

COUNCIL REGULATION (EC) No 2425/2001

of 3 December 2001

amending Regulation (EC) No 2848/2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with the Agreed Record between the European Community and the Faroe Islands, the Faroe Islands are entitled to a Norway pout quota higher than that allocated in Council Regulation (EC) No 2848/2000 ⁽²⁾. Therefore, the fishing possibilities for 2001 on this stock need to be revised.
- (2) The Community, on behalf of Sweden, has agreed with Poland that the right to fish for herring allocated to Sweden in Polish waters shall be transferred to Community waters.
- (3) A definitive catch limitation for capelin in the North Atlantic has been fixed and, consequently, the definitive Community catch quota for this stock within the waters of Greenland should be fixed.
- (4) The area of distribution of redfish in the North East Atlantic Fisheries Commission (NEAFC) area overlaps with certain areas of the Northwest Atlantic Fisheries Organization (NAFO) Regulatory Area; it is therefore necessary to introduce a mechanism to consider catches in both areas as part of the same stock, as recommended by NEAFC and NAFO at their meetings in March 2001.
- (5) Within the framework of NAFO, new limits on the number of days to fish for northern prawn have been established in March 2001.
- (6) The Inter-American Tropical Tuna Commission (IATTC) adopted, at its annual meeting in June 2001, catch limitations for yellowfin tuna. Although the Community is not a member of this organisation, it is necessary to implement those catch limitations to ensure sustainable management of this fish resource.
- (7) In the framework of NEAFC, new protected areas were recommended in March 2001 to protect haddock.

- (8) Within the framework of the International Baltic Sea Fisheries Commission (IBSFC), new technical conservation measures have been recommended in March 2001 for the cod fishery. Those recommendations should be implemented by the Community.
- (9) Agreements have been reached between the European Community, Norway and the Faroe Islands on the arrangement of fishing licences.
- (10) The biological situation of the blue whiting stock does not allow any additional fishing in areas outside national jurisdiction in ICES subarea II. Consequently, a TAC of 0 should be introduced for this year for the areas in ICES subareas I and II that belong to the NEAFC Regulatory area.
- (11) Regulation (EC) No 2848/2000 should therefore be amended accordingly.
- (12) In order to ensure the long-term livelihood of Community fishermen, it is important to implement fisheries legislation involving TACs and quotas during the year to which they apply. Given the urgency of the matter, it is imperative to grant an exception to the six-week period mentioned in paragraph 1(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and the Treaties establishing the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2848/2000 is hereby amended as follows:

1. the entry in Annex I to this Regulation shall replace the corresponding entry in Annex IB;
2. the entry in Annex Ia to this Regulation shall replace the corresponding entry in Annex IA;
3. the entries in Annex II to this Regulation shall replace the corresponding entries in Annex IC;
4. the entry in Annex IIa to this Regulation shall be inserted in Annex IC;
5. Annex IE shall be amended as follows:
 - (i) the entry in Annex III to this Regulation shall replace the corresponding entry;
 - (ii) the entry in Annex IV to this Regulation shall be added;
6. the entry in Annex V to this Regulation shall be added in Annex IF;

⁽¹⁾ 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.)

⁽²⁾ OJ L 334, 30.12.2000, p. 1.

7. Annex V shall be amended as follows:

(i) the text under point 1 shall be replaced by the following:

'Notwithstanding the conditions set out in Annex V of Regulation (EC) No 88/98, and in order to guarantee the selectivity of the trawls, Danish seines and similar nets with special mesh openings as referred to in Annex IV of the same Regulation, the two models of exit windows described in Appendix I and the model described in Appendix II to this Annex shall be authorised in 2001';

(ii) a new point 9 shall be inserted as follows:

9. Haddock box

All fishing, except with longlines, shall be prohibited in waters beyond the areas under national jurisdiction of Member States in the box bounded by the following coordinates:

<i>Point No</i>	<i>Latitude</i>	<i>Longitude</i>
1	57° 000	15° 000
2	57° 000	14° 700
3	56° 575	14° 327
4	56° 500	14° 450
5	56° 500	15° 000'

(iii) Annex VI to this Regulation shall be added as Appendix II;

8. the entries in Annex VII to this Regulation shall replace the corresponding entries in Annex VI, Part I and Part II.

Article 2

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

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

Done at Brussels, 3 December 2001.

For the Council

The President

F. VANDENBROUCKE

ANNEX I

Species: Norway pout <i>Trisopterus esmarki</i>	Zone: IIa (EC waters), Skagerrak and Kattegat, North Sea (EC waters)
Denmark 189 820	⁽¹⁾ To be counted against the quota for sandeel in IIa (EC waters), North Sea (EC waters). ⁽²⁾ Excluding Norway pout taken within the quotas for mixture of sandeel, Norway pout and sprat (see sandeels in the North Sea).
Germany 40	
The Netherlands 140	
EC 190 000	
Norway 10 000	
Faroe Islands 20 000 ⁽¹⁾	
TAC 220 000 ⁽²⁾	

ANNEX Ia

Species: Herring <i>Clupea harengus</i>	Zone: III d (Polish waters)
Sweden 1 000 ⁽¹⁾	⁽¹⁾ To be fished in Community (Swedish) waters in accordance with IBSFC Fishery Rule 2.1.
EC 1 000 ⁽¹⁾	
TAC 300 000	

ANNEX II

Species: Capelin <i>Mallotus villosus</i>		Zone: V, XIV (Greenland waters)
EC	41 497 ⁽¹⁾	⁽¹⁾ Available to all Member States
TAC	125 996 ⁽²⁾	⁽²⁾ Of which 6 700 tonnes are allocated to Norway, 30 000 tonnes to Iceland and 10 000 tonnes to the Faroe Islands. The Community share represents 70 % of the Greenland share of the TAC for capelin.
Species: Redfish <i>Sebastes spp.</i>		Zone: V, XII, XIV ⁽¹⁾ ⁽²⁾
Germany	9 367	⁽¹⁾ Community waters and areas beyond fisheries jurisdiction of other coastal States.
Spain	1 645	
France	875	⁽²⁾ The quota may be taken in NAFO Division IF but should be counted against the quota for ICES sub-areas V, XII and XIV
Ireland	3	
The Netherlands	4	
Portugal	1 966	
United Kingdom	23	
EC	13 883	
TAC	95 000	

ANNEX IIa

Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: I, II (NEAFC Regulatory area) ⁽¹⁾
EC	0	⁽¹⁾ i.e. those parts of the NEAFC Convention Area that are situated within ICES sub-areas I and II and lie beyond the fisheries jurisdiction of any coastal state.
TAC	Not relevant	

ANNEX III

Species: Northern prawn <i>Pandalus borealis</i>	Zone: NAFO 3M ⁽¹⁾																																																			
TAC ⁽²⁾	<p>⁽¹⁾ Vessels may also fish this stock in Division 3L in the box bounded by the following coordinates:</p> <table border="1"> <thead> <tr> <th>Point No</th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>47° 20' 0</td> <td>46° 40' 0</td> </tr> <tr> <td>2</td> <td>47° 20' 0</td> <td>46° 30' 0</td> </tr> <tr> <td>3</td> <td>46° 00' 0</td> <td>46° 30' 0</td> </tr> <tr> <td>4</td> <td>46° 00' 0</td> <td>46° 40' 0</td> </tr> </tbody> </table> <p>When conducting a fishery for shrimp in this box, vessels shall, whether or not crossing the line separating NAFO Divisions 3L and 3M, report in accordance with point 1.3 of the annex to Regulation (EEC) No 189/92 (OJ L 21 of 30.1.1992, p. 4).</p> <p>Moreover, fishing for shrimp shall be prohibited from 1 June to 30 September 2001 in the area bounded by the following coordinates:</p> <table border="1"> <thead> <tr> <th>Point No</th> <th>Latitude N</th> <th>Longitude W</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>47° 55' 0</td> <td>45° 00' 0</td> </tr> <tr> <td>2</td> <td>47° 30' 0</td> <td>44° 15' 0</td> </tr> <tr> <td>3</td> <td>46° 55' 0</td> <td>44° 15' 0</td> </tr> <tr> <td>4</td> <td>46° 35' 0</td> <td>44° 30' 0</td> </tr> <tr> <td>5</td> <td>46° 35' 0</td> <td>45° 40' 0</td> </tr> <tr> <td>6</td> <td>47° 30' 0</td> <td>45° 40' 0</td> </tr> <tr> <td>7</td> <td>47° 55' 0</td> <td>45° 00' 0</td> </tr> </tbody> </table> <p>⁽²⁾ Not relevant. Fishery managed by limitations in fishing effort. The Member States concerned shall issue special fishing permits for their fishing vessels engaging in this fishery, and shall notify those permits to the Commission prior to the commencement of the vessel's activity, in accordance with Regulation (EC) No 1627/94. By way of derogation from Article 8 of that regulation, permits will only become valid if the Commission has not objected within five working days following the notification.</p> <p>The maximum number of vessels and fishing time shall be:</p> <table border="1"> <thead> <tr> <th>Member State</th> <th>Maximum number of vessels</th> <th>maximum number of fishing days</th> </tr> </thead> <tbody> <tr> <td>Denmark</td> <td>2</td> <td>115</td> </tr> <tr> <td>Spain</td> <td>10</td> <td>225</td> </tr> <tr> <td>Portugal</td> <td>1</td> <td>60</td> </tr> </tbody> </table> <p>Each Member State shall, within 25 days following the calendar month in which the catches are made, report monthly to the Commission the fishing days spent in Division 3M and in the area defined in footnote ⁽¹⁾ above.</p>	Point No	Latitude	Longitude	1	47° 20' 0	46° 40' 0	2	47° 20' 0	46° 30' 0	3	46° 00' 0	46° 30' 0	4	46° 00' 0	46° 40' 0	Point No	Latitude N	Longitude W	1	47° 55' 0	45° 00' 0	2	47° 30' 0	44° 15' 0	3	46° 55' 0	44° 15' 0	4	46° 35' 0	44° 30' 0	5	46° 35' 0	45° 40' 0	6	47° 30' 0	45° 40' 0	7	47° 55' 0	45° 00' 0	Member State	Maximum number of vessels	maximum number of fishing days	Denmark	2	115	Spain	10	225	Portugal	1	60
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ANNEX IV

Species: Redfish <i>Sebastes spp.</i>	Zone: NAFO Div. IF ⁽¹⁾
Germany 9 367	<p>⁽¹⁾ May be taken in NAFO Division IF but should be counted against the quota for ICES sub-areas V, XII, XIV.</p> <p>⁽²⁾ These quotas are set on the basis of the TAC of 95 000 tons established by NEAFC.</p>
Spain 1 645	
France 875	
Ireland 3	
The Netherlands 4	
Portugal 1 966	
United Kingdom 23	
EC 13 883	
TAC 95 000 ⁽²⁾	

ANNEX V

Species: Yellowfin tuna <i>Thunnus albacares</i>	Zone: Eastern Pacific Ocean, IATTC's yellowfin regulatory area ⁽³⁾
EC ⁽¹⁾	<p>⁽¹⁾ The TAC is unallocated.</p> <p>⁽²⁾ The director of IATTC is authorised to increase this limit by up to three successive increments of 20 000 tonnes each.</p> <p>⁽³⁾ From the point on the mainland where the parallel of 40° N latitude intersects the coast westward along the parallel of 40° N latitude to 40° N latitude by 125° W longitude, thence southerly along the meridian of 125° W longitude to 20° N latitude by 125° W longitude, thence easterly along the parallel of 20° N latitude to 20° N latitude by 120° W longitude, thence southerly along the meridian of 120° W longitude to 5° N latitude by 120° W longitude, thence easterly along the parallel of 5° N latitude to 5° N latitude by 110° W longitude, thence southerly along the meridian of 110° W longitude to 10° S latitude by 110° W longitude, thence easterly along the parallel of 10° S latitude to 10° S latitude by 90° W longitude, thence southerly along the meridian of 90° W longitude to 30° S latitude by 90° W longitude, thence easterly along the parallel of 30° S latitude to the point on the mainland where the parallel intersects the coast.</p>
TAC 250 000 ⁽²⁾	

ANNEX VI

Appendix II to Annex V

Specifications of Top Window Codend 'BACOMA'

Specification of 120 mm, measured as inner diameter opening, square mesh window in a codend with a 105 mm or larger mesh size in trawls, Danish seines or similar towed nets.

The window shall be a rectangular section of netting in the codend. There shall be only one window. The window shall not be obstructed in any way by either internal or external attachments.

Size of the codend, extension piece and the rear end of the trawl

The codend shall be constructed of two panels of equal size, joined together by selvages one on each side.

The carrying on board of a net having more than 100 open diamond meshes in any circumference of the codend, excluding the joining or the selvages shall be prohibited.

The number of open diamond meshes, excluding those in the selvages, at any point on any circumference of any extension or lengthening piece shall not be less or more than the maximum number of meshes on the circumference of the front end of the codend *stricto sensu* and the rear end of the tapered section of the trawl excluding meshes in the selvages (*Figure 1*).

Location of the window

The window shall be inserted into the top panel of the codend. The window shall terminate not more than 4 meshes from the codline, inclusive of the hand braided row of meshes through which the codline is passed (*Figure 2*).

Size of the window

The width of the window, expressed in number of mesh bars, shall be equal to the number of open diamond meshes in the top panel divided by two. If necessary, it will be allowed to maintain at the most 20 % of the number of open diamond meshes in the top panel divided evenly on the both sides of the window panel (*Figure 3*).

Length of the window shall be at least 3,5 meters.

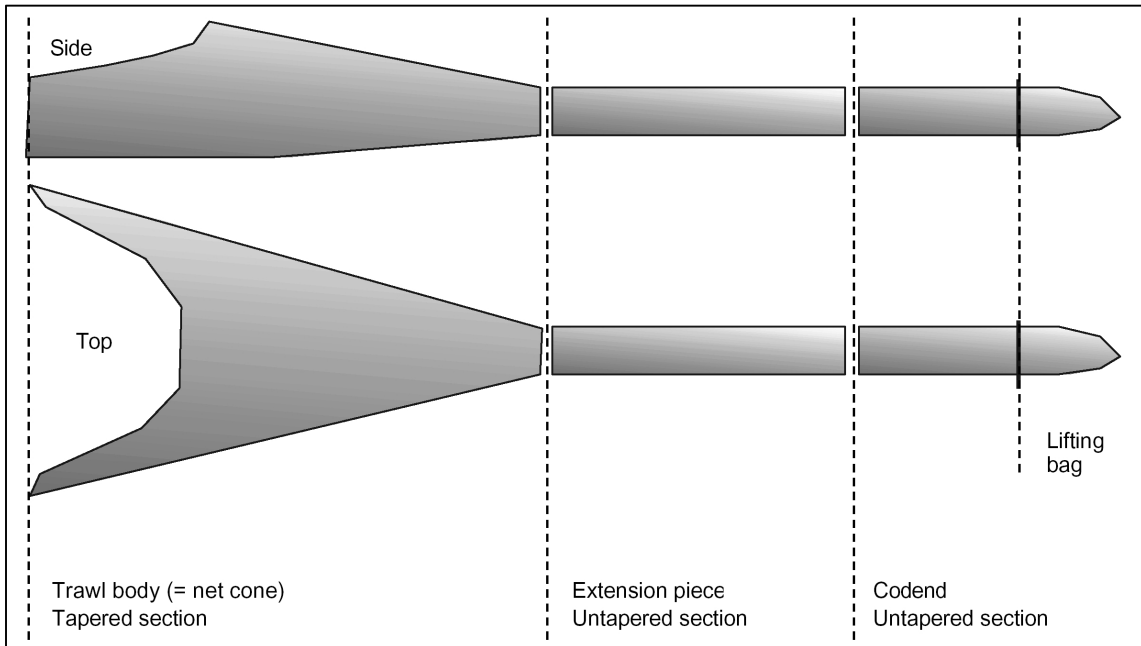
The netting of the window

The meshes shall have a minimum mesh opening of 120 millimetres. The meshes shall be square meshes i.e. all four sides of the window netting will be cut all bars. The netting shall be mounted such that the bars run parallel and perpendicular to the length of the codend. The netting shall be knotless braided single twine or a netting with similar proven selective properties (stiffness, strengths and stability). The diameter of the single yarn shall be at least 4,9 millimetres.

Other specification

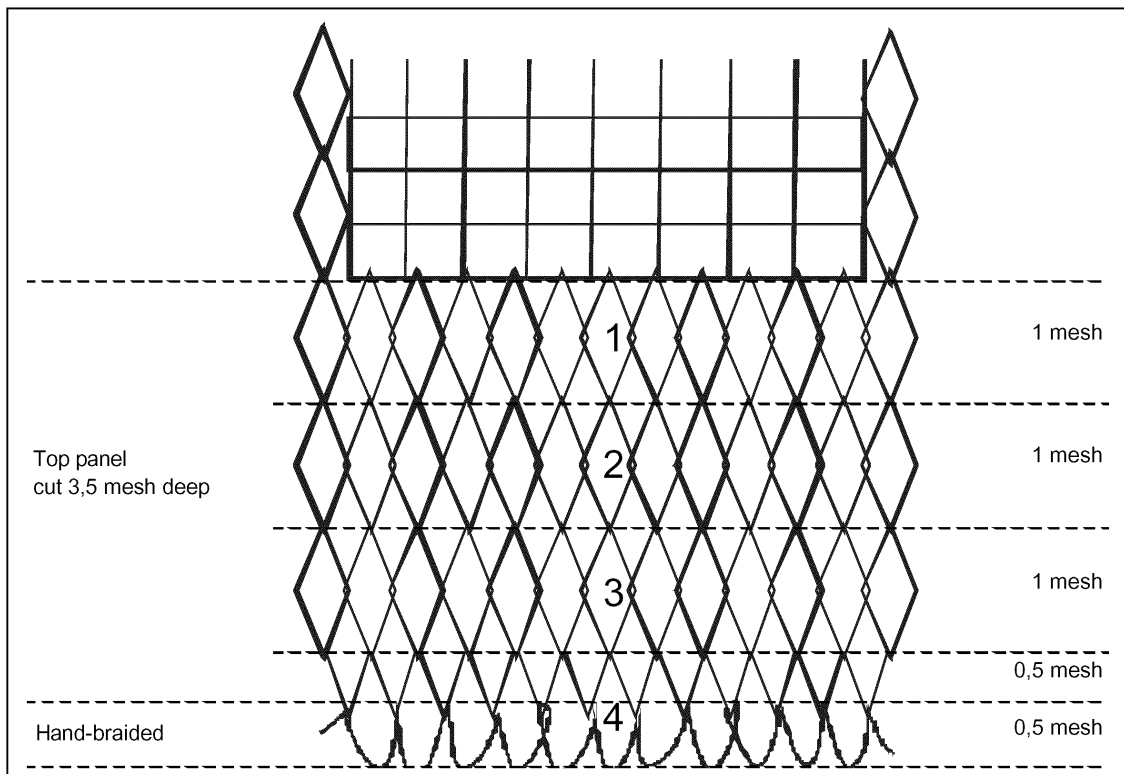
The mounting specifications are defined in *Figures 4a to c*. The length of the lifting strap shall not be less than 4 m.

Figure 1



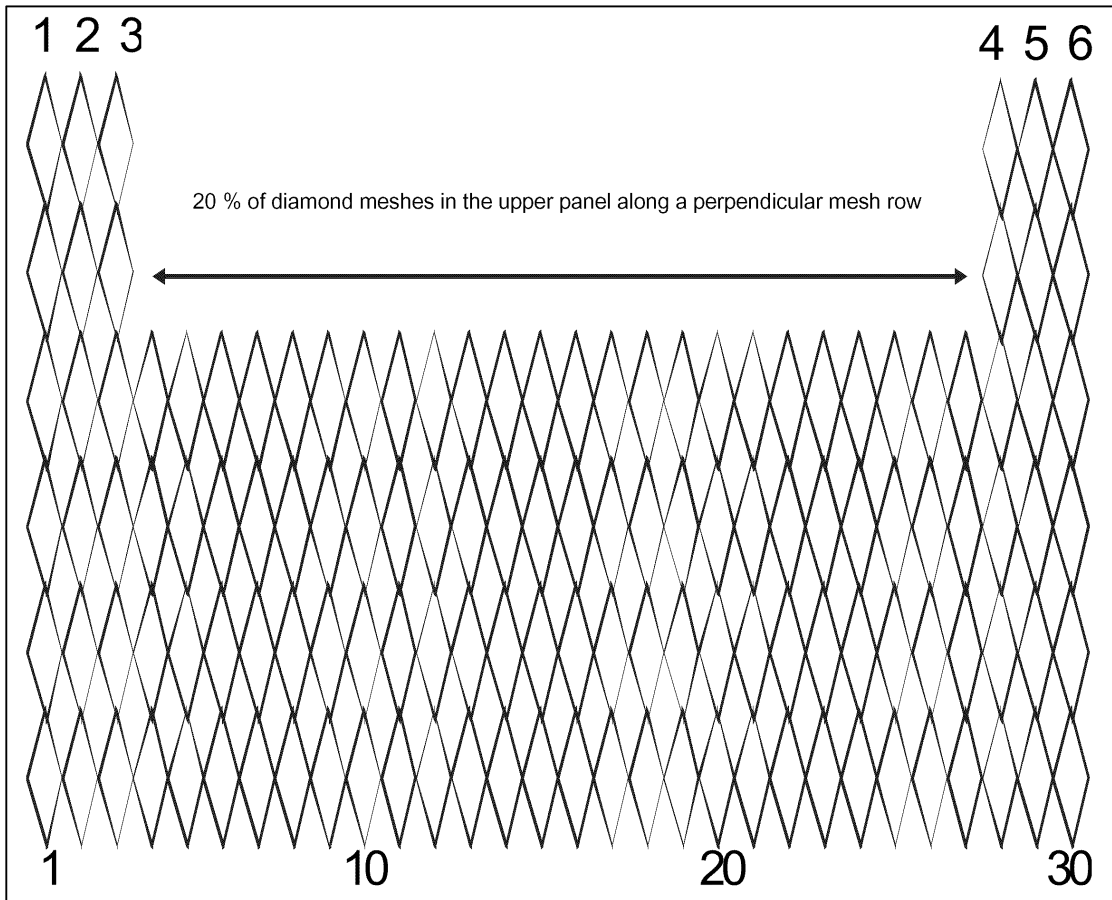
A trawl gear can be divided into three different sections according to their shape and function. Trawl body is always a tapered section often between 10 and 40 m long. Extension piece is untapered section normally manufactured of either one or two pieces of 49,5 mesh long nets giving a stretched length between 6 or 12 m. Codend is also an untapered section often made of double twine in order to have a better resistance against heavy wearing. The length of codend is often 49,5 meshes i.e. ca 6 meter although shorter codends (2 to 4) exists in smaller vessels. The part below lifting strap is called lifting bag.

Figure 2



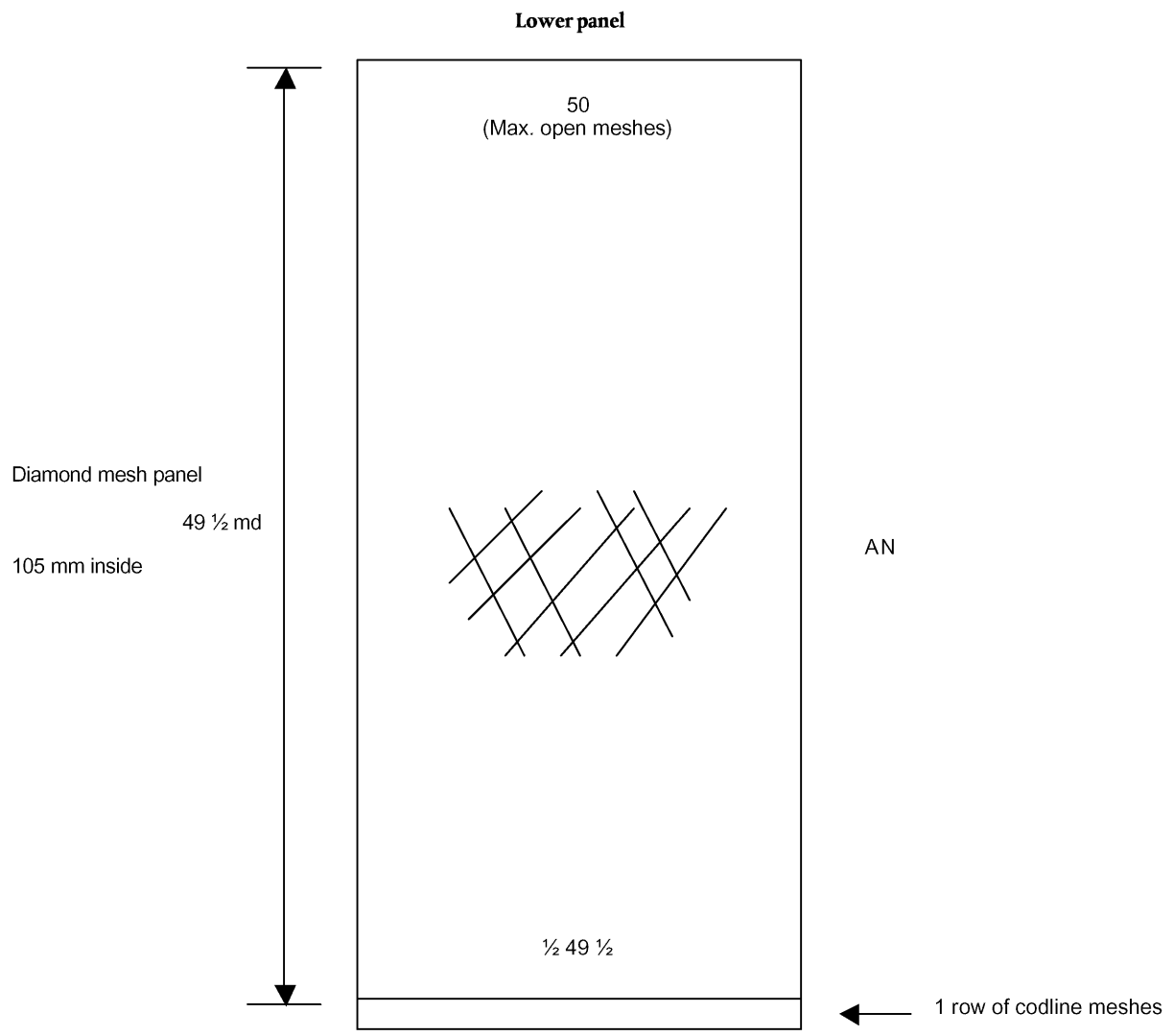
The distance of window panel from codline is 4 meshes. There are 3,5 diamond meshes in the upper panel and one 0,5 mesh deep hand-braided 'codline' row.

Figure 3



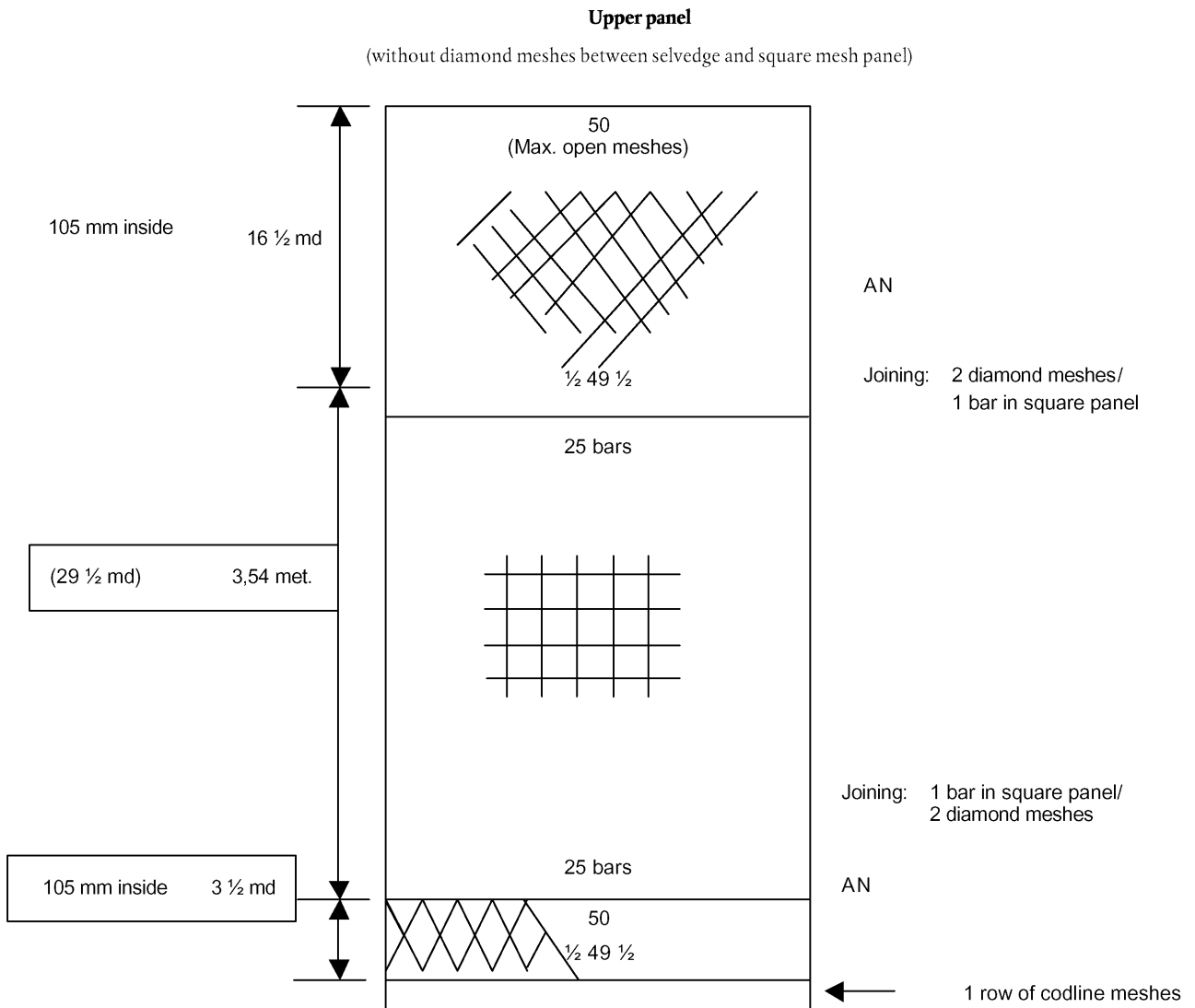
Twenty percent of diamond meshes in the upper panel along a perpendicular row running from one selvedge to another may be maintained. For example (like in figure) if the upper panel would be 30 open meshes wide 20 % of that would be 6 meshes. Then three open meshes is divided on both sides of the window panel. Consequently the width of the window panel would then become 12 mesh bars ($30 - 6 = 24$ diamond meshes divided by two is 12 mesh bars).

Figure 4a



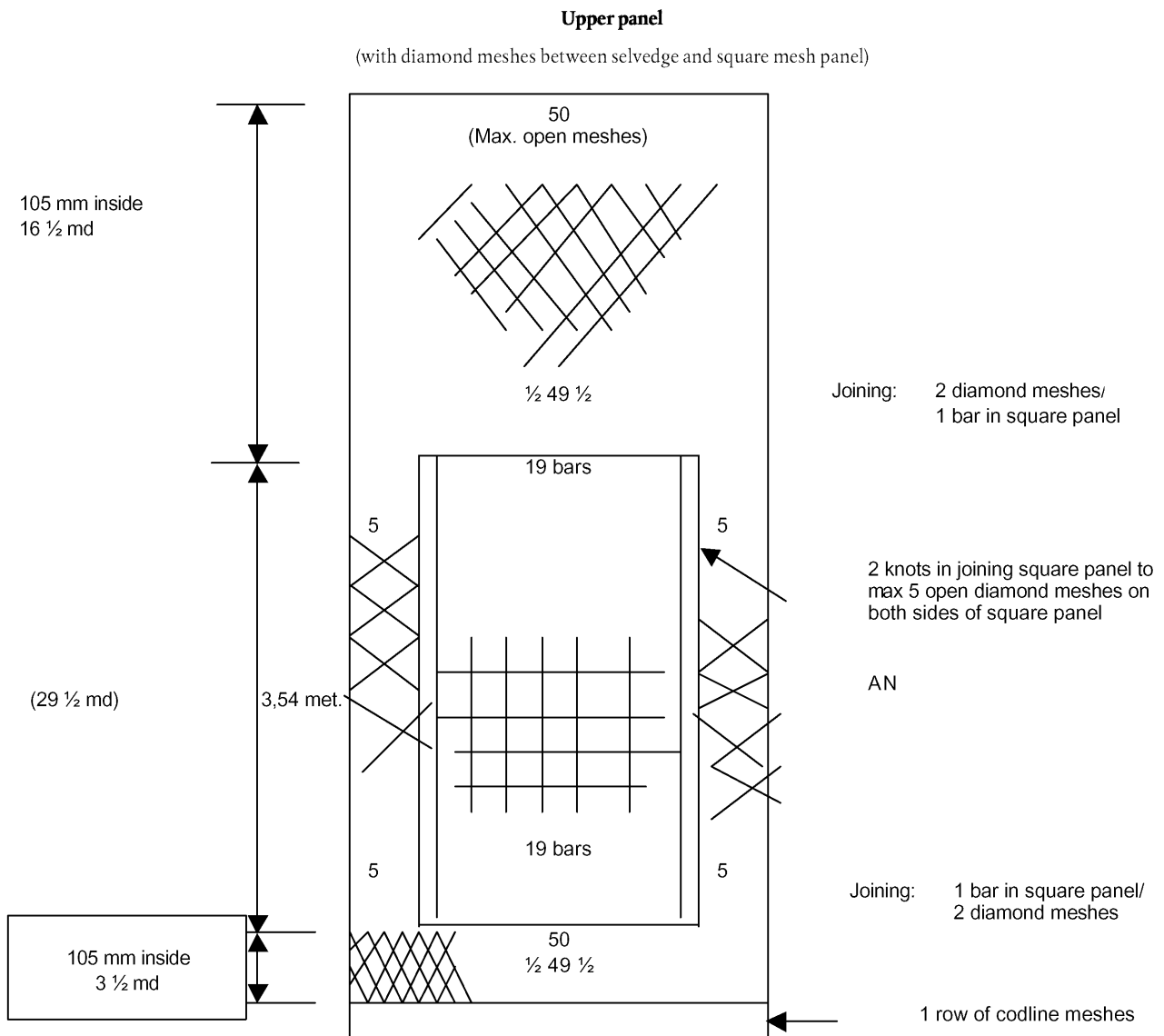
Showing the construction of lower panel made of 49,5 meshes deep netting

Figure 4b



The construction of upper panel, size and position of the window panel in case where the escape panel runs from selvedge to selvedge

Figure 4c



The construction of upper panel in case 20 % of diamond meshes in the upper panel are maintained and equally divided on both sides of the window



ANNEX VII

PART I

QUANTITATIVE LIMITATIONS OF LICENCES AND FISHING PERMITS FOR COMMUNITY VESSELS FISHING IN THIRD COUNTRY WATERS

Area of fishing	Fishery	Number of licences	Maximum number of vessels present at any time
Norwegian waters and fishery zone around Jan Mayen	Herring, North of 62° 00' N	40	30
Waters of the Faroe Islands	Herring, North of 62° 00' N	21	21

PART II

QUANTITATIVE LIMITATIONS OF LICENCES AND FISHING PERMITS FOR THIRD COUNTRIES VESSELS IN COMMUNITY WATERS

Flag State	Fishery	Number of licences	Maximum number of vessels present at any time
Norway	Herring, Nord of 62° 00' N	10	10
Faroe Islands	Herring, North of 62° 00' N	21	21