

Mr Luis Planas
Minister of Agriculture, Fisheries and Food
Spain

14 September 2023

Subject: NGOs call on you to set sustainable, ecosystem-based fishing limits for 2024

Dear Minister Planas,

Like every busy autumn, soon you will be back at the negotiation table in the Agrifish Council meetings and in third country negotiations with the UK and other coastal states to decide on fishing limits for the coming year. As the Council Presidency you will play a key role in overseeing and leading this year's Agrifish discussions. **We urge you to set and reach a clear objective for these negotiations: to significantly improve the state of fish populations, for the sake of the environment and the people. This means setting fishing limits not exceeding, and preferably well below, the best available scientific advice on maximum catches, in order to end overfishing and maximise long-term ecosystem health, productivity and resilience in the face of mounting pressures like climate change.**

Despite the overall reduction in overfishing brought about by the Common Fisheries Policy (CFP) in the last decade, the EU still failed to fulfil its legal obligation to end overfishing in all its waters and missed the deadline to harvest all stocks sustainably by 2020, with many fishing limits still set above scientific advice.¹

In October, you will lead the Council of the EU in setting the fishing opportunities in the Baltic Sea, where overfished populations are not improving, and the cod crisis continues.² In the meantime, the consultations with the UK will resume with a view to establishing over 70 catch limits for shared stocks, most of which still exceeded scientific advice last year.³ Those shared with Norway and other coastal states will follow shortly, with sharing arrangements for key pelagic stocks like mackerel still lacking.

In December, you will finalise decisions for the Northeast Atlantic waters, where 26% of assessed stocks continue to be subject to overfishing.⁴ The dire state of the critically endangered European eel⁵ also continues to be a key issue for discussion.

Productive fisheries depend on a healthy environment. Overfishing and destructive practices have been the main cause of marine biodiversity loss for the last 40 years and they critically undermine the resilience of fish and other wildlife to the impacts of climate change and their capacity to mitigate it.⁶

1 ClientEarth (2022). [Taking stock 2022 – are TACs set to achieve MSY?](#) 12 October 2022.

2 Please see specific [Joint NGO recommendations on the setting of Baltic fishing opportunities for 2024](#). 21 June 2023.

3 Bell, ED, Nash, RMD, Garnacho, E, De Oliveira, J, Hanin, M, Gilmour, F, O'Brien, CM (2023). [Assessing the sustainability of negotiated fisheries catch limits by the UK for 2023](#). Cefas project report for Defra. 30 pp.

4 Scientific, Technical and Economic Committee for Fisheries (STECF), Monitoring of the performance of the Common Fisheries Policy ([STECF-adhoc-23-01](#)), Publications Office of the European Union, Luxembourg, 2023, doi:10.2760/361698, JRC133325, p. 3.

5 Pike, C, Crook, V, Gollock, M (2020). *Anguilla anguilla*. The IUCN Red List of Threatened Species 2020: e.T60344A152845178. <https://dx.doi.org/10.2305/IUCN.UK.2020-2.RLTS.T60344A152845178.en>.

6 IPCC (2019). [Special Report on the Ocean and Cryosphere in a Changing Climate](#). IPBES (2019). [Global Assessment Report on Biodiversity and Ecosystem Services](#).

Long-term and widespread socio-economic losses will outweigh short-term and private profits if the EU and its negotiation partners continue to set catch limits above scientific advice and fail to account for ecosystem dynamics and to safeguard their functioning.

In the face of accelerating threats from the twin nature and climate change emergency, there is no more time to lose. We therefore urge you to finally deliver on your commitments and future-proof EU fisheries by:

- **Setting catch limits not exceeding, and preferably well below, the best available scientific advice for maximum catches** provided by the International Council for the Exploration of the Sea (ICES). This is crucial in order to maximise long-term stock and ecosystem health, productivity, resilience and capacity to mitigate climate change, and to account for discarding. This applies regardless of whether the advice is based on Maximum Sustainable Yield (MSY) or on the data-limited precautionary approach.
- **Applying a precautionary and ecosystem-based approach when setting catch limits, with special attention to mixed fisheries and interspecies dynamics.** This means setting catch limits below the ICES single-stock advice (a) for the more abundant stocks in mixed fisheries, in order to safeguard and prioritise the recovery of vulnerable and/or depleted stocks caught in those fisheries; and (b) for forage fish, where ecosystem needs (such as food supply for other fish, seabirds and marine mammals) are not fully factored in yet. The science needed to better account for these needs must be urgently commissioned.
- **Eliminating bycatch and discards, increasing selectivity, and diligently controlling fisheries** by remote electronic monitoring (REM) with cameras, supported by onboard observer coverage as appropriate. Full catch documentation and accounting for discards and potential underreporting in a precautionary way is particularly crucial in fisheries with bycatch of vulnerable and/or depleted stocks or sensitive species.
- **Increasing transparency of decision-making** in line with the UNECE Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

The implementation of the CFP is a mission not yet accomplished.⁷ The EU, including the Commission, the Council and individual Member States, must act now to remedy this situation, if the EU is to respect its own law and international commitments, as well as deliver on the European Green Deal and Biodiversity Strategy.

The CFP's success and the EU's credibility are at stake. Environmental organisations will continue to scrutinise the EU's progress in ending overfishing and transitioning to fully sustainable, climate-smart and transparent fisheries.

⁷ For more aspects of CFP implementation, please see the NGO policy paper "[Common Fisheries Policy: Mission Not Yet Accomplished](#) (2021). NGOs identify nine specific challenges in this paper (overfishing, especially in the Mediterranean Sea, the LO, harmful impacts of fishing, the transition to low-impact fisheries, harmful subsidies, regionalisation, the external dimension, and climate change) and propose a list of actionable solutions. Also see Pew's "[Lessons From Implementation of the EU's Common Fisheries Policy](#)" (2021).

Please find our specific recommendations attached. We thank you for your consideration and look forward to meeting you and your services to discuss them in detail.

Yours sincerely,



Pascale Moehrle
Executive Director and Vice President, Oceana in Europe

On behalf of:

BirdLife Europe, BirdWatch Ireland, Bloom Association, ClientEarth, The Danish Society for Nature Conservation, Deep Sea Conservation Coalition (DSCC), Défense des Milieux Aquatiques (DMA), Deutsche Umwelthilfe (DUH), Dutch Elasmobranch Society, Ecologistas en Acción, Fair Seas, The Fisheries Secretariat, Friends of the Irish Environment (FIE), Oceana in Europe, Sciaena, Seas At Risk, Shark Trust, Whale and Dolphin Conservation (WDC)

