the Exploration of the Sea (ICES) revised its recommendations on the total allowable catches for certain fish stocks in the North Sea ;

Whereas the Community and Norway have held consultations in accordance with the procedure provided for by the Fisheries Agreement between the European Economic Community and the Kingdom of Norway and in particular Article 2 thereof, concerning the revision of the recommendations of the ICES ; (3)

Whereas at the conclusion of these consultations the two delegations initialled an exchange of letters modifying the Agreement, approved by Council decision 81/205/EEC ;

(1) O.J. No.

(2) O.J. No. L 87, 1.4.1981, p. 17

(3) O.J. No. L 226, 29.8.1980, p.47

Whereas it is in the Community's interest to approve the initialled exchange of Letters ;

HAS DECIDED AS FOLLOWS :

Article 1

The Agreement, in the form of an exchange of letters modifying the Agreement establishing fishing arrangements between the European Economic Community and the Kingdom of Norway for 1981, is approved in the name of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is authorized to designate the persons empowered to sign the exchange of letters binding the Community.

Done at Brussels,

For the Council
The President

AGREED RECORD OF CONCLUSIONS OF FISHERIES CONSULTATIONS BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND NORWAY - Brussels, 14/15 July 1981.

1. A delegation from the EEC and a delegation from Norway met in Brussels on 14-15 July 1981 to consult, within the framework of the Agreement on Fisheries between the EEC and Norway, on certain matters concerning their mutual fishery relations.

2. The delegations examined the implications that recent ICES recommendations concerning the revision of TAC's for certain stocks of mutual interest might have for the fishery arrangements established in the Agreement, in the form of an exchange of letters, signed in Brussels on 11 May 1981.

3. The heads of delegations initialled the attached exchange of letters concerning the amendments to the fishery arrangements referred to in para 2. The Norwegian delegation pointed out that it is of the greatest importance that the fishery for herring in ICES division VIa be opened as soon as possible and in no case later than 28 July 1981.

The delegations therefore undertook to recommend to their respective authorities that they apply these amendments provisionally at the latest from 28 July 1981.

4. The delegations discussed whether the ACFM recommendation implies that the different components of North Sea herring populations should be considered for management purposes as one single stock or several separate stocks. The delegations were unable to reach a conclusion on this question but agreed that this matter should be reconsidered in future consultations if new scientific information becomes available.

The delegations further discussed the zonal attachments of these stocks but were unable to agree on this question.

In spite of these differences the delegations agreed on the TAC for North Sea herring set out in the tables attached to the initialled exchange of letters. The delegations further agreed that the provisions contained therein should be

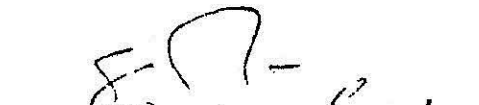
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without prejudice to future arrangements. The inclusion in these tables of a TAC for herring in ICES divisions IVc and VIId is without prejudice to the question whether North Sea herring should be considered for management purposes as one or several stocks.

5. The Norwegian delegation stated that the absence of a Norwegian quota of North Sea herring in ICES division IVc in 1981 follows from the way Norway plans to carry out its fishery in 1981 and that Norway consequently would not need a North Sea herring quota in that division for this year.

Brussels, 15 July 1981


R. SIMONNET


T.S. PAULSEN

Sir,

With reference to the consultations which have been held between the European Economic Community and the Kingdom of Norway pursuant to Article 2 of the Agreement on fisheries between the Parties I have the honour to propose that the tables to the Agreement, in the form of an exchange of letters, establishing fishing arrangements between the European Economic Community and the Kingdom of Norway for 1981, signed in Brussels on 11 May 1981 be replaced by the tables annexed hereto.

I would be grateful if you would confirm your Government's agreement to this proposal.

Please accept, Sir, the assurance of my highest consideration.

For the Council of the European
Communities

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

"With reference to the consultations which have been held between the European Economic Community and the Kingdom of Norway pursuant to Article 2 of the Agreement on fisheries between the Parties I have the honour to propose that the tables to the Agreement, in the form of an exchange of letters, establishing fishing arrangements between the European Economic Community and the Kingdom of Norway for 1981, signed in Brussels on 11 May 1981 be replaced by the tables annexed hereto.

I would be grateful if you would confirm your Government's agreement to this proposal."

In reply, I have the honour to confirm that the Government of the Kingdom of Norway is in agreement with your proposal.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Kingdom of Norway

TABLE 1

QUOTAS FOR SOME JOINT STOCKS IN THE NORTH SEA IN 1981 (Thousand metric tons)

SPECIES AND ICES AREAS	TAC ²⁾	Zonal attachment				Transfer from N to EEC	Transfer from EEC to N	Quota to Norway		Quota to EEC	
		Norway		EEC				Total	EEC-zone(1)	Total	N-zone(1)
		%	1000t	%	1000t						
Cod IV	220	17	37	83	183	22	-	15	8	205	27
Haddock IV	140	23	32	77	108	20	-	12	6	128	31
Saithe IV & IIIa	127	52	66	48	61	6	-	60	20	67	23
Whiting IV	150	10	15	90	135	-	-	15	7	135	10
Plaice IV	105	7	7	93	98	6	-	1	0,5	104	13
Mackerel IV & IIIa (3)	40	-	-	-	-	-	-	27,3	6	11,7	2,5(4)
Herring IV + VIId	20 ⁽⁵⁾	-	-	-	-	-	-	-	-	20	-

(1) Any part of this allocation not taken may be added to the allocation in the party's own zone

(2) If the TACs should be increased, the quotas of both parties will be increased in proportion to the zonal attachment

(3) Covers all mackerel fishing in these areas, including the component of the western mackerel stock

(4) Fishing within 40 n. miles of Norwegian baselines south of 59° N is prohibited for vessels over 90 feet.

Fishing may not start before the Norwegian purse seine fishery is commenced.

(5) May only be fished in ICES divisions IVc + VIId.

JOINT STOCK QUOTAS 1981 (Thousand metric tons)

SPECIES AND ICES AREAS		TAC	QUOTA TO NORWAY IN EEC ZONE	QUOTA TO EEC IN NORWEGIAN ZONE
Mackerel	IIa)	10(8)		
Norway pout (2)	IV		20 } (3)	50 } (3)
Sandeel	IV		30 }	150 }
Blue whiting	II, VIa(1) VIb) VII(4) & XIV		120	4
Blue ling	IV, Vb, VI, VII		1 }	
Ling	IV, Vb, VI, VII		15 } (5)(6)	
Tusk	IV, Vb, VI, VII		5 }	
Dogfish	IV, VI & VII		6 (7)	
Basking shark (liver)	IV, VI, VII		0,8	
Porbeagle	IV, VI, VII		1	
Others (excl. by-catches of horse-mackerel)	IV		5	5

- (1) North of 56°30'.
- (2) Including blue whiting
- (3) Within a total quota for Norway pout and sandeel up to 20 may be interchanged.
- (4) West of 12°W
- (5) The quota for ling and tusk are interchangeable of up to 2 and may only be fished by long-liners
- (6) Or which a by-catch of 20 % of cod per vessel per trip is permitted in ICES VI + VII. This total by-catch in VI + VII may not exceed 1t of which maximum 0,3 of cod.
- (7) Except catches between 6 and 12 n. miles according to the Anglo-Norwegian Fishery Agreement of 1964.
- (8) Reserved for Norway. Experimental fishery.
It is understood that this limitation will apply on the condition that vessels from other countries are subject to appropriate quota restrictions in this area.

EXCLUSIVE STOCK QUOTAS 1981

Table 3

Thousand metric tons

FISHERY ZONE	SPECIES	ICES AREAS	TO EEC in the Norwegian zone	TO NORWAY in the EEC zone
NORWEGIAN	Arcto-Norwegian Cod	I, IIa and IIb	12,8	
	Arcto-Norwegian Haddock (by-catches)	"	4,2	
	Saithe	"	8	
	Redfish	"	10 1)	
	Greenland Halibut	"	0,5	
	Others (by-catches)	"	1	
E.E.C.	Mackerel	VIa ²⁾ and VIId, b ³⁾ , f ⁴⁾		20
	Herring	VIa(8)		10
	Sprat	IV		71
	Shrimp	NAFO 1		1
		XIV		3 5)
	Greenland halibut	XIV		0,6 ⁶⁾
		NAFO 1		0,6 ⁶⁾
	Others ⁷⁾	VI & VII		

- 1) Of which no more than 5 *Sebastes Mentella* may be fished in a directed fishery in ICES subarea IIb and that part of IIa which falls to the north of 71°15'N and west of 20°E. 5 *Sebastes Marinus* may be fished in a directed fishery north of 68°00'N. These quotas include by-catches of up to 20% in areas where a directed fishery for redfish is prohibited.
- 2) North of 56°30'N. Fishing is prohibited from 1 March - 30 April 1981.
- 3) Except west of 5°W from 15 February to 14 December 1981.
- 4) Except south of 50°30'N from 15 February to 14 December 1981.
- 5) Experimental fishery, subject to specific requirements.
- 6) May only be fished by long liners. Bycatches of halibut may not exceed 10%.
- 7) Unavoidable by-catches of pelagic species.
- 8) North of 56°30'N

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No. 849/81 laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council regulation (EEC) n° 2214/80 of 27 June 1980 (1) and to the annexed Agreement on Fisheries between the European Economic Community and the Kingdom of Norway and in particular to Article 2 paragraph 1 thereof,

Having regard to the proposal from the Commission,

Whereas the Council adopted on 27 March 1981 Regulation (EEC) No. 849/81 laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (2), as amended by Regulation (EEC) No. 1418/81 (3) ;

Whereas the Council has adopted on the basis of Article 103 of the Treaty Regulation (EEC) n° 1418/81 increasing the quota of blue whiting provided for in Regulation (EEC) No. 849/81 to 120,000 tonnes subject to its being included at a later date in the common agricultural policy ;

Whereas in July 1981 the International Council for the Exploration of the Sea (ICES) revised its recommendations on the total allowable catches for certain fish stocks in the North Sea ;

Whereas the Community and Norway have held consultations in accordance with the procedure provided for by the Fisheries Agreement between the European Economic Community and the Kingdom of Norway and in particular Article 2 thereof, concerning the revision of the recommendations of the ICES ;

(1) O.J. No. L 226, 29.8.1980, p. 47

(2) O.J. No. L 87, 1.4.1981, p. 17

(3) O.J. No. L 142, 28.5.1981, p. 7

Whereas at the conclusion of these consultations the two delegations initialled an exchange of letters modifying the Agreement, approved by Council decision 81/205/EEC ;

Whereas the delegations agreed to recommend to their authorities that pending the formal entry into force of these modifications they should nevertheless apply at the latest from 28 July 1981 ;

Whereas it is therefore necessary to amend Regulation (EEC) n° 849/81 provisionally, subject to its later inclusion in a definitive system to be adopted under Article 43 of the Treaty,

HAS ADOPTED THIS REGULATION :

Article 1

Annex I of Regulation (EEC) n° 849/81 shall be replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 January until 31 December 1981.

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

Done at

For the Council
The President

ANNEX

ANNEX I

Fishing quotas

Species	Area within which fishing is authorized	Quantity (tonnes)
Mackerel	ICES IV and Skagerrak (1)	6 000
Herring	ICES VI a) (2) VII d), e), f), h)	20 000
Sprat	ICES VI a) (2)	71 000
Cod	ICES IV	8 000
Haddock	ICES IV	6 000
Saithe	ICES IV and Skagerrak (1)	20 000
Whiting	ICES IV	7 000
Plaice	ICES IV	500
Sand-eel, Norway pout, blue whiting	ICES IV	50 000 (3)
Blue whiting	ICES II, VI a) (2), VI b), VII (4), XIV, V a)	120 000
Blue ling	ICES IV, VI, VII, Vb	1 000 (5)
Ling and tusk	ICES IV, VI, VII, Vb	20 000 (5) (6)
Dogfish	ICES IV, VI, VII	6 000 (7)
Basking shark (8)	ICES IV, VI, VII	800 (7)
Porbeagle	ICES IV, VI, VII	1 000
Northern deep-water prawn (Pandalus borealis)	NAFO I (9) ICES XIV + V a)	1 000 3 000 (10)
Greenland halibut	NAFO I ICES XIV + V a)	600 (11) 600 (11)
Other species (excluding by-catches of horse-mackerel)	ICES IV	5 000

(1) Limited in the west by a line drawn from the lighthouse of Hansholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.

(2) North of 56°30'N.

(3) Of which sand-eel alone no more than 50 000 tonnes or Norway pout and blue whiting together no more than 40 000 tonnes.

(4) West of 12°W.

(5) Of which a by-catch of 20 % of cod per ship, per voyage, is authorized in ICES sub-areas VI and VII. The total magnitude of by-catches should not exceed 1 000 tonnes of which not more than 300 tonnes should be cod.

(6) Of which ling may be a maximum of 17 000 tonnes and tusk a maximum of 7 000 tonnes.

(7) This quota does not include catches taken in the areas defined in Annex II.

(8) Basking shark liver.

(9) South of 68°N.

(10) Experimental fishery only.

(11) By-catches of halibut should not exceed 10 %.

