



**European Association of Fish Producers Organisations (EAPO)  
(Northern Pelagic Working Group – NPWG)**

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31 July 2014

**PRESS RELEASE**

Please find annexed an open letter to European Commissioner for Maritime Affairs and Fisheries, Mme Maria Damanaki, which expresses major concerns of the pelagic fishing industry regarding the introduction of the landing obligation by 1 January 2015.

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**European Association of Fish Producers Organisations (EAPO)  
(Northern Pelagic Working Group – NPWG)**

**OPEN LETTER**

To:

European Commissioner for Maritime Affairs and Fisheries  
Mrs. Maria DAMANAKI  
1049 Brussels  
Belgium

cc. Council of Fisheries Ministers and PECH committee EP

Subject: implementation pelagic landing obligation

31 July 2014

Dear Mme Damanaki,

With the entry into force of the landing obligation for pelagic fisheries in 5 months from now the pelagic industry feels obliged to write to you about some major concerns we have on the implementation of the landing obligation.

In 2013 the European Commission invited the Pelagic RAC to prepare recommendations and advice on the introduction of the landing obligation for our specific fisheries. From that moment on the pelagic industry as part of the Pelagic RAC has engaged intensively in the work that has led to two sets of recommendations by the Pelagic RAC: a (partial) set of recommendations on the possible application of the de-minimus rule issued early March 2014 and a complete set of recommendations on the implementation of the landing obligation issued late April 2014.

There is no need to hide that the pelagic industry is very disappointed that the recommendations of the Pelagic RAC, which were unanimously agreed, have not been followed by the three member states groupings dealing with the pelagic landing obligation. The different approaches taken concerning the application of the de-minimus rule is one example of this. Also the fact that the creation of the pelagic discard plan has been dealt with by three member state groupings is in itself disappointing as the EU pelagic fleets operating in the North Sea are the same as the ones active in (North) Western waters. The need to align the approach for all pelagic fisheries, particularly the widely distributed pelagic stocks such as mackerel, western horse mackerel and blue whiting, is of prime importance and to allow different groupings to work on the same issue separately has, as we predicted, given rise to significant differences in the introduction of this new measure in the various waters and for a distortion of the level playing field which is so crucially important for our industry.

It is now up to the Commission to prepare a judgement of the pelagic discard plans and we can only ask you to take two major concerns of the EU pelagic industry seriously into consideration while doing this:

1. Now that the discard plans have been produced by the member states our concern is that in the three pelagic discards plans no specific proposal has been formulated on how to monitor, control and enforce

the landing obligation, including the proposed derogations and exemptions. An effective and uniform approach on monitoring, control and enforcement should be a top priority for Member States and Commission in the implementation process – as it is for the industry – and should be a vital part of any discard plan. Unfortunately this is not the case and we call upon the Commission to rectify this omission in the pelagic discard plans. Monitoring, control and enforcement measures must form an integral part of the discard plans and consequently the delegated acts and must apply to all pelagic fleets subject to the discard plans. Included in these fleets – and this is crucial for the EU pelagic industry – must be the non EU pelagic fleets operating in EU waters.

The EU has agreed to bilateral access arrangements under which Norwegian and Faroese pelagic vessels are allowed to fish large shares of their pelagic quota in our waters (herring, mackerel and blue whiting) and we must avoid at all costs that a situation would develop whereby EU vessels are operating under a very stringent pelagic landing obligation including specific monitoring, control and enforcement measures while our international colleagues are fishing the same stocks on the same grounds and mostly also during the same fishing season but without being subject to the same rules regarding landing obligation and monitoring, control and enforcement.

2. The second major concern focusses on the legal situation for fishermen from the moment that the pelagic landing obligation comes into force, 1 January 2015. The pelagic industry has been following closely the development of the Omnibus regulation which should address the anomalies between the CFP regulation and the existing regulations, provided it is agreed by the 1<sup>st</sup> January 2015. We are very concerned this will not happen in a timely and qualitatively acceptable manner and thus creating a highly uncertain legal context for fishermen in a situation when a landing obligation would be in force. We therefore urge the Commission to develop a plan-B in case the remaining 5 months would prove to be insufficient time for this finalization of the Omnibus regulation.

Yours sincerely,

European Association of Fish Producers Associations

A handwritten signature in blue ink, appearing to read 'Gerard van Balsfoort', with a large, stylized initial 'G' and a long horizontal stroke extending to the right.

Gerard van Balsfoort  
(chair Northern Pelagic Working Group)