



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
Fisheries Policy Atlantic, North Sea, Baltic and Outermost Regions
The Acting Director

Brussels,
MARE.CI. [redacted] Ares(2019)

[redacted]
Chair of the Scheveningen Member
States Group
[redacted]

Subject: Updating the Scheveningen Group's joint recommendation for a demersal discard plan in light of the scientific assessment

Dear [redacted]

Thank you for your letter of 24 July 2019 and the attached revised joint recommendation from the Scheveningen Group regarding the amendment to the discard plan for the demersal fisheries in the North Sea. We appreciate the constructive cooperation and the great efforts made by all relevant national administrations under your coordination to try to speed up the finalisation of the discard plans.

In granting exemptions to the landing obligation, the Commission strives to apply the same, consistent approach to all regional groups and sea basins. In this light, we remain convinced that several of the exemptions in the revised joint recommendation run counter to the Commission's general approach. **I would therefore like to ask the Scheveningen Group to reconsider their position and accept the modifications as indicated in the enclosed table.**

As you know, the Commission's approach in granting exemptions is based upon the STECF assessment, whereby

- in the case of a positive assessment, the exemptions are included in the discard plan unconditionally;
- if the STECF concludes that substantial supporting information for the exemption was provided, but some information is still lacking, the exemption is granted provisionally for the minimum period needed to collect the information;
- if the STECF pointed out that supporting information was not available, such a derogation cannot be included in the discard plan.

For many exemptions, you have asked that they be granted for two years. However, this runs counter to the Commission's general approach outlined above, as the necessary data can often be made available sooner. Indeed, in some cases, e.g. for the industrial fisheries or the ling caught with longlines, the joint recommendation indicates that Member States could submit additional information by 1 May 2020 for STECF to assess. The

Commission thus concludes that the exemptions in question may apply provisionally for one year.

For other, previously granted exemptions, you ask that the Commission allow Member States to provide additional scientific information as quickly as possible, and for the exemptions to be granted for 2020. The Commission has carefully considered this request, but maintains that we cannot grant the requested exemptions for whiting in the plaice and sole fisheries, and for the combined de minimis of cod and whiting, given the STECF assessment that selectivity in both cases could be improved and that the provided information was too generic.

For turbot, the Commission can accept the proposed new exemption for 1 year, provided Member States report by 1 May 2020 on the progress of the ongoing scientific research that is mentioned in the joint recommendation.

Finally, you have also pointed out that for the de minimis exemptions for mackerel and horse mackerel, the STECF PLEN-19-02 report has no mention of a 3% average discard rate. The Commission can therefore accept an exemption of 7% for 2020, as requested by the Scheveningen Group.

Again I must stress that it is in our common interest to ensure that the delegated acts approving the discard plans address the concerns raised by scientific advice to guarantee their support by the co-legislators. I therefore invite the Scheveningen Group to submit a revised joint recommendation with the necessary modifications. I must stress that in the opposite case, although it would be very regrettable, the Commission will not be able to proceed with the adoption of the amendments to the current discard plan. As a consequence, the existing discard plan with exemptions not expiring at the end of 2019 would remain in place for 2020.

If the Scheveningen Group can provide further supporting scientific information before the end of October 2019, the Commission will submit this information to the STECF for assessment at the November Plenary Session. If the STECF assessment is positive, then the Commission will adopt a delegated act to include these exemptions in the discard plan as soon as possible in 2020.

Yours sincerely,

Bernhard FRIESS

Cc:

