



THE
PEW
CHARITABLE TRUSTS

POSITION PAPER ON EUROPEAN COMMISSION PROPOSAL FOR 2016 Total Allowable Catches IN EUROPE'S NORTH-WESTERN WATERS

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1. Background

The Common Fisheries Policy (CFP) which entered into force on 1 January 2014 includes a requirement to end overfishing, with legally binding targets and deadlines. Article 2.2 of the regulation specifies that:

“in order to achieve the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing the 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”.

At their December Council meeting, EU fisheries ministers will decide upon total allowable catches (TACs) for most fish stocks for 2016. The CFP requires ministers to agree TACs that will end overfishing. The legislation stipulates that any deferral of the original 2015 deadline is acceptable only in exceptional cases in which meeting it “would seriously jeopardise the social and economic sustainability of particular fleets” (Preamble 7).

2. European Commission proposal

The European Commission has proposed TACs for a number of stocks that are not subject to negotiation with third parties or awaiting further scientific advice¹. Forty five of the proposed TACs are for fish stocks in north-western waters².

It is encouraging that the Commission has followed the scientific advice for a large number of TACs. These include TACs for herring, megrim, anglerfish, haddock, and some plaice and cod stocks. For the vast majority of TACs with scientific advice on maximum sustainable yield (MSY) exploitation rates, the Commission proposes fishing limits in line with scientific advice.

In several cases the Commission has proposed fishing limits that exceed the scientific advice, without providing the required evidence that ending overfishing in 2016 would seriously jeopardise the social and economic sustainability of the fleets involved. These include TACs for dab & flounder, cod, whiting and plaice in the Irish Sea, and pollack.

Fifty five of the north-western water TACs are described as "pm" (*pro memoria*) as they are shared with third countries and consultations are yet to conclude, because the scientific advice was not received at the time the proposal was created, or because the evaluation of that advice is still ongoing.

¹ [Articles, Annex I, Annex II-VIII](#)

² Atlantic Ocean west of Scotland and Ireland, and adjacent waters including the Irish, Celtic and North seas.

3. Pew position on the proposed TACs for North Western Waters

The TACs proposed for fish stocks west of Scotland and Ireland, and in the Irish, Celtic and North seas, mainly fall into three categories:

- A.** Twenty-four proposed TACs that do not exceed the scientific advice on sustainable catches³, which should be adopted by fisheries ministers. These TACs include: *greater silver smelt* in EU waters of III and IV; *greater silver smelt* in EU and international waters of V, VI, VII; *tusk* in the Kattegat (IIIa) and certain EU waters in the Baltic; *boarfish* in Union and international waters of VI, VII, VIII; *herring* in the Irish Sea (VIIa)*; *herring* (VIIghjk)*; *cod* in the West of Scotland (VIa) and EU & international waters of Vb*; *cod* in the Celtic Sea (VIIbc,e-k, VIII, IX and X)*; *megrims* in the North Sea (EU waters of IIa and IV)*; *megrims* in the West of Scotland (EU and international waters of Vb, VI, and international waters of XII and XIV)*; *anglerfish* in the Celtic Sea, Irish Sea and English Channel (area VII); *haddock* in Celtic Sea (VIIb-k, VIII, IX, X)*; *lemon sole & witch* in the North Sea (EU waters of IIa and IV); *plaice* in the Bristol Channel (VIIfg); *plaice* in the Celtic Sea (VIIhjk); *turbot & brill* in the North Sea (EU waters of IIa and IV); *sole* in the Irish Sea (VIIa)*; *skates & rays* (Union waters of IIa and IV; IIIa; VIId; and VIa, VIb, VIIa-c and VIIe-k)⁴; and *spurdog/dogfish* across the North East Atlantic (Union waters of IIa and IV; IIIa; and, I, V, VI, VII and XIV).
- B.** Seventeen TACs which exceed the scientific advice⁵. Ministers should set fishing limits for these TACs not exceeding the scientific advice, including for those subject to previous political agreements. This is particularly important when biomass is assessed as being depleted, either below levels that are considered precautionary, or if at a level which impairs reproduction of the stock.

It is particular important not to exceed scientific advice for the following:

1. Instances in which a proposed TAC is greater than zero despite the advice for no directed fishing because biomass is assessed as depleted to the point that reproduction of the stock is impaired. This is the case for Irish Sea (VIIa) *cod**, and three TACs subject to the 2014 Council/Commission agreement on stocks "with a presumption of stability"⁶ – *whiting* in the Irish Sea (VIIa) and *blue ling* (III and II & IV).
2. TACs where the reduction proposed is smaller than advised. For example, *dab & flounder* in the North Sea (IV and IIa); *whiting* to the West of Scotland (VI and EU and international waters of Vb; and international waters of XII and XIV); *norway lobster* in the North Sea (IV and IIa)*; *plaice* in the Irish Sea (VIIa); and *pollack* in the Celtic Sea, Irish Sea and English Channel (area VII).
3. TACs for which a "rollover" is proposed (maintaining the same fishing pressure as the previous year), despite advice to reduce catches. This is for TACs subject to the 2014 Council/Commission agreement⁵, including: *tusk* in the North Sea (IV); *cod* in Rockall (VIb); *ling* in the Kattegat (IIIa and IIIb-d); *plaice* (VIIbc); *pollack* (VI, EU and international waters of Vb and of XII & XIV); *sole* (VIIbc); *sole* (VIIhjk); and *sprat* (VIIde).

³ Catch limits associated with F_{MSY} have been defined for 8 of the 24 TACs, these are marked with an asterisk (*).

⁴ Note: Uncertainty on whether individual TACs exceed ICES advice due to multiple species advice across different ICES areas. However combined catch limits for North Sea, Kattegat/Skagerrak and Eastern Channel, and West of Scotland and Area VII (excluding VIId) do not appear to exceed scientific advice on sustainable catches.

⁵ Catch limits associated with F_{MSY} have been defined for 2 of the 17 TACs, these are marked with an asterisk (*).

⁶ Commission and Council agreed in December 2014 on the desirability of maintaining TACs unchanged for the following 26 TACs unless scientific advice indicates a need for change: blue ling (EU and international waters of II and IV), blue ling (EU and international waters of III), cod (VIb (Rockall subunit)), common sole (VI, Vb, international waters of XII and XIV), common sole (VIIbc), common Sole (VIIhjk), herring (VIIef), greater silver smelt (EU and international waters of I and II), greater silver smelt (EU and international waters of III and IV), ling (EU and international waters of I and II), ling (IIIa), ling (EU and international waters of V), plaice (Vb (EU waters), VI, XII, XIV), plaice (VIIbc), plaice (VIIhjk), plaice (VIII, IX, X and CECAF 34.1.1), pollack (Vb (EU waters), VI, XII and XIV), pollack (VIIc), pollack (IX, X, CECAF 34.1.1 (EU)), saithe (VII, VIII, IX, X, CECAF 34.1.1 (EC)), sole (VIIcde, IX, X, CECAF (EU)), sprat (VIIde), whiting (VIIa), tusk (IIIa and EU 22- 23), tusk (EC I, II, XIV), tusk (EC waters of IV).

- C. Four proposed TACs are based on no scientific advice. In these instances, ministers should apply the precautionary approach for these TACs. These are *herring* in the Western English Channel and Bristol Channel (VIIef); *saithe* in VII, VIII, IX and X and EU waters of CECAF 34.1.1); *plaice and sole* in the West of Scotland (VI and EU and international waters of Vb; and, international waters of XII and XIV). These TACs are subject to the 2014 Council/Commission agreement on stocks⁵ and a “rollover” has been proposed.

There are also some TACs that remain on a combined species basis despite advice to separate the species and reduce catches (e.g. *dab & flounder*, *lemon sole & witch* and *turbot & brill* in the North Sea (IV and IIa)). In these cases there should be separate TACs for each species in addition to reductions in catch in line with scientific advice.

4. Pew recommendations to fisheries ministers

Fisheries ministers must match the ambition they demonstrated in the reform of the CFP and set fishing limits that will end overfishing as required by the legislation. The longer they yield to short-term interest and delay an end to overfishing, the greater the loss to communities dependent on fisheries and to the marine environment. Specifically, this means ministers must:

- Support TACs that do not exceed scientific advice;
- Set TACs lower than the scientifically advised maximum levels to account for mixed fishery interactions, for example, in the Celtic Sea mixed whitefish fishery;
- Agree to measures such as greater gear selectivity to reduce bycatch, particularly in mixed fisheries;
- Make clear the methodology used to calculate the landing obligation quota adjustments, ensuring they do not increase fishing mortality or jeopardise the achievement of the CFP's objectives to end overfishing;
- Make public any evidence used to justify delays in ending overfishing in 2016; and
- End overfishing in 2016 where possible, and on a progressive, incremental basis at the latest by 2020 for all stocks.

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