

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 635 final

Brussels, 11 December 1989

Proposal for a  
COUNCIL REGULATION (EEC)

fixing catch possibilities for 1990 for certain fish stocks and groups of fish stocks in the  
Regulatory Area as defined in the NAFO Convention

(presented by the Commission)

## EXPLANATORY MEMORANDUM

This proposal falls within the terms of the Community's international obligations in respect of the conservation of the living resources of the North-West Atlantic outside the fishing areas of the coastal states (NAFO Regulatory Area).

On account of its dispute with Canada as a coastal state regarding the approach in principle to be adopted for drawing up a conservation policy, the Community is obliged, for the time being, to regulate the activities of the Community fleet independently, as it has been doing for a number of years.

In proceeding thus the Community must nevertheless safeguard the possibility of embarking on constructive discussions with Canada in this field with a view to securing the rational management of resources in the NAFO area.

The development of a stable relationship with Canada must be embodied in a comprehensive agreement which will cover:

- scientific cooperation in evaluating all stocks;
- the negotiation of fishing facilities in Canadian waters;
- access to Canadian ports;
- cooperation in terminating the activities in the NAFO area of vessels from non-member countries or of those flying flags of convenience.

Hence, the special relations arising from the economic and commercial cooperation agreement concluded in 1976 and those expected from the 1985 long-term fisheries agreement constitute one of several specific bases for evaluating the fishery relations to which the Community could reasonably lay claim for the fishing of stocks in this area of interest to both parties, under the NAFO Convention to which both sides are contracting parties.

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It is proposed, therefore, that full implementation should be given to those recommendations of the NAFO Fisheries Commission which have already been implemented by the other contracting parties to the Convention :

- for cod and redfish in division 3M;
- for capelin in division 3NO;
- for squid (*Illex spp*) in subdivisions 3 and 4.

In the case of the other stocks, it is proposed that objections be raised to the NAFO quotas and that autonomous quotas be fixed at levels approximating as closely as possible to the NAFO proposals. With regard to cod in zone 2J3KL, which is at the basis of the dispute between the Community and NAFO, it is proposed that the differences in the two sides' evaluation of the scientific data could be reduced by lowering the catch level authorized for 1990 as against that fixed for 1989, taking into account the fall in the mortality rate expected in the waters in question, so as to lay the groundwork for the convergence of management options towards a stock restoration threshold over a reasonable period of time.

Such an approach necessitates a reduction in the level of Community fishing. By acting thus the Community is not prejudicing its position of principle but is demonstrating its willingness to enter into an active cooperation process whereby the sacrifices necessary to ensure conservation would be shared.

COUNCIL REGULATION (EEC) No

of

fixing catch possibilities for 1990 for certain fish stocks and groups of fish stocks in the  
Regulatory Area as defined in the NAFO Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of  
25 January 1983 establishing a Community system for the  
conservation and management of fishery resources <sup>(1)</sup>, as  
amended by the Act of Accession of Spain and Portugal,  
and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 2 of Regulation (EEC)  
No 170/83, it falls to the Council to prepare, in the light  
of the available scientific advice and, in particular, of the  
report drawn up by the Scientific and Technical Fisheries  
Committee, the conservation measures necessary to achieve  
the aims set out in Article 1 of the said Regulation;

Whereas the Community has signed the United Nations  
Convention on the Law of the Sea, which contains  
principles and rules relating to the conservation and  
management of the living resources of the sea;

Whereas the Convention on Future Multilateral  
Cooperation in the Northwest Atlantic Fisheries,  
hereinafter referred to as the NAFO Convention, was  
approved by the Council in its Regulation (EEC)  
No 3179/78 <sup>(2)</sup> and entered into force on 1 January  
1979;

Whereas, in the framework of its wider international  
obligations, the Community participates in efforts to  
conserve fish stocks arising in international waters;

Whereas conservation efforts should be assessed on the  
basis of relevant scientific data so as to permit the  
implementation of conservation measures suited to the  
biological situation of stocks and their foreseeable  
development depending on the various options for  
exploiting them;

Whereas the present state of biological data as analysed by  
international scientific organizations and the conclusions  
which may be drawn therefrom should be taken as a basis  
for formulating choices regarding the management of  
stocks;

Whereas the extent to which such stocks are fished by the  
fleets of the Member States should be viewed in the light of  
overall fishing activity and the contribution made hitherto  
by the Community towards their conservation should be  
taken into account;

Whereas, in accordance with Article 3 of Regulation (EEC)  
No 179/83, it falls to the Council to establish the total  
allowable catches (TACs) by stock or group of stocks, the  
share available for the Community and also the specific  
conditions under which the catches must be made;

Whereas, in order to ensure effective management, the  
TACs available for the Community in 1990 should be  
fairly allocated among the Member States in accordance  
with Article 4 of the said Regulation;

Whereas the fishing activities covered by this Regulation  
are subject to the control measures provided for by Council  
Regulation (EEC) No 2241/87 of 23 July 1987  
establishing certain control measures for fishing  
activities <sup>(3)</sup> as amended by Council Regulation  
No 3483/88 <sup>(4)</sup> and by Council Regulation (EEC)  
No 1956/88 of 9 June 1988 adopting provisions  
for the application of the scheme of joint  
international inspection adopted by the North-  
west Atlantic Fisheries Organization <sup>(5)</sup>.

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(2)</sup> OJ No L 378, 31. 12. 1978, p. 1.

<sup>(3)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 175, 6. 7. 1988, p. 1.

<sup>(4)</sup> OJ No L 306, 11. 11. 1988, p. 2.

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches in 1990 of the species set out in Annex I by vessels flying the flag of a Member State in the Regulatory Area as defined in Article 1 (2) of the NAFO Convention shall be limited, within the parts of the Regulatory Area referred to in that Annex, to the quotas set out therein.

processing of sea-fish in the area referred to in Article 1 (1) at least 30 days before the intended commencement of such activity or, as the case may be, not later than the 20th day following in entry into force of this Regulation. This information shall include:

- (a) name of vessel;
- (b) official registration number of the vessel assigned by the competent national authorities;
- (c) home port of the vessel;
- (d) name of owner or charterer of the vessel;
- (e) a declaration that the master has been provided with a copy of the regulations in force in the Regulatory Area;
- (f) the principal target species of the vessel while fishing within the Regulatory Area;
- (g) the sub-areas where the vessel will be expected to fish.

*Article 2*

In addition to complying with Articles 5, 6, 7 and 8 of Regulation (EEC) No 2241/87, skippers shall enter in the logbook the information listed in Annex II.

In complying with Article 9 of that Regulation, Member States shall also inform the Commission of catches of species not subject to quota.

*Article 3*

Member States shall inform the Commission of all vessels flying their flag which intend to engage in fishing or in the

*Article 4*

This Regulation shall enter into force on 1 January 1990.

It shall apply until 31 December 1990.

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

Done at Brussels,

*For the Council*  
*The President*

## ANNEX I

Stock			Member State	1990 quota (tonnes)
Species	Geographical regions	Division		
Cod	North-west Atlantic	NAFO 2 J + 3 KL	Belgium	
			Denmark	
			Germany	7 020
			Greece	
			Spain	7 290
			France	1 080
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	11 340
			United Kingdom	270
			Available for Member States	
			EEC Total	27 000
Cod	North-west Atlantic	NAFO 3 NO	Belgium	
			Denmark	
			Germany	15
			Greece	
			Spain	5 795
			France	90
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	1 090
			United Kingdom	10
			Available for Member States	
			EEC Total	7 000
Cod	North-west Atlantic	NAFO 3 M	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC Total	0

Stock			Member State	1990 quota (tonnes)
Species	Geographical regions	Division		
Redfish	North-west Atlantic	NAFO 3 M	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	7 750
Redfish	North-west Atlantic	NAFO 3 I.N	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	6 000
American plaice	North-west Atlantic	NAFO 3 M	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	500

Stock			Member State	1990 quota (tonnes)
Species	Geographical regions	Division		
American plaice	North-west Atlantic	NAFO 3 LNO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	500
Witch	North-west Atlantic	NAFO 3 NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	1 200
Yellowtail	North-west Atlantic	NAFO 3 LNO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	200

Stock			Member State	1990 Quota (tonnes)
Species	Geographical regions	Division		
Capelin	North-west Atlantic	NAFO 3 NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	750
Squid Illex	North-west Atlantic	NAFO-Sub-areas 3 + 4	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EEC Total	p.m.



ANNEX II

Items of information to appear in the logbook

Information	Code
Vessel name	01
Vessel nationality	02
Vessel registration number	03
Registration port	04
Type of gear used (daily)	10
Type of gear	2 (1)
Date:	
— day	20
— month	21
— year	22
Position:	
— latitude	31
— longitude	32
— statistical area	33
Number of hauls during the 24-hour period (2)	40
Number of hours gear-fished during the 24-hour period (2)	41
Species names	2 (1)
Daily catch of each species (tonnes live weight)	50
Daily catch of each species for human consumption in the form of fish	61
Daily catch of each species for reduction	62
Daily discard of each species	63
Place(s) of transhipment	70
Date(s) of transhipment	71
Master's signature	80

(1) Codes to be completed by one of the items of information given in the second part of this Annex.

(2) When two or more types of gear are used in the same 24-hour period, records should be separate for the different types.

Standard FAO abbreviations for main species

Abbreviation	Species	Abbreviation	Species
ALE	Alewife	MEN	Atlantic menhaden
ARG	Atlantic argentine	MIX	Mixed species
BUT	Atlantic butterfish	MOL	Molluscs
CAP	Capelin	PEL	Pelagic fish (not specified)
CAT	Wolffish (= catfish)	PLA	American plaice
COD	Atlantic cod	POK	Pollock (= saithe)
CRA	Crabs	RED	Atlantic redfish
CRU	Crustaceans	RNG	Roundnose grenadier
DOG	Dogfish	SAL	Atlantic salmon
FLW	Winter flounder	SAU	Atlantic saury
FLX	Flatfish (not specified)	SCA	Sea scallops
GHL	Greenland halibut	SHA	Sharks
GRC	Greenland cod	SHR	Shrimps
GRO	Groundfish (not specified)	SKA	Skate (not specified)
HAD	Haddock	SQU	Squid
HAL	Atlantic halibut	SWO	Swordfish
HER	Atlantic herring	SWX	Seaweed
HKR	Red hake	TUN	Tuna
HKS	Silver hake	URC	American sea urchin
HKW	White hake	USK	Cusk (= tusk)
INV	Shellfish (not specified)	VFF	Finfish (not specified)
LOB	Northern lobster	WIT	Witch flounder
MAC	Atlantic mackerel	YEL	Yellowtail flounder

Standard FAO abbreviations for gear

Abbreviations	Gear
OTB	Bottom otter trawl (side or stern not specified)
OTB 1	Bottom otter trawl (side)
OTB 2	Bottom otter trawl (stern)
OTM	Midwater otter trawl (side or stern not specified)
OTM 1	Midwater otter trawl (side)
OTM 2	Midwater otter trawl (stern)
PTB	Bottom pair trawl (two boats)
PTM	Midwater pair trawl (two boats)
—	Shrimp trawl (now included in bottom otter trawl categories)
SDN	Danish seines
SSC	Scottish seines
SPR	Pair seine (two boats)
SB	Beach seines
PS	Purse seines
GN	Gillnets (not specified)
GNS	Gillnets (set)
GND	Gillnets (drift)
LL	Longlines (set or drift not specified)
LLS	Longlines (set)
LLD	Longlines (drift)
LHP	Handlines and pole-lines
LHM	Handlines and pole-lines (mechanized)
LTL	Troll lines
FIX	Traps (not specified)
FPN	Uncovered pound nets
FPO	Covered pots and fyke nets
FWR	Barriers, fences, weirs, etc.
DRB	Boat dredges
DRH	Hand dredges (e.g. rakes and tongs)
HAR	Harpoons
MIS	Miscellaneous gear
NK	Gear not known

#### COMPETITIVENESS AND EMPLOYMENT IMPACT STATEMENT

The object of this measure is to maintain fishing possibilities for Community fishermen in the Northwest Atlantic area. The fishery takes place in international waters outside the 200 mile EEZ of Coastal States and therefore no licence fees are paid by the undertakings which makes the fisheries more profitable.

#### RAPPORT DE L'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

L'objet de cette mesure est de maintenir les possibilités de pêche actuelles pour les pêcheurs de la Communauté opérant dans les eaux du Nord-Ouest Atlantique. Les pêcheries sont réalisées dans des eaux internationales en-dehors des zones économiques exclusives de 200 milles des Etats côtiers et par conséquent, les entreprises ne doivent pas payer de redevances de licences, ce qui rend les pêcheries plus rentables.

#### AUSWIRKUNGEN AUF WETTBEWERBSFAHIGKEIT UND BESCHAEFTIGUNG

Gegenstand dieser Maßnahme ist es, die Fischereimöglichkeiten für Fischer der Gemeinschaft im Gebiet des Nordwestatlantiks aufrechtzuerhalten. Die Fischerei findet in internationalen Gewässern außerhalb der exklusiven 200-Meilen-Wirtschaftszone der Küstenstaaten statt, weshalb die Unternehmen keine Lizenzgebühren zu zahlen haben, eine Tatsache, die die Fischerei rentabler gestaltet.



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# DOCUMENTS

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