

Ms Lowri Evans

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Date: 21 August 2014
Our reference: 1415/PAC 01
Subject: Discard plans
CC: Evangelia Georgitsi (by email)

Dear Ms Evans,

The three main building blocks of the new Common Fisheries Policy (CFP) are the achievement of maximum sustainable yield, the introduction of the landing obligation and the shift from top down fisheries management to a regionalised bottom-up approach. Certainly the latter two represent a significant restructuring, not only regarding fisheries management itself, but especially in terms of thinking and cooperation between regional bodies, stakeholders and the Commission.

Stakeholder consultation, as mandatory under the new CFP, currently varies greatly among different regional Member State groupings. In our perception not all of these groupings fully comply with the obligation to properly consult the relevant Advisory Councils on measures to be implemented, particularly with regards to regional discard plans. At the same time the Pelagic AC recognizes that stakeholder consultation might be a new concept for Member States which takes time to properly develop. The tight time schedule under which both Member States and stakeholders were forced to develop recommendations on implementing the landing obligation in pelagic fisheries was certainly disadvantageous as well. To this end the Pelagic AC strongly hopes that cooperation on a regional level will improve in the future.

As you and your services are very well aware the Pelagic AC has spent considerable time and other resources on developing a unanimous set of recommendations regarding the implementation of the landing obligation for pelagic fisheries. The outcome is an extensive document providing, among other, information on all stocks in the remit of the Pelagic AC, an overview of past and current efforts to eliminate unwanted catches in the first place, a vision on how to further improve European pelagic fisheries and a specific set of recommendations. It is disappointing that many of these recommendations have been ignored by the regional Member State groupings. In particular the reversal of the burden of proof, a major step of structural rethinking by the pelagic industry, is neither being acknowledged nor supported by the regional discard plans while full compliance of the industry will be essential under the landing obligation, even under strict control regimes.



Furthermore, the lack of coordination among the regional groups is worrisome. Straddling pelagic fish stocks do not care about geopolitical boundaries and neither should the management of these stocks. Instead a common agreement on measures in relation to these stocks, first and foremost Northeast Atlantic mackerel, Western horse mackerel and blue whiting, must be reached with all Member States having an interest in these stocks. Otherwise there is a severe risk of installing a non-level playing field which will not only undermine fair conditions for the fishermen, but also the sustainable exploitation of these fish stocks. The level playing field must also be extended to those non-EU fleets (e.g. Norway, Faroe Islands) that have been granted access into EU waters for their pelagic fisheries. The Pelagic AC underlines the necessity that these fleets are subject to the same set of rules and regulations applicable to EU vessels.

In light of the above the Pelagic AC therefore requests the Commission to immediately perform an impact assessment of the pelagic discard plans developed by the North Sea, the North Western Waters and the South Western Waters Member State groupings.

Finally, the Pelagic AC again urges the Commission to address the very realistic risk of having no legal clarity on the 1st of January 2015. At the moment it appears highly doubtful that the proposed "Omnibus" regulation will have been agreed before the landing obligation comes into force. The legal hazard this poses for pelagic fishermen in the EU is unacceptable and the failure of EU policy making must under no circumstance threaten the livelihoods of EU fishermen and the processing industry. Solutions to this situation must be provided as soon as possible and the Pelagic AC is more than willing to engage with the Commission and Member States in a constructive dialogue to tackle this problem.

We are looking forward to receiving a positive reply.

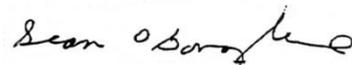
Yours sincerely,



Iain MacSween
President Pelagic AC



Esben Sverdrup-Jensen
Chairman Working Group I



Sean O'Donoghue
Chairman Working Group II