

10 June 2015

To: The Fisheries Ministers of the EU Member States

**Re: Input to the EU Fisheries Council Meeting, 16 June 2015**

Dear Fisheries Minister,

On behalf of the Fisheries Secretariat (FISH) and Seas At Risk (SAR), we send you our thoughts regarding the Communication from the Commission concerning a consultation on Fishing Opportunities for 2016, COM (2015) 239. We ask you to consider our views during your discussions at the upcoming Council meeting.

We welcome this communication, in which the European Commission sets out principles for the fixing of fishing opportunities for 2016. It shows a clear commitment to implement the reformed Common Fisheries Policy (CFP) and specifically its MSY objective.

In the communication, the Commission has listed a number of principles for fixing fishing possibilities for 2016, which will be applied in its proposals for fishing limits later this year. They are largely based on the level of information available for the stocks, and divided into two main categories: 1) stocks with full assessments and MSY estimates and 2) other stocks. In general, we support the proposed principles, but would like you to consider the following points:

- The Commission proposes to rebuild stocks **to** biomass levels capable of producing MSY ( $B_{MSY}$ ), whereas the objective of the CFP according to Article 2 is restoring and maintaining populations **above**  $B_{MSY}$ . The Commission should propose and the Council agree on fishing limits for 2016 **below**  $F_{MSY}$ , in order to achieve the mentioned MSY objective consistent with Article 2 of the CFP. It may take many years for some stocks to rebuild to above  $B_{MSY}$ .
- There is specific reference to the possibility to delay MSY implementation if it could “seriously jeopardise the social and economic sustainability of the fishing fleets”. However, the Commission does not attempt to specify what would define “seriously jeopardise”. This is a great weakness that needs to be addressed. Any such delays must be clearly motivated and a plan for achieving  $F_{MSY}$  by 2020 at the latest must be agreed.
- We support the proposal to apply existing multiannual management plans if they are in line with the MSY objective and therefore set fishing opportunities **below**  $F_{MSY}$ .
- While we welcome the use of the precautionary approach for several categories of data limited stocks without MSY estimates, the Commission states that it will do so in “a systematic, predefined and transparent way” but provides no explanation of how it will be done. This needs to be clarified before proposals are published.
- In the context of the landing obligation, we applaud the clear statement that adjustments of fishing opportunities to account for fish previously discarded will not

be done at the cost of reaching MSY. This is crucial if the EU is to rebuild stocks to MSY levels and adhere to the agreed timetable. However, owing to the current lack of effective monitoring and limited proof of compliance with the landing obligation, any increase in Total Allowable Catch (TAC) could potentially result in a further increase in both landings and discards.

- The Commission plans to propose TAC adjustments for stocks where catches are “predominantly” under the landing obligation. No explanation is provided as to what quantity of catches needs to be covered to qualify for this adjustment, with the obvious risk of increasing both landings and discards.
- Most importantly, whether adjusted or not, the final agreed quota for any stock should not compromise the MSY objective of the CFP.

The Communication also attempts to provide an overview of the state of stocks in EU waters. Nearly half of the stocks in the northeast Atlantic and adjacent waters that were selected for the Communication are still overfished, and the proportion in the Mediterranean is a staggering 93%. Unfortunately, the Commission does not provide any indication of the biomass of the stocks in relation to  $B_{MSY}$ , which makes it impossible to assess the progress towards the objective of the CFP.

Council has consistently decided on TACs exceeding scientific advice, with a sharp increase from 2012 to 2014. Unless this trend is reversed, progress towards the objective of healthy and abundant stocks will be seriously hampered.

- **In conclusion, we urge the Commission and the EU Member States to stand firm and implement the objectives of the CFP by agreeing sustainable fishing limits for 2016 that will restore and maintain fish populations above biomass levels capable of producing MSY.**

Yours sincerely,



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