POSITIVE PAPER ON EUROPEAN COMMISSION PROPOSAL FOR 2016
Total Allowable Catches In Europe’s North-Western Waters

30 NOVEMBER 2015

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.

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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 catches, 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 (IIla) and certain waters in the Baltic; boarfish in Union and international waters of VI, VII, VIII; herring in the Irish Sea (VIIla)*; herring (VIIghjk)*; cod in the West of Scotland (Vla) and EU & international waters of Vb; cod in the Celtic Sea (VIIb,e-k, VIII, IX and X)*; megrim in the North Sea (EU waters of Ila 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 Ila and IV); plaice in the Bristol Channel (VIIfg); plaice in the Celtic Sea (VIIhjk); turbot & brill in the North Sea (EU waters of Ila and IV); sole in the Irish Sea (VIIla)*; skates & rays (Union waters of Ila and IV; IIIa; VIId; and Vla, Vlb, VIIa-c and VIIe-k)*; and spurdog/dogfish across the North East Atlantic (Union waters of Ila and IV; IIIa; and, I, V, VI, VII and XIV).

B. Seventeen TACs which exceed the scientific advice. 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 particularly 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 (VIIla) cod*, and three TACs subject to the 2014 Council/Commission agreement on stocks “with a presumption of stability”6 – whiting in the Irish Sea (VIIla) 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 Ila); 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 Ila)*; plaice in the Irish Sea (VIIla); 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 agreement, including: tusk in the North Sea (IV); cod in Rockall (Vlb); ling in the Kattegat (IIla and Illb-d); plaice (VIIbc); pollack (VI, EU and international waters of Vb and of XII & XIV); sole (VIIbc); sole (VIIhjk); and sprat (VIIde).

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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 VIIId) 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 I and IV), blue ling (EU and international waters of III), cod (Vlb (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 (IIla), 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 (VIIcd, IX, X, CECAF (EU)), sprat (VIIde), whiting (VIIa), tusk (IIla 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 stocks 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.

For more information, please contact:

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