

The North Sea Advisory Council

NSAC Secretariat
Louis Braillelaan 80
2719 EK Zoetermeer
The Netherlands



Acting Director General Bernhard FRIESS
DG Mare
European Commission
1049 Brussels
Belgium

3rd March 2020

Subject: Prohibited Species List

Dear Director-General,

On 4th October 2017 the NSAC submitted to the Commission an Advice under the Ref. 15-1617 on Prohibited Species Listing. In the advice, the NSAC proposed the following:

- The Commission should develop eligibility criteria, based on best available scientific advice, that set out under what conditions a species can be added to the prohibited list.
- A clear procedure should be applied that assesses the potential for alternative measures or management scenarios to reduce unwanted mortality, maintain data provision on a species and avoid creating a choke prior to inclusion on the list.
- Any new species placed on the list should be subject to, at least, bi-annual re-evaluation. Similarly, existing species on the list should be re-evaluated from this perspective.
- That proposals for listing are made public in advance of relevant Council meetings and that ICES / STECF assesses the proposals with regards to whether the listing of the species complies with criteria.

After an update to the Advice sent in January 2018, the NSAC received an oral response from the Commission stating that looking towards the full implementation of the Landing Obligation the Commission has chosen to keep “all options open” and does not want to restrain the use of a possible flexibility measure.

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On 22nd September 2018 a letter was sent to the Commission enquiring whether the Commission intended to propose a prohibited listing for species or stocks to the 2018 December Council and called for a meeting between the NSAC delegation and the Commission to discuss and possibly advance this file.

The topic was brought to attention at several occasions during the NSAC Ecosystem Working Group meetings. At the NSAC Ecosystem Working Group on the 27th November 2019 it was announced to the Commission that this issue needed further consideration and that previous NSAC advice with a cover letter explaining the course of events would be shared with the Commission's official responsible for the file.

We would like to request an update on this subject from the Commission and would welcome further discussion on the best way to use the prohibited species list to both benefit biodiversity and not hinder sustainable use of marine resources.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Kenn Skau Fischer', with a large, stylized flourish extending to the right.

Kenn Skau Fischer,
Chairman of the NSAC Executive Committee