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Dun Laoghaire, 3 June 2021

Dear Mr Banel,

Subject: NWWAC advice on the draft Joint Recommendation Discard Plan 2022

Thank you for the opportunity to provide feedback on the draft Joint Recommendation Discard Plan for pelagic and demersal fisheries in the North Western Waters which we received from your services on 30 April 2021.

While the North Western Waters Advisory Council (NWWAC) welcomes the information obtained from the NWW MS Technical Group (TG) meetings in February, March and April, and of the High Level Group (HLG) meeting on 22 April 2021, it is unfortunate that no draft was available for NWWAC members to discuss prior to its submission to the Commission on 01 May.

This was also the case last year, where the NWWAC prepared advice to assist the MSG based on consultations of the geographical Working Groups and on the meeting of its Horizontal Working Group in March 2020. At that time, the AC reflected on the effectiveness of the exemptions currently in place and sought to indicate sources providing additional information in their support.

The NWWAC would like to draw your attention to this advice¹ provided last year as all of its recommendations are still relevant this year.

In general terms the NWWAC is advising to retain the existing exemptions, noting that OIG members request these to be subject to the relevant supporting information being provided. We reiterate the view expressed in the Choke Advice 2020 that priority should be given to measures that aim at avoiding unwanted catches in the first place.

We note two specific amendments to last year's Joint Recommendation relevant to the NWW, specifically:

- "5.1.1 Extension requests for exemptions granted until the 31st of December 2021 for a de minimis exemption for whiting (*Merlangius merlangus*).
- 5.2 New exemptions requests
 - Plaice (*Pleuronectes platessa*) caught with seines (SSC) in ICES division 7b-k Further details in Annex 3.1, 3.2 and 3.3."

¹ NWWAC Advice to support the NWW MSG in drafting the Joint Recommendation for the Discard Plan 2021 – 21 April 2020. Available at: [https://www.nwwac.org/fileupload/Opinions%20and%20Advice/Year%2015/NWWAC Advice JR Discard Plan 21-04-2020_EN.pdf](https://www.nwwac.org/fileupload/Opinions%20and%20Advice/Year%2015/NWWAC%20Advice%20JR%20Discard%20Plan%2021-04-2020_EN.pdf)





NWWAC members support the extension request for the *de minimis* extension for whiting in ICES divisions 7b to k.

NWWAC members welcome the exemption request for plaice caught with seines in ICES division 7b to k, however, further survivability studies should be prioritised. In addition, given the lack of data on plaice in 7h-k and the fact that survival exemption for other gears in that area no longer exists, OIG members of the NWWAC remain concerned about such new exemption.

The NWWAC strongly supports the details of future work as identified under 5.3.

NWWAC members also wish to refer to last year's advice document which contained specific recommendations to the Member States Group regarding catch documentation and discard data collection.

Close cooperation between the NWWAC and the Regional Member States' Group is important to all our members and is needed to fulfil the NWWAC objective to optimise the efficiency of the consultation process, the exchange of ideas and the production of advice. Whilst the MSG is developing the Joint Recommendation, the NWWAC appreciates being kept informed of any changes and requests made by the Commission for adjustments, as well as being asked for input where relevant.

The AC is fully aware of the challenges faced by the Member States Groups in preparing Joint Recommendations due to the EU-UK negotiations following Brexit, and that despite these challenges the Commission is requesting to keep the timelines so that the regulatory process for having Discard Plans in place by 1 January 2022 remains achievable.

Last year showed that this timeline did not allow for full consultation with the AC as communicated by the Commission in the Acting Director-General's letter last year ([Ref. Ares\(2020\)2079830 - 16/04/2020](#)). We encourage the MSG and the Commission to review how essential AC advice can adequately be re-included in the processes.

Yours sincerely,

Emiel Brouckaert
Chairman of the Executive Committee

