

Proposal for a Council Regulation establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa)

(2002/C 75 E/15)

(Text with EEA relevance)

COM(2001) 699 final — 2001/0279(CNS)

(Submitted by the Commission on 28 November 2001)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Article 1

Having regard to the proposal from the Commission,

This Regulation lays down measures to protect mature cod during their spawning season of 2002 in the Irish Sea (ICES Division VIIa as defined in Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of national catch statistics by Member States fishing in the Northeast Atlantic ⁽⁴⁾).

Having regard to the opinion of the European Parliament,

Whereas:

Article 2

(1) In November 1999, the International Council for the Exploration of the Sea (ICES) indicated that the stock of cod in the Irish Sea (ICES Division VIIa) is at serious risk of collapse.

1. In the period 11 February to 30 April 2002 it shall be prohibited to use any demersal trawl, seine or similar towed net, any gill net, trammel net, tangle net or similar static net or any fishing gear incorporating hooks within that part of ICES Division VIIa enclosed by:

(2) Further advice from ICES indicates that quantities of mature cod in the Irish Sea have remained at a very low level during 2000 and 2001 and will continue to be low during 2002.

— the east coast of Ireland and the east coast of Northern Ireland and

(3) Commission Regulation (EC) No 304/2000 of 9 February 2000 establishing measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) ⁽¹⁾ as last modified by Regulation (EC) No 660/2000 ⁽²⁾ put in place measures to protect adult cod during the spawning season of 2000.

— straight lines sequentially joining the following geographical coordinates:

(4) Council Regulation (EC) No 300/2001 of 14 February 2001 establishing measures to be applied in 2001 for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) ⁽³⁾ put in place measures to protect adult cod during the spawning season of 2001.

— a point on the east coast of the Ards peninsula in Northern Ireland at 54°30'N,

— 54°30'N, 04°50'W,

— 53°15'N, 04°50'W,

— a point on the east coast of Ireland at 53°15'N.

(5) During the period of application of previous measures, further scientific work has been completed and practical experience has been gained which imply that the conditions applied in 2001 should be modified for 2002.

2. By way of derogation from paragraph 1: within the area and time period referred to therein,

(6) In particular, the use of semi-pelagic trawls within the closed area should no longer be permitted and the use of separator trawls should be extended to a larger part of the closed area. As a consequence, it is no longer necessary to provide for observers to be present on the vessels using such gear,

(a) the use of demersal otter trawls shall be permitted provided that no other type of fishing gear is retained on board and that such nets:

(i) are of mesh size either 70 mm to 79 mm or 80 mm to 89 mm and

(ii) are of only one of the permitted mesh size ranges and

⁽¹⁾ OJ L 35, 10.2.2000, p. 10.

⁽²⁾ OJ L 80, 31.3.2000, p. 14.

⁽³⁾ OJ L 44, 15.2.2001, p. 12.

⁽⁴⁾ OJ L 365, 31.12.1991, p. 1.

- (iii) incorporate no individual mesh, irrespective of its position within the net, of mesh size greater than 300 mm and
- (iv) are deployed only within an area enclosed by sequentially joining with straight lines the following geographical coordinates:
- 53°30'N, 05°30'W,
 53°30'N, 05°20'W,
 54°20'N, 04°50'W,
 54°30'N, 05°10'W,
 54°30'N, 05°20'W,
 54°00'N, 05°50'W,
 54°00'N, 06°10'W,
 53°45'N, 06°10'W,
 53°45'N, 05°30'W,
 53°30'N, 05°30'W.
- (b) The use of separator trawls shall be permitted provided that no other type of fishing gear is retained on board and that such nets:
- (i) comply with the conditions laid down in subparagraphs (a), (i) to (iv) and
- (ii) are constructed in conformity with the technical details provided in the Annex.
- Furthermore, separator trawls may also be used within an area enclosed by straight lines sequentially joining the following geographical coordinates:
- 53°45'N, 06°00'W,
 53°45'N, 05°30'W,
 53°30'N, 05°30'W,
 53°30'N, 06°00'W,
 53°45'N, 06°00'W.
- Article 3*
- Catches retained on board and taken by demersal otter trawls or separator trawls under the conditions laid down in paragraph 2 of Article 2 shall not be landed unless their percentage composition complies with conditions laid down in Annex I to Regulation (EC) No 850/98 of 30 March 1998 for the protection of juveniles of marine organisms ⁽¹⁾ with respect to towed gears of mesh size range 70 mm to 79 mm.
- Article 4*
- This Regulation shall enter into force on the . . .
- This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ L 125, 27.4.1998, p. 1.

ANNEX

TECHNICAL DETAILS OF SEPARATOR TRAWL

