



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/FB (2022)

Subject: NWWAC Advice on the Consultation on Fishing Opportunities for 2022 under the Common Fisheries Policy

Dear Mr. Brouckaert,

Thank you for sharing with us the NWWAC Advice on the consultation regarding Fishing Opportunities for 2022.

State of the fleet

As regards the state of the EU fleet, I would point out that the information in the yearly report on the balance between the fishing capacity of the Member States' fleets and their fishing opportunities¹ is based on the calculations carried out by the Scientific, Technical and Economic Committee for Fisheries (STECF). For these calculations, STECF uses the most recent data available, in particular from stock assessments and economic data of the most recent year for which economic data of the Data Collection Framework for fisheries are available. This indeed leads to the unavoidable situation that the information provided in the report presented by the Commission is based on data of previous years even though the Commission makes use of most recent date. Considering, for instance, the fact that the Sustainable Harvest Indicator is calculated by landings value, an alignment of the report with the scientific advice on Fishing Opportunities - as suggested by the NWWAC - is not possible.

I take note of NWWAC other request to receive all relevant information allowing it to formulate advice on the action plans requested from Member States. The calculations that underpin the STECF review can be found on the STECF website². I would, however,

¹ in line with Article 22.4 of the CFP Regulation

² <https://stecf.jrc.ec.europa.eu/reports/balance>

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recall that it is first and foremost the responsibility of Member States to carry out the appropriate calculations in line with the 2014 Commission guidelines³ and to present the outcome of those calculations in their national reports⁴ accompanied, where necessary, by an action plan.

The Commission closely follows the evolution of the EU fisheries sector in the aftermath of the COVID-19 crisis and Brexit and has requested STECF to provide in this year's annual economic report an in-depth look on the way these two factors affect the economic performance of the EU fishing fleet.

I can only subscribe to the observation that adequate management of fishing opportunities by Member States could play a relevant role in achieving a good balance between capacity and opportunities for the fleets. Since measuring the effects of adequate management can only take place once this is put into effect, this again underlines the inability to align the report on the state of the EU fleet with scientific advice on fishing opportunities.

Landing obligation

I also would like to thank you for highlighting the importance and priority for the NWWAC to develop and use selective fishing gears or techniques to reduce and avoid, as much as possible and in the first place, unwanted catches. Here, the European Maritime Fisheries and Aquaculture fund⁵ can support such innovations and investments that make fishing techniques and gear more selective, with a particularly high rate of public aid (100%).

An intense collaboration between all the relevant stakeholders has been established creating a better understanding of the implementation of the landing obligation and its challenges. The NWWAC's work in the previous years - for example on co-developing the choke identification tool - has proven invaluable for this better understanding alongside the tools available within the Common Fisheries Policy framework. The quota-exchange pool is one of such measures, aiming to strike the right balance between continuing fisheries and the need to achieve a good biological status for those stocks. The Member States Regional Groups managed to implement this quota-exchange mechanism successfully. I would therefore encourage the NWWAC proposing to update the choke identification tool and evaluate the mitigation measures in place to assess whether further recommendations to resolve choke issues in the North Western Waters should be the subject of further advice.

Concluding on this topic, control and enforcement of the landing obligation remains a challenge, as indicated by Commission audits and the European Fisheries Control Agency. We note that Member States have not adopted the necessary measures to ensure control and enforcement and significant undocumented discarding of catches by operators continue to occur. We consider remote electronic monitoring (REM) tools are the most effective and cost-efficient means to monitor the landing obligation. The Commission has supported the use of such modern control tools in its proposal for a

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2014:545:FIN>

⁴ These reports and the related action plans are published here: https://ec.europa.eu/oceans-and-fisheries/fisheries/rules/fishing-fleet-capacities_en

⁵ Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004

revised fisheries control system and will continue working with the co-legislators to reach an agreement. It is vital, in this context, to have your support.

Scientific advice and data collection

ICES is continuing to make progress towards a full implementation of their Transparency Assessment Framework (TAF), which has now 58 fully entered and 150 partially entered stocks in this framework. The large majority of advice sheets for category 1 and 2 stocks additionally include a section on methods used and quality of advice, in which ICES explains encountered issues. The NWWAC requests for amending the advice sheets with information regarding quality should be conveyed to ICES directly.

Concerning the data collection framework implementation, the national work plans cover commercial sampling of species for which you voice concern in the ICES zones 6a, 7a and 7h-k. This is not always mandatory under the current multiannual EU programme. The multiannual programme lists data requirements and mandatory research surveys at sea, yet the stock assessment methods are chosen by the end users of data, in particular ICES.

Please note that the Member States coordinate their data collection activities at sea level basin in the regional coordination groups (RCGs). RCG for North Atlantic, North Sea and Eastern Arctic works closely with its major end user of scientific data – ICES - on appropriate methods for statistically sound sampling schemes. New technological developments related to genetics are frequently discussed points in the group's agenda (cf. RCG NANSEA 2020 report, available at the DCF website⁶).

I hope with this letter I have addressed your main topics of reflection. I am looking forward to our continued fruitful cooperation and should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils (Pascale.COLSON@ec.europa.eu; +32.2.295.62.73), who will forward them to relevant colleagues.

Yours sincerely,

[e-signed]
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⁶ <https://datacollection.jrc.ec.europa.eu/docs/rcg>