



Minister for Agriculture, Food and the Marine
Mr. Michael Creed T.D.
Agriculture House
Kildare St.
Dublin 2
D02 WK12

July 3rd, 2018

RE: EU/NORWAY FISHERIES AGREEMENT

Dear Minister,

In the coming weeks you will be preparing for the negotiations between the EU and Norway regarding fishing opportunities for 2019. With the Common Fisheries Policy (CFP) deadline for ending overfishing (by 2020) and fully implementing the Landing Obligation (LO) for all fleet segments (by 2019) approaching, the outcome of the Norway negotiations is key if the EU is to meet its legal obligations.

As the negotiations draw closer, we ask you to consider the following points:

1. To ensure that the outcome of Total Allowable Catch (TAC) negotiations meet the CFP requirements, the scientific advice from ICES should be treated as an upper limit and red line for the EU's negotiation position. Negotiating TACs in excess of the advised limits will only result in continued overfishing.
2. In previous years, the EU has adjusted the TACs upward for a number of stocks affected by the LO to cover previous discards that now have to be landed. Basing such adjustments ('quota top-ups') on an assumption of perfect compliance has the potential to greatly increase the risk of fishing pressure above F_{MSY}^1 where unreported discarding continues. While the LO should be fully in force in 2019

¹ Agreed record of fisheries consultations between Norway and the European Union for 2018. Bergen, 1 December 2017. Viewed at: <https://ec.europa.eu/fisheries/sites/fisheries/files/2018-agreed-record-eu-norway-north-sea-12-2017.pdf>

(implying full top-ups), serious concerns remain about widespread non-compliance². Therefore, TACs should be based on the ICES landings advice, with quota top-ups only granted to fleets that demonstrate full compliance with the LO.

3. While the EU is committed to transparency in its decision-making, the EU-Norway negotiations have previously taken place behind closed doors, making this process non-transparent. Both the EU and Norway have formally acknowledged that broad public participation and access to information and judicial and administrative proceedings are essential to the promotion of sustainable development. Therefore, as you develop a negotiation position, we encourage you to make every effort to increase the level of transparency around these negotiations, for example by inviting stakeholders to preparatory consultations, to the negotiations and by publishing the EU proposals.

The outcome of these negotiations will have a significant impact on the ability of the EU to reach its international commitments and the CFP legal obligations. Given that this year is pivotal to the full implementation of the Landing Obligation and delivering the requirement to end overfishing, we support you in adopting a negotiation position in line with the ambition of delivering healthy EU fish stocks and fisheries. We would welcome the opportunity to meet you in the coming weeks to discuss the above points in more detail.

Yours sincerely,

Mike Walker
Consultant, Our Fish

On behalf of the undersigned NGOs:

BirdWatch Ireland
The Irish Wildlife Trust
ClientEarth
Oceana
Our Fish
The Pew Charitable Trusts
Seas At Risk

Copies to:

Cecil Beamish, *Assistant Secretary General*
Josephine Kelly, *Josephine Kelly*
Colm O'Suilleabhain, *Assistant Principal Officer*

² European Commission, DG Mare, Towards new SCIPs, Advisory Council Consultation. 2018.