



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

08 MARS 2013

Brussels,  
A2/EG D(2013) 307300

Mr Antonio Cabral  
President  
Long Distance Fleet RAC  
C/Velázquez 41, 4º  
28001 Madrid  
SPAIN

**Subject: Joint position from the LDRAC Industry on the Agreement with Mauritania**

*Yr reference: Letter from Antonio Cabral dated 6 November 2012*

Dear Mr Cabral,

Thank you for the joint position of the LDRAC Industry on the Protocol with Mauritania. You will find below our response. We apologize for the delay, but we wanted to take into account the latest improvements with regards to the Joint Committee that was held in Paris on 19-20 February 2013. For sake of clarity, we will answer to the three arguments separately, in line with the structure of your letter.

On the appeal for negotiations to adjust technical and economic conditions

The protocol that has been negotiated is based on sound commercial figures related to sustainable fishing opportunities and is fully in line with the mandate from the Council and the principles therein, in particular regarding the use of best available scientific advice and targeting only surplus resources. These basic principles have been set out in the Communication on the External Dimension of the CFP and endorsed by the Council and the European Parliament. As you know, the Commission has ensure to obtain the best deal possible and, in December 2012? The Council has decided on its provisional application by way of its decision 2012/827/EU. As a consequence, it is not possible to renegotiate it.

The Commission is aware of the constraints under the new protocol and has therefore ensured that the Joint Committee, held in Paris on 19-20 February 2013, allowed to improve some technical conditions in order to achieve a better balance between sustainability and economic viability. This includes the increase of by-catch for the shrimps category and the extension of the southern pelagic zone. A number of clarifications have been introduced and agreed upon on various issues, aiming at ensuring more efficient fishing operations. These improvements have been made without deviating from the main principles of the Protocol, such as sustainability and the respect of scientific advice.

### On the financial contribution

The outcome of the Joint Committee will have a positive impact on the future implementation of the Protocol. In any case, article 5 of the Protocol contains a safeguard clause according to which the European Union may terminate the Protocol if a reduced level of exploitation of the fishing opportunities is established. In this case, the Commission will be able to recover its financial contribution *pro rata temporis*.

### On the request to reincorporate the category of the cephalopods into the Protocol

The European Union must fully respect the principle of surplus within the meaning of Article 62 of the United Nations Convention on the Law of the Sea. As you know, Mauritania took a clear decision not to grant any fishing opportunities for cephalopods resources to the EU. As a consequence of that decision, there is currently no surplus for the EU to harvest and there was no quota for this stock included in the protocol. Nevertheless, the Commission has insisted that this category is mentioned so that there is a possibility to introduce a quota at a later stage if the state of the stock improves and Mauritania would agree to grant fishing opportunities to the EU.

Cephalopods are short-life-cycle stock and may increase in biomass if appropriate measures, such as those proposed in the last IEO<sup>1</sup> study are applied. It should be clear, however, that this IEO study is a proposal of management measures and not a scientific advice on the stock. At the Joint Committee, both parties agreed to convene rapidly a Joint Scientific Committee with the aim at updating the status of all fish stocks, including cephalopods, as well as examining other technical measures for various fisheries. Even if the results of the upcoming Joint Scientific Committee should acknowledge that the stock of cephalopods is recovering and is not overexploited, Mauritania still has to decide to grant a part of the surplus to the EU fleets. If that should occur, the Protocol contains a clause allowing reviewing fishing opportunities for the stocks mentioned in the Protocol (including cephalopods).

I thank you for your continued interest and constructive input. If you have any question on this reply, you can contact Mr Olivier Baudelet, coordinator of the Regional Advisory Councils ([olivier.baudelet@ec.europa.eu](mailto:olivier.baudelet@ec.europa.eu); +32.2.295.68.70).

Yours sincerely,



Lowri Evans

Copies: R. Cesari, E. Berck, K. Lizerot, A. Panossian, E. Bianchi, E. Georgitsi, O. Baudelet (DG Maritime Affairs and Fisheries)

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<sup>1</sup> Spanish Oceanography Institute.