

# The North Sea Regional Advisory Council

NSRAC Secretariat  
Woodhill House  
Westburn Road  
Aberdeen AB16 5GB  
Scotland



**NSRAC**

Mr Fokion Fodiadis  
EU Commission – DG Mare  
B-1049 BRUSSELS  
Belgium

02 September 2008

Dear Mr Fotiadis

## **Margin of Tolerance**

We write again on the subject of the 8% margin of tolerance. Of all the issues we deal with, this is the one that causes most disquiet at vessel level. If anything is calculated to demonstrate the spatial and social distance between the legislators of fisheries and the people who catch fish for a living, it is a margin of tolerance that depends on catch estimates that fishermen know are unachievable under many conditions that are met by vessels on a regular basis.

The fact that this has been demonstrated by independent experts only strengthens this sense of grievance.

So far the Commission has viewed this issue from only one perspective. This is the fact that the 20% margin of tolerance was abused in the past. Whilst this was undoubtedly true, a more rounded view would ask whether the “solution” applied is appropriate and proportionate; it would further ask whether it is reasonable to require vessels to estimate catches of all species to this level of accuracy, in all conditions and to apply criminal sanctions to those who fail.

It is the inherent injustice and unreasonableness of this position and the constant vulnerability of fishermen to prosecution that means that this issue is repeatedly raised and why the RACs have taken up the issue so assiduously.

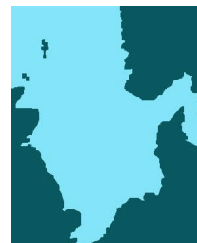
Although you have indicated that this issue will be dealt with in the review of the Control Regulation, we have heard nothing so far from the Commission side that would give us comfort that the issue will be dealt with in a way that recognises the practical realities of fishing.

Chairman – **Hugo Andersson**, tel: +46 (0) 7089 64880, email: [hugo.andersson@lio.se](mailto:hugo.andersson@lio.se)  
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## NSRAC

We look forward to your comments.

Your sincerely

A handwritten signature in cursive script that reads "Hugo Andersson".

Hugo Andersson  
NSRAC Chair

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