

To Director-General Ms Charlina Vitcheva,
D.G. for Maritime Affairs and Fisheries
European Commission
Rue de la Loi 200
B-1049 Brussels
Belgium

By e mail to Charlina.VITCHEVA@ec.europa.eu; pascale.colson@ec.europa.eu; MARE-AC@ec.europa.eu

Ref: BSAC/2021-2022/41

Copenhagen Friday 25th March 2022

**Re: Technical measures and the draft Implementing Act to Regulation 2019/1241
Statement from the Baltic Sea Advisory Council**

Dear Ms Vitcheva,

Technical conservation measures for the fishery have been given the highest attention by the members of the BSAC since 2015.

This issue has been brought up again during recent meetings of the BSAC.

Members have highlighted problems with misinterpretation of existing technical rules in the Regulation 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures.¹

Members have also underlined the importance of discussing the technical measures in the context of the Commission's draft Implementing Act to the Regulation, which is currently under consultation with Member States only.

It was also pointed out by members that some draft provisions may lead to further misinterpretations of the existing technical rules.

./. Please find attached a summary note prepared by the Secretariat.

The BSAC is anxious to get answers to outstanding questions.

Implementing rules that are simple, clear and easy to understand are crucial for the fishermen and for the fisheries inspectors to carry out their work.

The BSAC continues to offer its knowledge and expertise in clarifying the wording of these technical provisions.

We feel that this can best be done in an inclusive consultation process.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R124>

With regards to the relevant legislation linked to the consultation procedure² prior to the adoption of Implementing Acts, we strongly recommend that BALTFISH provides a platform for the discussion of and finalisation of the draft Implementing Act.

For this, we ask for the consent of the European Commission in making the draft document available for the exclusive work of a BSAC Focus Working Group.

We regret that responsibility for the introduction of a legal act of such key importance for fishing in the Baltic Sea without consulting the fisheries sector will fall back on the Commission in terms of rules that are not fit for purpose.

Kind regards,



Esben Sverdrup-Jensen
BSAC ExCom Chair



Teija Aho
Demersal WG Chair



Jarek Zieliński
Pelagic WG Chair

Copied to Normunds Riekstins, Chair of the BALTFISH Presidency, Fisheries Directors of all Baltic Member States, European Fisheries Control Agency, DG Mare Baltic Unit

² Regulation of the EP and Council (EU) 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. [Regulation \(EU\) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers: <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32011R0182>](https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32011R0182)