



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
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Mr. Aurelio
Bilbao Barandica, Chairman
South West Waters Advisory
Council
6 rue Alphonse Rio,
F-56100 Lorient,
France

Subject: Advice 145 from SWWAC on fishing opportunities in 2021

Dear Mr. Bilbao Barandica,

Thank you for your Advice 145 mentioned in the subject line concerning TACs and quotas in the Atlantic and North Sea for 2021 and 2022.

In accordance with Article 2(2) of the Regulation on the Common Fisheries Policy (CFP)¹, fisheries management implies application of the precautionary approach. The aim is to ensure that stocks are exploited in such a way to achieve the Maximum Sustainable Yield (MSY). To this end, the International Council for the Exploration of the Sea (ICES) issues MSY advice for stocks for which there is analytical data, and precautionary advice for other stocks.

The Commission developed its proposal in the communication “Towards more sustainable fishing in the EU: state of play and orientations for 2021”², in line with the objectives of the CFP and, where necessary, in accordance with the “Multiannual plan for stocks fished in the Western Waters”³.

Following the departure of the United Kingdom from the EU, some stocks are now managed with this third country. There are now only 25 TACs that are not shared with the UK. The Council has adopted provisional quotas for shared stocks covering the period from January to March 2021 pending the outcome of negotiations with the UK. 25% of the 2020 quotas are maintained until March inclusive, pending the completion of bilateral negotiations. Negotiations have started with the UK on annual TACs for 2021. Then the final TACs will be established for the remainder of 2021.

¹ Regulation (EU) no. 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy (OJ L 354, 28.12.2013, p. 22).

² Communication from the Commission to the European Parliament and the Council (COM(2020) 248).

³ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks.

For stocks managed solely by the EU, the Council adopted the eight TACs at MSY (excluding the zero TAC advice) in accordance with the ICES advice. This year, for the first time, the Commission succeeded in convincing Ministers of the importance of reducing certain TACs and adhering to the precautionary advice. Thus, nine TACs were set in accordance with the ICES precautionary advice. The Member States also decided on additional measures in accordance with the multiannual plans. I would like to thank all the Member States, the fishing industry and the NGOs for their preparatory work in advance of the Council meeting.

Results for the stocks mentioned in your advice:

- For megrim in 8c9a, the MSY advice was followed.
- For monkfish in 8c, the MSY advice was followed.
- For pollack in 8c, 9 and 10, the precautionary advice was followed.
- For Norway lobster in 8abde, the ICES MSY advice for wanted catches was followed.
- For Norway lobster in 8c, the same approach was followed as in 2020, i.e. the Council adopted a restricted TAC of 2.4 tonnes for scientific fishing. This is in strict conformity with the ICES advice on “sentinel” fishing in functional units FU 25 and 31. ICES began its scientific campaign in 2017. New advice is expected to be issued in 2022. The 5-year duration of this campaign needs to be respected.
- Concerning hake in 8c, the result is very close to the “roll-over” that the industry requested. However, we must remain extremely vigilant regarding hake, which is no longer subject to MSY advice this year, and I would like to encourage fishermen to report observations to scientists to make the advice as accurate and pertinent as possible.
- For plaice in 8c9a, the precautionary advice was followed.
- For sole in 8ab, the ICES MSY advice was followed.
- For sole in 8cde9 and 10, the Council took into account the efforts made by Spain and Portugal to obtain data on species other than “Solea Solea” making up the TAC.

The United Kingdom is concerned by all the other stocks you mentioned in your advice. Thus, 25% of the 2020 quota for hake, megrim and monkfish in 8 abde has been allocated for the first quarter of 2021.

If I may, I would like to come back to the divergences of views that emerge in your recommendation, between the industry and the NGOs. While the Commission commends the transparency of SWWAC, which clearly presents the opinions of each group, I am concerned to see the industry defending positions that are contrary to the precautionary approach, and consequently to the very principles of the CFP. For example, in your Advice 143, I note that the environmental NGOs of SWWAC are in favour, irrespective of the stock, of following ICES recommendations in line with the MSY, or where necessary in line with the precautionary principle, while industry is calling for a limitation of variations in F in the FMSY interval determined by ICES to reconcile scientific approaches and socio-economic imperatives. As I told you in my response to SWWAC Advice 143⁴, any recommendation that does not comply with the principles of the CFP cannot be accepted by the Commission.

Appended to this letter, you will find the preamble to the framework partnership agreement between the Commission and SWWAC, which states that this partnership is based on the pursuit of common goals, in particular the CFP objectives and the application of a precautionary approach. As indicated in this preamble, the Commission wishes to continue this cooperation over time. It is therefore important that we continue to share common goals. Allow me to add that, while we appreciate the fact that, in the absence of a consensus, the recommendations transparently reflect the diverging points of view, the discussions that have been held since last September on NGOs leaving the Advisory Councils showed the frustration some of them felt at the lack of interest of certain industry players in pursuing CFP objectives and with the “policing” role that NGOs have the impression that they constantly have to fulfill.

I would like to thank SWWAC for the work it has accomplished, and I would encourage industry representatives to take greater account of CFP principles when preparing recommendations. I invite you to contact Ms Pascale Colson, Coordinator of the Advisory Councils (pascale.colson@ec.europa.eu, +32.2.295.62.73) for any additional information on this answer.

Yours sincerely,

Charlina Vitcheva

⁴ See Ares (2021)626873 of 26/01/2021