

MINISTÈRE DE L'ENVIRONNEMENT, DE L'ÉNERGIE ET DE LA MER

La Défense, le

Direction des pêches maritimes et de l'aquaculture

Sous-direction des ressources halieutiques

Commission européenne

Nos réf. :
Vos réf. :

**Monsieur le Directeur général
des affaires maritimes et de la pêche**

Objet : new NWW JR establishing a discard plan for certain demersal fisheries
P.J. : JR (main body and annexes); NWW AC advice

Dear Mr Aguiar Machado,

On behalf of the North Western Waters Group, chaired during the first semester 2016 by France, and in accordance with articles 15 and 18 of the CFP basic Regulation (1380/2013), I have the honour to transmit you the new Joint Recommendation (JR) laying down a discard plan for certain demersal fisheries in North Western Waters (NWW); JR adopted by consensus after a thorough consultation of the NWW Advisory Council (advice also attached).

I would like to draw your attention to several points of the new JR, especially section 4.d., which confirms that the Group remains fully committed to progressively extending the Landing Obligation (LO) in 2018 to avoid a big bang of implementation in 2019.

To extend the demersal landing obligation in 2017 the group has worked to reduce some of the existing thresholds used to define vessels obliged to land particular species. Certain threshold reductions are conditional (because of difficulties which might arise when implementing the future delegated regulation) and are subject to clarification by the Commission. The needs for such clarification are outlined below and specified in the footnotes of Annex 0 (tables e, f & i). We kindly ask that the Commission provide a response on these issues by 24th June, if possible:

1. About continuation of *de minimis* exemptions for whiting, the group has already submitted additional data to the Commission to better assess the maximum residual discards (cf. my previous letter) and to support the continuation of this exemption in 2017. The whiting exemption has only been in force for 5 months and as a result the group is restricted on what additional evidence it can provide. The group feels a pragmatic approach would be to support the continuation of the whiting exemptions for 2017 and to review them during the second semester 2017 (when more

accurate data should be available). We also ask that the Commission is clear about the additional data it requires so Member States can plan for improved data collection.

2. About the sole recovery management plan in force in the Western Channel (VIIe), the Group is still waiting for official confirmation from Commission services on how the sole recovery management plan will operate in future years; a more detailed insight on this issue is annexed to this letter. Following a response from the Commission it will be important for Member States to perform choke analyses in order to confirm the threshold to be applied in table f (5 or 10%) in 2017. It is important for Member States to be reassured that the Sole Recovery Management Plan does not risk choking the fishery in 2017 as VIIe sole is progressively brought under the landing obligation.

We welcome further discussion with DG MARE on this discard plan, especially through dedicated meeting(s) during the process leading to the release of a new delegated regulation; indeed, it would be desirable to review, before their publication, a draft of the delegated acts, ideally in different linguistic versions, with regional Groups' experts, to ensure the delegated acts accurately reflect the views of the groups.

Yours sincerely,

Copies to:
- NWW AC

Annex dealing with concerns about the VIIe Sole Recovery Management Plan

The Commission's intention on the future setting of sole VIIe quota needs clarification before the regional group confirm the catch threshold to be used in 2017 (Table f, Annex 0). The Commission implemented a management plan (MP) for the recovery of the sole stock early in 2007 (Council Regulation (EC) No 509/2007) with a long-term management fishing mortality (F) target of 0.27. In 2015, ICES updated the analytical assessment of sole to incorporate revised input data following changes to the UK e-logbook effort recording system. This has produced an improved stock assessment and revised reference points but the appropriateness of the MP with its inter-annual TAC constraint of $\pm 15\%$ has not been re-evaluated. Elements of the 2007 plan may prevent sole from being successfully introduced under the landing obligation (LO), possibly creating premature fisheries choke as more vessels become subject to the LO. In response to an EU request, ICES provided FMSY ranges for sole in Division VIIe (advice released 5th February 2016, revised 13th May 2016). The peak yield for this stock is now obtained at FMSY = 0.29 without an inter-annual TAC constraint. It will be essential to understand the FMSY value which will be adopted in Commission proposals for December Council 2016. The Regional Group is awaiting the views of the Commission on the VIIe Sole Recovery Management Plan; MSs can then perform choke analyses to ensure that the reduction in threshold does not imply fisheries choke in 2017 for this valuable stock which has benefited from a spawning stock biomass above MSY Btrigger for more than the past two decades.