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COM (83) 382

Vol. 1983/0146

Historical Archives of the European Commission

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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 382 final

Brussels, 20th June 1983



PROPOSAL FOR A COUNCIL REGULATION (EEC)

amending Regulation (EEC) n° 1009/83 laying down for 1983
certain measures for the conservation and management of
fishery resources applicable to vessels flying the flag
of Norway

(presented by the Commission to the Council)

COM(83) 382 final

EXPLANATORY MEMORANDUM

Following the scientific recommendations on the herring stocks in the North Sea and Channel made by the International Council for the Exploration of the Sea (ICES), consultations were completed between the Community and Norway on 7 June 1983 which resulted in the fixing of the total allowable catches (TACs) for herring in ICES sub-divisions IVa), IVb) IVc and VIId) as well as the allocations between the Parties for this joint stock.

The Parties also reached agreement on the revision of TACs for the joint stocks, saithe and plaice, in the North Sea. In addition, technical modifications were agreed relating to the nature of the fishery for certain species.

Presently Norwegian vessels are prohibited from fishing blue whiting in ICES VIa) south of 56°30'N and in ICES VII east of 12°W. The result of this provision is that they must interrupt their fishery, with the economic consequences that entails, while the blue whiting migrate through these prohibited areas. The present proposal allows a very limited opening, in both duration and area, for the Norwegian vessels to fish south of 56°30'N in ICES VIa) as well as in ICES VII east of 12°W. This provision is intended to apply in future years if Norway so requests.¹

The above arrangements are considered by both Parties firstly, to have adequately redressed the balance in the reciprocal fisheries arrangements between the Community and Norway following the exceeding of certain joint stock quotas in the North Sea in 1982, and secondly, to include appropriate compensation to Norway for its additional transfers to the Community in January 1983.

This proposal therefore modifies Council Regulation 1009/83, which presently lays down for 1983 the fishery arrangements applicable to vessels flying the flag of Norway, by incorporating the conclusions of the above mentioned consultations.

¹ In order to ensure that this provision should not create any precedent for any other non-Community vessels, the Commission proposes a Joint Declaration by the Commission and the Council as set out in Annex I.

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1009/83 laying down for 1983 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

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 (1), and in particular Articles 3 and 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 1009/83 (2), the Council laid down certain measures for the conservation and management of fishery resources for 1983 applicable to vessels flying the flag of Norway; as amended by Regulation (EEC) No 1394/83 (3)

Whereas the International Council for the Exploration of the Sea (ICES) has issued recommendations on the total allowable catch for herring in the North Sea in 1983;

Whereas, in accordance with the procedure laid down in Article 2 of the Fisheries Agreement between the Community and Norway (4) the Parties have held consultations concerning these matters and certain Norwegian requests in relation to compensation for overfishing in 1982 and additional transfers;

(1) OJ No L 24, 27.1.1983, p. 1
(2) OJ No L 115, 30.4.1983, p. 11
(3) OJ No L 141, 1.6.1983, p. 57
(4) OJ No L 226, 29.8.1980, p. 48

Whereas, at the end of these consultations, the delegations agreed to recommend to their respective authorities the amending of certain fishing quotas already fixed for 1983 for the vessels of the other party.

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 1009/83 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

It shall apply from 1 January until 31 December 1983.

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

Done at Brussels,

For the Council
The President

(tonnes)

Species	Area within which fishing is authorized	Quantity
Mackerel	ICES VI a) (1) + VII d), e), f), h) + II a)	22 000
Herring	ICES VI a) (1)	7 000
Sprat	ICES IV	40 000
Cod	ICES IV	8 000
Haddock	ICES IV	18 000
Saithe	ICES IV and Skagerrak (2)	40.000
Whiting	ICES IV	7 000
Plaice	ICES IV	6.000
Herring	ICES IV c)	4 000 (3)
Sand-eel, Norway pout, blue whiting	ICES IV	70 000 (4)
Blue whiting	ICES II, IV a), VI a) (1), VI b), VII (5), XIV	180.000 (6) (16)
Blue ling	ICES IV, V b), VI, VII, II a)	1 000 (7)
Ling and tusk	ICES IV, V b), VI, VII II a)	22 000 (7) (8)
Dogfish	ICES IV, VI, VII	2 000 (9)
Basking shark (10)	ICES IV, VI, VII	800 (9)
Porbeagle	ICES IV, VI, VII	500
Northern deep-water prawn (Pandalus borealis)	NAFO I (11) ICES XIV + V a)	500 2 000
Greenland halibut	NAFO I ICES XIV + V a)	500 (12) 500 (12)
Halibut	NAFO I	200 (12)
Other species (13)	ICES IV	5 000
Herring	ICES IV a), b) (14)	31.000 (15)

(1) North of 56°30'N.

(2) Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.

(3) From this quota catches made between 1 October and 31 December 1982 shall be deducted. The remainder may be fished only until 28 February 1983.

(4) Of which sand-eel alone not more than 60 000 tonnes or Norway pout and blue whiting together not more than 30 000 tonnes. Up to 10 000 tonnes of the Norway pout quota may be fished in ICES VI a) north of 56°30'N. However, this quantity should be deducted from the quota of sand-eel, Norway pout and blue whiting in ICES IV.

(5) West of 12°W.

(6) Of which no more than 40 000 tonnes may be fished in ICES division IV a).

(7) Of which a by-catch of 20 % of cod per ship, at any moment, is authorized in ICES sub-areas VI and VII. However, this percentage may be exceeded in the first 24 hours following the beginning of the fishing on a specific fishing ground. The total magnitude of by-catches should not exceed 1 000 tonnes of which not more than 300 tonnes should be cod.

(8) Of which ling may be a maximum of 17 000 tonnes and tusk a maximum of 9 000 tonnes.

(9) This quota does not include catches taken in the areas defined in Annex II.

(10) Basking shark liver.

(11) South of 68°N.

(12) By-catches of cod should not exceed 10 %.

(13) Excluding shrimps.

(14) Fishing for herring in the whole of ICES division IV b) is prohibited from 15 August to 30 September 1983 and east of 3°E throughout the year. Herring and sprat fishery prohibited

during the period 1 July to 31 October in the area from the shoreline of the Danish coast to 7°E longitude and between 55°30'N and 57°N latitude.

(15) of which 17.200 tonnes in ICES division IV a) and 13.800 tonnes in ICES division IV b).

(16) Notwithstanding footnotes (1) and (5), blue whiting may be fished for a 3 week period to be determined by the Parties in ICES VI a) south of 56°30'N and VII b), but west of a line drawn between the following point 56°30'N and 9°W; 56°30'N and 9°20'W; 54°N and 11°20'W; 54°N and from there back to 12°W.

Annex I: Joint Declaration by the Commission and the Council

This facility is intended, by its application to a species uniquely migratory in the area concerned and for a very limited period not exceeding three weeks in any one year, to be a single derogation from the decision of 28 January, 1978 that fishing by non-Community vessels should be prohibited south of 56°30'N. east of 12°W and north of 50°30'N. The Commission and the Council intend that there should be no further derogation from that decision.