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Advice 121: Reply to the DG MARE communication concerning the situation of the Common Fisheries Policy and the consultation on fishing opportunities in 2019

The communication of the European Commission mentions the general improvement of the condition of stocks, with, in particular, a stabilisation of the fishing mortality rate at a level corresponding to MSY, for the ICES area. This situation, unprecedented since the implementation of the CFP, is the result of commitments and efforts consented by all of the stakeholders. However, these efforts should be maintained, or even increased, in order to achieve the CFP objectives in 2020. Nevertheless, the implementation of tools chosen by the Commission (landing obligations, multiannual plans, eco-systemic approach, etc.) presents a real challenge for the fishing industry. The SWW AC members therefore wish to communicate their position in relation to these general and important measures for the protection of ecosystems and the future of the fishing profession.

Subject to certain adjustments, that will be detailed in this document, several of the Commission's proposals are considered to be satisfactory by the SWW AC members, in the sense that they will enable a sustainable level of management from an economic and environmental point of view.

1. Fishing opportunities for 2019: Stability, upholding objectives and transparency

In the area of responsibility of the SWW AC, several stocks are and will be managed according to MSY in 2019. In order to reconcile the scientific approach with socio-economic imperatives and ensure stability, by avoiding increases followed by reductions due to the strict application of the MSY approach, SWW AC members plead for small changes in TAC in relation to these stocks. This aims to limit variations in F values in the F_{MSY} range determined by the ICES.

While preserving the socio-economic interests through this year on year stability, the SWW AC members wish that the momentum towards MSY and CFP objectives be maintained. The management plan for western waters should be in agreement with this principle. The SWW AC members representing NGOs are opposed to the setting of fishing opportunities at a level greater F_{MSY} in this plan. This subject is detailed in SWW AC Advice 120.



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The setting of the 2019 TAC should, for the first time, take into account the full implementation of landing obligations. In order for this transition to take place in good conditions, the Commission's proposals should, beyond overall TAC, clarify the parts from landings and the inclusion of former rejects. The SWW AC members are divided by this TAC adjustment, in particular in relation to the taking into account of *de minimis* exemptions, where the members representing NGOs wish that these exemptions are deducted from TAC, whereas the industry members recommend that the *de minimis* figures should not be deducted and that a rebalancing take place during the year. During this phase of transition, the SWW AC members expect an effort in transparency and an educational effort on the part of the Commission. In addition, the DG MARE communication mentions the condition of stocks "*exploited as by-catches only*", and the members request clarification of this point: Which are these stocks? Do they correspond to stocks where assessments were not analytical assessments?

2. Landing obligations: Concrete implementation is difficult and control measures are to be reviewed

The full implementation of landing obligations could present several difficulties to the industry, notably economic difficulties. Obstacles to using all the provisions outlined in article 15 of the CFP do not permit a serene implementation of this obligation. We are reminded by the SWW AC members representing NGOs that additional measures, such as exchange of quotas between Member States, would allow certain problems to be avoided, notably problems associated with "*choke species*". This discussion is detailed in SWW AC Advice 119.

In order to ensure a real implementation of landing obligations, the Commission should put into place efficient and effective control measures. However, fishing professionals consider that the information currently available does not establish whether current control measures are less effective than continuous and remote monitoring technology. More studies need to be undertaken. In addition, recourse to this technology should take into account current national regulations in relation to image copyright that can be in contradiction with this type of measure.



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3. Management of Eels

In relation to the European Eel, the Commission, while waiting for the assessment of management plans, eel regulations, and the emergency measures taken in December 2018, proposes that appropriate measures be included for 2019 based on the latest scientific advice.

Whereas, since 2003, the ICES recommends that the anthropogenic impact be reduced to zero, or as close as possible to zero. Even if the European Commission acknowledges the multiple anthropogenic impacts and the substantial efforts undertaken by fishermen to reduce their impact, by proposing to include 2019 fishing opportunity measures based on scientific advice, the fishermen could end up having to pay for the lack of efficiency to reduce anthropogenic mortality outside of fishing.

A long cooperation between the States and the different socio-economic stakeholders is essential to restore stock and to ensure that the efforts made to halt the decline in stocks are not pointless.

While awaiting the assessment of management plans and of eel regulations, it is therefore important not to place the blame for the condition of stock solely on professional fishermen and to implement an eco-systemic approach.

CONCLUSION:

- Stock TACs managed in accordance with MSY should not suffer significant year on year variations.
- The SWW AC members are divided in relation to taking into account landing obligations in the setting of TACs.
- The SWW AC recommends to the Commission that they should show exemplary transparency when proposing and setting 2019 TACs.
- The comparative efficiency of landing obligation control by CCTV should be justified.
- Without ignoring the impact of fishing on the current condition of the eel stock, the management of this stock should take into account the impact of other anthropogenic activities.

