



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.03.2000
COM(2000) 175 final

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 2742/1999 fixing for 2000 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required and amending Regulation (EC) 66/98

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 2742/1999 fixes, among other stipulations, the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters for 2000. For the first time, the most relevant pieces of legislation fixing annually these fishing opportunities have been merged into a single document.

Consultations between the Community, on behalf of Sweden, and the Russian Federation concerning co-operation in fisheries for 2000 were concluded 2 February 2000. The conclusions of such consultations, which concern exchange of fishing opportunities in the form of quotas and licences, need now to be implemented in Community legislation so fishermen can make use of the new fishing possibilities.

Moreover, and taking advantage of the occasion, some adjustments to the conditions of fishing are also proposed, as follows

- Changes of minor importance were subject to a corrigendum of the regulation. But the case of the fishery regime in the waters of the French Department of Guyana, where not all of the stipulations have been well reflected in Regulation (EC) No 2742/1999, deserves to be in a full amendment of the Regulation. The measures that now need to be introduced concern primarily the conditions upon which licenses to third country vessels should be issued, logbook and landing declarations, and some other measures of control. This proposal incorporates these measures, which have existed unaltered for a number of years in Community legislation.
- Following a declaration made by the Council and the Commission during the Council of 15 and 16 December 1999, and in order to improve the enforcement of quotas applicable to the Baltic Sea and Skagerrak and Kattegat, it is proposed to set an additional catch constraint in IBSFC subdivision 23.

The Council is requested to adopt this proposal in order to allow fishermen to utilise the new fishing opportunities and to continue fishing under appropriate conditions.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture¹, and in particular Article 8, paragraph 4,

Having regard to the proposal from the Commission,

Whereas:

- (1) Regulation (EC) No 2742/1999² fixes for 2000 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters.
- (2) In accordance with the procedure provided for in Article 3 of the agreement on fisheries of 11 December 1992 concluded between the Government of the Kingdom of Sweden and the Government of the Russian Federation, the Community, on behalf of the Kingdom of Sweden, held consultations with the Russian Federation concerning their mutual fishing rights for 2000. The results of the above-mentioned consultations have to be inserted in Annex I A of Regulation 2742/1999.
- (3) Since 1977, the Community has operated a system of conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile-zone off the coast of the French department of Guyana. The continuity of the system must be assured, in particular by maintaining the restriction on some fish stocks in the zone in order to conserve the stock and ensure adequate profitability for the fishermen concerned.

¹ OJ L 389, 31.12.1992, p. 1.

² OJ L 341, 31.12.1999, p. 1.

- (4) The processing industry based in the French department of Guyana depends on landings from vessels of non-member countries operating in the fishing zone off that department; It appears necessary, therefore, to define appropriate conditions to control the fishing and landing by these vessels.
- (5) In order to improve the enforcement of quotas applicable to herring in the Baltic Sea and Skagerrak and Kattegat, it is necessary to set an additional catch constraint in IBSFC subdivision 23.
- (6) Council Regulation (EC) No 2742/1999 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2742/1999 is amended as follows:

1. A new paragraph 2 bis shall be inserted in Article 13, reading as follows

"2bis. The granting of licences to fish in the waters of the French Department of Guyana shall be subject to the undertaking by the owner of the vessel concerned to permit an observer to come on board at the Commission's request."
2. A new paragraph 1 bis shall be inserted in Article 14, reading as follows:

"1bis. The master of each vessel in possession of a licence for finfish or tuna fishing in the waters of the French Department of Guyana shall, on landing the catch after each trip, submit to the French authorities a declaration, for whose accuracy the master alone is responsible, stating the quantities of shrimp caught and kept on board since the last declaration. This declaration shall be made using the form of which a model appears in Annex VI ter.

The French authorities shall take all appropriate measures to verify the accuracy of the declarations, by checking them in particular against the log-book referred to in paragraph 2. The declaration shall be signed by the competent official after it has been verified.

Before the end of each month, the French authorities shall send to the Commission all the declarations relating to the preceding month."
3. The following subparagraph shall be added to Article 14, paragraph 2:

"When fishing in the waters of the French Department of Guyana, the log-book shall correspond to the model appearing in Annex VII bis. A copy of this log-book shall be sent to the Commission within 30 days of the last day of each fishing trip via the French authorities."

4. The following subparagraph shall be added to Article 14, paragraph 3:

"If, for a period of one month, the Commission receives no communication concerning a vessel in possession of a licence to fish in waters of the French Department of Guyana, the licence of such vessel shall be withdrawn."
5. The entries in Annex I shall replace the corresponding entries in annex I A.
6. The entries in Annex II shall be inserted in Annex VI.
7. The entries in Annex III shall be inserted in Annex VI bis.
8. In Annex VI bis:
 - A new footnote (^{2bis}) shall be inserted beside the references "*Penaeus* shrimps" appearing in the entries corresponding to the countries "Barbados", "Guyana", Surinam" and "Trinidad and Tobago". The text of the footnote shall read as follows:

"(^{2bis}) The licences concerning fishing for shrimp in the waters of the French Department of Guyana shall be issued on the basis of a fishing plan submitted by the authorities of the third country concerned, approved by the Commission. The period of validity of each of these licences shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued."
 - A new paragraph shall be inserted at the end of the text of footnote (³), which shall read as follows:

"Where the endorsement referred to above is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission."
9. Annex IV shall be inserted as Annex VI ter.
10. Annex V shall be inserted as Annex VII bis
11. In Annex VIII, the following entries shall be inserted in the list of species names and codes:

Bob shrimp (<i>Xyphopenaeus kroyerii</i>)	- BOB
Shark (<i>Selachii, Pleurotremata</i>)	- SKH

Article 2

This Regulation shall enter into force on the seventh day of 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
The President

ANNEX I

Species:	Herring <i>Clupea harengus</i>	Zone:	IIIbcd (EC waters), except Management Unit 3
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Denmark	23243
Germany	70486
Finland	26350
Sweden	98971
EC	218550

Latvia	1000 (1)
Lithuania	500 (2)
Poland	4000
Russian Federation	2500

TAC	405000
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(1) To be counted against the Latvian share of the IBSFC TAC.

(2) To be counted against the Lithuanian share of the IBSFC TAC.

Special conditions:

Within the limits of the above-mentioned quotas, no more than the quantities given below may be taken in the zones specified:

	IBSFC Subdivision 23	Latvian waters	Lithuanian waters	Management Unit 3
EC		1000	500	
Denmark	3000			
Sweden	3000			8000

Species:	Cod <i>Gadus morhua</i>	Zone:	IIId (waters of the Russian Federation)
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Sweden	125
EC	125

TAC	105000
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Species:	Sprat <i>Sprattus sprattus</i>	Zone:	IIId (waters of the Russian Federation)
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Sweden	2150
EC	2150

TAC	400000
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ANNEX II

<u>Waters of the Russian Federation</u>	All fisheries	17	10
	Fisheries for cod	17	7
	Fishing for sprat	17	10

ANNEX III

Russian Federation	Herring, IIIId (Swedish waters)	20	20
	Herring, IIIId (Swedish waters, non-fishing mother ships)	5	5

ANNEX IV

Annex to be inserted as Annex VI ter of Regulation (EC) No 2742/1999

"Annex VI ter

Declaration pursuant to Article 10 (2)

LANDING DECLARATION ⁽¹⁾

Name of vessel:

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Name of master:

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Master's signature:

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Registration No:

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Name of agent :

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Voyage made from the

to the

--

Port of landing:

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Quantity of shrimps landed (in live-weight)	
'Head-off' shrimps:	kg
or (x 1,6) = kg (head-on shrimps)	
'Head-on' shrimps:	kg
<i>Thunnidae</i> : kg	Snapper (<i>Lutjanidae</i>): kg
Shark: kg	Other: kg

⁽¹⁾ One copy is kept by the master, one copy is kept by the control officer, and one copy is to be sent to the Commission of the European Communities."

ANNEX V

Annex to be inserted as Annex VIIbis of Regulation (EC No 2742/1999)

ANNEX VIIbis

FICHE DE PÊCHE				LOG SHEET								
Nom du navire _____ Vessel name _____ N° d'immatriculation _____ Official No _____ Nom du capitaine _____ Captain's name _____ Départ de _____ Depart from _____ Débarquement à _____ Landed at _____				Nation _____ N° de licence ZEE _____ Fishing licence No _____ Nbre. équipage _____ No in crew _____ Date _____ Date _____								
Mois / Month Jour / Day	Zone n°	Sonde Depth	Jour ou nuit Day or Night (D or N)	Nombre de fois ou les engins ont été mis à l'eau / Number of times gear is shot	Total heures de pêche Hours fished	Quetes de crevette •Head-off- shrimp (kg)	Crevettes entieres •Head-on- shrimp (kg)	Crevettes conservées à bord Shrimps retained on board		Vivaneaux Snapper	Requins Shark	Thonides Tuna
								Penaeus: subtilis brasilienis	Xyphopenaeus Kroyeri			
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