



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

Director-General

Brussels, 23.07.2007 D 8340  
D(2007)

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The Netherlands

**Subject: Consultation on 'A policy to reduce unwanted by-catches and eliminate discards in European fisheries' (COM (2006) 136)**

Dear Mr Mc Sween,

I would like to thank all those who participated in this consultation for their valuable contribution.

Since this Communication is on a horizontal policy with specific and differing effects on regions, all RACs and ACFA were consulted. The Commission will now examine carefully all proposals and suggestions put forward by the stakeholders.

I would like to inform you about the main results of the consultations and provide you with a copy of all the opinions received from RACs and ACFA for the information of your members. The main results of the consultation can be summarised as follows:

- There is general agreement on or even strong support for the objective to reduce discards, while recognising that the new discard policy constitutes a major change to the CFP ("most revolutionary Communication in recent years" – NSRAC)
- The fishing industry is able and willing to play an active part in the assessment of the problem in each fishery, in the search for solutions and in the implementation of discard reduction policies and of discard mitigation, for example through cooperation with scientists and by contributing their practical knowledge and information,
- The approach should be gradual and fishery by fishery, on the basis of sound scientific analysis and including impact assessments, involving scientists, managers and stakeholders,
- Work on and research into the improvement of selectivity of fishing gear and pilot projects must continue and should be (co-) funded by the EFF

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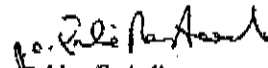
- Some welcomed in particular the suggested change from a 'micromanagement' approach to a 'result-based' management, which is an incentive for the fishing industry to come up with solutions
- All agree that several problems have to be tackled, such as space needed on board for keeping unwanted catch, how to deal with landings of non-marketable fish, possible consequences on markets, the need for some flexibility in the quota system, implications for relative stability, feasibility in a Community context of real-time closures, observer schemes and costly control and enforcement regimes to make a ban work, the lack of trust amongst fishermen, question of compensation for handling unwanted catches and of (financial or other) incentives etc.
- Some were more critical on the fact that the Commission advocates an 'outright discard ban' instead of a reduction / mitigation strategy and on the fact that 'moral' judgements were brought into the debate by tagging discarding as 'unethical'.

There are some concrete proposals of particular interest:

- Recommendation to highlight and share best practice by Member States and the fishing industry and to organise a seminar on that (PELRAC)
- Recommendation to describe and to document fleet practices similar to what is required in established quality labels (like MSC), which could result in a Codes of Practice (PELRAC)
- Proposal to establish regional working groups (fishermen, market/processors, scientists, managers) to develop discard reduction strategies including the design of observer programmes (NWWRAC)
- Recommendation to involve scientists in control and enforcement action (ACFA).

The full text of the opinions received is enclosed in the annexes.

The Commission services have started to work on the next phases to propose the implementation of the new discard policy. The issues and questions dealt with by the opinions as well as the suggestions made will be an integral part of this work, as will be the Council conclusions of June 2007 and the opinion of the European Parliament which is under consideration and will probably be voted in November 2007. The Commission intends to come forward with first legislative proposals during 2008.

  
Fokion Fotiadis

Enclosures : Opinions of the PELRAC, BSRAC, NWWRAC, SWWRAC, NSRAC and ACFA

Cc: Management Committee, MM. Degenbol, Lamplnair, Papaioannou, Hagström, Spagnoli, Pena Castellot, Ms Ruiz Monroy, Garcia Ferrer, Frère