

November 2018

To: The Fisheries Ministers of the EU Member States

**Re: Input to the EU Fisheries Council Meeting, 19 and 20 November 2018**

On behalf of the Fisheries Secretariat (FISH) and Seas At Risk (SAR) we send you our recommendations regarding the Commission proposal for a Council Regulation fixing the 2019 and 2020 EU fishing opportunities on certain deep sea fish stocks (COM(2018)676.). We urge you to take our recommendations into account during your discussions at the upcoming Council meeting.

This will be the final November Council meeting where fisheries ministers have the opportunity to end overfishing of deep-sea species by 2020, as is legally required by the Common Fisheries Policy (CFP). The vulnerable and sensitive nature of those species makes ending their over-exploitation of vital importance, as deep-sea fish stocks are quick to collapse and slow to reproduce and recover. For these reasons, no further delay in transitioning to sustainable fisheries can be justified.

Taking into account that there are no maximum sustainable yield (MSY) estimates for any of these stocks, we urge you to adopt fishing opportunities that are consistent with a precautionary approach to fisheries management, as defined in Article 4(1)(8) of the CFP, and affording to these stocks at least a comparable degree of conservation as to those stocks with MSY assessments, as per Article 9(2) of the CFP. Fishing opportunities should not exceed the best available scientific advice on maximum catches provided by the International Council for the Exploration of the Sea (ICES). In the absence of full analytical MSY-based assessments for deep-sea stocks, the ICES precautionary advice should not be exceeded. The persistent and counterproductive gap between the scientific advice and political decisions must be closed in order to deliver the long-term environmental, economic and social benefits associated with sound fisheries management.

In deep sea fisheries, and particularly bottom trawl fisheries, bycatch levels are high and catches contain a wide range of species, resulting in significant impacts on these non-target species and on the wider deep sea environment. In the Commission proposal many of the 49 deep-sea species listed in the revised deep sea access regime (Council Regulation (EU) 2016/2336) are missing, leaving them unmanaged and unregulated. In the current proposal the Commission intends to reduce ocean governance even further, undermining the CFP requirements through the removal of 6 TACs: black scabbardfish in ICES subareas 1-4 (North Sea and Skagerrak), roundnose grenadier in ICES subareas 1, 2 and 4 (North Sea) and greater forkbeard in ICES subareas 1-10, 12 and 14.

**Given these considerations we urge you to:**

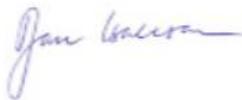
- Set fishing opportunities not exceeding the best available scientific advice. At present, this means not exceeding the catch limits advised by ICES on the basis of their precautionary framework for advice.
- Fix TACs at zero for the most vulnerable deep-sea species, including orange roughy and deep-sea sharks. In addition, we also call for a zero TAC for roundnose grenadier, as this species is listed as “Endangered” by the International Union for Conservation of Nature (IUCN).

- Ensure robust at-sea catch monitoring is put in place for fisheries with a high risk of bycatches of vulnerable deep-sea species.
- Improve the collection and processing of data on deep-sea stocks, in order to underpin robust scientific advice on management measures that will deliver on the CFP's requirements for these stocks.
- Set fishing opportunities considering the ecosystem-based approach. Fishing opportunities should take into account the potential impact of fishing rates and practices on non-target species and marine ecosystems, with special focus on vulnerable species and vulnerable marine ecosystems.
- Improve the transparency of decisions on deep-sea TACs, for instance by publishing the methodology used to calculate TACs on the basis of scientific advice; in particular, clarify how mismatches between advice areas and management areas are addressed, and make all proposals and related documents immediately available to the public.

Additionally, we remind ministers of the commitments made by the European Union to manage deep-sea fisheries consistent with the global standard established by the United Nations General Assembly (UNGA). This standard requires European Union regulations to contain, amongst other things, obligations to: end overfishing of deep-sea species; rebuild depleted stocks; prevent by-catch of vulnerable species; and protect vulnerable marine ecosystems from the adverse impacts of fishing for deep-sea species.

*See Annex 1 for the joint position of 10 NGOs on the deep sea TACs with more detailed comments and recommendations.*

*Yours sincerely,*



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*The Fisheries Secretariat (FISH) is a non-profit organisation working towards more sustainable fisheries on an international level, with a focus on the EU.*



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*Seas At Risk (SAR) is a European association of non-governmental environmental organisations working for the protection and restoration of the marine environment.*