


# Procedure file

Basic information		
CNS - Consultation procedure Regulation	<a href="#">2002/0275(CNS)</a>	Procedure lapsed or withdrawn
Conservation of fishery resources: protection of juveniles of marine organisms		
Subject 3.15.01 Fish stocks, conservation of fishery resources		

Key players			
European Parliament			
Council of the European Union			
Council configuration	<a href="#">Agriculture and Fisheries</a>	Meeting	Date
		<a href="#">2481</a>	27/01/2003
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>		

Key events			
02/12/2002	Legislative proposal published	<a href="#">COM(2002)0672</a>	Summary
27/01/2003	Debate in Council	<a href="#">2481</a>	Summary
10/02/2003	Committee referral announced in Parliament		
20/05/2003	Vote in committee		Summary
19/05/2003	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0168/2003</a>	
03/06/2003	Debate in Parliament		
04/06/2003	Decision by Parliament	<a href="#">T5-0249/2003</a>	Summary
17/03/2006	Additional information		Summary

Technical information	
Procedure reference	2002/0275(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure lapsed or withdrawn

## Documentation gateway

Legislative proposal		<a href="#">COM(2002)0672</a>	03/12/2002	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0168/2003</a>	20/05/2003	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0249/2003</a> OJ C 068 18.03.2004, p. 0150-0321 E	04/06/2003	EP	Summary

## Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Conservation of fishery resources: protection of juveniles of marine organisms

**PURPOSE** : to lay down technical conservation measures regarding fishery resources **CONTENT** : Council Regulation 850/98 contains the current conditions for Community waters outside the Baltic and the Mediterranean relating to technical measures for the conservation of fish stocks by protecting juveniles of marine organisms. The technical measures define mesh sizes and other aspects of the structure of fishing gears, time periods and geographical areas within which defined types of fishing are restricted, as well as minimum landing sizes of marine organisms. Recently, the International Council for the Exploration of the Sea (ICES) have indicated that a number of stocks of cod and a major stock of hake are in danger of collapse. Regulation 850/98 has been amended as a response to this. It has also been amended six times of reasons not necessarily related to cod or hake. It is necessary to incorporate all these revised conditions in a comprehensive package of technical measures. The Commission also puts forward in this proposal a number of other measures intended to further protect juvenile cod and hake. These include enlargement of two geographical areas closed to certain types of fishing to protect hake and the proposal to draw up, by Commission Regulations, detailed rules relating to the linear dimensions and immersion times of static nets. They also include detailed rules regarding carrying combinations of towed nets of different mesh sizes. In rewriting the text, the Commission has ensured that all other relevant conditions laid down in Regulation 850/98 are maintained. On adoption of this proposal, Regulation 850/98 and all other relevant Council and Commission Regulations will be annulled.?

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The Council instructs the Permanent Committee of representatives to begin work immediately on its examination of this proposal and to present report at a forthcoming meeting. The Swedish delegation broadly supported the proposal of the Commission. The Danish delegation indicated it would have an open and constructive approach on this proposal and would proceed to the examination of new proposed rules on mesh size for Skagerrak and Kattegat. This delegation also insisted on the need to have a more selective fishing in order to avoid fish discard. The French delegation and the Portuguese delegations, having noted that technical measures were a key element of the conservation of resources, indicated their concerns with regard to the deletion of the current exemptions on mesh sizes for vessels below 12 meters in Zone VIII, which would have a severe effect on local fishermen. These delegations asked the Commission for taking into account the specificity of these fishing areas.?

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The committee adopted the report by Ian HUDGHTON (Greens/EFA, UK) tabling four amendments to the proposal under the consultation procedure. Two of these were purely drafting amendments aimed at rectifying incorrect references in the Commission text. The other two sought to: - ensure that the Commission submits a proposal, to be decided on by the Council before 31 December 2003, containing detailed rules defining the conditions under which combinations of towed nets of more than one range of mesh size shall be used. The committee was opposed to these rules being drawn up using the committee procedure, as the Commission had proposed, and therefore wanted to ensure proper legislative scrutiny of this important issue; - delete the provision whereby vessels fishing with the very smallest net sizes should continue to be allowed to retain undersized fish provided these are not sold for human consumption. ?

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The European Parliament adopted a resolution drafted by Ian HUDGHTON (Greens/EFA, UK) making a few amendments to the Commission's proposal. (Please see the document dated 20/05/03.) Parliament also inserted a provision stating that Regulation 2371/2002/EC enabled the establishment of Regional Advisory Councils. These are intended to help the Common Fisheries Policy to benefit from the knowledge and experience of the fishermen concerned and of other stakeholders and to take into account the diverse conditions throughout Community waters. Accordingly, decisions on technical measures should only be made after the opinions of relevant Regional Advisory Councils have been taken into account, particularly given that fishermen are likely to have the most in-depth knowledge of the sort of measures dealt with in the Regulation.?

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?Following the screening exercise of proposals pending undertaken as part of its effort for better regulation in the framework of the Partnership for Growth and Jobs in the European Union, the Commission has decided to withdraw certain proposals on which the Legislator has not yet reached a decision and which were found not to be consistent with the Lisbon and Better Regulation criteria, unlikely to make further progress in the legislative process or found to be no longer topical for objective reasons?. (OJ C64 of 17.03.2006, pages 3-10).