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Oostende / Brussels, 4 March 2019

Dear Member of the European Parliament,

Subject: Technical Measures Regulation Political Compromise

On 13 February the inter-institutional trilogue negotiations on the new Technical Measures (TM) Regulation have resulted in a political compromise on this essential regulatory building block of the Common Fisheries Policy (CFP), which has the most direct impact on the daily operations of all EU fishermen.

It must be said that the EU fishing industry is disappointed about the content of this political compromise and the lack of consultation of stakeholders during the decision-making process. This is a missed opportunity to build a regionalised, i.e. flexible and stakeholder driven, Technical Measures Regulation.

The EU fishing industry strongly regrets that the European Commission and the co-legislators did not take more time to agree on a renewed and workable Technical Measures Regulation instead of the political compromise that lacks the understanding of the technical nature of these measures, is contradictory with the landing obligation, lacks credibility with the fishing industry, is unnecessary complex, and will therefore not stand the test of time.

This political compromise must also be seen against the background of the enormous uncertainty for the EU fishing industry linked to Brexit. The challenge of Brexit was not on the minds of the legislators when deciding on the Landing obligation under the reformed Common Fisheries Policy. Furthermore, the industry wonders whether the Commission and the legislators are considering what these new Technical Measures could mean in a post-Brexit scenario, when a Fisheries Agreement has to be negotiated with the UK, including common sets of technical and management measures for our over

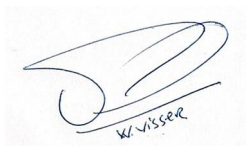
100 shared fish stocks. In this context the industry strongly feels that it should be left with the next Parliament and Commission to work out a new Technical Measures Regulation in light of the new post-Brexit reality.

In short, the EU fishing industry is requesting a “time-out” for this very important piece of fisheries legislation and that the finalisation is deferred to be dealt with as a matter of priority by the next European Commission and European Parliament. The EU fishing industry fully acknowledges the need to have a renewed TM Regulation in place as soon as possible and was very supportive of the objectives of the European Commission’s original proposal. However, the present political compromise is not fit for purpose and has significantly moved away from these objectives.

A year ago, the fishing industry wrote letters to Commissioner Vella, the Council’s Presidency and the European Parliament’s rapporteur on the subject to express major concerns that the text had crucially moved away from the objectives of the European Commission’s original proposal and also from what is needed to secure the implementation of the landing obligation. Consequently, the EU fishing industry urged the Commissioner in its letter either to withdraw his proposal or let the participants in the trilogue return to the Commission’s original proposal. To our disappointment the European Commission decided otherwise and amended its initial proposal fundamentally by the reintroduction of catch composition rules demanded by the European Parliament which contradicts the landing obligation in article 15 of the CFP. The question must be posed which regulation a fisherman has to follow when the two sets of regulations are conflicting with reference to a specific fishing operation. Furthermore, the Commission introduced an entirely new and until now untested concept as a performance indicator (L_{opt}) that is aimed at becoming a major driver in future fisheries management under the CFP. There are also issues with certain minimum mesh sizes, minimum conservation reference points, flexibility to amend specific technical issues and tendency of the co-legislators to again micro-manage the fisheries operations through the co-decision legislative process.

To reiterate our request above we strongly urge the European Commission and the two co-legislators to not bring this compromise to a vote now and to take more time after the European elections to construct a much more fit for purpose piece of legislation.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'P. Visser', with the name 'P. VISSEER' printed in small capital letters below it.

Pim Visser
President of the European Association
of Fish Producers Organisations (EAPO)

A handwritten signature in black ink, appearing to be 'Javier Garat', with a horizontal line underneath.

Javier Garat
President of the association of national
organisation of fishing enterprises in the EU
(Europêche)

Cc: European Commission and Romanian Presidency of the European Council