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## **REPORT**

on the review of certain access restrictions in the Common Fisheries Policy  
(Shetland Box and Plaice Box)  
(2005/2190(INI))

Committee on Fisheries

Rapporteur: Catherine Stihler

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the review of certain access restrictions in the Common Fisheries Policy (Shetland Box and Plaice Box) (2005/2190(INI))

*The European Parliament,*

- having regard to the communication from the Commission to the Council and the European Parliament entitled 'Review of certain access restrictions in the Common Fisheries Policy (Shetland Box and Plaice Box)' (COM(2005)0422),– having regard to Article 19 of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>1</sup>,
  - having regard to Article 7 of Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources<sup>2</sup>, Article 7 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture<sup>3</sup> and Article 18 of Regulation (EC) No 2371/2002,
  - having regard to Article 29 of Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms<sup>4</sup>,
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A6-0016/2006),
1. Notes that the Commission has now fulfilled its commitment under Article 19 of Council Regulation (EC) No 2371/2002 to make an assessment of the justification for restrictions on access to waters and resources outside the 12 mile zone in relation to the Shetland Box and the Plaice Box;
  - 2.. Notes that, for a variety of reasons, the evaluations have taken considerably longer than was initially anticipated;
  - 3.. Welcomes the decision of the Commission to consult widely with the industry and with

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<sup>1</sup> OJ L 358, 31.12.2002, p. 59.

<sup>2</sup> OJ L 24, 27.1.1983, p. 1.

<sup>3</sup> OJ L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 1181/98 (OJ L 164, 9.6.1998, p. 1).

<sup>4</sup> OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 2166/2005 (OJ L 345, 28.12.2005, p. 5).

the Member States before forming an opinion on this important topic;

4. Welcomes the role of the North Sea Regional Advisory Council (NSRAC) in providing advice to the Commission on the operation and effectiveness of the Shetland Box and the Plaice Box and calls on the Commission to draw on further advice from the NSRAC in its further evaluation of the Boxes;
5. Welcomes the decision of the Commission to maintain the Shetland Box for a further three years while further evaluations of the Box are undertaken as a first step towards ensuring that the fishing communities in that region are protected by a fisheries regime which will safeguard their future as a sustainable industry;
6. Notes that the Scientific, Technical and Economic Committee for Fisheries (STECF) recommended that the Shetland Box should be kept in place;
7. Notes that the NSRAC recommended that the Shetland Box be continued pending further evaluation;
8. Considers that, should the proposed further evaluations of the Shetland Box take longer than the three-year period currently anticipated, the current regulation should remain in force, in line with the STECF advice;
9. Notes that the STECF suggested that eliminating the Shetland Box might result in some increase of fishing effort in the area and that it further noted that any such changes that could lead to an increase in fishing effort in the area should be avoided;
10. Notes that the UK and German authorities supported the retention of the Shetland Box and that the UK government has stated that changes are neither necessary nor desirable;
11. Notes that the Shetland Box is an area of importance for haddock, whiting and monkfish and that the STECF considers that this is now possibly more so than at the time when the Box was established;
12. Also notes with alarm the finding of the working group that, in general, stocks of commercial interest in the Box are outside the safe biological limits, save as regards haddock and saithe;
13. Calls on the Commission to make a quantitative evaluation of the likely effects of any changes to the Shetland Box;
14. Welcomes the decision of the Commission to retain the Plaice Box and associated access restrictions pending further study;
15. Notes that the German authorities support the retention of the Plaice Box and that the UK government notes that any decision should be taken in the context of future flatfish management and the advice of the NSRAC;
16. Notes that the conservation objective of the Plaice Box is clear;
17. Calls on the Commission to conduct its review of the Plaice Box in the light of future

flatfish management, including the plaice recovery plan;

18. Notes that the Commission's Expert Working Group established to assess the effectiveness of the Shetland and Plaice Boxes highlighted the socio-economic importance of the Boxes;
19. Further notes that the Expert Working Group considered that one of the objectives of the Shetland Box is to provide protection for fisheries-dependent communities in the north of Scotland;
20. Instructs its President to forward this resolution to the Council and the Commission.

## EXPLANATORY STATEMENT

### Summary

The Commission's communication meets the obligation under the Common Fisheries Policy framework regulation (2371/2002) to review certain access restrictions. The review is limited to two measures - the Shetland and Plaice Boxes. In its review, the Commission has received advice from its Scientific Technical and Economic Committee for Fisheries (STECF) and contributions from the stakeholder North Sea Regional Advisory Council (NS RAC), the UK and Germany.

### *Background*

#### **Shetland Box**

The Shetland Box, established in 1983, places access restriction on over 26 metre vessels fishing for demersal fish in this area. Under a licensing system a limited number of vessels from Member States with historic fishing rights (UK, France, Germany and Belgium) are granted access to the box.

The Commission proposes that the Shetland Box be maintained for a further three years while further evaluations are done and that STECF should be asked to give advice on how such evaluation be done.

#### **Plaice Box**

The Plaice Box was established in 1989 in order to reduce the incidence of discards of juvenile plaice. The system closed the area to beam trawlers of more than 300 horsepower - since 1995 the Box has been closed to these vessels throughout the year.

The NSRAC recommended that the effectiveness of the Plaice Box should be studied further - the RAC would like to see some modifications in the arrangements on an experimental basis. The Commission has accepted this and will maintain the Plaice Box until such modifications can be designed. The Commission agrees with the NSRAC recommendation that the existing access restrictions are properly applied with a strict control of engine power to ensure that it is consistent with licensed power. The Commission notes that the forthcoming review of the technical measures regulation provides an opportunity to consider revisions to the plaice box.

### **Conclusion**

The Commission decision to maintain the Shetland Box and the Plaice Box is welcome as a balanced response to the reviewing and consulting upon the operation and effectiveness of the boxes. The process of consultation with Member States, industry, and stakeholders is also welcome. The outcome of the report highlights the value of the role of the NSRAC in fisheries management.

## PROCEDURE

<b>Title</b>	The review of certain access restrictions in the Common Fisheries Policy (Shetland Box and Plaice Box)	
<b>Procedure number</b>	2005/2190(INI)	
<b>Basis in Rules of Procedure</b>	Rule 45	
<b>Committee responsible</b> Date authorisation announced in plenary	PECH 27.10.2005	
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	ENVI 27.10.2005	
<b>Not delivering opinion(s)</b> Date of decision	ENVI 29.11.2005	
<b>Enhanced cooperation</b> Date announced in plenary		
<b>Motion(s) for resolution(s) included in report</b>		
<b>Rapporteur(s)</b> Date appointed	Catherine Stihler 15.9.2005	
<b>Previous rapporteur(s)</b>		
<b>Discussed in committee</b>	4.10.2005    23.11.2005	
<b>Date adopted</b>	31.1.2006	
<b>Result of final vote</b>	for:                                25 against:                            3 abstentions:                      0	
<b>Members present for the final vote</b>	James Hugh Allister, Stavros Arnautakis, Elspeth Attwooll, Marie-Hélène Aubert, Iles Braghetto, Niels Busk, Luis Manuel Capoulas Santos, David Casa, Paulo Casaca, Zdzisław Kazimierz Chmielewski, Carmen Fraga Estévez, Ioannis Gklavakis, Alfred Gomolka, Pedro Guerreiro, Mary Honeyball, Ian Hudghton, Georg Jarzembowski, Heinz Kindermann, Rosa Miguélez Ramos, Philippe Morillon, Seán Ó Neachtain, Willi Piecyk, Struan Stevenson, Margie Sudre, Daniel Varela Suanzes-Carpegna	
<b>Substitutes present for the final vote</b>	Duarte Freitas, Jan Mulder, Czesław Adam Siekierski	
<b>Substitutes under Rule 178(2) present for the final vote</b>		
<b>Date tabled – A6</b>	1.2.2006	A6-0016/2006