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26th September 2014.

Dear Mr. D'Eugenio, MSFD Descriptor 3.

I wish to inform you of our views and concern about the current implementation and review of Descriptor 3 of the Marine Strategy Framework Director, to inform you of the actions we are taking in this regard, and to follow-up a request to yourself to which you have not responded to date.

Implementation of Descriptor 3.

We are concerned that the definition of “safe biological limit” for fish and shellfish stocks is being referenced to spawning stocks which are at historically depleted levels due to over-fishing; and, that if this referencing is endorsed by the Commission and Member States it will result in stocks never being truly restored to their full potential. In short, it will result in a corruption of the definition of “good environmental status” for this Descriptor.

We are therefore recommending that the referencing of safe biological limit and spawning stocks should be to the maximum abundance of the overall stock (juveniles and adults) which current ecological conditions will permit. If this referencing is employed, then the Commission and Member States will be establishing targets which can rebuild fish and shellfish stocks to reflect a genuinely healthy state, and this restoration of stocks will both benefit the fishing industry considerably and reverse the decline in the ecology of the seas.

To accomplish this rebuilding of stocks, it is essential that all stocks contain adults of genuine maturity i.e. adults who have lived a substantial percentage of their normal adult life span. This is because such adults are the most fecund reproductively.

At present, the part of the Descriptor which reads: “. . . exhibiting a population age and size distribution that is indicative of a healthy stock” is being ignored by virtually all Member States in their implementation of Descriptor 3.

It is essential that this part of the Descriptor is implemented. Without it, not only will stocks be unable to display their true natural character but it will also be impossible to rebuild stocks, and the purpose of the MSFD to genuinely re-establish “healthy stocks” will have been debased and made impossible.

Actions to Implement Descriptor 3.

We understand that the European Commission has asked the International Council for the Exploration of the Sea (ICES) to review, and possibly revise, Descriptor 3 – reference your letter to Marinet (John Stansfield) of 26th August 2014, copy enclosed.

We have written to ICES, 13th September 2014 copy enclosed, setting out our concern, recommendations, and our willingness to be involved in the present deliberations on this matter.

As matters evolve and develop in this review of Descriptor 3, we would welcome being informed by yourself and the European Commission of these developments so that we may participate and offer you our thoughts and analysis. Could you please confirm your agreement to this, and advise as to how you would like this discussion between the Commission and ourselves to be brought into effect.

Response to Earlier Communication.

We are grateful to you for your advice to Marinet (John Stansfield) dated 26th August 2014.

In that advice you referred us onward to three website addresses. However the addresses that you provided did not function, either via the link in the electronic version of your letter or when the address was cut and pasted in order to gain access.

We informed you of this deficiency in an email dated 28th August, copy enclosed, and sent a further reminder relating to our request for assistance in this matter on 4th September.

To date, we have received no advice from you.

Accordingly we would be obliged if you would look into this matter, and make your advice available to us.

Yours sincerely

S. D. Eades
On behalf of Marinet.