

Translation of the note 854589 of the 2017/02/16 of the European Commission.

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Mr Aurelio Bilbao
NWWRAC President
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France

RE: Reply – New framework for technical measures

Ref.: Advice n° 110 of the 6th of December 2016

Dear Mr. Bilbao,

I thank you for the NWWRAC advice concerning the commission's proposal for a new framework for technical measures and rejoice in the fact that your members have welcomed this proposal with satisfaction. You will find here below some replies to specific points that you raised in your letter.

In relation to the absence of a calculation method for monitoring the implementation of the *De Minimis* exemption, first of all, in principle, the implementation of the Landing Obligation is governed by the Discard Plans (and subsequently by the multiannual stock management plans) and not by the framework for technical measures. The Discard Plans will determine the documentation and recording of catches linked to a *De Minimis* exemption.

The purpose of the proposal on technical measures is to provide basic rules to reduce undesirable catches, as well as the environmental impact of fishing activity, to a minimum. It targets the implementation of certain key objectives of the Common Fisheries Policy, namely, the progressive elimination of discards, ensuring the economic viability of fleets without overfishing the marine biological resources and being coherent with the European Union environmental legislation. The extension of avoidance measures for birds and cetaceans, to which you refer to, come precisely within the scope of this reasoning. These measures are also important for the compliance with our international commitments as well as for the international commerce of fishing produce. This includes, for instance, the recent initiative of the United States to restrict or prohibit imports of product from the sea, except if it can be shown that it comes from fisheries that do not have a significant impact on marine mammals.

Our proposal represents a significant change in approach by introducing regionalization and specific quantifiable objectives. We endeavor to retain existing measures, for example, the general ban on fishing using mesh nets of over 600m in length and we have concentrated on the manner by which technical measures are implemented on a more regional level. At same time, we have tried to simplify the current applicable technical measures, that have become more and more numerous and complex over time. This simplification is not easy and requires the suppression of certain measures. Even though we have tried to retain existing measures as much as possible, we recognize that this has led to excessive simplification in certain cases. We are currently working with the European Council and the Member States to identify the specific cases where certain existing measures should be reestablished.

I wish to thank you again for your constructive input. If you have any further questions, please contact Ms Evangelia Georgitsi, Advisory Council Coordinator (evangelia.georgitsi@ec.europa.eu; +32.2.295.04.43).

Yours sincerely,

Signature

Joac AGUIAR MACHADO