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SWW AC Advice 120: Management plan proposal for Western Waters

Considering that:

- The management plans are appropriate tools for establishing a sustainable fisheries framework for stocks, in an efficient manner and through a multiannual approach, reflecting the characteristics of each region and fishery.
- Long-term management of stocks has been an integral part of the DNA of the SWW AC since its creation. This ambition, shared by all the stakeholders, has been expressed through numerous works, advice documents and projects (Sole VIII and Anchovies VIII, Gepeto..).
- The implementation of the Lisbon Treaty generated an institutional conflict between the European Council and the European Parliament, which hindered the adoption of new management plans for several years.
- Numerous fishing regulations were adopted before the end of the institutional conflict. These regulations, relating to the determination of fishing opportunities, apply today in an informal manner (anchovies and sole VIII) once they have been assessed as being in compliance with the objectives of the CFP.
- The adoption of management plans is a political objective among the different RFMOs, where the European Union is a stakeholder.
- Despite the overall tendency of a reduction in fishing pressure, the number of stocks in the western waters that are fished according to MSY, remains low¹. This problem is due to a lack of scientific knowledge and to the setting of fishing opportunities above this reference point.
- An optimisation of fisheries, taking into account the socio-economic issues, particularly in relation to the visibility of fishing opportunities, is necessary.
- The European Institutions wish to rapidly adopt this regulation, particularly in the context of Brexit.
- Given the difficulty of finding a compromise on management plans for the North Sea and the Baltic Sea, it appears that co-legislators do not wish for the content of the future management plan for western waters differ significantly from the latter, and from the original proposal of the Commission.

Analysis:

- As provided, the Commission proposal only provides for the mechanism for setting fishing opportunities through mortality ranges by fishery, while relying on the

¹ Scientific, Technical and Economic Committee for Fisheries (STECF) – Monitoring the performance of the Common Fisheries Policy (STECF-Adhoc-18-01). Publications Office of the European Union, Luxembourg, 2018.

general annuality principal for setting fishing opportunities, linked with updated scientific advice. There is no mention of how these fishery regulations can be approved in the future.

- De facto, the application of the management plan as is would maintain the general framework for setting fishing opportunities, along with its associated uncertainty and lack of transparency. In fact, the application of the average F_{msy} value by fishery, which should allow an adaptation of fishing opportunities to take into account the technical interactions of mixed fisheries and prevent overfishing of the least productive stocks, can result in significant year on year fluctuations of the adopted quotas.

Examples of catch intervals authorised by ranges of F (according to the 2018 ICES advice)

Stocks	TAC 2017	TAC 2018	Predicted catches for 2019 if F=		
			F_{lower}	F_{msy}	F_{upper}
Northern hake	119 765	111 785	96 792	142 240	208 200
Southern hake	10 520	9 258	5 873	8 281	11 264
Sole 8ab	3 420	3 621	2 318	3 967	5 485
Megrim 7b-k 8abd	15 043	13 528	12 528	18 976	27 371
Megrim 8c9a	1 159	1 387	286	431	526
FS megrim 8c9a			1 101	1 633	2 325
Wanglerfish 8c9a			1 529	2 153	2 824
Wanglerfish 78abd			21 008	31 042	41 138

- The fishery objectives for targeted species (Article 4) do not provide sufficient guarantees from a socio-economic point of view. For example, it does not prevent significant and simultaneous lowering of TAC, which could impact the revenue of vessels in mixed fisheries.
- Authorising the adoption of fishery regulations and the creation of management sub-areas, will encourage the implication of all stakeholders in identifying the possible technical modalities, ensuring their assessment and selecting regulations according to results.
- The proposal includes the adoption of mortality ranges by fishery for the targeted stocks with, in particular, values above those corresponding to MSY (Article 4). In addition, it is proposed that incidental species will be managed according to the principle of precaution (Article 5). These management principles are contrary to the CFP objectives of fishing all the stocks at levels that allow MSY.

Recommendations:



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- The SWW AC recommends to the European Institutions that they reaffirm their ambition in relation to multiannual management, which must, more than ever, constitute an important political objective.
- In order to prevent the annual management of fishing opportunities from hindering the implementation of a multiannual management plan, and to encourage the participation of stakeholders in decision making, the European Institutions should modify article 4 of the management plan proposal, in order to include a legal basis for the adoption of fishing regulations, in agreement with CFP principles, via Regionalisation.
- According to the members representing NGOs, fishing objectives for all stocks should be in agreement with MSY, maximum fishery mortality should correspond to Fmsy. On the other hand, the industry members wish that stock management be based on the average Fmsy value.
- Targeted species should be managed in accordance with this principle, provided that this is underpinned by scientific advice, and in the absence of such scientific advice, the best available scientific advice should be implemented. It should not be possible to reduce TACs in significant manner, when scientific stock assessments are not analytical, until they improve.
- Concerning mixed fisheries, where significant problems have been identified in relation to choke species, it will be necessary to analyse the possibility of withdrawing these species from the TAC system, and propose alternative management measures through regionalisation, in order to guarantee the good condition of these stocks. In fact, the TAC system is not proven to be an efficient management tool for certain minor incidental stocks.

Minority opinion of representatives of NGOs:

If the proposal, in its objectives (article 3), refers to the necessity of minimising unwanted catches and to contribute to the implementation of landing obligations, or to the obligation of implementing an eco-systemic approach that will notably reduce the impact on the ecosystem, in association with the framework directive for maritime strategy, no specific measures for the purpose of fulfilling these objectives are proposed in the article.

-> The plan should include specific measures that contribute to the effective implementation of landing obligations, the reduction of associated impacts on incidental species and vulnerable ecosystems, and the implementation of an eco-systemic approach (e.g.: protection of habitats that are essential for fish)

Minority opinion of the IFSUA (International Forum for Sustainable Underwater Activities):

The CFP does not currently take into account recreational fishing and, up until now, its regulation is the sole reserve of Member States. Therefore, no regulation arising from the



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CFP, such as multiannual plans, can regulate this activity given that neither the Council nor the Commission are authorised to do so.

With this in mind, the different references made in the text concerning the regulation of this activity should be deleted.

If the Commission or the Council consider that recreational fishing should be regulated at a European level, there are two ways of achieving this:

1. Try to coordinate the Member States so that they will regulate recreational fishing according to certain guidelines.
2. Reform the CFP by including recreational fishing and implementing a just and equitable legal framework.