

Stockholm & Brussels, 17 October, 2012

Re: Input to the EU Fisheries Council Meeting, 22–23 October 2012

This letter with some final recommendations for the possible agreement on the proposed European Maritime and Fisheries Fund (EMFF) (COM(2011)804) and on the proposal for the 2013 fishing opportunities in the Baltic Sea (COM(2013)548) has been sent to the EU Fisheries Ministers and their advisors. We have also sent the Fisheries Attachés at the Permanent Representations to the EU our deliberations on the proposed fishing opportunities for certain deep sea stocks for 2013 and 2014 (COM(2012)579), which will be discussed in the coming weeks with a view to adoption at the November Council. We have asked them to consider all our input in order to ensure more sustainable utilisation of our common marine resources.

1. Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund

We call on Ministers not to support public spending that will increase or maintain the current overcapacity of European fleets, with detrimental effects on the resources and sector profitability. What we need are measures supporting the necessary structural reform that would make the fisheries sector environmentally and economically sustainable.

Europe is currently trying to come to terms with a financial crisis, and in such circumstances the EU cannot afford to spend money on harmful subsidies exacerbating existing problems. Therefore, funding for the building of new vessels should continue to be impossible under the new EMFF. Any aid for modernisation, engine replacements and temporary cessation of fishing activities should also be removed from the proposal. Even if modernising or replacing old engines is conditional upon making them equally or less powerful – which is very difficult to control and enforce – it will not necessarily translate into a reduction of the vessel's ability to catch fish. According to the European Court of Auditors, vessels equipped with "fuel efficient" engines work at reduced operating costs and may therefore increase their fishing effort by spending more hours at sea.

We call on Ministers to oppose all proposals that allow aid for new builds, modernisation and/or engine replacement (Art 39(2)), decommissioning and temporary cessation (Art 13).

Rather than fuelling overcapacity and overfishing, EMFF funds should support measures aimed at improving data collection and scientific knowledge of fish stocks, support regional management processes needed to implement more adaptive, results-oriented management, and support the development of selective, low impact fishing gears.

We call on you to consider that these are public funds and that their use must be for the public good, underpinning the conservation and management efforts set out in the CFP. Member States should also be given the flexibility to spend more but not less EMFF funding on data collection, control and enforcement measures.

See Annex 1 for more detailed comments on the current debate on EMFF.

2. Proposal for a Council Regulation 'fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea

The Commission proposal for Baltic stocks (COM(2012)458) is largely in line with scientific advice. However, for salmon the Commission fails to follow the scientific advice and more restrictive Total Allowable Catches (TACs) should be adopted. Also, international commitments to management at MSY by 2015 demands far more conservative fishing limits for the western Baltic cod stock than the current management.

The recent developments for Baltic salmon continue to be alarming. ICES has stated time and time again that the TAC must come down as the amount of fish at mature age has been in decline since 2004. This is caused partly by fishing pressure, but largely by increasing problems with low survival rates during the first year at sea. ICES also states that since a large proportion of the fishery is carried out on mixed stocks at sea, the fishing pressure must be very low in order not to threaten the weaker stocks.

Regarding fishing opportunities in the Baltic Sea for 2013, FISH and SAR call on you to ensure that:

- *the TAC for the Western Baltic cod stock follows the proposed transition towards MSY by 2015, resulting in a TAC of max 12 700 tonnes;*
- *the TAC for the Eastern Baltic cod stock remains in line with the management plan, resulting in a TAC of 61 565 tonnes – a 9 % reduction;*
- *the fishing limits for pelagic stocks are in line with MSY, as proposed by the Commission;*
- *the TAC for salmon in areas 22–31 is in line with the scientific advice and MSY management at 54 000 individual salmon.*

[See Annex 2 for more detailed comments on 2013 fishing opportunities in the Baltic Sea.](#)

3. Proposal for a Council Regulation fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks

Deep sea species tend to be slow growing, late maturing and have low reproductive capacity. Therefore, they are particularly vulnerable to overfishing, which makes the serious lack of scientific information on the deep sea stocks in the North-east Atlantic all the more problematic. In the mixed fishery on deep sea species carried out by bottom trawls, bycatch rates are high, resulting in broad adverse impacts on whole communities of deep sea species. Given the large number of deep sea species taken in these mixed fisheries, single species TACs and quotas for some – but not all – species caught in these fisheries are not adequate for managing them.

Furthermore, recognising the impact of these fisheries on vulnerable marine ecosystems, a fundamental overhaul of their management is necessary. Many NGOs therefore welcomed the Commission proposal for a revised regulation of the deep sea access regime (COM(2012)371), and it is crucial that the aim of the Commission to ensure sustainable exploitation of deep sea stocks and to put an end to destructive fishing practices in order to protect vulnerable deep sea ecosystems is fully supported in the coming months.

We hope that the Commission proposal for 2013 and 2014 deep sea TACs (COM(2012)579) will be the final one of the current inadequate TAC management system. We support the Commission proposal for deep sea TACs where it follows scientific advice. However, while we welcome the fact that ICES is developing methods to make best use of the available information and aiming to give advice based on proxies for MSY reference points, we want to emphasise that given the lack of full stock assessments, and given the inadequacy of single species TACs and quota for mixed deep sea fisheries, this advice should be applied in a precautionary way.

Full compliance with the precautionary approach as determined under the international commitments of the EU would require a temporary closure of the fishery unless or until

sufficient information is available to allow for the adoption and implementation of measures that ensure the long-term sustainability of these stocks.

- *It is crucial that the EU lives up to its international commitments and applies the precautionary approach when setting TACs for deep sea species, phasing out fisheries where sustainable exploitation cannot be ensured.*
- *There is an urgent need for measures that will minimise levels of bycatch in deep sea fisheries, particularly in bottom trawl fisheries, and the review of the access regime for deep sea fisheries provides a key opportunity to ensure their implementation.*
- *We further recommend the continuation of a zero TAC for both directed fisheries and bycatch of deep sea shark species, and a precautionary, more moderate increase in TACs for roundnose grenadier in areas V, VI and VII than the 77 % increase proposed by the Commission.*

[See Annex 3 for more detailed comments and recommendations on the deep sea TACs and quota proposal.](#)

Yours sincerely,



Niki Sporrang
Director
Fisheries Secretariat (FISH)



Monica Verbeek
Executive Director
Seas At Risk (SAR)