



LONG DISTANCE FLEET ADVISORY COUNCIL

To: DG MARE
European Commission
JII-99, B-1040 Brussels

Madrid, the 15th of April 2020

Subject: Request to frontload the transposition of legislative provisions adopted by NAFO into EU Law.

Dear Director General,

It is a fact that RFMOs are empowered to adopt and implement measures to ensure the effective management and control of the fisheries subject to their regulatory area, establishing catch limits and/or fishing effort regimes. These measures apply to all fishing vessels that carry out their activities in the corresponding regulatory area, of which the EU is a Contracting Party.

However, the problem is that sometimes a decision taken is published in the European legislation months later, causing uncertainty and technical adjustments or changes through delegated acts that might lead in certain occasions to inconsistencies between legislative texts.

We see this particularly problematic in relation to NAFO. We advice that NAFO CEM rules are directly transposed to the European legislation without modifications, to avoid clashes of regulations or distortions in the implementation vis à vis non-EU fleets.

In this respect, we would like to call your attention and strongly support the conclusions and recommendations of the opinion presented by the European Economic and Social Committee (EESC) COM (2019/C159/09) as follows:

“The EESC believes that the conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (NAFO) should be transposed into EU law, with a view to achieving their uniform and effective implementation within the EU.

1.2. However, the Committee is of the view that the proposal presented does not establish an efficient mechanism for transposing the measures adopted by NAFO and does not resolve the issue of having to update these measures each year.

1.3. The Committee is in favour of a more efficient, simpler mechanism and therefore proposes drafting a regulation containing a single article establishing that the European Union must necessarily apply NAFO measures to its fleet.

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1.4. The EESC stresses the risks involved in introducing a system of delegated acts, granting the Commission the power to legislate without following ordinary procedures”

Given this situation, **the LDAC considers the transposition of NAFO rules into European legislation essential and that it should be carried out with immediate effect** to provide a clear solution to this matter.

Yours sincerely,

Iván López van der Veen
Chair of the Long Distance Advisory Council