



European Commission
Directorate-General Fisheries
c/o Mr Fokion Fotiadis
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Subject: P-RAC response to policy statement document on fishing opportunities for 2009

Dear Mr Fotiadis,

Thank you for giving the Pelagic RAC the opportunity to comment on the Policy Statement document for fishing opportunities in 2009. Having agreed with your services to make this late submission, we hope you will be able to take our views into account. There is a number of issues the Pelagic RAC would like to raise.

Maintaining the rule to limit IAV of TACs by 15%

The Pelagic RAC takes note of and appreciates the table in Annex II, which provides a very clear overview of the rules applied when making TAC decisions. The Pelagic RAC accepts that, as the documents states, different rules should be applied according to the level of risk. In our opinion, the only rationale relating to stock conservation behind this principle is that increased reductions should be possible for stocks that are at larger risk. Following this line of reasoning, the Pelagic RAC wonders what the Commission's motivation was to change the IAV limitation for stocks that are exploited at or near the maximum sustainable yield rate from 15% to 25%. These stocks constitute the category of lowest risk, and consequently, decisions on IAV practically become business decisions, and not fisheries management decisions. The Pelagic RAC is therefore of the opinion that this should be left to the stakeholders, and in the case where stakeholders have repeatedly advocated 15%, such as in the case of the pelagic industry, a limit of 15% should be maintained as a general rule.

In addition, the Pelagic RAC feels that the rule on stocks where no scientific advice from STECF is available should be amended. A rule to automatically reduce the TAC to reflect recent catch levels has no rationale in relation to stock conservation behind it. The industry should not be obliged to finish their quota in one year, only to enable having the same fishing opportunities in the next. Pushing the industry in this way poses an increased risk to the possibility of overfishing the TAC. And in effect, while requiring an attitude of compliance from the industry, there is no other possibility for the TAC then to continuously decrease. The Pelagic RAC requests that this rule is amended so that when there is no STECF advice available, a status quo would be maintained for the particular stock.

Additional sections to the document

Similar to paragraphs 11, 12 and 13, which address deep sea species, Mediterranean and Black sea and Baltic sea fisheries respectively, the Pelagic RAC would very much appreciate it if a paragraph could be added, which would specifically address pelagic fisheries. This would be of great value, because it could pay attention to the specific nature of these fisheries and point out specific positive developments as well as challenges. Furthermore, the Pelagic RAC feels that a number of other issues not addressed in the document, could contribute to a more complete overview. Much work is continuously being done by the Commission, by ICES and by RACs to facilitate the development of long-term management plans. It would be useful to make progress in this process visible, in stead of solely repeatedly stating that more plans need to be developed. Similarly, it would be useful to provide information on industry-science collaborations, which aim to improve data available for stock assessment. Not only would it be rewarding to the industry to be recognised for their invested effort in trying to resolve these problems, and would it contribute to a more positive tone of the document, but it would also stimulate the industry to move forward with this and take new initiatives when it becomes clear that their efforts prove to be a valuable contribution. It would furthermore have been interesting to see the designation of MPAs under the Natura 2000 process addressed.

Negative tone of the document.

The Pelagic RAC is disappointed that the document paints such a negative picture of European fisheries in general. While the Pelagic RAC recognises that a number of challenges lie ahead before sustainable exploitation levels in all EU fish stocks will be reached, this is very unfortunate and discouraging for all stakeholders involved in the process of fisheries management in the EU, who spend increasing amounts of time and effort in improving the situation in fisheries management. The gloomy document communicates an incomplete and incorrect image, also to the markets (retailers for instance) who may partly base their business decisions on it. Two examples of what cause the unnecessary negative tone of the document in our opinion are:

Choice of selected statistics in paragraph 2 and dramatic formulations

In paragraph 2, 'State of Resources' the Commission intends to give a general overview of the status of the fish stocks, and provides a reference by making a comparison with information from the FAO document '*The state of the world fisheries and aquaculture 2006*'. It is stated, for instance, that '*in 88% of stocks, overfishing is so serious that more fish would be caught if there was less fishing.*' First of all, this dramatic statement disregards the fact that part of this category includes stocks that, although they are being overfished, are within safe biological limits. Secondly, since the Commission does not define the categories similarly as does the FAO, it is difficult to compare this number with the 25% mentioned in the FAO report. This has, amongst others, to do with the fact that the FAO includes stocks of crustaceans, cephalopods and molluscs in their analysis, which seem to make up a major part of the category which is regarded as being exploited at or near the MSY level.

Cause and effect in relation to stock status

It is stated repeatedly in the document that sustainability objectives are not being reached yet. Several reasons are put forward throughout the document, but it is not made clear how these different causes should be weighed in comparison to each other. For example, it is stated that '*in the absence of an effective control system, overfishing persist and stocks decline further, leading*

to lower TACs, which are, in turn, not respected. This very dramatic sentence suggests that enforcement difficulties are a major cause of the deterioration of stocks. No quantitative information is provided on estimated levels of overfishing, however, making it impossible for the reader to decide on the magnitude of this problem. The one sentence mentioning a number, refers to the 27% of stocks for which data is available on stock status, fishing mortality rates and catch level rates¹. This sentence merely underlines the fact that it remains unclear how significant a problem this is, and explains nothing about the level of overfishing.

The Pelagic RAC recognises that producing a positively sounding document does not contribute to reaching sustainability objectives in itself. At the same time, making a negatively sounding document does not do so either. If the Commission is committed to maintain a positive working relationship with the stakeholders, the Policy Statement document should reflect that the Commission takes the stakeholders seriously by providing a flawless and complete communication, free from biased assumptions.

If you have any questions, please do not hesitate to contact the secretariat.

The Pelagic RAC looks forward to your response.

Yours sincerely,



Aukje Coers
Pelagic RAC secretariat

c.c. Isabelle Viallon (by e-mail)

¹ Note that it is not possible to see how the actual number of 27% is calculated because it does not correspond to any of the information provided in Annex I.