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Commissioner for Environment
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Brussels,
06-07-2021
Ref. mare.b.2(2021)3990175

Ms Caroline Roose, MEP
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Dear Ms Roose,

I would first of all like to thank you for your letter of 20 May regarding the conservation of shortfin mako sharks (SMA) in the International Commission for the Conservation of Atlantic tuna (ICCAT), and I would also like to extend my thanks to the MEPs who co-signed this letter.

The Commission welcomes the high level of engagement on this issue, and we have been very active in ensuring that it remains on top of the agenda in ICCAT. This year again, the adoption of effective conservation measures for northern shortfin mako is one of our main objectives for ICCAT, and the European Union (EU) has already tabled an early proposal to be discussed during the upcoming intersessional meeting of the ICCAT Panel 4 in July.

I would also like to counter the views expressed that the EU has failed to act – or worse – stands in the way of ICCAT reaching consensus. In fact, the opposite is true. Since 2017, and the first indications by the ICCAT Scientific Committee (SCRS) that the northern stock of shortfin mako was overfished, the EU has repeatedly tabled proposals for a recovery plan, which were unfortunately not adopted, given the opposition by several Parties in ICCAT to accept the ambitions of the EU comprehensive approach. One of the main challenges to reaching an agreement comes actually from the insistence by a number of Parties and Non-Governmental Organisations (NGOs) on simply banning the retention of all incidental catches occurring in the context of fisheries targeting other ICCAT stocks. The EU has provided strong arguments in ICCAT that such a retention ban would be an over-simplistic and ineffective approach. . In essence, such an approach fails to address the core issue, namely the need to reduce mortality of incidental catches of SMA when targeting other species. Simply throwing dead fish back into the sea would not reduce mortality.

The EU believes that the urgent conservation needs for SMA require that no fish should be deliberately killed. This is why we proposed a ban on retention of all fish caught alive. However, there would be no benefit in banning the possible retention of fish caught dead,

subject to strict conditions such as the verification presence of an observer onboard, and an overall catch limit of 500t, which according to the advice from SCRS would end overfishing within a year. We also continue to believe that since shortfin mako are not being targeted and instead are caught as bycatch in the context of fisheries for swordfish and blue sharks, reducing mortality will require a more holistic approach, including the avoidance by the fleets of areas of known concentration of these sharks, and when catches cannot be avoided, a substantial improvement of the manual handling of these fish in order to boost their post release survival.

These elements have been acknowledged as crucial aspects of any strategy to successfully start the recovery of the stock, including by the advocates of a retention ban. Nonetheless, what is often overlooked is that a total retention ban, including for fish caught dead, would stand in the way of securing the needed cooperation of the fleets concerned. Furthermore, we continue to believe that while a retention ban would send a message that there is no longer a problem, there would be no conservation value in discarding fish, which are already dead. We have also explained how a retention ban would significantly hamper the ability for ICCAT to collect information on these fish, and how this in turn would reduce our ability to evaluate the status of these fish.

One of the main arguments proposed by the proponents of a retention ban concerns the alleged existence of an incentive for fishermen to target these sharks because of their high value. As indicated before, this does not take into account that shortfin mako are caught as bycatch. Nevertheless, to address the potential risk of targeting we understand that the Spanish administration has introduced a catch limit of two fish per fishing trip, therefore further removing any economic rationale for designing a fishing strategy around the targeting of these fish and we are ready to explore such an additional step that would also further undermine the rationale for adopting a full retention ban.

Finally, I would also like to bring some clarifications on the position of the EU regarding the scientific advice, which is regularly over-simplified in the public debate. The role of the SCRS is advisory and aimed at providing a risk-based advice to fisheries managers, including projections of the evolution of the stock under various scenarios of fishing mortality, along with probabilities and time scales associated with these scenarios. In its 2019 report, SCRS set out a number of conclusions based on the projections it had prepared on a range of TAC scenarios. These projections established that TACs of 700 t, 500 t and 300 t would also stop overfishing immediately and contribute to the rebuilding, and therefore that a zero TAC is not the only option that would satisfy the ICCAT Convention and CFP objectives. It is important to note that the latest proposal for a full retention ban in ICCAT, as tabled by Canada, accepts a recovery period similar to the timeframe associated with the EU proposal. .

While the final EU position will only be defined this autumn, we are confident that the EU proposal provides a more adapted solution than a full retention ban.

I hope that this helps in clarifying the Commission's position and I remain available for further exchanges with you on this matter.

Yours sincerely,



Virginijus Sinkevičius