

4 December 2017

**To: The Fisheries Ministers of the EU Member States**

**Re: Input to the EU Fisheries Council Meeting, 11-12 December 2017**

Dear Minister,

On behalf of The Pew Charitable Trusts, Seas At Risk, Oceana, ClientEarth and the Fisheries Secretariat, we send you our recommendations regarding the 2018 Northeast Atlantic and North Sea Total Allowable Catches (TACs) that the Council will set on 11–12 December 2017. We urge you to take our recommendations into account during your discussions at the upcoming Council meeting and to ensure that the 2018 TACs meet the requirements of the Common Fisheries Policy (CFP).

We welcome the long-term progress towards more sustainable fisheries that has been made, which has contributed to the enhanced profitability of many segments of the European fleet, as presented in the Commission's communication on fishing opportunities<sup>1</sup>. However, the Scientific, Technical and Economic Committee on Fisheries (STECF) has expressed concerns that progress until 2015 has been too slow to meet the requirements of the CFP.<sup>2</sup> With the legal deadline for achieving the maximum sustainable yield (MSY) exploitation rate by 2020<sup>3</sup> quickly approaching, we urge you to seize the opportunity to extend the benefits of sustainably managed fisheries by agreeing TACs for 2018 that do not exceed scientific advice.

In order to urgently meet the legal requirements for all stocks, we call on you to consider the following recommendations when preparing your national position on the 2018 fishing opportunities:

**1. Meet the objectives of the CFP by:**

- Setting the TACs for all stocks at levels not exceeding scientific advice, specifically not exceeding  $F_{MSY}$  where MSY advice is available, and not exceeding precautionary limits where it is not available, including for stocks under a "presumption of stability"<sup>4</sup>;
- Explicitly considering mixed fishery implications, which will mean setting TACs for some stocks below the advised levels to ensure that other stocks are not overexploited;
- Ensuring that bycatch provision footnotes do not allow total catches of any given stock to exceed scientific advice;
- Introducing stock-specific measures for vulnerable stocks without a TAC, as well as stocks covered by a combined TAC, to ensure their recovery and sustainable exploitation;
- Adding European eel to the prohibited species list, and introducing measures that encourage avoidance, ensure reliable catch documentation, and improve survivability of released eel.

<sup>1</sup> Available on [https://ec.europa.eu/info/consultations/fishing-opportunities-2018-under-common-fisheries-policy\\_en](https://ec.europa.eu/info/consultations/fishing-opportunities-2018-under-common-fisheries-policy_en)

<sup>2</sup> STECF (2017). Monitoring the performance of the Common Fisheries Policy (STECF-17-04). Publications Office of the European Union, Luxembourg; EUR 28359 EN; doi:10.2760/491411. p 12.

<sup>3</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy

<sup>4</sup> Joint Statement by the Council and the Commission "Ad statement stable stocks". Council document PECH 491, 15502/15 REV1.

**2. Correctly implement the landing obligation by:**

- Not granting TAC top-ups that would result in an overall fishing mortality above scientifically advised maximum levels, and not assigning top-ups in the absence of the scientifically assessed discard data from the fleet segments under the landing obligation;
- Accounting for *de minimis* discards under ‘combined’ exemptions in the manner recommended by STECF<sup>5</sup>;
- Not removing TACs or adding species to the prohibited species list in order to avoid the full implementation of the landing obligation.

**3. Improve the transparency and accountability of the TAC-setting process by:**

- Providing clear justifications and sound scientific and/or socio-economic evidence in the cases where TACs are set above levels advised by the International Council for the Exploration of the Seas (ICES), and documenting in a clear and detailed manner the steps taken to reach agreement on a given TAC, including the information and considerations used when setting TACs for stocks subject to a mismatch between TAC management units and scientific advice;
- Making all of the above information, as well as comprehensive and detailed minutes of the Council negotiations publicly available as soon as the TACs have been agreed.

We provide more detailed explanations and TAC recommendations for a range of stocks in the annexes to this letter.

We count on your leadership to uphold the commitments made during the reform of the CFP and to ensure that the environmental, economic and social benefits of ending overfishing are realised as soon as possible. We remain at your full availability to assist you in this task.

Yours sincerely,



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<sup>5</sup> STECF (2017). 55th Plenary Meeting Report (PLEN-17-02); Publications Office of the European Union, Luxembourg. p. 38