

Stockholm & Brussels, November 9, 2010

To: The Fisheries Ministers of EU Member States

Re: Input to the EU Fisheries Council Meeting, 29 November 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 the European Commission's proposal on fishing opportunities for certain deep-sea fish stocks for 2011 and 2012 and the importance of good science in the context of CFP reform. 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. Proposal for a Council Regulation fixing for 2011 and 2012 the fishing opportunities for EU fishing vessels for certain deep-sea fish stocks (COM(2010)545 final)

Deep-sea species are particularly vulnerable to exploitation due to their biological characteristics. Lack of available data is also a big problem; for most deep-sea species there is not even sufficient information to determine the status of the stock, even less what catch level could be considered sustainable or how to achieve MSY. Still, ICES indicated in 2008 that the EU's entire deep-sea catch was 'outside safe biological limits'. This year the overall ICES advice on deep-sea fisheries is to reduce catches for all stocks, *even those that appear to be stable*.

The Commission proposal limits changes in TACs to a maximum of 15% compared with the previous year, following its own rules for data poor fisheries (categories 6–11). In the light of the specific problems with deep-sea species, the general rules for data poor fisheries are inadequate. By taking this approach, the Commission clearly goes against scientific advice for several species including blue ling, black scabbardfish, red seabream and roundnose grenadier. This is unfortunate, particularly in light of the Commission's strong statements on the importance of scientific advice in fisheries management.

Furthermore, EU commitments under the UN General Assembly 2009 resolution 64/72 and the UN Fish Stock Agreement require a more cautious regulation of deep-sea fisheries when information is uncertain, unreliable or inadequate. Full compliance with the precautionary approach under these international commitments 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.

Therefore, FISH and SAR urge you to:

- Progressively phase out TACs for all deep-sea species to zero in the course of three years, unless or until reliable stock assessments have been conducted to determine

the long-term sustainability of the stocks and the catch of these species can be regulated in a manner consistent with EU commitments.

- Prohibit all deep-sea shark catches, including the four additional species for which catch limits have not previously been established, as proposed by the Commission. We also ask you to consider ways of mitigating the inevitable consequences of increased discards, for example by setting up projects to establish area closures.
- Maintain the zero TAC for orange roughy and consider ways of mitigating bycatch of orange roughy in other mixed fisheries.

See Annex 1 for a joint NGO statement with more detailed comments on the proposed 2011–2012 deep-sea fishing opportunities.

2. Key scientific principles for stock management in the context of CFP reform

To ensure sustainable fisheries management, scientific advice on fishing limits must be heeded. However, the advice is not always clear cut, especially in data poor fisheries like those on deep-sea species. In such cases, improving data should be a high priority, and doing this through improved cooperation between fishers and scientists – one of the topics discussed at the Belgian presidency conference in Ostend – is one of the ways forward. However, a level of uncertainty will inevitably remain for all fisheries due to the vast nature and complexity of the marine environment. Decision-makers need to recognise this inherent uncertainty and adopt a more precautionary approach to fisheries, moving away from the current overfishing.

In this context, MSY exploitation constitutes a major improvement in fisheries management for a majority of the European fish stocks. However, we believe that in a longer-term perspective more ambitious harvest control rules are needed in order to safeguard our fisheries from effects of, for example, climate change and eutrophication.

We would therefore like to draw your attention to a recently proposed set of harvest control rules that is more precautionary in nature compared to MSY, and yet economically sound, and compatible with ecosystem-based management. According to the scientists behind the proposal, this system would lead to higher long-term catches from larger stocks at lower costs and with less adverse environmental impacts. The idea is that the harvest control rules should be established in long-term management plans, replacing TAC negotiations all together.

See Annex 2 for more detailed information on key scientific principles for stock management in the context of CFP reform and a new set of harvest control rules.

Yours sincerely,



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