



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels, 8 February 2022  
MARE/C.5/AL/il/Ares (2022)

Dear Mr Brouckaert,

Thank you for your letter of 23 December 2021 with the advice by the North Western Waters Advisory Council (NWWAC) on the management of the whelk fishery in the Channel (ICES divisions 7d and 7e). The Commission deeply values the input and advice provided by the NWWAC, and your ongoing participation and commitment in the policy making process.

In your letter, you provided a set of recommendations for a management framework for the whelk fishery in the Channel. The advice you issued proposes a set of measures that could contribute to sustainable management of this fishery outside the 12-mile area (i.e. all vessels equipped with VMS, maximum length of vessels, pots with sorting grid with a minimum bar spacing of 22 mm). I also appreciate that the measures proposed in this advice were duly supported by a participatory process developed by the NWWAC Focus Group on Whelk.

I fully recognise the importance of setting management frameworks when required. In this context I would like to highlight two main elements that we need to consider for any detailed discussions on establishing such management measures.

Firstly, these measures can only deliver their full contribution when they are underpinned by robust scientific evidence (e.g. information on stock status, exploitation level, etc.). In absence of such knowledge and science a policy framework risks not delivering on its own objectives.

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Secondly, in light of the sea basin and waters in question, the link to the EU-UK Trade and Cooperation Agreement (TCA)<sup>1</sup> should be considered. The TCA outlines that the conservation of non-quota stocks should be based on the best available scientific advice and addressed through development of multi-year strategies under the remit of the Specialised Committee on Fisheries (SCF). We reiterated this position and legal view in several discussions with the UK over the course of 2021 regarding the management of non-quota stocks (including whelks), as well as in our recent response to the UK regarding the UK notification on management measures for the whelk fishery in the Welsh zone. Furthermore, it is important to note that in the recent fisheries consultations with the UK, we agreed to work at pace in the SCF from the beginning of 2022 with the aim of developing a first set of multi-year strategies by 31 July.

In light of the outlined elements, we consider that some additional scientific work is required and that this matter should be taken to the SCF and integrated into the development of multi-annual strategies for non-quota stocks, before establishing any European management measures. As such, pursuing unilateral measures at this point would not be justified.

In this context, I am grateful for your expressed willingness to contribute to the work of SCF on this topic and other topics in the AC's remit. We would be very much interested in continued collaboration in order to discuss further this matter and your proposed recommendations on management of non-quota stocks, especially in view of this being a priority subject for the SCF in the coming months.

Should you have any further questions on this reply, please 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), who will forward them to relevant colleagues.

Yours sincerely,

[e-signed]  
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<sup>1</sup> Trade and Cooperation agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, OJ L 149, 30.04.2021, p. 10.