



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/ER (2019)

Sudestmed Member States Group
Chair, Ms Marina Argyrou
director@dfmr.moa.gov.cy

Subject: New Technical Measures Regulation - recreational fishing

Dear Marina Argyrou, chair of the Sudestmed Member States Group,

The new Technical Measures Regulation (Regulation (EU) 2019/1241¹) was published in the Official Journal of 25 July 2019 and entered into force on 14 August 2019. With this letter, I would like to draw your attention to some of the provisions in this new regulation and in particular on their applicability with regard to recreational fishing.

Recreational fisheries can have a significant impact on fish resources and Member States shall, therefore, ensure that they are conducted in a manner that is compatible with the objectives of the Common Fisheries Policy² (CFP, recital 3). Various measures relating to recreational fisheries are already foreseen in several EU legislative acts and continue to apply together with the measures specifically foreseen in the new Technical Measures Regulation.

Existing standards applying to recreational fishing should not be lowered. Indeed, the new Technical Measures Regulation foresees that "*Where relevant, technical measures should apply to recreational fishing, which can have a significant impact on the stocks of fish and shellfish species*" (recital 6).

According to Article 2(2) of that Regulation, the following provisions shall also apply to recreational fishing: Article 7 (Prohibited fishing gear and methods), Article 10 (Prohibited fish and shellfish species), Article 11 (Catches of marine mammals, seabirds and marine reptiles) and Article 12 (Protection for sensitive habitats including vulnerable marine ecosystems).

In addition, Article 2(2) stipulates that in cases where recreational fishing has a significant impact in a particular region, the Commission has the power to adopt

¹ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005, OJ L 198, 25.07.2019, p. 105.

² REGULATION (EU) No 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC.

delegated acts to provide that the relevant provisions of Article 13 (Minimum conservation reference sizes) or parts A (Minimum conservation reference sizes) or C (Closed or restricted areas) of Annexes V to X also apply to recreational fishing. The Commission shall adopt such delegated acts on the basis of joint recommendations that may be submitted by the Member States having a direct management interest, as foreseen in Article 15(2) and (3), for the first time not later than 31 December 2022³. Scientific evidence to support the adoption of these measures shall be provided in these joint recommendations (Article 15(6)).

Therefore, I would expect the Regional Groups to consider submitting joint recommendations on minimum conservation reference sizes or on closed or restricted areas covering recreational fishing of parts A and C of Annexes V to X, where this can contribute to the objectives of the CFP. This would be, in particular, the case of the stocks where the scientific advice has already established that recreational fishing has a significant impact on fish resources of the region(s) and where it is therefore expected that joint recommendations will be submitted by the Regional Groups in order to enable the Commission to adopt the corresponding delegated acts aiming at ensuring that the objectives of the CFP are met.

Moreover, and without prejudice to its other prerogatives, the Commission remains committed to taking into account of the impact of recreational fishing on fish resources in its annual proposals on fishing opportunities, in the context of emergency measures or in implementing multiannual plans. Finally, Member States may provide in their national legislation for stricter measures concerning recreational fisheries on the basis of Article 19 or 20 of the CFP Regulation, as to ensure these fisheries are conducted in a matter compatible with the objectives of the CFP.

Yours sincerely,



Bernhard FRIESS
Acting Director-General

³ i.e. 24 months after submission of the report by the Commission to the European Parliament and to the Council on the implementation of the new Regulation, required by 31 December 2020.



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/ER (2019)

Pescamed Member States Group
Chair, Dott Riccardo Rigillo
r.rigillo@politicheagricole.it

Subject: New Technical Measures Regulation - recreational fishing

Dear Riccardo Rigillo, chair of the Pescamed Member States Group,

The new Technical Measures Regulation (Regulation (EU) 2019/1241¹) was published in the Official Journal of 25 July 2019 and entered into force on 14 August 2019. With this letter, I would like to draw your attention to some of the provisions in this new regulation and in particular on their applicability with regard to recreational fishing.

Recreational fisheries can have a significant impact on fish resources and Member States shall, therefore, ensure that they are conducted in a manner that is compatible with the objectives of the Common Fisheries Policy² (CFP, recital 3). Various measures relating to recreational fisheries are already foreseen in several EU legislative acts and continue to apply together with the measures specifically foreseen in the new Technical Measures Regulation.

Existing standards applying to recreational fishing should not be lowered. Indeed, the new Technical Measures Regulation foresees that "*Where relevant, technical measures should apply to recreational fishing, which can have a significant impact on the stocks of fish and shellfish species*" (recital 6).

According to Article 2(2) of that Regulation, the following provisions shall also apply to recreational fishing: Article 7 (Prohibited fishing gear and methods), Article 10 (Prohibited fish and shellfish species), Article 11 (Catches of marine mammals, seabirds and marine reptiles) and Article 12 (Protection for sensitive habitats including vulnerable marine ecosystems).

In addition, Article 2(2) stipulates that in cases where recreational fishing has a significant impact in a particular region, the Commission has the power to adopt

¹ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005, OJ L 198, 25.07.2019, p. 105.

² REGULATION (EU) No 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC.

delegated acts to provide that the relevant provisions of Article 13 (Minimum conservation reference sizes) or parts A (Minimum conservation reference sizes) or C (Closed or restricted areas) of Annexes V to X also apply to recreational fishing. The Commission shall adopt such delegated acts on the basis of joint recommendations that may be submitted by the Member States having a direct management interest, as foreseen in Article 15(2) and (3), for the first time not later than 31 December 2022³. Scientific evidence to support the adoption of these measures shall be provided in these joint recommendations (Article 15(6)).

Therefore, I would expect the Regional Groups to consider submitting joint recommendations on minimum conservation reference sizes or on closed or restricted areas covering recreational fishing of parts A and C of Annexes V to X, where this can contribute to the objectives of the CFP. This would be, in particular, the case of the stocks where the scientific advice has already established that recreational fishing has a significant impact on fish resources of the region(s) and where it is therefore expected that joint recommendations will be submitted by the Regional Groups in order to enable the Commission to adopt the corresponding delegated acts aiming at ensuring that the objectives of the CFP are met.

Moreover, and without prejudice to its other prerogatives, the Commission remains committed to taking into account of the impact of recreational fishing on fish resources in its annual proposals on fishing opportunities, in the context of emergency measures or in implementing multiannual plans. Finally, Member States may provide in their national legislation for stricter measures concerning recreational fisheries on the basis of Article 19 or 20 of the CFP Regulation, as to ensure these fisheries are conducted in a matter compatible with the objectives of the CFP.

Yours sincerely,



Bernhard FRIESS
Acting Director-General

³ i.e. 24 months after submission of the report by the Commission to the European Parliament and to the Council on the implementation of the new Regulation, required by 31 December 2020.



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/ER (2019)

Adriatica Member States Group
Chair, Dott Riccardo Rigillo
r.rigillo@politicheagricole.it

Subject: New Technical Measures Regulation - recreational fishing

Dear Riccardo Rigillo, chair of the Adriatica Member States Group,

The new Technical Measures Regulation (Regulation (EU) 2019/1241¹) was published in the Official Journal of 25 July 2019 and entered into force on 14 August 2019. With this letter, I would like to draw your attention to some of the provisions in this new regulation and in particular on their applicability with regard to recreational fishing.

Recreational fisheries can have a significant impact on fish resources and Member States shall, therefore, ensure that they are conducted in a manner that is compatible with the objectives of the Common Fisheries Policy² (CFP, recital 3). Various measures relating to recreational fisheries are already foreseen in several EU legislative acts and continue to apply together with the measures specifically foreseen in the new Technical Measures Regulation.

Existing standards applying to recreational fishing should not be lowered. Indeed, the new Technical Measures Regulation foresees that "*Where relevant, technical measures should apply to recreational fishing, which can have a significant impact on the stocks of fish and shellfish species*" (recital 6).

According to Article 2(2) of that Regulation, the following provisions shall also apply to recreational fishing: Article 7 (Prohibited fishing gear and methods), Article 10 (Prohibited fish and shellfish species), Article 11 (Catches of marine mammals, seabirds and marine reptiles) and Article 12 (Protection for sensitive habitats including vulnerable marine ecosystems).

In addition, Article 2(2) stipulates that in cases where recreational fishing has a significant impact in a particular region, the Commission has the power to adopt

¹ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005, OJ L 198, 25.07.2019, p. 105.

² REGULATION (EU) No 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC.

delegated acts to provide that the relevant provisions of Article 13 (Minimum conservation reference sizes) or parts A (Minimum conservation reference sizes) or C (Closed or restricted areas) of Annexes V to X also apply to recreational fishing. The Commission shall adopt such delegated acts on the basis of joint recommendations that may be submitted by the Member States having a direct management interest, as foreseen in Article 15(2) and (3), for the first time not later than 31 December 2022³. Scientific evidence to support the adoption of these measures shall be provided in these joint recommendations (Article 15(6)).

Therefore, I would expect the Regional Groups to consider submitting joint recommendations on minimum conservation reference sizes or on closed or restricted areas covering recreational fishing of parts A and C of Annexes V to X, where this can contribute to the objectives of the CFP. This would be, in particular, the case of the stocks where the scientific advice has already established that recreational fishing has a significant impact on fish resources of the region(s) and where it is therefore expected that joint recommendations will be submitted by the Regional Groups in order to enable the Commission to adopt the corresponding delegated acts aiming at ensuring that the objectives of the CFP are met.

Moreover, and without prejudice to its other prerogatives, the Commission remains committed to taking into account of the impact of recreational fishing on fish resources in its annual proposals on fishing opportunities, in the context of emergency measures or in implementing multiannual plans. Finally, Member States may provide in their national legislation for stricter measures concerning recreational fisheries on the basis of Article 19 or 20 of the CFP Regulation, as to ensure these fisheries are conducted in a matter compatible with the objectives of the CFP.

Yours sincerely,



Bernhard FRIESS
Acting Director-General

³ i.e. 24 months after submission of the report by the Commission to the European Parliament and to the Council on the implementation of the new Regulation, required by 31 December 2020.