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A5-0213/2001

18 June 2001

REPORT

on the proposal for a Council regulation amending Regulation (EC) No 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa)

(COM(2001) 165 – C5-0140/2001 – 2001/0083(CNS))

Committee on Fisheries

Rapporteur: James Nicholson

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 6 April 2001 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council regulation amending Regulation (EC) No 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) (COM(2001) 165 - 2001/0083 (CNS)).

At the sitting of 2 May 2001 the President of Parliament announced that she had referred this proposal to the Committee on Fisheries as the committee responsible (C5-0140/2001).

The Committee on Fisheries appointed James Nicholson rapporteur at its meeting of 29 May 2001.

It considered the Commission proposal and draft report at its meetings of 23 April, 29 May and 18 June 2001.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Daniel Varela Suanzes-Carpegna, chairman; Rosa Miguélez Ramos, vice-chairman; Arlindo Cunha, Carmen Fraga Estévez, Michael John Holmes (for Nigel Paul Farage), Ian Stewart Hudghton, Salvador Jové Peres (for Mihail Papayannakis), Heinz Kindermann, Brigitte Langenhagen, Albert Jan Maat (for James Nicholson, rapporteur), Patricia McKenna, Bernard Poignant, Dominique F.C. Souchet and Catherine Stihler.

The report was tabled on 18 June 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

Proposal for a Council regulation amending Regulation (EC) No 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) (COM(2001) 165 – C5-0140/2001 – 2001/0083(CNS))

The proposal is approved.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa)

(COM(2001) 165 – C5-0140/2001 – 2001/0083(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2001) 165¹),
 - having been consulted by the Council pursuant to Article 37 of the EC Treaty (C5-0140/2001),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A5-0213/2001),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 4. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.

EXPLANATORY STATEMENT

Introduction

Unlike input controls such as reductions in fishing effort and capacity or output limitations such as TACs and Quotas, which are designed to have a direct and general impact on overall stock levels, "technical measures" have the specific task of protecting juvenile fish in order to reduce the threat to future yields.

They include rules on minimum mesh size, minimum landing size, closed seasons, the protection of other species, allowable by-catch and discards and the use of selective fishing gear.

Closed or restricted areas, such as the Shetland and Irish boxes are also employed.

As the name implies, technical measures are, by their nature, detailed and difficult to decipher by those outside the sector. Indeed, many fishermen have also frequently complained about the complexity of the rules. However, this should not detract from their potential importance in promoting a sustainable fishery through the protection of juvenile stock.

Nevertheless, in order to be truly effective, such measures need to meet at least two conditions. Firstly, they require the support of fishermen and secondly, those fishermen must be convinced that the rules will be equally applied to their colleagues and implemented by them. No matter how well devised, all technical measures are only too easily circumvented.

In terms of support, it is clear that there is now a general acceptance that urgent action is required in relation to the Irish Sea cod stock.

It is also obvious that technical measures will need to be adapted periodically in the light of developments in scientific evidence and improved data. The purpose of the Commission's current proposal is to modify the existing provisions so that they both maintain their effectiveness for protecting juvenile fish and at the same time retain the support of fishermen through increased flexibility.

Substance of the Current Commission Proposal

Council Regulation (EC) No 2549/2000 of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa)¹ lays down conditions aimed at ensuring that young cod are protected through the increased selectivity of the fishing gears used in the Irish Sea.

Eight conditions are defined which apply exclusively in the Irish Sea and which are additional to conditions already applicable within Regulation 850/98 which defines technical measures throughout Community waters.

The first two of these conditions are stated as follows:

¹ OJ L 292, 21.11.2000, p. 5

Article 2

When fishing in the Irish Sea, it shall be prohibited to use:

1. any demersal towed net other than beam trawls incorporating a cod-end and/or extension piece made entirely or partly of multiple-twine netting materials;
2. any demersal towed net other than beam trawls incorporating a cod-end and/or extension piece of which the thickness of the twine exceeds 6 mm;

Following a request from France and after seeking scientific advice, the Commission is now proposing that the use should also be permitted of a cod-end and/or extension piece constructed of double-twine netting material of which the thickness of any individual twine does not exceed 4 mm.

The Commission proposal also takes the opportunity to remove an article from Regulation 2549/2000 which was only relevant during 2000.

Assessment

The scientific advice received by the Commission concurs with the opinion of fishermen that a cod-end and/or extension piece constructed of double twine of thickness no more than 4 mm is technically equivalent to a cod-end and/or extension piece as currently defined.

This evidence came to light in the context of discussions between EU and Norwegian scientists in connection with the North Sea Cod Recovery Plan and out of a recent study on the effects of changing codend twine thickness published in the Marine Technology Society Journal¹.

Put simply, all the evidence points to 4mm thick double twine being equivalent in terms of selectivity to 6mm thick single twine.

On this basis, there would seem to be no reason to prevent the use of such double twine, particularly since, as the Commission has indicated in its proposal, there is a requirement on the part of some fishermen to deploy double-twine cod-ends.

Conclusion

This Commission proposal combines the necessity of taking expert scientific advice and at the same time responding to the genuine concerns of fishermen.

As this is precisely the approach which Parliament has consistently called for over many years, the proposal should be approved without amendment.

¹ "The effect on juvenile haddock bycatch of changing codend twine thickness in EU trawl fisheries", Kynock R.J., Ferro R.S.T. and Zuur G., (2000), Marine Technology Society Journal 33 (2).