

From:

[REDACTED]
09 August 2018 11:22

Sent:

To:

CLARK Helene (MARE)

Cc:

[REDACTED]

Subject:

RE: Ares(2018)4088522 - On behalf of Ms Clark: letter to members of NWW group

Attachments:

180809 Cover letter JR NWW.pdf; 180809 Final JR NWW 2019.docx; 180809 Annex XII DM Horsemackerel.docx; 180809 Annex XIII DM Mackerel.docx; 180809 Annex VIII HS Plaice.docx; 180809 Annex XI DM Cod.docx; 180809 Annex X DM haddock.docx; CELSELEC fiche.pdf; REJEMCELEC_fiches_synthétiques.pdf

Dear Ms. Clark,

On behalf of [REDACTED] in her role as chair of the North Western Waters regional group, I hereby send to you the revised Joint Recommendation for a discard plan 2019 for demersal fisheries, together with the annexes that link to the exemptions that have been altered. The members of the North Western Waters regional group have done their utmost to accommodate the observations of the Commission while still taking into account a workable landing obligation.

Furthermore, I wish to express my appreciation to my colleagues for their work and input during this sunny, but short and sometimes difficult revision process, having to deal with a situation in which many of their colleagues were on holiday.

Kind regards,

[REDACTED]
[REDACTED]

.....
Ministry of Agriculture, Nature and Food Quality
Department of European Agricultural and Fisheries Policies and Food Security
Bezuidenhoutseweg 73 | 2594 AN | THE HAGUE | A Noord 4
Postbus 20401 | 2500 EK | THE HAGUE
.....

Van: [REDACTED]

Verzonden: vrijdag 3 augustus 2018 14:59

Aan: Helene.Clark@ec.europa.eu

CC: [REDACTED]

Onderwerp: FW: Ares(2018)4088522 - On behalf of Ms Clark: letter to members of NWW group

Dear Ms. Clark,

On behalf of [REDACTED] in her role as chair of the North Western Waters, I would like to inform you on the process of revising the North Western Waters Joint Recommendation for a discard plan 2019 for demersal fisheries.

Although the specific time of year and the short deadlines make it challenging to get the right mandate to make changes, we are working on the removal and/or adjustment of the following exemptions:

High survival:

- Skates and ray species caught by any gear in the North Western Waters (areas VI and VII)
- Plaice caught with beam trawls in ICES subareas VIIa to VIIk

De minimis:

- Gadoid caught using bottom trawls, seines and beam trawls of greater than or equal to 80mm mesh size in the Celtic Sea and the Channel (ICES VIIb-c, e-k): this de minimis will be replaced by 2 new de minimis exemptions for haddock and cod. Furthermore the existing exemptions for whiting in VIIb-j will be retained. These exemption have already been assessed by STECF and justification has been provided previously.
- Undersized whiting in the TR2 Nephrops trawl fishery in ICES division VIIa
- Undersized bycatches of haddock in the TR1 demersal trawl fisheries in ICES area VIIa
- Bycatch of pelagic species (mackerel, horse mackerel, herring, boarfish, greater silver smelt) caught by vessels using bottom trawls and seines, and beam trawls in subarea VI and VIIb-k: this de minimis will be split in 2 separate de minimis exemptions (mackerel and horse mackerel)

If we can maintain the current progress I expect to send to you the consolidated revised Joint Recommendation in the course of next week, but no later than 15 August.

Kind regards,

[REDACTED]

[REDACTED]

.....
Ministry of Agriculture, Nature and Food Quality
Department of European Agricultural and Fisheries Policies and Food Security
Bezuidenhoutseweg 73 | 2594 AN | THE HAGUE | A Noord 4
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.....
M [REDACTED]
[REDACTED]

From: EC ARES NOREPLY [<mailto:DIGIT-NOREPLYARES@nomail.ec.europa.eu>]

Sent: Thursday, August 02, 2018 5:12 PM

To: [REDACTED]

Cc: CLARK Helene (MARE); [REDACTED]

Subject: Ares(2018)4088522 - On behalf of Ms Clark: letter to members of NWW group

[Ares\(2018\)4088522 - On behalf of Ms Clark: letter to members of NWW group](#)

Sent by [REDACTED] (MARE) [REDACTED]

All responses have to be sent to this email address.

Envoyé par [REDACTED] (MARE)

[REDACTED]. Toutes les réponses doivent être effectuées à cette adresse électronique.

Dear members of the North Western Waters group,

I refer to my letter of 24 July to the Chair of the group, with copy to you all, presenting the Commission's assessment of the various elements of your Joint Recommendation.

Following some of the comments already exchanged in the group, I wish to underline that this assessment has been based on a DG MARE collective and thorough analysis, not only on the STEFC recommendation, but also on the specific context of your fisheries. We have received, as could be expected with the entry into force of the full landing obligation in 2019, a high number of


requests for derogations, and have been keen to ensure a coherent approach between all sea basins, as well as fair treatment of all groups.

As you will have noticed, the Commission accepted most of your requests for high survivability, including some with low survivability rates, such as some of the requests for plaice caught with beam trawls or for the majority of skates and rays. It should be clear that such derogations are exceptional and could only be justified as temporary, pending further information, or pending further measures to be taken to increase selectivity. Progress with these will need to be closely monitored over the months to come. We have also accepted the extended de minimis exemptions for whiting in 7d. This level of acceptance is certainly a reflection of the serious work done in your Group.

There are however a few requests which, if included in the Delegated Act, would risk jeopardising the whole inter-institutional adoption process, which as you know, involves both the Council and the European Parliament. The combined de minimis requests for gadoids and pelagic species are examples where the STEFC assessment is clearly not supportive. The requests for de minimis for whiting and haddock in the Irish Sea are other examples where STECF was not supportive. Accepting the exemption for plaice in the BT2 for three years with the very low survival rate is also such a case, which is why we suggest a shorter time period.

Let me however clarify that the Commission's approach should not be seen as cherry picking, but as an approach which takes into account the Basic Regulation and the need to have a positive assessment by the STECF. Where this is not the case we have to ask the MS Group to revise their JR.

We strongly advise that the Group withdraws these controversial requests, in order to increase the chances of having a Delegated Act in force at the beginning of 2019. The Group can of course submit a separate Joint recommendation for some of the excluded exemptions if and when it considers that it is able to provide a stronger justification.

 or myself are at your disposal should you wish to discuss how to proceed.

Best regards

Hélène Clark

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