



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/D4/JH/Ares(2021)

Mr. Jesper Raakjaer  
Chairman Pelagic AC  
Louis Braillelaan 80  
2719 EK Zoetermeer  
The Netherlands

**Subject: Your letter on the EFCA report on the evaluation of compliance with the landing obligation for mackerel in NS and NWW 2015-2017**

Dear Mr Raakjaer,

Thank you for your letter, with your reference 2021PAC08<sup>1</sup>, in which you urge the Commission to ask the European Fisheries Control Agency (EFCA) for the release of its *Evaluation of Compliance with the Landing Obligation Mackerel in North Sea and North Western Waters 2015 – 2017* or for the removal of the document's executive summary from its website altogether.

For your background, the full report was completed with the agreement of the NWW Control Expert Group and was adopted by the NWW High Level Group (HLG) in 2019. The HLG requested EFCA to publish an Executive Summary of this evaluation, which was drafted to not disclose sensitive inspection data and other confidential details contained in the full report. Taking into consideration the confidential and sensitive nature of the information contained in the report and in consultation with EFCA, on 16 February the Commission sent a letter to Ms Anne-Marie Kats from the Pelagic Advisory Council informing that it is not possible to make the report public.

I would like to nevertheless inform PELAC on the methodology and evidence used by EFCA to reach the findings of the report and contained in the Executive Summary available to the public on the EFCA website.

The EFCA evaluation entailed looking at compliance from different perspectives, and using quantitative and qualitative methods of analysis. Quantitative methods included discard estimates derived from sea inspections of observed catch compositions in the last haul and from data collected from the EU Fisheries Dependent Information database, obtained from the Scientific, Technical and Economic Committee for Fisheries. In addition, data from the International Council for the Exploration of the Sea on discard estimates reported by area and stocks concerned were taken into account. An analysis of suspected infringements reported during the study period was also performed. Qualitative methods included a survey of both control experts and the fishing sector.

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<sup>1</sup> Our reference – Ares(2020)6555505.

I would like to underline the vital role that effective control and enforcement play in ensuring compliance with the landing obligation. The deficiencies identified in control measures have contributed to the high level of non-compliance highlighted in the Executive Summary of the EFCA report. This finding is also reflected in recent audits conducted by DG MARE. By contrast, the use of remote electronic monitoring (REM) systems, incorporating closed-circuit television (CCTV) and sensor monitoring systems, have been demonstrated as being highly effective tools to perform a variety of control and enforcement issues, including in connection with the landing obligation, during fishing activities at sea.

With the above in mind, I would like to take this opportunity to encourage PELAC to support the European Commission's stance on the introduction of REM controls and our intention to provide a legal basis for the mandatory, risk based, use of REM in our proposal for a revised fishery control system<sup>2</sup>. Such measures will benefit all stakeholders, not only by supporting the objectives of the Common fisheries Policy, but also by ensuring the establishment of a level playing field between operators. Effective control measures will benefit the majority of fishers that wish to respect the rules, which are intended to ensure the conservation of our marine biological resources, but face unfair competition from those that contravene the rules and operate at an inequitable competitive advantage.

I thank you again for your letter and I invite you to contact Ms Pascale COLSON, coordinator of the Advisory Councils ([pascale.colson@ec.europa.eu](mailto:pascale.colson@ec.europa.eu); +32.2.295.62.73), should you have any question on this reply.

Yours sincerely,

Charlina VITCHEVA

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<sup>2</sup> Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control (COM(2018) 368 final).