

Conservation of fishery resources: technical measures for the Baltic Sea, the Belts and the Sound

2005/0014(CNS) - 14/03/2005 - Legislative proposal

PURPOSE: the conservation of fishery resources in Community waters in the Baltic Sea Area.

PROPOSED ACT: Council Regulation.

CONTENT: Council Regulation 88/98 embodies the current technical measures for the conservation of fishery resources in Community waters in the Baltic Sea , the Belts and the Sound. The technical measures define mesh sizes and other aspects of the structure of fishing gear, time periods and geographical areas within which defined types of fishing are prohibited or restricted and minimum landing sizes of living aquatic resources.

The Community is a Contracting Party to the International Baltic Sea Fisheries Commission (IBSFC), the organization that lays down rules concerning the conservation and management of fishery resources of the Baltic Sea . The IBSFC recommends every year maximum catch levels as well as certain technical measures to ensure the conservation and responsible exploitation of fishery resources in the Baltic Sea . The Community is bound to implement the measures recommended by IBSFC in so far as it has not objected to them. As far as technical measures are concerned, this has been done through Council Regulation 88/98. However, a number of recent IBSFC recommendations on technical measures have been implemented within the framework of the annual TAC and Quota Regulations rather than amendments to Council Regulation 88/98.

It is therefore appropriate to integrate all provisions on technical measures relevant for this area within a single Regulation that takes into account the development of the rules over the last few years.

In addition, the Act of Accession of 2003 provides that a specific effort limitation regime for the Gulf of Riga be established by amending Council Regulation 88/98 before the date of accession.

It is necessary to incorporate all of these revised technical measures in a comprehensive package.

Furthermore, experience in the application of Council Regulation 88/98 has shown certain deficiencies which result in problems of application and enforcement. The Commission, therefore, proposes a number of conditions aiming at rectifying these, notably by defining target species and required catch percentages applicable for different mesh size ranges and geographical areas when fishing with certain types of gear. In drafting the additional conditions, the Commission strove, as far as possible, to keep consistency with the corresponding conditions laid down in Community legislation applicable to technical measures outside the Baltic Sea .

After the enlargement of the Community on 1 May 2004, it is possible that the IBSFC will be dissolved and replaced by a bilateral co-operation with the Russian Federation which is the only remaining non-Community Coastal State in the Baltic Sea region. Against this background, the Community will in the future no longer be bound by IBSFC decisions when developing its technical measures for the Baltic Sea . Given also that a number of the existing provisions are unnecessarily detailed and/or cannot be justified for the conservation of resources, the Commission has in this proposal attempted to simplify the rules as far as possible, without necessarily sticking to the existing IBSFC rules.

All other relevant conditions laid down in Council Regulation 88/98 are maintained.

Lastly, Council Regulation 1434/98 lays down rules on landings of herring for industrial purposes other than direct human consumption. Striving towards simplification of legislation, the Commission proposes to replace the provisions of relevance for the Baltic Sea in Council Regulation 1434/98 with general provisions on unsorted landings in this proposal.

On adoption of this proposal, Council Regulation 88/98 is repealed, while the provisions relevant for the Baltic Sea in Council Regulation 1434/98 are deleted.