



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.05.2000
COM(2000) 273 final

Proposal for a

COUNCIL REGULATION

amending, for the second time, 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) No 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. The Commission has presented a proposal for amendment on 27 March 2000 (COM(2000)175) to include certain adjustments, which are now submitted to the Council for approval. During the process of adoption of such a proposal by the Commission, it has emerged the need of further amendments:

First, consultations between the Community and the Home Government of the Faeroe Islands on mutual fisheries relations were concluded on 3 March 2000. Similarly, consultations with the Republic of Estonia concerning co-operation in fisheries for 2000 were concluded on 14 March 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 that fishermen can make use of the new fishing possibilities.

Secondly, the areas where Norwegian vessels may fish for blue whiting should be precisely defined, in order to exclude certain zones north and west of Ireland, as specified in the Agreed Record of consultations between the Community and the Kingdom of Norway on fishing rights for 2000.

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 2742/1999 of 17 December 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) No 66/98² establishes conditions to manage the exploitation rates of stocks of Community interest;
- (2) In accordance with the procedure provided for in the Agreement on fisheries between the European Economic Community, of the one part, and the government of Denmark and the Home Government of the Faeroe Islands of the other part³ and in the Agreement on fisheries relations between the European Community and the Republic of Estonia⁴ the Community has held consultations with the Home Government of the Faeroe Islands and the Republic of Estonia. The delegations agreed to recommend to their respective authorities to fix, for the year 2000, certain fishing opportunities in the form of quotas and licences for the vessels of the other Party. The necessary measures should be taken to implement the results of the consultations in Community legislation.

¹ OJ L 389, 31.12.1992, p. 1.

² OJ L 341, 31.12.1999, p. 1. Regulation as amended by Regulation (EC) No ... (OJ L ...,2000, p. ..).

³ OJ L 226, 29.8.1980, p. 12.

⁴ OJ L 332, 20.12.1996, p. 16.

(3) The areas where Norwegian vessels may fish for blue whiting should be precisely defined, in order to exclude certain zones north and west of Ireland, as specified in the Agreed Record of consultations between the European Community and the Kingdom of Norway on fishing rights for 2000 (Brussels, 2 December 1999).

(4) 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. The following entry shall be inserted in the table of Article 3(3):

Estonia	EUR 216 695.
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2. The term "Estonia" shall be inserted in Article 10 between "Barbados" and "Guyana" and in subparagraph (ii) of Article 11 before "Latvia".

3. The entries in Annex I shall replace the corresponding entries in annex I A.

4. The entries in Annex II shall be inserted in Annex I A.

5. The entries in Annex III shall replace the corresponding entries in Annex I D.

6. The entry in Annex IV shall be inserted in Annex VI.

7. The entry in Annex V shall be inserted in Annex VI bis.

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
Denmark	23243		
Germany	70486		
Finland	26350		
Sweden	98971		
EC	218550		
Estonia	2000 (1)		
Latvia	1000 (2)		
Lithuania	500 (3)		
Poland	4000		
Russian Federation	2500		
TAC	405000		

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

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

(3) 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 Subdiv.23	Estonian waters	Latvian waters	Lithuanian waters	Management Unit 3
EC		2000	1000	500	
Denmark	3000				
Sweden	3000				8000

Species:	Cod <i>Gadus morhua</i>	Zone:	IIIbcd (Community waters)
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Denmark	28865
Germany	12623
Finland	1471
Sweden	21303
EC	64262

Latvia	2100 (1)
Lithuania	1000 (2)
Poland	350 (3)

TAC	105000
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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.
(3) To be fished only with gillnets.

Special conditions:

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

	Estonian waters	Latvian waters	Lithuanian waters
EC	600	1300	1000

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	IIIbcd (EC waters) (1)
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Denmark	91479 (2)
Germany	10178 (2)
Finland	114068 (2)
Sweden	123652 (2)
EC	339377 (2)

Latvia	1000 (3)
Lithuania	500 (4)

TAC	450000 (2)
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- (1) Excluding Sub-division 32 of IBSFC
(2) Expressed by number of individual fish.
(3) To be counted against the Latvian share of the TAC.
(4) To be counted against the Lithuanian share of the 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:

	Latvian waters	Lithuanian waters
EC	3000	500

Species:	Sprat <i>Sprattus sprattus</i>	Zone:	IIIbcd (EC waters)
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Denmark	35480
Germany	22478
Finland	18573
Sweden	81589
EC	158120

Estonia	2000 (1)
Latvia	8000 (2)
Lithuania	4000 (3)
Poland	4000

TAC	400000
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- (1) To be counted against the Estonian share of the IBSFC TAC.
(2) To be counted against the Latvian share of the IBSFC TAC.
(3) 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:

	<u>Estonian waters</u>	<u>Latvian waters</u>	<u>Lithuanian waters</u>
EC	4000	8000	4000

ANNEX II

Species:	Herring <i>Clupea harengus</i>	Zone:	IIId (Estonian waters)
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EC 2000 (1)
 2000 (2)

TAC 405000

(1) Available to Denmark, Germany, Finland and Sweden within the respective quotas for IIId (EC waters)

(2) This quota is to be counted against the Community share of the TAC for IIId (EC waters).

Species:	Cod <i>Gadus morhua</i>	Zone:	IIId (Estonian waters)
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EC 600 (1)
 600 (2)

TAC 105000

(1) Available to Denmark, Germany, Finland and Sweden within the respective quotas for IIId (EC waters)

(2) To be counted against the Community share of the TAC for IIId (EC waters).

Species:	Sprat <i>Sprattus sprattus</i>	Zone:	IIId (Estonian waters)
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EC 4000 (1)
 4000 (2)

TAC 400000

(1) Available to Denmark, Germany, Finland and Sweden within the respective quotas for IIId (EC waters)

(2) Of which 1300 tonnes are to be counted against the Community share of the TAC for IIId (EC waters).

ANNEX III

Species:	Blue whiting <i>Micromesistius poutassou</i>	Zone:	Vb (EC waters), VI, VII, XII and XIV
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Denmark	3370
Germany	13040
Spain	21730
France	18150
Ireland	26080
The Netherlands	40970
Portugal	1630
United Kingdom	38030
EC	163000
Norway	222000 (1)(2)(3)(4)
Faroe Islands	62000 (1)(2)(5)
TAC	407000 (1)(6)

(1) Excluding blue whiting taken within the quotas for mixtures of sandeel, Norway pout and sprat (see sandeels in the North Sea).

(2) Fishing is prohibited in subarea VI south of 56° 30' N and in subarea VII east of 12° W

(3) May be taken in IIa (EC waters).

(4) Of which up to 9000 t may consist of argentine (*Argentina spp.*).

(5) Includes unavoidable by-catches of argentine (*Argentina spp.*)

(6) Excluding 40000 t that may be taken by Norway in IVa

Special conditions:

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

	VIIIa,b,d, e	IVa
Spain	5000	
Norway		40000

Species:	Mackerel	Zone:	Ila (non-EC waters), Vb(EC waters), VI, VII, VIIIabde, XII, XIV
	<i>Scomber scombrus</i>		

Germany	21080 (1)
Spain	20 (2)
France	14060 (1)
Ireland	70270 (1)
The Netherlands	30740 (1)
United Kingdom	193240 (1)
EC	329410 (1)
Norway	13460 (3)
Faroe Islands	9600 (4)
TAC	560000 (5)

(1) May not be fished in the waters under the sovereignty or the jurisdiction of Spain.

(2) May be fished only in the waters under the sovereignty or within the jurisdiction of Spain or in the international waters of the zone concerned.

(3) May be fished only in Ila, IVa, VIa (north of 56° 30' N), VIIId,e,f,h.

(4) May be fished only in IVa and VIa (north of 56° 30' N), VIIe,f,h, except for 1580 tonnes that may be fished in IVa. Includes 4360 tonnes to be counted against the Faroese share of the TAC.

(5) TAC agreed by the EC, Norway and Faroe Islands for the whole stock of western mackerel.

Special conditions:

Within the limits of the above-mentioned quotas, no more than the quantities given below may be taken in the zones specified, and only during the period 1 January to 15 February and 1 October to 31 December, except for the Faroe Islands, for which the periods applicable shall only be 1 October to 31 December in IVa (EC waters) and the whole year in VIa North of 56° 30' N:

	IVa(EC waters)	VIa North of 56° 30' N
Germany	6720	
France	4480	
Ireland	22400	
The Netherlands	9800	
United Kingdom	61600	
Norway	13460	
Faroe Islands	1580	4360

ANNEX IV

<u>Estonian waters</u>	All fisheries	250	80
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ANNEX V

Estonia	Herring and sprat, IIId	106	63
	Cod, IIId	14	7

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Council Regulation amending, for the second time, 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) No 66/98.

2. BUDGET HEADING(S) INVOLVED

B7-800

3. LEGAL BASIS

Article 8 (4) of Council Regulation (EEC) No 3760/92

4. DESCRIPTION OF OPERATION

4.1 General objective

- maintain and develop the traditional activity of Community fishermen in Estonian waters;
- supply the Community market;
- decrease the fishing effort in Community waters.

4.2 Period covered and arrangements for renewal

1 January to 31 December 2000

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Compulsory expenditure

5.2 Differentiated appropriations

6. TYPE OF EXPENDITURE OR REVENUE

Financial compensation paid for fishing possibilities in Estonian waters

7. FINANCIAL IMPACT

216,695 €

7.1 Method of calculating total cost of operation

The financial compensation provided for in Article 4 of the Agreement on Fisheries Relations between the European Community and the Republic of Estonia has been negotiated on the basis of average landing prices for 1998 in Community ports in the Baltic Sea. A deduction has been made for estimated fleet exploitation costs for each of the species.

	COD	SALMON
Quotas obtained (in tonnes)	500	33.75 (6,750 units)
Average landing prices 1998 (€ /tonne)	1,548	2,749
Market value (in €)	774,000	92,778
Negotiated prices (percentage)	25 %	25 %
In €	193,500	23,195

Total financial compensation: 216,695 €

Average price €/tonne: 406

8. FRAUD PREVENTION MEASURES

The financial contribution granted by the Community is utilised by Estonia to develop their fisheries sector, in accordance with Article 4 of the Fisheries Agreement. The amount is administered by the Estonian Authorities.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

The Community fleet in the Baltic Sea has been severely hit by reductions in catch possibilities, mainly due to biological factors (low salinity of the water, changes in environmental conditions and multi-species interaction). Any increase in fishing possibilities above current critical catch levels will contribute towards preventing the Community fleet, and connected industries and services ashore, from collapsing and disappearing. This will also avoid, to a certain extent, payments under lay-up schemes or social programmes.

The financial compensation, similar to that paid in previous years, is mainly used by Estonia for the continued improvement of scientific research on fisheries, the training of fisheries managers, and control activities. This has entailed improved scientific assessment and enforcement in the fishery zone of Estonia, and has thus contributed to a more rational exploitation of the stocks, to the benefit of all concerned in the Baltic Sea.

9.2 Grounds for the operation

The fisheries policy is exclusive Community competence. The financial compensation for fishing possibilities in third countries' waters, negotiated in accordance with the provisions laid down in bilateral fisheries agreements, has consequently to be paid out of the Community budget.

The expenses proposed are foreseen in the budgetary planning for the period concerned.

9.3 Monitoring and evaluation of the operation

The Commission receives monthly statistics on catches and landings. The utilisation of the contracted fishing possibilities is therefore assessed on a regular basis.

10. ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)

The proposal does not require new Commission staff or entail additional administrative costs.