

Ms. Maria Koleva
Permanent Representation of Bulgaria to the EU
Council of the European Union
Belgium

Dublin, 20 March 2018

Subject: **Technical Conservation Framework Regulation for Fisheries proposal (COM (2016) 134 final)**

Dear *Ms. Maria Koleva*,

The NWWAC met in Madrid on the 8th March and had detailed discussions on the current status of the Technical Framework Regulation proposal (COM (2016) 134 final).

On the basis of this discussion, the NWWAC reiterates the key elements of its advice of 20th March 2017, as these remain valid and should be taken into account in the forthcoming negotiations (Annex; 1).

In this advice, the NWWAC acknowledged that *“Regulation 850/98 has not provided the basis for an effective set of conservation rules and has proven to be unworkably rigid and inflexible; its requirements difficult to understand and to control”*.

In addition, the NWWAC advised that the new proposal should represent *“a decisive shift away from a single set of over-centralised prescriptive rules, towards governance arrangements that allow, over time, for a considerable degree of regional variation and a more results based approach, using the mechanism expressly provided for in the reformed CFP, for the adoption of joint recommendations by member states acting collaboratively at the regional level.”*

It is now apparent that the amendments from both co-legislators significantly alter the Commission’s original proposal. If agreed, it is likely that the final framework regulation will not address the weaknesses inherent in the existing Regulation (EC) No. 850/98 and in all likelihood will make the situation worse. In particular, in the opinion of NWWAC, there is a risk that the approach taken by the co-legislators could make the landing obligation unworkable, would result in serious negative impacts on the conservation of the marine environment and fish stocks and will further jeopardise the achievement of the CFP’s objectives.

The NWWAC appeals to the Commission to make the Council and Parliament, engaged in the negotiations, fully aware of the dangers of pursuing their respective positions. Specifically the NWWAC asks that they consider the issues outlined above and those raised in the NWWAC advice (Annex; 1) regarding the scope for regional flexibility and the need for a flexible and responsive technical conservation regime.

We are aware that some members of the NWWAC have independently articulated their own concerns with the TCM proposal to the Commission and have requested that the proposal be withdrawn altogether (Annex; 2).

Yours sincerely,



Emiel Brouckaert
Chairman, Executive Committee

cc. *Mr Karmenu Vella, Commissioner for Maritime Affairs and Fisheries, European Commission.*

Mr. João Aguiar Machado, Director General, Maritime Affairs and Fisheries DG Mare, European Commission.

Mr Alain Cadec, President of the PECHE committee, MEP, European Parliament



Annex

1. NWWAC letter to the EP PECHE Committee on the Technical Conservation Framework Regulation for fisheries. Sent on 20th March 2017, [link](#) to the NWWAC website
2. NGO Letter to the European Commission to withdraw the current Technical and conservation measures regulation's proposal. Sent on 5th March 2018, [link](#).

