



Ministry of Enterprise and Innovation

BSAC Executive Committee Chair
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Consultation with Baltic Sea Advisory Council regarding a draft joint recommendation

Regulation (EU) No 1380/2013 of 11 December 2013 on the Common Fisheries Policy, CFP, includes provisions that certain technical measures can be included in a multiannual plan, cf. Article 7 and Article 10. Regulation (EU) No 2016/1139 of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, cf. Article 8, Regulation (EU) No 1380/2013 cf. Article 18 contain a legal basis for the Commission to adopt certain technical measures by means of Commission delegated Regulations.

Article 18 of Regulation (EU) No 1380/2013 states that where the Commission has been granted powers to adopt measures by means of delegated acts in respect of a Union conservation measure applying to a relevant geographical area, Member States having a direct management interest affected by those measures may agree to submit joint recommendations for achieving the objectives of the relevant Union conservation measures, the multiannual plans or the specific discard plans. Member States having a direct management interest affected by the measures shall cooperate with one another in formulating joint recommendations. BALTFISH is since the reform of the CFP used as a forum for Member States having a direct management interest in measures affecting the Baltic Sea.

According to article 18 (2) and article 44 (3) in regulation (EU) No 1380/2013 the relevant Advisory Council shall be consulted.

The Baltic Sea Advisory Council, BSAC, is the relevant Advisory Council to consult regarding measures for the Baltic Sea.

In May 2017 a Joint recommendation from the BALTFISH High Level Group was sent to the Commission after the BSAC was consulted during April 2017. The scientific report "Gear trials in the Baltic: Increased selectivity with a modified T90 cod-end", 2017-03-27 by the Swedish University of Agricultural Sciences (SLU Aqua) was enclosed as annex to the Joint Recommendation from BALTFISH. Based on the positive response from STECF (PLEN-17-02) the Commission Regulation 2018/47 was adopted on 30 October 2017 and entered into force on 1 February 2018.

After the entry into force of the Delegated Regulations in February 2018 the BSAC has on several occasions raised concerns about a certain aspect contained in the Delegated Regulation and has suggested to amend the text by adding the words "at least" in Appendix 2.d.3.

Following the input from the BSAC a mistake has been detected in the annex (the scientific report) to the Joint Recommendation that was sent in May 2017. A corrigendum to the scientific report was issued by SLU Aqua on 18 December 2018. Based on the corrigendum the Swedish BALTFISH Presidency drafted a draft Joint Recommendation that was sent to BALTFISH HLG on 21 December 2018.

On 17 January 2019 BALTFISH HLG agreed by written procedure to send the draft Joint Recommendation to the BSAC for consultation (in line with article 18 (2) and article 44 (3) of regulation (EU) no 1380/2013).

With this letter, and the enclosed draft Joint Recommendation and annex, BALTFISH would hereby like to consult the BSAC and notify the BSAC that the deadline for comments on the draft Joint recommendation is set to **4 February 2019** and that this date would be the end of the consultation period.

BSAC is hereby also informed that BALTFISH intends to finalise a Joint recommendation which will be submitted to the Commission shortly thereafter.

Best regards



Sara Colliander

Fisheries Director and current BALTFISH Chair