

December 2018

To: The Fisheries Ministers of the EU Member States**Input to the EU Fisheries Council Meeting, 17-18 December 2018**

Dear Minister,

On behalf of The Pew Charitable Trusts, Seas At Risk, Oceana, ClientEarth, the Fisheries Secretariat and Our Fish we send you our recommendations regarding the 2019 Northeast Atlantic and North Sea Total Allowable Catches (TACs) that the Council will set on 17-18 December 2018. We urge you to take our recommendations into account during your discussions at the upcoming Council meeting and to ensure that the 2019 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 opportunities¹. However, the Scientific, Technical and Economic Committee on Fisheries (STECF) has made clear in its latest CFP monitoring report that *"progress achieved until 2016 seems too slow to ensure that all stocks will be rebuilt and managed according to F_{MSY} by 2020"*.² With only two December Fisheries Councils left to achieve the requirements of Article 2(2) of the CFP basic regulation³, it is essential that ministers ensure that fishing opportunities for 2019 do not exceed scientifically advised levels and that the Maximum Sustainable Yield (MSY) objective can be achieved for all stocks by 2020 at the latest. There is no time for further delays.

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 2019 fishing opportunities and throughout the discussions in the lead-up to and at December Council:

1. Meet the objectives of the CFP by:

- Setting TACs not exceeding scientifically advised levels. This means not exceeding advice under the MSY approach or the F_{MSY} point value catch limits for stocks where MSY-based reference points are available; and not exceeding precautionary approach catch limits where MSY-based reference points are not available;
- Setting TACs for some stocks below the International Council for the Exploration of the Sea (ICES) single species catch advice when considering mixed fishery interactions, to ensure that no stocks in a mixed fishery are fished above F_{MSY} ;
- Taking a precautionary approach when setting TACs for stocks where there is no scientific advice on maximum catches. This should include the setting of precautionary fishing limits and additional measures to mitigate the risk of overfishing, as well as enhanced monitoring and data collection for the stocks concerned;
- Introducing measures for all non-TAC stocks that aim to ensure each stock's recovery and sustainable exploitation in line with the CFP objectives, for example through recovery plans.

¹ Available on <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2018:452:FIN>

² STECF (2018). Monitoring the performance of the Common Fisheries Policy (STECF-Adhoc-18-01). Publications Office of the European Union, Luxembourg, 2018, ISBN 978-92-79-85802-4, doi:10.2760/329345, JRC111761 p 12.

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

2. Correctly implement the landing obligation (LO) by:

- Setting TACs not exceeding ICES advice on catches; and in the absence of advice on catches or in cases where a full exemption from the LO applies, to set TACs not exceeding ICES advice on landings (wanted catch);
- Ensuring reliable and robust methods of full catch documentation (e.g. observers or remote electronic monitoring) are in place (in particular, CCTV on vessels identified as being at medium, high or very high risk of non-compliance with the landing obligation), and especially where exemptions from the LO are applied;
- Not removing TACs or adding species to the prohibited species list in order to avoid the full implementation of the LO;
- Putting in place appropriate measures and safeguards to fulfil the MSY objective of the CFP, as well as robust methods of full catch documentation for fleets catching the relevant stocks where TACs are nevertheless removed or prohibitions are put in place;
- Establishing additional safeguards and measures (see Annex I) if agreeing to proposed “bycatch TACs” for stocks with zero catch advice, including clear conditions and timelines.

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 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 available to assist you in this task.

Yours sincerely,



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