



Mr Fokion Fotiadis
European Commission
Directorate General - Mare
Office J-99; 0/07
B-1049 BRUSSELS
Belgium

Pelagic RAC
Treubstraat 17
PO Box 72
2280 AB Rijswijk
The Netherlands

Tel: +31 (0)70 336 9624
Fax: +31 (0)70 399 3004
E-mail: info@pelagic-rac.org
<http://www.pelagic-rac.org>

Date: 24 November 2009
Our reference: 0910PRAC15/AC
Subject: Alarming situation regarding two major pelagic stocks
CC: European Parliament Committee: c/o Ms Carmen Fraga
DG Mare services: c/o Ms Fuensanta Candela, Mr John Spencer, Ms
Isabelle Viallon (by e-mail)

Dear Mr Fotiadis,

It is with great regret that the Pelagic RAC feels the need to write to you on behalf of its members, in relation to the alarming situation for the management of two major joint pelagic stocks. The members of the RAC have not felt this frustrated and powerless as they do at present. Throughout its existence, the RAC has had a strong focus on issues related to the sustainable, long term management of pelagic stocks. The RAC has been intensively involved in the development and improvement of Long Term Management (LTM) plans. While the stocks are currently in general good shape¹, the stakeholders feel as if they are walking on the very edge of a high cliff, waiting for the wind to sway them one way or another, onto more solid ground under their feet from where they can further work on improving the performance of the LTM plans, or plunging down into a fast and absolute crash of the stocks, being unable to do anything to prevent it. It is currently particularly regarding the management situation for horse mackerel and mackerel that the RAC would like to make a number of observations and requests the Commission to take immediate action.

Horse mackerel management

In November 2006, the RAC took an initiative to develop a LTM plan for this stock, together with a number of scientists. During the eight months that followed, both scientists and stakeholders worked hard on a plan and in July 2007, a proposal was

¹ SSB is considered in full reproductive capacity in Blue whiting, Atlanto-scandian herring, NEA mackerel and Western horse mackerel, i.e. in four of the five major stocks in the remit of the P-RAC

adopted by the Executive Committee of the RAC, which was submitted to the Commission. Four months later, i.e. exactly one year after the initiative had been started, ICES had tested the plan as being precautionary². Presently, in November 2009, two years after the presentation of the RAC proposal to the Commission, the plan has still not been adopted by Council and will now more likely be implemented later rather than sooner, due to the Lisbon treaty coming into force. All the while, the RAC never let the plan out of sight. Amongst others the RAC prepared amendments to the Commission's proposal during the summer of 2009, which were discussed, and more importantly found support, at the Fishery Committee meeting of the European Parliament on the 1st of October. On the 11th of November, the Council Working Group discussed one of these proposed amendments, for article 11 of the Commission's proposal on the plan. The issue was as detailed as lifting the implied prohibition for fishermen to steam to their preferred port to land horse mackerel caught in other areas, may their preferred port be inside the management areas of Western horse mackerel, by laying down an exception on authorisations under strict conditions. How insignificant an issue this seems in retrospect, knowing that, at the exact same time, the Norwegian minister was deciding on increasing unilateral horse mackerel quota for Norwegian fishermen. Only one week later, on the 18th of November, these quota exceeded the 100.000 tons³. It is altogether beyond the imagination of the members of the RAC that this can happen in the 21st century, acknowledging that Europe should have a rather sophisticated management system in place. The decisions of the Norwegian ministry were likely a response to the unfortunate circumstances for the Norwegian industry not being able to catch their full mackerel quota due to the early migration of the stock out of the Norwegian EEZ this year. However, the members of the RAC are convinced that the Commission would *never* accept that an economic disadvantage because of circumstances in relation to one stock would justify an irresponsible action in relation to another. Let alone a complete disregard of the management system in place for another stock.

Mackerel management

Similarly, it was only just over a year ago that the RAC finalised extensive work in exploring different sustainable options for the LTM plan for mackerel. Together with ICES scientists, the results of simulation runs for different harvest control rules were debated and on 20 October 2008, the RAC wrote to the Commission to make its preference

² Subject to alignment of the areas, but in principle the HCR predicted sustainable catches

³ Note that the total TAC was set at 170.000 tons, i.e. that the 100.000 tons represent a predicted overshoot of 60%

known. Only one year ago, the RAC was contemplating whether or not an Inter Annual Variation limitation of 15% should be in place at all times or only when SSB is above a certain trigger point. During yesterday's Executive Committee meeting, the RAC members were contemplating how big an autonomous TAC would be set again next year by Iceland, Norway and the Faroese Islands (receiving information today that Iceland indeed has set a quota of 130kt for 2010) and whether or not this will ultimately mean the entrance of an unavoidable road of deterioration of the stock. This situation is incomprehensible and completely unacceptable to the members of the RAC. The EU is by far the largest stakeholder, holding nearly 60% of the TAC. But instead of feeling this substantial 'ownership' of the stock, the RAC members feel as if, no matter what their efforts, the fate of this stock is now out of their hands completely.

Conclusion

In the light of the above described situation, the Pelagic RAC strongly calls upon the Commission to take a stand against these and possible further actions by the mentioned non-EU countries. In particular to the mackerel situation, the RAC recommends that ICES will be tasked to rerun its simulations to recalculate the exploitation boundaries, considering that the assumptions used by ICES on catches in 2009 are outdated now that approximately 100 kt remains uncaught (Norway, Denmark and the Faroese together, including overshoot and discards). The RAC is aware that Norway is requesting to be allowed to carry over their 70.000 tons of uncaught mackerel, but the RAC cannot see how the Commission could agree to that, considering that almost half of that was set outside of the Coastal States agreement, unilaterally. For every ton that the Commission would agree on, half an irresponsibly and unilaterally set ton of mackerel would be legitimised with the approval of the Commission. In relation to the horse mackerel situation, the RAC urges the Commission to strongly act against the Norwegian initiatives and otherwise do nothing but focus on getting the management plan, developed by the Pelagic RAC, implemented.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Iain MacSween', is written in a cursive style.

Mr Iain MacSween
President of the Pelagic RAC