



**CONJOINT LETTER FROM LDRAC WG1, 2, 3, 4 AND 5  
ORIGINAL LANGUAGE: SPANISH**

Mr Fokion Fotiadis  
Director General  
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Madrid the 12th January 2009

Dear General Director,

I'm addressing to you in quality of LDRAC Chairman with object to transfer you our preoccupation related to the lack of information that we had in the Working groups.

A greater implication of the interested parts was one of the main changes that were introduced in the new Fishing Common Policy. Thus the Regulation frame 2371/2002 of the Council, 20 of December of 2002 on the conservation and sustainable operation of the fishing resources by virtue of the common fishing policy, establishes the following thing in its articles 4 and 27:

- (4) *the objective of the common fishing policy must be, then, the sustainable operation of the alive aquatic resources and the acuicultura in the context of a sustainable development, considering of balanced way the environmental, economic and social aspects*
- (27) *to contribute to the attainment of the objectives of the common fishing policy, it agrees to establish regional consultative advice whom they make possible that this policy takes advantage of the knowledge and the experience the affected fishermen and interested others and considers the different states from communitarian waters.*

Also, section c) of point 2 of article 2 indicates that **one of the principles of the good management by which the common fishing policy will be guided it will be through "an ample participation of the interested ones in all the phases of the policy, from the conception to the application"**

In Chapter II, on Conservation and Sustainability, article 4, one settles down that the recommendations of the CCR for the attainment of the objectives will consider that mark the own regulation, which remarks the article 31 establishing that is the main reason for its creation and closing this article affirming that the CCR "will be able to make whichever activities are necessary for the fulfillment of their functions". In the present situation, the



RAC cannot emit recommendations in some aspects when lacking the necessary information.

On the other hand, the Decisions of Council 2004/585/CE and 2007/409/CE by which the RAC are created by virtue of the PCP, and their later modification, consider that the CCR are organisms that persecutes an objective of European general interest, stressing his considering 4 that "the regional consultative advice offer advice on the common fishing policy to the Commission and the States members **and guarantee the effective implication of the interested parts, that he constitutes one of the essential pillars of the common fishing policy reformed and good a previous requirement of government**".

Also in the Conclusions of the Commission's document "Analysis of the operation of the regional advisory councils" says that the Commission has predicted:

- to improve the access of the RACs to the data and the scientific information, so that they can fully benefit from the MOU with ICES and from the previsions of the new data collection regulation
- to improve the consultation process by involving the RACs at an early stage, giving them sufficient time to respond and providing them with clearer and more easily accessible documents

By all the previously exposed, the LDRAC considers that the position that is adopting the Commission with the refusal within the framework to provide and to discuss different documents of the WGs, is not coherent with the new Fishing Policy, and requests that it reconsiders his position on the matter.

At last I would like to state the absence of the Commission in the 5<sup>th</sup> Executive Committee Meeting and in the 3<sup>rd</sup> of the Working Group 2, celebrated in Madrid the 28 of November and the 17 of September of 2008 respectively. For that reason, we would request you respectfully that you took the opportune measures so that in the future the Commission could be always present.

Yours sincerely,

  
Antonio Schiappa Cabral  
LDRAC Chairman