



Director General João Aguiar Machado
Directorate-General for Maritime Affairs & Fisheries
B-1000 Brussels

20 April 2016

Subject: Meeting request to discuss concerns regarding the European Commission's upcoming proposal for a North Sea multiannual plan and inconsistencies with the Common Fisheries Policy

REF:

Dear Mr. Machado,

In October 2014, the European Commission published a multiannual plan for fisheries exploiting stocks of cod, herring and sprat in the Baltic Sea. This proposal failed to uphold the objectives of the reformed Common Fisheries Policy (CFP). In particular, it failed to ensure that the multiannual plan would:

- Apply an ecosystem based approach to fisheries management, including ensuring the minimisation of fisheries impact on the environment (as required under Art 2.3). This includes ensuring that seabird and marine mammal bycatch is tackled in the Baltic Sea;
- Limit fishing pressure to maximum sustainable yield (MSY) exploitation rates (i.e. $F < F_{MSY}$) and allow stocks to recover and be maintained above levels that could produce MSY (B_{MSY}) for all harvested species (as required under Art 2.2).

We have encouraged the European Parliament and the European Council to improve the Commission's proposal and to ensure it is fully in line with the CFP. Unfortunately, after 10 months of negotiations, the institutions failed to ensure that the plan achieves all of the objectives of the CFP. Worryingly, the Commission's position did not move towards addressing some of the serious shortcomings of its proposal. On the contrary, it appears that the Commission supported the Council's demand for flexibility to set fishing limits above maximum sustainable yield exploitation rates beyond 2020 which is a serious breach of Article 2(2) of the CFP.

In a recent meeting you assured us that the shortcomings of the Baltic multiannual plan were due to time constraints in its preparation and did not reflect any Commission intention to breach the CFP regulation or to water down its objectives in subsequent legislation. However, in January 2016, the European Commission published a summary of the North Sea consultation that failed to reflect the major points mentioned above; points that were clearly raised in the responses of the NGOs who are signatories to this letter.

We therefore reiterate that the CFP Basic Regulation requires multiannual plans to be consistent with the requirements in Article 2 (and Article 10(1.b)) including minimizing the negative impacts of fishing activities on the marine ecosystem and avoiding the degradation of the marine environment. The CFP also specifically requires multiannual plans to *"restore and maintain fish stocks above levels capable of producing maximum sustainable yield in accordance with Article 2(2)"* (Article 9(1)). We request that the European Commission ensures that the mistakes that have been made under the

Baltic multiannual plan are not repeated in the North Sea multiannual plan (or any future multiannual plan). A starting point would be to explore in the corresponding impact assessments how the plans would achieve the aforementioned objectives.

With the conclusion of the Baltic multiannual plan, we foresee a rapid progress from the European Commission in establishing a North Sea multiannual plan. We would therefore appreciate an opportunity to further discuss our concerns with you and therefore request a meeting at your earliest convenience.

We look forward to your response upon which arrangements can be made for such a meeting. Please respond to Bruna Campos (bruna.campos@birdlife.org) to set a suitable date and time.

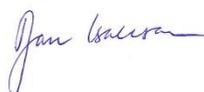
Kind regards,



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