

Stockholm & Brussels, 7 February 2013

To: The Fisheries Ministers of the EU Member States

**Re: Input to the EU Fisheries Council Meeting, 25–26 February 2013**

Dear Minister,

On behalf of the Fisheries Secretariat (FISH) and Seas At Risk (SAR), we send you our views on the proposal for a regulation of the European Parliament and of the Council on the Common Fisheries Policy, in relation to on-going discussion on the Council's General Approach and the Common Organisation of the Markets.

**1. Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy**

While the European Parliament has been preparing its plenary vote on the proposed basic regulation that took place yesterday, the Council has been focusing on reaching agreement on the text left outstanding last year. We would therefore like to provide some timely comments on a limited number of articles.

In light of the Council's agreement on this proposal in June 2012 and the European Parliament Fisheries Committee vote in December – as we do not have the full details of yesterday's vote yet – we urge you to carefully consider the following points:

- Commit to **end overfishing no later than 2015** (FMSY), in order to recover fish stocks to sustainable levels (BMSY) by 2020 at the latest (e.g. Art. 2.2 and Art. 10.1);
- Support changes in Article 5 **Definitions** on **"MSY"** – **change to FAO definition** supported by several Member States and used by the EP Fisheries Committee; **"fishing mortality rate"** – **change to FAO definition or wording suggested by Spain**; and the EP Fisheries Committee **definition of "fishing capacity"**, which is in line with views expressed by Spain and Portugal; and
- Require that all Member State **fisheries management measures** under the CFP are **consistent with EU environmental legislation** such as the Habitat Directive, the Birds Directive, and the Marine Strategy Framework Directive (Article 12).
- We do not think EMFF funding should be made available to support the establishment of national systems of transferable fishing concessions (TFCs), considering that compulsory TFCs have been rejected by both Council and the EP Fisheries Committee (Article 27).
- **Access to community funding should be conditional upon compliance with CFP rules** for Member States as well as operators in the fishing industry – support Fisheries Committee amendments to articles 50 and 51.
- More detailed legislation on the composition and function of the future Advisory Councils (ACs) ought to be set out in a separate regulation. We therefore ask you to remove Annex III on the ACs and to deal with this matter at a later stage.

Article 15 on the obligation to land all catches has been the focus of much discussion and controversy, but a discard ban will move the focus of management measures from landings to catches, and thereby to overall fishing mortality. Carefully designed, it will create a strong incentive to reduce wastage, increase selectivity and improve the assessments of our fish stocks. The current text proposed by Council, however, includes several derogations undermining its effectiveness and creating new challenges in term of control and enforcement. We would like to make the following points:

- Even with “fully documented fisheries”, **we do not believe that a landing obligation should automatically result in a higher TAC.** Whether this is appropriate depends on whether the stock management targets have already been reached;
- **Deduct bycatch from the quota of the caught species** – not the target species; and
- **We do not support the *de minimis* exemption, or the 10 % year-to-year flexibility.**

*See Annex 1 for more detailed comments on the General Approach to the basic regulation.*

## 2. Proposal for a Regulation of the European Parliament and of the Council on the Common Organisation of the Markets in Fishery and Aquaculture Products

Regarding the Regulation on the common organisation of the markets in fishery and aquaculture products (CMO), both the Council and the European Parliament (EP) have already finalised their positions and the Irish Presidency will have a mandate to start trilogue negotiations in the hope of reaching agreement in April.

We regret that both the EP and the Council have chosen to disregard the need for **access to additional information to the public on fish products.** We urge you to reconsider this in the upcoming negotiations and to **support the introduction of information on gear, specific fish stock, catch and farming area, as well as defrosting** on the product label.

The EP has added a proposal for a Union-wide ecolabelling scheme for fisheries products, replacing all current environmental labels. While legitimate questions may be asked about the standards applied by certain companies, such a blanket approach ignores the quality of existing labels and the trust and credibility they have built up with consumers over a long period of time, including increasing consumer awareness and a demand for sustainably caught fish. **Rather than creating an additional label, we urge you to set minimum standards for existing labels with requirements that go further than existing regulations to ensure labeled products stand out from other products in terms of environmental sustainability.**

Yours sincerely,



Niki Sporrang  
Director  
Fisheries Secretariat (FISH)



Monica Verbeek  
Executive Director  
Seas At Risk (SAR)