



PEW RECOMMENDATIONS FOR DEEP-SEA FISHING LIMITS 2015–2016

21 OCTOBER 2014

On 10 and 11 November EU fisheries ministers are scheduled to decide on fishing limits for deep sea stocks in 2015 and 2016. This will be done for the first time under the reformed Common Fisheries Policy (CFP)¹. The deep sea is the area of the ocean lying below the outer edge of the continental shelf. Temperatures are low and little or no light penetrates this part of the ocean. Nonetheless, deep-sea ecosystems are recognized to be high in biodiversity including a high diversity of fish species. Because deep-sea species live in rarely disturbed environments and tend to be slow-growing, late-maturing and long-lived, they are exceptionally vulnerable to overexploitation.

The European Commission proposes the following fishing limits for deep-sea species in 2015 and 2016²:

- Set the total allowable catch (TAC), following scientific advice for stocks of three species (orange roughy, alfonso and greater forkbeard).
- Delay achieving sustainable fishing rates for two species until 2016 (red seabream in the Azores and off continental Portugal and black scabbardfish).
- Continue fishing for at least two stocks where scientific advice is to stop fishing³ (roundnose grenadier in International Council for the Exploration of the Sea [ICES] Area III and red seabream in ICES areas VI, VII, VIII).
- Add a different species of grenadier (roughhead) to the existing TAC for roundnose grenadier—i.e., set one fishing limit for two different species.

Setting correct fishing opportunities is fundamental to achieving the objectives of the CFP—namely, to end overfishing and to restore and maintain fish stocks above levels capable of producing the maximum sustainable yield (MSY). In line with Pew’s submission to the Commission consultation on the setting of fishing limits in 2015⁴, we urge fisheries ministers to fully implement the commitments made under the new CFP:

- **Support the EU Commission’s proposals for TACs that do not exceed scientific advice**, and particularly in cases where the advice is for no catch (zero TAC and minimization of by-catch). Setting such fishing limits supports achieving the CFP

¹ Regulation (EU) 1380/2013 of the European Parliament and of the Council, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:354:0022:0061:EN:PDF>

² European Commission COM(2014) 613 final: Proposal for a Council Regulation fixing for 2015 and 2016 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks.

³ ICES advises to stop targeted fishing and to minimise bycatch.

⁴ The Pew Charitable Trusts (2014): Submission to Commission’s Consultation on Fishing Opportunities for 2015, available at: http://ec.europa.eu/dgs/maritimeaffairs_fisheries/consultations/fishing-opportunities-2015/contributions/doc/pew_en.pdf

objectives and is in line with CFP Article 3.c which asks for *“the establishment of measures in accordance with the best scientific advice”*.

- **End overfishing in 2015:** The CFP establishes in Article 2.2. 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”*. A deferral of the 2015 deadline is acceptable only in exceptional cases when meeting it *“would seriously jeopardise the social and economic sustainability of the fishing fleets involved”* (CFP Recital 7). No evidence has so far been brought forward to illustrate negative social and economic impacts of the 2015 deadline on the fishing fleets involved, nor has such evidence been scientifically validated. We therefore ask ministers to not follow the Commission’s proposal for red seabream in the Azores and off continental Portugal and black scabbardfish, but to set the corresponding fishing limits not exceeding scientific advice from 2015 onwards.
- **Set sustainable fishing limits for species so far lacking TAC proposals from the Commission:** For several stocks the Commission proposal does not yet contain a specific figure, because ICES did not provide scientific advice before the Commission proposal was published. We ask ministers to not exceed the scientific advice once it is available, or, in case of the absence of scientific advice, to follow the precautionary approach to setting fishing limits for deep sea species. In addition, we urge ministers to maintain the zero TACs adopted in previous years for all species of deep-sea sharks.⁵
- **Set individual TACs per species:** We welcome the EU Commission’s intention to address the misreporting of roundnose grenadier as roughhead grenadier, which so far had no catch limit. However, covering two species in one TAC will not avoid overexploitation, as the whole TAC can be caught for only one species exceeding its sustainable fishing limits. Therefore we ask Council to:
 - Keep individual TACs for roundnose grenadier.
 - Set TACs for roundnose grenadier not exceeding scientific advice, including for TAC area III, where ICES advises no fishing.⁶ In addition, we recommend Council to follow Scientific, Technical, and Economic Committee for Fisheries (STECF) advice for roundnose grenadier in TAC areas Vb, VI, VII, restricting landings annually to less than the recent average level of 1,862 tons, which STECF considers as a more appropriate risk-averse approach likely leading to a more rapid recovery of the stock biomass.
 - Establish a new TAC for roughhead grenadier. In cases where the best scientific information available does not identify exploitation rates corresponding to a precautionary approach to the management of deep-sea fisheries due to a lack of sufficient scientific information concerning a certain stock or species, no fishing opportunities should be allocated for the stock or

⁵ Council Regulation (EU) No 1182/2013 amending Council Regulation (EU) No 1262/2012 established zero TACs in 2013 and 2014 for the following species of deep-sea sharks: deep-water catsharks (*Apristurus* spp.); frilled shark (*Chlamydoselachus anguineus*); all gulper sharks (*Centrophorus* spp.); Portuguese dogfish (*Centroscymnus coelolepis*); longnose velvet dogfish (*Centroscymnus crepidater*); black dogfish (*Centroscyllium fabricii*); birdbeak dogfish (*Deania calcea*); kitefin shark (*Dalatias licha*); greater lanternshark (*Etmopterus princeps*); velvet belly (*Etmopterus spinax*); mouse catshark (*Galeus murinus*); bluntnose six-gill shark (*Hexanchus griseus*); sailfin roughshark/sharpback shark (*Oxynotus paradoxus*); knifetooth dogfish (*Scymnodon ringens*); greenland shark (*Somniosus microcephalus*).

⁶ ICES advises to stop targeted fishing and to minimise bycatch.

species concerned. As a result, in the absence of scientific advice on fishing limits, the TAC for roughhead grenadier should be set at zero.

We would like to emphasise that setting fishing limits for deep-sea species as recommended above does not by itself ensure sustainable deep-sea fisheries. In its advice for TACs for black scabbardfish, roundnose grenadier, and a number of other deep-sea stocks for 2015 and 2016, ICES advises that the management of these fisheries should also take into consideration the fact that “deep-water bottom trawls impact the seabed, causing potential damage to deep-water coral communities,” and that these are mixed species fisheries and setting TACs for target species “also impacts other commercial and non-commercial deep-water species”.⁷ The number of species caught in deep-sea bottom trawl fisheries can be quite high, in some cases as high as 100 species.⁸ ICES has concluded that deep-sea bottom-trawl fisheries along the European continental margin have depleted whole communities of deep-sea species—including many that are not actually targeted by the fisheries.⁹ Moreover, the majority of the species taken in deep-sea fisheries are unregulated by TACs.

In light of the above, we urge ministers to recognize the serious shortcomings in the current regulation of deep-sea fisheries and to urgently commit to concluding the negotiations in Council to adopt a Council position for a new EU regulation for the management of deep-sea fisheries in the north-eastern Atlantic. The new regulation should reflect the commitments made by the European Union to manage deep-sea fisheries consistent with the global standard established by the United Nations General Assembly through a series of resolutions adopted over the past 10 years.¹⁰ In particular, the new EU regulation should contain obligations to end overfishing of deep-sea species, whether target or by-catch species, and rebuild depleted stocks; prevent the by-catch of the most vulnerable deep-sea species; protect vulnerable marine ecosystems from the adverse impacts of bottom fishing; require impact assessments for all deep-sea bottom fisheries; and effect a transition to low-impact, selective fishing gears and practices by phasing out the use of the most destructive deep-sea fishing methods—deep-sea bottom trawls and bottom gill nets.

⁷ International Council for the Exploration of the Sea, Advice 2014, Book 9, Ecoregion: Widely distributed and migratory stocks.

⁸ Analyse des captures du métier ‘Chalutiers à espèces profondes en Ouest Ecosse, Mars 2014, IFREMER.

<http://archimer.ifremer.fr/doc/00198/30936/29313.pdf> The French Research Institute for Exploitation of the Sea indicates that at least 99 species of fish were caught in the French deep-water trawl fishery off Scotland and Ireland in 2012 (the latest year for which information is available).

⁹ International Council for the Exploration of the Sea, *Report of the Working Group on the Biology and Assessment of Deep-Sea Fisheries Resources (WGDEEP)* (2008), ICES CM 2008/ACOM:14, 70–71,

<http://wwwz.ifremer.fr/deepfishman/content/download/17021/251166/file/wgdeep2008.pdf>

¹⁰ United Nations General Assembly resolutions 61/105, 64/72, and 66/68, among others, commit States to a series of measures for the management of bottom fisheries on the high seas, including to ensure the long-term sustainability of deep-sea fish stocks and non-target species, and the rebuilding of depleted deep-sea stocks; to prevent significant adverse impacts on vulnerable deep-sea ecosystems from bottom fisheries; to conduct impact assessments for all deep-sea bottom fisheries; and to not authorize bottom fishing activities unless or until such measures have been adopted and implemented. (See in particular paragraphs 119–120 of General Assembly Resolution 64/72,

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/466/15/PDF/N0946615.pdf?OpenElement>.)