



## **Expanding the EU's margins of tolerance for misreporting of fish catches would make accurate assessment of fish populations impossible**

We are writing to you to warn that expanding the EU's margins of tolerance for misreporting of fish catches would make accurate assessment of fish populations impossible, both in the EU and regions across the globe. This includes severely overfished populations, such as [yellowfin tuna in the Indian Ocean](#).

Without accurate catch data, "science-based" sustainable catch limits and quotas cannot be set. This is why robust and accurate catch reporting is widely recognised as a requirement for sustainable fisheries management: by [scientists](#), [citizens](#), and by the EU in its Common Fisheries Policy. It is also recognised by some EU Member State governments, such as [Ireland](#), and was recently confirmed by the [Court of Justice of the EU<sup>\[1\]</sup>](#).

Nevertheless, through the revision of EU Fisheries Control Regulation, some Member States and the European Parliament have proposed to allow dangerous inaccuracies in catch reporting, by expanding so-called margins of tolerance.

Under current rules, captains have a margin of error of 10% in estimating their catch per species. In other words, for a haul of 5,500 tonnes of fish, a captain can legitimately enter 5,000 into the logbook. Any check would show it is safely within the 10% margin. However, we know that only very few landings are physically checked by the authorities, as is the case in the Netherlands where only 5-10% are checked, and weighing is carried by the [fishing industry itself](#).

If the weight is then recorded as 4,500 tonnes, fraudulently doubling the margin to almost 20%, it still falls within 10% of what is in the logbook, so the numbers add up on paper, warranting no further investigation. In reality, however, the vessel has landed an extra 1,000 tonnes of fish which was not recorded or taken from the quota.

If the European Parliament's proposed change to the margin of tolerance passes, the same method could be used to make 20% into 40% for many species, and 25% into 50% in the case of tuna vessels. Thus, up to one in every two tuna caught by EU-flagged vessels could be omitted from official records.

Member States represented in the Council of the EU have made a similarly dangerous proposal. They suggest a 10% tolerance margin for the total catch – instead of per species. This derogation would apply for catches of species deemed 'morphologically similar' –allowing interchangeable reporting of two similar-looking but completely different species. It would cover large [pelagic and industrial fisheries](#) and the world's biggest [freezer trawlers](#). These vessels stand to make the [most sizeable gains](#) from the rules being relaxed.

Evidently, [neither the Council of the EU nor the European Parliament has assessed the impact of these proposals](#). This calls into question the reliability of catch data for affected fish populations as well as the effectiveness of setting sustainable catch limits for fisheries in the EU and globally.

For instance, yellowfin tuna in the Indian Ocean has been [overfished for years](#), partly because of the use of [unselective fishing practices](#). If the EU's tuna fleets are allowed to increase misreporting of yellowfin catches, this population will come under even greater threat. Dozens of developing countries around the Indian Ocean and millions of consumers [could be affected](#).

To avert overfishing by EU fleets and protect our ocean and climate, the EU must ensure fisheries management is based on solid science. It must also live up to the core principles of its Common Fisheries Policy, including the precautionary approach. This can only be implemented if catch reporting is accurate.

The EU's Commissioner for Fisheries, Virginijus Sinkevičius, has publicly stated his opposition to both proposals to expand the margins of tolerance in the EU Fisheries Control Regulation, and the opportunities for misreporting of catches that these would bring. We urgently call on you to do the same, and to join our call for every fish to be counted.

## Signatories

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<sup>[1]</sup> “Member States can properly monitor the uptake of quotas and contribute to the achievement of the objectives of the CFP as set out in Article 2 of Regulation No 1380/2013 only if they can ensure that they have accurate and comprehensive information and data on fishing opportunities.”

Judgment of 10 February 2022, PF/MF v Ireland, C-564/20, ECLI:EU:C:2022:90, para 41