

Ms Charlina Vitcheva
Director General
Directorate General Maritime Affairs and Fisheries
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Pelagic AC
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Date: 10-11-2020
Our reference: 2021PAC08
Subject: Transparency issues in EFCA report evaluation of compliance with the landing obligation mackerel in NS and NWW 2015-2017

Dear Ms. Vitcheva,

We are contacting you to follow-up on the transparency issue regarding the EFCA report evaluation of compliance with the landing obligation mackerel in NS and NWW 2015-2017 by EFCA.

Following a joint PELAC-EFCA workshop in March 2020, we became aware of the publication of a summary of the [evaluation of compliance with the landing obligation for the mackerel fishery](#) on the EFCA website. In this summary, findings suggest a low level of compliance of this fishery with the rules pertaining to the landing obligation. To this date, after several requests to Member States groups and directly to the agency, EFCA has refused to disclose the full report this summary is based on.

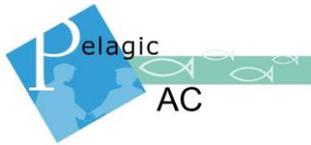
This is a great disappointment for the Pelagic AC but also reveals a serious procedural issue of transparency. It raises two main issues.

Firstly, given the nature of the conclusions presented, we would have expected to have been notified about the existence of this summary before its publication.

Secondly, the refusal to share the full evaluation means that the industry members of the Pelagic AC that are directly affected by these allegations, have no way of verifying them. At the same time, these members feel the results are in stark contrast to their experience with control inspections – specifically with regard to controls of the landing obligation in the mackerel fishery.

The Pelagic AC finds the lack of transparency in this process surprising and unacceptable. The verifiability of methodologies used to derive serious conclusions is a key pre-requisite for any form of scientific publication, in order to judge its robustness. The lack thereof thus affects its credibility. In our view the same applies in this case. The conclusions in the report leave the pelagic sector exposed, while stakeholders have no opportunity to address or challenge them.





The Pelagic AC therefore urges the Commission to ask for the release the report as a matter of urgency – or to ask for it to be removed the executive summary from the EFCA website altogether. More generally, the Commission should also work with EFCA to increase transparency in the work of the agency.

When the report is released, the Pelagic AC is more than willing to cooperate with EFCA, the High Level Groups, and the Commission to discuss the findings of the report, in order to determine to what extent they reflect the realities at sea.

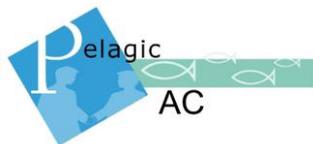
We hope for your cooperation and look forward to your speedy response.

Yours sincerely,

A handwritten signature in blue ink that reads 'Jesper Raakjaer'.

Jesper Raakjaer
Pelagic AC Chairman





Annex 1: Letter of the PELAC of the 31 March 2020

Mr. Pierre Tribon

Ministry for Agriculture and Food, Directorate for Fisheries
and aquaculture
1 place Carpeaux
92800 PUTEAUX
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Date: 31 March 2020
Our reference: 1920/PAC33
Subject: Release full report evaluation of compliance with the landing obligation
mackerel in NS and NWW 2015-2017
CC: **Bernhard Friess – European Commission**

Dear Mr. Tribon,

Following the joint EFCA-PELAC workshop on monitoring, control and enforcement of the landing obligation, held on March 5th in The Hague, the Pelagic AC wishes to raise a set of serious procedural issues with you.

The Pelagic AC became aware of the publication of an executive summary of the [evaluation of compliance with the landing obligation for the mackerel fishery](#) in the weeks prior to the above mentioned workshop. In this summary, findings suggest a low level of compliance of this fishery with the rules pertaining to the landing obligation. To the great disappointment of the Pelagic AC, EFCA has refused to disclose the full report this summary is based on, upon request by the Pelagic AC secretariat. This turn of events raises two issues that are of serious concern to the Pelagic AC. Firstly, given the nature of the conclusions presented, we would have expected to have been notified about the existence of this summary before its publication.

Secondly, the refusal to share the full evaluation means that the industry members of the Pelagic AC that are directly affected by these allegations, have no way of verifying them. At the same time, these members feel the results are in stark contrast to their experience with control inspections – specifically with regard to controls of the landing obligation in the mackerel fishery.

During the workshop, EFCA explained that the full report contained sensitive inspection data not suitable for external publication. Moreover, the decision to publish the executive summary was a direct instruction by the High Level Group, as was the decision to withhold the details of the report.

The Pelagic AC finds the lack of transparency in this process surprising and unacceptable. The verifiability of methodologies used to derive serious conclusions is a key pre-requisite for any form of



scientific publication, in order to judge its robustness. The lack thereof thus affects its credibility. In our view the same applies in this case. The conclusions in the report leave the pelagic sector exposed, while stakeholders have no opportunity to address or challenge them.

The Pelagic AC therefore urges the High Level Group Presidencies to release the report as a matter of urgency – or to remove the executive summary from the EFCA website altogether.

When the report is released, the Pelagic AC is more than willing to cooperate with EFCA and the High Level Groups to discuss the findings of the report, in order to determine to what extent they reflect the realities at sea.

We hope for your cooperation and look forward to your speedy response.

Yours sincerely,

A handwritten signature in blue ink, reading 'Jesper Raakjær'.

Jesper Raakjær
Chairman Pelagic AC