



Brussels,
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Chair of the South Western Waters
MS Group

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Chair of the Scheveningen & North
Sea MS Group

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Chair of the North Western Waters
MS Group

Subject: Methodology for calculating Fishing Opportunities for 2019

Dear Chairs,

I am taking this opportunity to write to you to recall the process the Commission will be using for proposing fishing opportunities for 2019. My colleagues have already outlined this process at the Meeting of the Scheveningen High Level Group of MS in Bonn on 23 May 2018, at the NWW MS technical group meeting in the Hague on 11 July 2018 and at the SWW HLG meeting on 29 May 2018. At these meetings the Commission officials have asked Member States to provide the relevant underlying data for the de minimis and high survivability requests. As you know from the years 2015 to 2017 this underlying data is sent to STECF in order to enable STECF to give us advice on the amount of tonnages to take into account for de minimis and high survivability discards in the Commission proposal for 2019.

You will remember from previous years, there was only partial coverage of the landing obligation through the discard plans. The fleets covered by the landing obligation in previous years received an augmentation of TAC to reflect their obligation to land fish that they would normally discard. These augmentations, referred to as "top-ups" were usually submitted to the Member States as a "Non-paper" after the publication of the Commission proposal and discussed at working parties in November, ahead of the December Fisheries Council.

These top-up calculations included two key parts; an increase based on how much of the fleet is under the landing obligation and a deduction to reflect discarding allowed under de minimis and high survivability exemptions. These percentages were then applied following the agreement on fishing opportunities at December Fisheries Council.

With the full implementation of the landing obligation in 2019, the basis for TAC setting will now be "total catches" in the ICES advice as a starting point. From these total catches we are obliged to deduct the amounts that reflect discards allowed by de minimis and high survivability exemptions under your discard plans. The Commission will continue to use both ICES advice and STECF data as the basis for these calculations and we will provide a copy of the calculation tables or "worksheets" just as we have done at working parties in previous years. The figures for TACs in the annexes of the proposed fishing opportunities will already reflect these deductions at the time of publication.

As you know several of the exemptions in the discard plans are lacking data on discards and STECF highlighted that we only have data for some of the Member States and fleets, while the exemption covers a much wider range of vessels. There is therefore a risk that a deduction based on a smaller number of vessels would not reflect discards at sea, which leads to too high TACs set, which do not accurately reflect the mortality from these exemptions. Thus, where STECF are unable to provide complete figures, the Commission will have to extrapolate or estimate a deduction based on the best available scientific advice, such as ICES estimates of discards.

Similarly for survivability exemptions, we have historically received advice from ICES for Nephrops that included survivability in the catch advice and have been able to propose TACs accordingly. However for several of the new survivability exemptions, such as plaice, we do not have catch advice that takes into account survivability. We therefore will have to consider the amount of fish discarded under this exemption, to again ensure we do not set the TACs too high. Here we again rely on advice from STECF and ICES to make these calculations and they will also be included in the worksheets that we will be providing to you with the publication of the Commission's proposal.

We would therefore like to repeat our requests expressed at the regional meetings of your MS groups between May and July 2018 to receive such data as a matter of urgency. Should Member States have data that would help fill in the gaps identified by STECF and consider that these be taken into account when calculating the final TACs, this data must be provided to us **no later than 22 September 2018**.

Let me in the end again express my sincere thanks to you as Chairs, to all Member States and administrations in your continued good cooperation. We greatly appreciate the efforts made by all parties in this unusually busy year.

Yours sincerely,



Hélène CLARK