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FISKESEKRETARIATET
THE FISHERIES SECRETARIAT



Director General João Aguiar Machado
The European Commission, DG Maritime Affairs & Fisheries
1049 Brussels
Belgium

RE: Reporting progress on achieving MSY exploitation rates

Brussels, 17th December 2015

Dear Mr. Aguiar Machado,

Following this week's Fisheries Council, we would like to suggest improvements to the Commission's communication of progress towards setting fishing limits in line with Common Fisheries Policy (CFP).

We agree that is essential to convey which stocks are already fished at levels in line with CFP Article 2.2¹. However, we have several concerns:

- **Definition of MSY:** Maximum Sustainable Yield can refer to biomass (B_{MSY}), exploitation rates (F_{MSY}) or catch levels (Y_{MSY}). To avoid misunderstanding, at all times the Commission should clearly state which of the MSY objectives related to article 2.2 it is referring to. For instance, the Commission's publication on "fisheries in line with MSY"² lacks such clarity. Also, the Commission's communication on fishing opportunities for 2016 makes numerous references to MSY without specifying to which it refers³.
- **CFP Article 2.2:** In January 2015 the Commission highlighted Irish Sole as one of the fisheries "in line with MSY". This was despite that fact that ministers agreed to a Total Allowable Catch (TAC) of 90 tonnes, while scientific advice from the International Council of the Exploitation of the Sea (ICES) was no directed fishery in 2015. We urge the Commission to consider in its analysis the extent to which TACs are in line with Art. 2.2, including the precautionary approach.

¹ Regulation 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy, Article 2.2: "the CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield. In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks."

² European Commission: "EU fisheries in the Atlantic, North Sea and Baltic Sea in line with maximum sustainable yield (MSY)" January 2015. Online at http://ec.europa.eu/fisheries/documentation/publications/documents/eu-fisheries-n-e-atlantic-msy-jan-2015_en.pdf.

³ Communication from the Commission to the European Parliament and the Council: Consultation on the fishing opportunities for 2016 under the Common Fisheries Policy COM(2015) 239 final.

- Reference point F_{MSY} : The Communication on Fishing Opportunities for 2016⁴ stated that the Commission intends to continue to refer to F_{MSY} point values until new multiannual plans are agreed and in force. Independent of the outcome of the negotiations of multiannual plans and any introduction of ranges, we urge the Commission to maintain F_{MSY} point values as reference points for assessing progress towards setting fishing limits in line with the CFP.
- Illustrate progress and regression: The CFP stipulates that MSY exploitation rates have to be achieved on a progressive and incremental basis. In contradiction to this, Council agreed in October to move away from F_{MSY} exploitation rates for certain stocks in the Baltic. We urge the Commission to communicate both progress and regress in order to accurately evaluate the setting of sustainable fishing limits.
- Annual flagship report on the state of EU fisheries: In recent years there has been increasing public interest in fisheries which in part contributed to the agreement of ambitious objectives in the reformed CFP. We encourage the Commission to respond to this public interest with an annual, "State of EU Fisheries Report", which would bring existing information together in one place in an easily understood format, such as exploitation levels, biomass levels, CFP fact & figures, and a report on economics.

Thank you for your consideration of these issues.

Yours sincerely,



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The Pew Charitable Trusts



Wendy Broadgate
Director
The Fisheries Secretariat



Angelo Caserta
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⁴ Communication from the Commission to the European Parliament and the Council: Consultation on the fishing opportunities for 2016 under the Common Fisheries Policy COM(2015) 239 final.