



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

06.05.2009 D 05000

Brussels,
D(2009)

Mr. Sam Lambourn
NWWRAC
Bord Iascaigh Mhara
Crofton Road
Dun Laoghaire
Co Dublin
Ireland

Subject: NWWRAC advice of 22nd April – eastern Channel technical measures

Dear Mr Lambourn,

Thank you for sharing with us the RAC's opinions concerning management measures in the Eastern Channel within the 2009 fishing opportunities regulation.

The technical measures on cod-avoidance agreed with Norway late 2009 formed part of a negotiated package. Another part of that package was the increased TAC for North Sea cod in 2009, and the concomitant increase in the eastern Channel. Measures for reducing discards were an essential precondition for concluding an agreement on the cod management in the North Sea.

The measures agreed with Norway did not cover the eastern Channel. However, similar management principles were applied by the Community, while the technical measures are not prescribed in detail.

You are worried that vessels subject to a derogation from effort limits because of a proven low cod catch rate might, nevertheless, have to change to a "low cod" fishing gear if the quarterly cod quota uptake limit is exceeded. In fact, decisions concerning the adaptation of the use of fishing gears in these circumstances are made by Member States, and with the purpose of managing catches within the quarterly limits (Annex III, Paragraph 5d2 of Regulation 43/2009). There would seem to be little purpose in an adaptation of a fishing gear that does not catch cod, so we would not expect Member States to take such a decision unless there are particular and special reasons to do so. In the unlikely event where RAC members would encounter difficulties on this point, I would suggest to raise the matter with their relevant national administration.

Yours sincerely,

Fokion Fotiadis