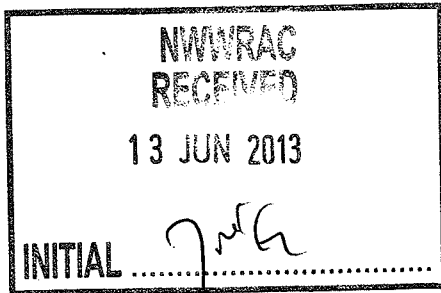


EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL



Brussels, **29 MAI 2013**
A2/EG/DR D(2013) **1496088**

North Western Waters RAC
Bertie Armstrong (Chair of the Exec.
Committee)
BIM, PO Box 12
Crofton Road,
Dun Laoghaire
Co. Dublin
Ireland

**Subject: Request for amendment of Technical Conservation Measures (TCM)
Regulation – Reg. EC No 850/1998 – Definition of by-catches**

Dear Mr Armstrong,

Thank you for the NWWRAC request regarding the definition of bycatch rules within Regulation (EC) No 850/98 and specifically in relation to dredge fisheries for bivalve molluscs. I apologise for the delay in replying.

We are aware of the complexities of the current technical measures regulations. We note your concerns in this particular case. However, in the absence of supporting catch information we are not in a position to make an assessment of your request at this juncture. If, through the relevant national administrations, you can provide catch data to corroborate your case then we could request STECF to make an assessment of the consequences of the current provisions. Depending on the findings we can then decide on the best course of action. In the current legislative framework, any amendment to Regulation (EC) No 850/98 would have to be enacted under ordinary legislative procedure (i.e. co-decision of the Council and the European Parliament) which can be a lengthy procedure.

We are currently undertaking a review of these rules in the context of the reform of the Common Fisheries Policy (CFP) with a view to revising them to reflect the future regionalised approach and the obligation to land all catches. Under this approach we envisage that such seeming anomalies would be avoided or removed as technical measures could be tailored towards the specificities of different fisheries at the regional level. The timeframe is very much dependent on when agreement is reached on the reform package. This should not discourage you from collecting the supporting information to allow STECF to make their assessment, particularly given that with the likely introduction of regional discard plans under the reform there may be an opportunity to amend these specific bycatch rules.

If you have any queries, you can contact Ms Evangelia Georgitsi, coordinator of the Regional Advisory Councils (evangelia.georgitsi@ec.europa.eu; +32.2.295.04.43).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lowri Evans', written in a cursive style.

Lowri Evans

Copies: F. Candella Castillo, R. Griffin, E. Bianchi, D. Rihan, E. Georgitsi, O. Baudalet (DG Maritime Affairs and Fisheries)