

Stockholm & Brussels, June 4, 2010

To: The Fisheries Ministers of EU Member States

Re: Input to the EU Fisheries Council Meeting, 28–29 June 2010

Dear Minister,

On behalf of the Fisheries Secretariat (FISH) and Seas At Risk (SAR) we send you our recommendations for the upcoming Fisheries Council regarding certain aspects of the reform of the Common Fisheries Policy and the European Commission's policy statement on fishing opportunities for 2011. We ask you to support our recommendations in your deliberations at the Council meeting in order to ensure more sustainable utilisation of our common marine resources.

1. On the reform of the Common Fisheries Policy (CFP)

While we have dealt with different aspects of the CFP reform in previous briefings¹, for the upcoming Council meeting we believe that the issues of access/individual transferable rights (ITRs), overcapacity and subsidies are of particular relevance.

- **Access:** We support the Commission's Green Paper proposal to abandon relative stability. However, we are opposed to the compulsory implementation of ITRs, be it at European or Member State level. Instead, we recommend a (gradual) phasing out of the current quota allocation system and that future access to fish resources should be based on a set of transparent criteria for environmentally and socially sustainable practices, providing priority access for fishing operators who most contribute to achieving the overarching objectives of the CFP. The decision on whether to apply ITRs to national fisheries should be left to the Member States.
- **Overcapacity:** The reformed CFP must reduce fishing capacity to match available resources. Measures to reduce capacity must ensure that the remaining fleet is sustainable, not only in terms of size but also in terms of characteristics. The annual reporting of Member States on the balance between fishing capacity and fishing opportunities must be enforced and should preferably be done on a fishery-by-fishery basis. Based on the Member States' reports, quantitative and qualitative mandatory and time-bound reduction targets should be established for each fishery to balance fishing capacity with available resources in each area. These targets should lead to the removal of (the most) destructive and unsustainable practices whilst promoting low impact fishing methods, gears and practices.
- **Subsidies:** The EU should seize the opportunity of the CFP reform to end all subsidies that contribute to maintaining and increasing overcapacity and overfishing, not only through structural funds but all financial instruments. In the future,

¹ Available at: http://www.seas-at-risk.org/n2_archive.php?page=272

subsidies should instead contribute to a better management system, including funding of, for example, control and enforcement and stock assessments. Finally, Community financial assistance should be conditional upon Member States' adequate implementation of the CFP.

See Annex 1 for more detailed comments on the CFP reform issues.

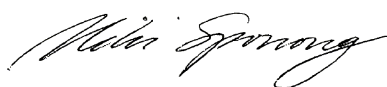
2. On Fishing Opportunities for 2011

We welcome the European Commission's communication on Fishing Opportunities for 2011 (COM(2010)241), which shows a clear commitment to setting sustainable fishing opportunities in line with scientific advice and the precautionary approach, as well as to fully implement long-term management plans. Nevertheless, we would like to draw your attention to the following issues:

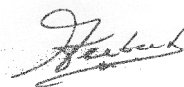
- Although we support the commitment that all stocks are exploited at **Maximum sustainable yield (MSY)** by 2015, we insist that MSY should not be considered the ultimate target, but only constitute an intermediate target for stocks that are overfished. More precautionary targets, such as **Maximum Economic Yield (MEY)** should already be considered for stocks that are close to or at MSY today.
- The number of stocks that have no advice due to **data deficiency** has increased substantially in 2010 compared to previous years. Clearly current stock assessment methods are not adequate (in all areas) and need to be addressed urgently. We request actions and timelines to address data insufficiencies. Until this situation is resolved, any data-poor management has to be adaptive and precautionary, in line with the UN Fish Stock Agreement.
- **TACs set in excess of scientific advice** dropped from 2009 to 2010 but with 34 per cent are still too high. There is an urgent need to align TACs with the scientific advice for all stocks.
- The **sustainable management of deep-sea fisheries** has been the subject of extensive debate and negotiation at the United Nations General Assembly over the past several years. Surprisingly, the Communication fails to mention, much less meet, the EU commitment to the actions agreed by the General Assembly to manage deep-sea fisheries sustainably. These actions include basing catch and effort levels on stock assessments, for both target and bycatch species, in line with the long-term sustainability of the stocks². Where stock assessments are inadequate, fisheries on those stocks and species should be prohibited³. Indeed, anything less than having those stipulations in place would be a failure to follow through on the EU's international commitments to effectively manage deep-sea fisheries sustainably.

See Annex 2 for joint NGO comments on the Communication.

Yours sincerely,



Niki Sporrong
Director



Monica Verbeek
Executive Director

² Consistent with the precautionary approach, paragraph 119(d) of UNGA resolution 64/72 adopted in 2009.

³ Paragraph 120 of UNGA resolution 64/72.

