

## EUROPEAN PARLIAMENT

# Working Documents

1978 - 1979

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6 July 1978

DOCUMENT 228/78

6 (CST 23) (1)

446.43

## Report

drawn up on behalf of the Committee on Agriculture  
on the proposals from the Commission of the European  
Communities to the Council for

- I. a regulation laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks (Doc. 211/78)
- II. a regulation allocating catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone (Doc. 220/78)
- III. a regulation allocating catch quotas between Member States for vessels fishing in Faroese waters (Doc. 224/78)

Rapporteur: Mr W. HUGHES

PE 54.185/fin.

1.2.4.



By letters of 23 June 1978, 30 June 1978 and 4 July 1978, the President of the Council of the European Communities requested the European Parliament, pursuant to Article 43 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council for :

- I. a regulation laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks;
- II. a regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone;
- III. a regulation allocating certain catch quotas between Member States for vessels fishing in the waters of the Faeroe islands.

The President of the European Parliament referred these proposals to the Committee on Agriculture as the committee responsible.

The Committee on Agriculture appointed Mr Hughes rapporteur.

It considered these proposals at its meeting of 4 July 1978.

At the same meeting, the committee unanimously adopted the motion for a resolution and explanatory statement.

Present: Mr Kofoed, chairman: Mr Liodier, vice-chairman: Mr Hughes vice-chairman and rapporteur, Mr Andersen, Mr Brégégère, Mr Corrie, Mr Dewulf, Mrs Dunwoody, Mr Durand, Mr Fröh, Mr Howell, Mr Klinker, Mrs Krouwel-Vlam, Mr Lemp, Mr L'Estrange, Mr McDonald (deputizing for Mr Pisoni) and Mr Scott-Hopkins.

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The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a regulation laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks
- II. a regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone;
- III. a regulation allocating certain catch quotas between Member States for vessels fishing in the waters of the Faeroe islands.

The European Parliament,

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 206 final), (COM(78) 322 final), (COM(78) 324 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 211/78, 220/78 and 224/78),
- having regard to the report of the Committee on Agriculture (Doc. 228/78),
- having regard to the proposal from the Commission of the European Communities to the Council for a regulation establishing a Community system for the conservation and management of fish resources (Doc. 373/76)<sup>1</sup>
- having regard to the opinion of the European Parliament thereon (Doc. 474/76)<sup>2</sup>,
- having regard to the resolution of the Council of 3 November 1976 adopted at The Hague,
- whereas it is essential to conserve the biological resources of the sea by means of a fishing policy based on the establishment of scientifically derived quotas and management policies,
- whereas there exists a very dangerous depletion of herring stocks in the North Sea, the Irish Sea and the North East Atlantic, which threatens the continued existence of the herring fishing industry,

<sup>1</sup>OJ No. C 255, 28.10.1976, p.3

<sup>2</sup>OJ No. C 57, 7.3.1977, p.44

- whereas the Council has failed to adopt a policy for the conservation and management of fish resources,
- whereas that failure prevents the reaching of agreements with third countries to allow for mutual fishing in the respective exclusive economic zones,

#### Conservation measures for herring

1. Believes that all measures required to conserve herring stocks in Community waters should be taken immediately;
2. Regrets the delay on the part of the Community in adopting measures to preserve herring stocks;
3. Approves the Commission's proposal to ban herring fishing off West Scotland and for the Mourne and Manx stocks, until 31 December 1978, and to maintain the zero quota in the North Sea and herring quotas in the West Celtic Sea, the Irish Sea and West Ireland;
4. Believes it essential, at the same time, to adopt all necessary measures to restrict bycatches of herring to the absolute minimum which is technically possible;
5. Points out, at the same time, that such measures would create serious social problems in regions particularly dependent upon herring fishing and the related processing industries, but believes that the repercussions should be limited by suitable structural measures;
6. Requests the Commission to come forward before the end of 1978 with a communication on measures which will be required beyond 1978 to maintain herring stocks, and the problems facing other principal fish species.

#### Control measures

7. Reminds the Council that quotas in themselves are not sufficient to ensure control of fishing levels, and calls for effective permits and licensing to cover boats, equipment, fishing skippers, and the number of days on which boats may operate, as a basic minimum;
8. Believes, furthermore, that fishing plans, similar to those proposed for West Ireland, should be drawn up for each zone for which quotas for herring fishing have been proposed.

Allocation of quotas in Norwegian and Faeroese waters

9. Points out that the Commission base their proposed allocation of quotas to Member States for fishing in Norwegian and Faeroese waters upon recent fishing patterns, while taking into account losses suffered by fishermen as a result of the implementation of a Community fisheries conservation policy and the extension of fishing zones by third countries;
10. Approves, therefore, the Commission's proposals;
11. Requires greater information from the Commission concerning the means by which overfishing of quotas by Community fishermen in third country zones is to be prevented; and considers that the control and reporting procedures should be strengthened along the lines proposed by the Commission in the basic regulations for fishing in the Community's zone;
12. Urges the Commission to ensure that overfishing in the Norwegian and Faeroese zones by fishermen of individual Member States will not lead to a reduction in quotas granted to fishermen from other Member States.

EXPLANATORY STATEMENTThe purpose of the Commission's proposals

1. The background to the three proposals and one communication of the Commission is the general over-fishing of herring in the North Sea, which has reached such proportions as to create an imminent danger of the collapse of herring resources.

2. The Community is faced with two clear choices:

- (a) either to continue fishing at existing levels, which have fallen sharply in recent years following the reduction of stocks, and to face the possibility that in a period of two years major herring stocks will be extinct;
- (b) or to impose those restrictions on fishing necessary to allow stocks to recover and so safeguard the future existence of the herring fishing industry.

The level of catches required to allow for the recovery of stocks are so low as to present insurmountable problems in its allocation between Member States and those Third Countries with fishing rights in Community waters. Consequently the only possible solution is to impose a total ban on herring fishing throughout 1977 and 1978.

The choice before the Community is quite stark, either to ban herring fishing in the short-term or to destroy completely the long-term prospects for herring fishing.

3. The European Parliament, in a report adopted in October 1977, endorsed the principles behind the present proposals and communication<sup>1</sup>.

Interim measures adopted by the Council

4. During 1977 the Council adopted a number of interim measures to preserve herring stocks: to forbid the directed catching of herring by direct fishing in the North Sea (sub-zone IV and division VII(d)); in the Bristol Channel (division VII(f)), and to establish quotas for direct herring fishing in the west of the Celtic Sea, the Irish Sea, West Ireland and West Scotland. The Council agreed on a regulation banning fishing for Norway Pout from 1 September until 15 October 1977 in order to conserve stocks of young haddock and whiting which might otherwise be caught as by-catches and afterwards established a "Pout Box" within which pout fishing would not be allowed<sup>2</sup>. The Council also agreed to a proposal

<sup>1</sup>(Doc. 280/77), report drawn up by Mr Hughes

<sup>2</sup>See reports drawn up by Mr Hughes (Doc. 280/77)

for a ban on the direct fishing and the landing of herring intended for industrial purposes.

5. Given the failure of the Council to reach any agreement on a common fisheries policy during 1977, such measures were adopted and prolonged on a month to month basis. In the final meetings throughout 1977, the clock was stopped to allow all provisional measures to continue until 31 December 1977. From 1 January 1978, have continued on a national basis, with the sanction of the Commission, on the condition that they were drawn up and implemented in a manner consistent with the objectives of the Common Fisheries Policy.

Eight Member States are to implement the Commission's conservation quota proposals; the United Kingdom still reserves its position until there is final agreement on the main lines of a fisheries policy.

Clearly a fisheries conservation policy could be implemented effectively in this manner. Moreover, serious political strains are being created within the Community since there is no assurance that, in a policy implemented on a national basis, unfair discrimination between Member States will not occur.

#### The Commission's proposal

6. The Commission believes that the dangers facing herring stocks are such that immediate decisions are required.

At the same time, the Commission points out that the situation of the herring stocks off West Scotland (and including Donegal Bay) is deteriorating rapidly. It proposes, therefore, that fishing in that area should be suspended until 31 December 1978.

In order to prevent fishing vessels excluded from this zone creating greater pressure on stocks elsewhere by a diversion of fishing effort to other zones, the Commission believes it to be essential that quotas for herring fishing be established in all zones, and not merely off West Scotland.

The Commission also proposes that direct fishing for herring off the Mourne stocks shall be prohibited until the end of 1978 and for the Manx stock between 1 October to 19 November 1978.

The Commission also proposes by-catch restrictions as follows:

- (i) A limit by weight in respect of each voyage of 10% for catches of sprat and 5% respectively for catches of Norwegian pout, sand eels and other species. In the Kattegat, these limits shall be 15% and 5% respectively.
- (ii) By-catches in the North Sea and the Skagerrak, calculated on an annual basis, may not, however, exceed 10,400 tonnes for Denmark, 1,150 tonnes for the United Kingdom, 285 tonnes for Germany and 165 tonnes for the other Member States.

#### The situation of herring stocks

7. Until recently Member States, collectively and individually, have largely ignored the clear scientific evidence available in recent years demonstrating the dangerous state of herring stocks. The failure to act since 1975 to take measures to prevent the destruction of those stocks has created the situation in which the measures proposed cannot be avoided. Catches in 1976 were less than half of those in 1975 in the North Sea, 1,423 tonnes as against 3,753 tonnes. The low level of catches was mainly due to scarcity of fish; but though catches were lower than the preceding three years, according to the experts they are still twice the level which gives a maximum yield.

8. The situation in the North Sea is the most dramatic, but for each of the major stocks of herring there are serious dangers.

##### (a) North Sea and the Skagerrak

The North Sea Atlantic Fisheries Commission consequently recommend that it is imperative that the prohibition on all direct fishing of herring in the North Sea be maintained throughout the remainder of 1978 and the whole of 1979. According to the experts, even in the absence of direct fishing in this period, the spawning stock would remain dangerously low and would not give a higher recruitment level until 1979. The 1975 and 1976 year classes are very weak, continuing the series of weak year classes recruiting to the North Sea in recent years. There is no evidence of a recovery of the spawning stock, so that further measures to reduce by-catches are required.

The Skagerrak is an important nursery for the North Sea herring and perhaps the West Scotland stock. Catches have progressively declined in the last decade from a peak of 280,000 tonnes in 1967 to 14,000 tonnes in 1976 but sharply increased in 1977 to 38,000 tonnes. The herring fish of the North Sea and Skagerrak stocks are inter-dependent and cannot be managed separately. In recent years very high catches of juvenile herring have been recorded in the Skagerrak and Kattegat. There is a strong probability that some of these juvenile fish would have been

recruited to the North Sea Herring Stock. Restrictions concerning minimum landing sizes and mesh sizes, by-catches and trawling and purse seining have been introduced. It is further recommended that a minimum landing size 9 15 cm be imposed in the Kattegat.

Autumn spawning herring from the Western Kattegat were formerly of considerable importance to the Skagerrak fishery, but this stock declined very sharply in the late 1960's and is now almost extinct.

(b) Celtic Sea

The average adult biomass in the Celtic Sea declined from 85,000 tonnes in 1965/69 to 10,000 tonnes in 1976. Even with prohibition of fishing during 1978, the stock remains below the level considered necessary to ensure its recovery, so that a ban on fishing should be considered for 1979. Despite the ban, 3,000 tonnes were taken in 1977/78 season. ICES recommend therefore, that in addition to a ban in 1978/79, all landing of by-catches of herring from this area should be forbidden.

(c) Bristol Channel

In recent years there has been a marked increase in catches taken from the Bristol Channel. There is as yet little scientific information on the nature of the stocks, but it is possibly part of the Celtic Sea stock. A total allowable catch of 1,000 tonnes (highest level prior to 1975) should be introduced.

(d) West Scotland

The West Scotland biomass in 1972 was 670,000 tonnes and fell to 206,000 tonnes in 1977. This was despite a reduced catch in 1975, 1976 and 1977, mainly due to lower Irish and British catches, since other countries maintained fishing at 1975 level. The catch in 1975 was 141,000 tonnes, in 1976, 111,000 tonnes and in 1977, 48,000 tonnes. The sharp fall in catches have led to new estimates of the adult biomass at 68,000 tonnes, 13% of the average 1966-73 figure. There is a clear danger of stock failure, and ICES recommend that no catches of herring be taken either in the remainder of 1978 or 1979.

(e) West Ireland

There has been in recent years a sharp increase in catches due to Dutch and Irish fishermen, but catches dropped from 35,000 to 19,000 tonnes in 1977 indicating that the herring population was reacting sharply to the increased fishing effort. ICES recommend therefore that fishing be restricted to a level of 7,000 tonnes in 1978 and 1979.

(f) Irish Sea

The Irish Sea contains two autumn spawning stocks, called the Mourne and the Manx stocks. The fishing mortalities of all age groups in the Mourne stock in recent years has been at unacceptably high levels: the estimated stock biomass in January 1977 is only one-third of that in 1971. It is therefore essential that the industrial fishery, carried on in contradiction to all regulations, be halted. The continued existence of this stock cannot otherwise be safeguarded.

Given the need to ban fishing of the Mourne stock, there would be an evident need to control fishing of the related Manx stock, which has also shown a downward trend in the last few years. The seven-week closed season from 1 October, imposed by the United Kingdom in recent years, be continued. ICES recommend that a TAC of 9,000 tonnes be fixed for 1978 and that herring fishing be prohibited within 12 miles of the Irish coast in this zone in order to protect the juveniles.

Total ban or limitations on fishing

9. The situation facing herring stocks is extremely serious. It is equally clear that the social implications of a restriction envisaged on herring fishing are extremely difficult to resolve. In certain areas of the Community, fishing efforts may be largely, or even almost entirely, directed towards herring. A ban on herring fishing therefore means the loss of livelihood for those regions. There is the additional problem of those engaged in the processing of herring; this problem, however, may be overcome to a degree by the relaxing of any import restrictions in force.

10. The social implications of the measures recommended to protect herring stocks have led in certain quarters to the insistence that a total ban should be replaced by a limitation of fishing with establishment of total allowable catches for each Member State. However, a total allowable catch that would not immediately endanger stocks would present insurmountable difficulties in its implementation.

11. The cyclical nature of herring reproduction, with the low recruitment level of 1974, 1975 and 1976, together with excessive fishing levels, has led to the virtual destruction of the adult spawning stock. The absolute priority must be to save the reproductive stock: in the present situation the destruction of any adult herring will delay considerable, if not indefinitely, the period when a viable herring industry can be created.

Firstly, there is the problem that even given an adequate enforcement system, which does not exist at present, any total allowable catch would be exceeded. It is in the nature of fishing itself that ceilings cannot be rigidly imposed, and the Community has not yet even been able to consider the problems involved in an adequate control system.

Secondly, a total allowable catch, if it were to make sense in terms of marine biology, would be so low that it would be impossible to divide it amongst Member States and those Third Countries accorded fishing rights with the Community. Given the high cost of fishing, due in part to the increase in fuel costs, quotas accorded to individual boats would make no economic sense.

12. Consequently, the only viable scheme is for a total ban on direct fishing for herring off West Scotland for the remainder of 1978, for a ban in the North Sea and the Celtic Sea and for strict quotas elsewhere. In order to avoid economic dislocation for those fishing areas largely dependent on herring, compensation may be made as far as possible by means of quotas for other fish species and in other zones.

#### Enforcement

13. Enforcement is one of the keys to ensuring the political acceptability of a Common Fisheries Policy. The Committee on Agriculture has stressed on a number of occasions the necessity for a proper licensing system. The Commission should also draw up fishing plans for all zones subject to quotas for herring, similar to that proposed for West Ireland.

#### Beyond 1978

14. The scientific evidence available clearly indicates the need for further measures beyond 1978, to ensure the continued existence of a sufficient herring spawning stock in the North Sea, West Scotland and the Irish Sea. The Commission should come forward in the near future with a report as to the likely nature of such measures. It is clearly difficult for fishermen and fishing organisations to undertake long-term planning in the absence of any clear indication as to the trends in Community policy.

#### Other fish species

15. Herring is not the only fish species endangered by over fishing in Community waters. Plaice, haddock, mackerel, hake and cod face similar problems. The Community must act with greater urgency than in the case of herring, and, as a first step, adopt before the end of 1978 the measures required to safeguard stocks of the major fish species.

Proposals for catch quotas in Norwegian and Faeroese waters

16. In April 1978 the Commission proposed that quotas in Norwegian and Faeroese waters should be allocated between Member States for 1978 according to past fishing performance. The Commission has now reformulated its proposal to cover the period 1 August - 31 December 1978. This proposal does not alter the amount of fish which will have been caught by each Member State during 1978. The apparent modification in the allocations is due merely to the differences in periods during the year in which the fish are taken by each fishing fleet. The previous and present proposals, together with catches up to 31 July 1978 are given below:

Faeroes waters

Species	Quotas (tons)	Allocations (tons)			
		Previous proposal 1 Jan. - 31 Dec.	Present proposal 1 Jan. - 31 Dec.		
Cod and Haddock	7.000	France	135	France	135
		Germany	35	Germany	35
		UK	6.830	UK	6.830
Saithe	25.100	Belgium	100	Belgium	100
		France	13.690	France	13.340
		Germany	3.497	Germany	3.847
		Netherlands	200	Netherlands	200
		UK	7.613	UK	7.613
Redfish	7.000	Belgium	500	Belgium	500
		France	300	France	300
		Germany	6.200	Germany	6.200
Ling and Blue Ling <sup>1</sup>	7.500	France	7.150	France	5.840
		UK	350	UK	800
				Germany	860
Tusk	500			France	220
				UK	200
				Germany	120
Flatfish	600			France	260
				UK	200
				Germany	140
Other species	600			France	260
				UK	200
				Germany	140

<sup>1</sup>	Ling	France	840
		UK	600
		Germany	60
	Blue Ling	France	5.000
		UK	200
		Germany	800

Norwegian waters

Norwegian waters north of 62<sup>0</sup>00<sup>f</sup> North

Species	Quotas (tons)	Allocations (tons)				Catches 1 Jan. - 31 July
		Previous proposal 1 Jan - 31 Dec.		Present proposal 1 Aug. - 31 Dec.		
Cod	50.000	France	7.589	France	-	7.589
		Germany	7.589	Germany	4.422	2.839
		UK	34.822	UK	9.221	25.929
Haddock	9.300	France	1.411	France	-	1.411
		Germany	1.411	Germany	439	912
		UK	6.478	UK	993	5.545
Saithe	22.000	France	2.794	France	-	2.794
		Germany	15.752	Germany	8.261	7.491
		UK	3.454	UK	1.551	1.903
Redfish	10.000	Germany	5.960	Germany	2.995	2.975
		UK	4.040	UK	2.004	2.066
Greenland Halibut	1.500	Germany	1.000	Germany	575	125
		UK	500	UK	575	125
Other species	5.000	France	1.000	France	-	1.000
		Germany	3.000	Germany	1.568	380
		UK	1.000	UK	1.352	700

## Conclusions

17. These proposals concern the allocation between Member States of herring quotas for 1978 according to the main stocks within Community waters and for catches in Norwegian waters North of 62° N and in Faeroese waters.

These proposals have been based largely on a key reflecting past fishing performances, modified to take into account losses suffered as a result of the Community's fish conservation measures and losses in third waters.

These proposals have already been considered by the Committee on Agriculture. Certain modifications have been made by the Commission, and in particular:

- herring fishing off West Scotland is to be prohibited from 1 June to 31 December; and
- the proposal concerning the allocation of catches in North Norwegian waters is to be reformulated to cover the period 1 August - 31 December 1978, without changing the total amount to be caught by each Member State.

18. The main lines of these proposals have already been approved by the Committee on Agriculture<sup>1</sup>. The principal problem remaining concerns the means by which the Commission proposes to ensure that vessels of Member States respect the quota. There is a danger that if vessels from one or more Member States were to exceed allotted quotas, fishermen from other Member States would find their quotas reduced unfairly.

To ensure control, the Commission provides the very simplest of reporting procedures, which appear to be very insufficient. In its previous proposals for control measures within the Community, the Commission has proposed more elaborate reporting procedures. These should be included in the present proposal.

19. The Community has acted tardily to take measures to counteract the serious over-fishing of herring in the North Sea, the Irish Sea and the North East Atlantic. Excessive levels of fishing in previous years have led to a sharp drop in catches in 1976 and 1977, and have reached such proportions that there is an imminent danger of the collapse of herring resources. The danger is so great that if radical measures are not taken, important herring stocks in Community waters will be extinct by 1980.

20. Faced with this prospect, the Committee on Agriculture can see no alternative than to endorse the Commission's proposals.

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<sup>1</sup>See reports drawn up by Mr Hughes (Doc. 280/77) and Mr Corrie (Doc. 442/77).

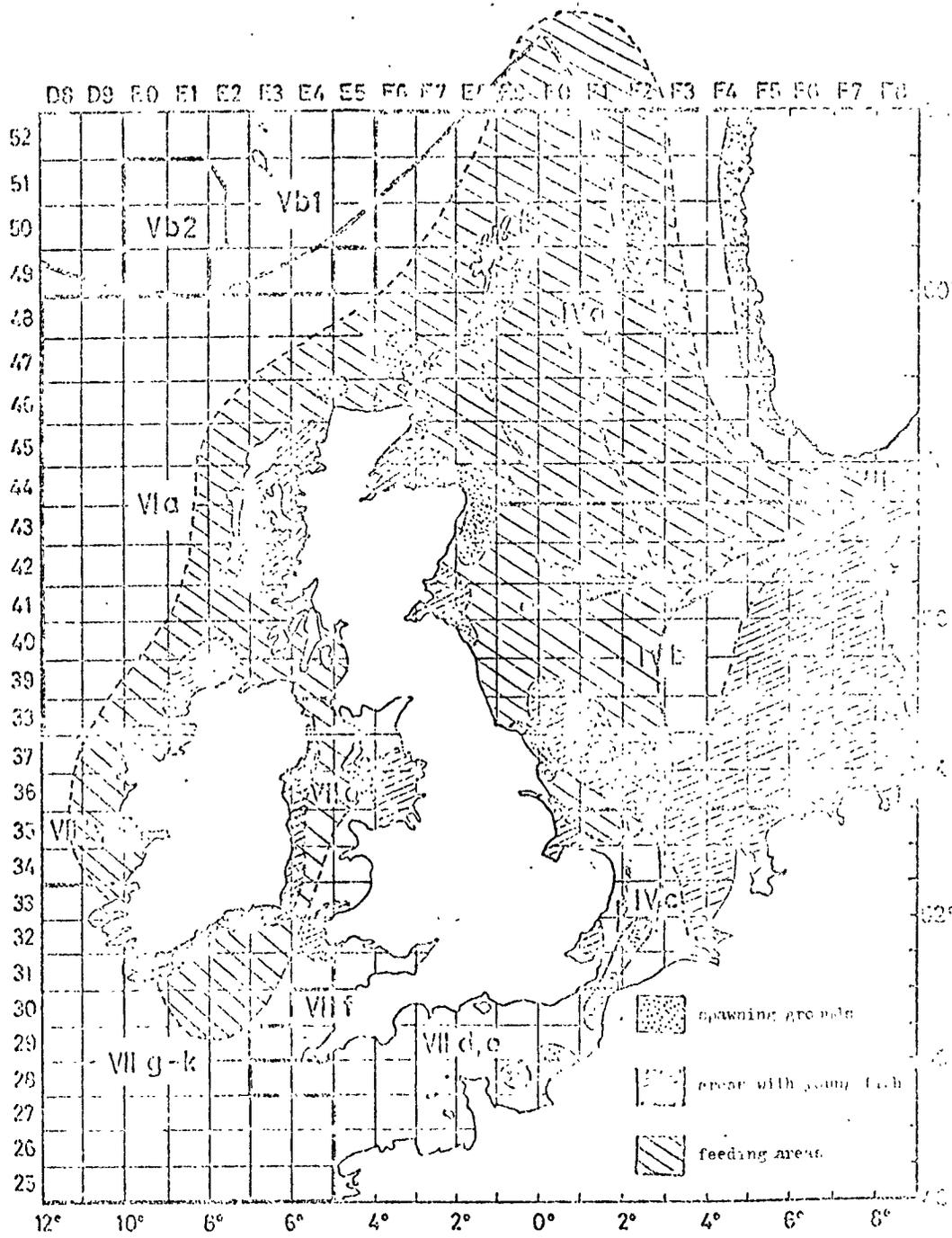


Fig. 1 : Herring from the North Sea to the Irish Sea

ANNEX II

International Council for the Exploration of the Seas :  
 Recommendations concerning the appropriate levels of  
 TACs in 1978 and 1979 for herring.

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North Sea and Skagerrak herring :

1975		1976			1977		1978	1979
Recom. TAC	Actual catch	Recom. TAC	NEAFC TAC	Actual catch	Recom. TAC	Actual catch	Recom. TAC	Recom. TAC
140	365	140	160	190	0	79	0	0

Celtic Sea herring :

1975/76			1976/77			1977/78		1978/79	1979/80
Recom. TAC	NEAFC TAC	Annual catch	Recom. TAC	NEAFC TAC	Actual catch	Recom. TAC	Actual catch	Recom. TAC	Recom. TAC
19	25	13.5	10-12	16.8	7	0	3	0	0

West Scotland herring :

1975	1976			1977			1978	1979
Actual catch	Recom. TAC	NEAFC TAC	Actual catch	Recom. TAC	EEC TAC	Actual catch	Recom. TAC	Recom. TAC
141	66	136	111	48	64	48	53	0

West Island herring :

1974	1975	1976	1977		1978	1979
Actual catch	Actual catch	Actual catch	Recom. TAC	Actual catch	Recom. TAC	Recom. TAC
6	17	18	10	12	7	7

Irish Sea herring :

1975	1976	1977		1978	1979
Actual catch	Actual catch	Recom. TAC	Actual catch	Recom. TAC	Recom. TAC
25	21	12	15	9	11