



THE
PEW
CHARITABLE TRUSTS

Response to European Commission's proposal for fishing opportunities in the Baltic Sea for 2018

29th September 2017

Summary

The Pew Charitable Trusts welcomes the Commission's proposal to set fishing limits in line with the recently agreed Baltic Sea multi-annual plan (MAP) and not exceeding scientific advice for at least eight of the ten Baltic Total Allowable Catches (TACs). However, Pew continues to be concerned about the lack of clear information on how the Commission calculates its proposals for both Baltic salmon TACs on the basis of scientific advice. Pew recommends that unreported, misreported and third country catches be deducted when setting EU fishing opportunities, so as to safeguard the stocks from these additional sources of fishing mortality.

Pew supports the Commissions' intentions to further protect the critically endangered European eel from commercial and recreational fishing activities in the Baltic Sea.

With respect to the upcoming meeting of the Council of Ministers in October, which will decide on Baltic fishing opportunities for 2018, Pew urges fisheries ministers and the Commission to make progress towards ending overfishing in line with the Common Fisheries Policy (CFP) and with the Baltic Sea MAP, by not exceeding scientific advice on fishing limits.

Background

Under the Common Fisheries Policy (CFP), the European Commission is responsible for proposing fishing limits, or Total Allowable Catches (TACs), each year. On August 29th the Commission proposed fishing limits for the Baltic Sea for 2018¹.

Setting appropriate fishing limits is fundamental to achieving the objective of the CFP to end overfishing and to restore and maintain all fish stocks above levels capable of producing the maximum sustainable yield (MSY). More specifically, Article 2.2 of the CFP requires that: *"In order to achieve the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing the maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks"*. With the 2020 deadline approaching, and nearly three years since the 2015 MSY deadline, not all stocks are being exploited at or below MSY exploitation rates as required by the CFP.

¹ [Proposal for a COUNCIL REGULATION fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea](#)

The International Council for the Exploration of the Sea (ICES) published its scientific advice on catch limits in the Baltic Sea for 2018 at the end of May 2017². According to the ICES advice, only three out of the eight stocks in the Baltic Sea with MSY advice are currently being harvested at or below MSY exploitation rates. It is worth noting that two of the five stocks that remain overfished (herring in subdivisions 20-24 (spring spawners) and western Baltic cod (subdivisions 22-24)) have a stock biomass below the MSY B_{trigger} reference point, signalling that management decisions are required to recover these stocks above levels capable of producing MSY.

On 9th and 10th of October, EU fisheries ministers are scheduled to agree on fishing opportunities in the Baltic Sea for 2018. This is the second year that certain fishing limits will be decided within the framework of the agreed Baltic Sea multi-annual plan (MAP)³. Ministers should recall that the CFP only allows the postponing of the 2015 MSY deadline in exceptional cases, when meeting it *"would seriously jeopardise the social and economic sustainability of the fishing fleets involved"* (Recital 7). It is high time for ministers to set catch limits not exceeding the scientific advice and in line with the rules of the Baltic Sea MAP. Taking action now will allow depleted fish stocks to recover for the benefit of fishers, coastal communities and the environment.

European Commission proposal on fishing limits for 2018

On August 29th the Commission proposed fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2018.

Pew welcomes that, for the eight stocks covered by the Baltic Sea MAP, the Commission is proposing fishing limits for 2018 in line with the MAP's provisions and not exceeding scientific advice. We also support the Commissions' intentions to further protect the critically endangered European eel from commercial and recreational fishing activities in the Baltic Sea.

Pew is supportive of the Commissions' proposals to set TACs consistent with the Baltic Sea MAP, and in particular the ambitious proposals for the Gulf of Bothnia herring TAC and western Baltic herring TAC. The proposal for western Baltic herring corresponds to the lower end of the fishing mortality range in the MAP (F_{MSY} lower) with advice rule applied⁴, recognising that the stock biomass is below MSY B_{trigger} and action is required by the MAP to recover the stock to above levels capable of producing MSY.

We acknowledge that the Commission has proposed a TAC (5,597 tonnes⁵) for western Baltic cod which is lower than the maximum ICES catch advice (6,066 tonnes⁶), as well as the Commission's intentions to continue remedial commercial and recreational conservation measures to help recover the western cod stock. This is a step in the right direction regarding the need to rapidly recover the stock biomass, currently around the limit reference point (B_{lim}), to levels above those capable of producing MSY, as required by Article 5(3) of the Baltic Sea MAP. However, the Commission should have been even more ambitious with the western Baltic cod TAC proposal.

² [ICES webpage](#)

³ [REGULATION \(EU\) 2016/1139 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation \(EC\) No 2187/2005 and repealing Council Regulation \(EC\) No 1098/2007](#)

⁴ Adjusting the Baltic Sea MAP lower MSY fishing mortality value (F_{lower}) by the SSB_{2017} to MSY B_{trigger} ratio (i.e. $MSY_{\text{lower}} \times SSB_{2017} / MSY_{\text{trigger}}$).

⁵ This includes a TAC adjustment for the mixing of eastern and western cod stocks in subdivision 24.

⁶ Including a TAC adjustment for the mixing of eastern and western cod stocks in subdivision 24.

The proposed TAC is much closer to the maximum catch limit (6,066 tonnes⁷) than the lower catch limit (2,357 tonnes⁸) advised by ICES⁹. A TAC closer to the lower catch limit would facilitate greater stock biomass recovery in the short-term.

We note the Commission recognises stock mixing in its proposal for both Baltic cod stocks. The proposed TAC for eastern Baltic cod is considered suitably precautionary and does not exceed the scientific catch advice¹⁰. Precaution should be taken not to exceed the scientific advice for the eastern Baltic cod TAC when setting the western Baltic cod TAC.

We observe that the Commission did not propose separate TACs for Baltic Sea plaice in subdivisions 21-23 and subdivisions 24-32. Pew continues to recommend separate TACs to ensure the stocks are managed sustainably and in line with the precautionary approach.

For the two salmon TACs (not covered by the Baltic Sea MAP), it remains unclear in their proposal how the Commission arrived at TAC proposals which correspond with the scientific advice on maximum catches. Pew continues to recommend that unreported, misreported and third country catches be deducted from the scientifically advised maximum catch, so as to safeguard the stocks from these additional sources of fishing mortality. Furthermore, Pew reiterates its request that all calculations be made publically available, in the interest of transparency and access to information by any stakeholder.

Recommendations for the Council of Ministers

On October 9th and 10th, EU fisheries ministers are scheduled to agree on fishing opportunities in the Baltic Sea for 2018. With respect to the Council of Ministers decisions, we:

- Urge ministers to decide on TACs in line with the CFP (Article 2.2) and not exceeding scientific advice.
- Ask ministers to set TACs for stocks covered by the Baltic Sea MAP in line with the MAP's requirements and objectives, as proposed by the Commission.
- Welcome continued commitment from fisheries ministers to set the 2018 TAC for sprat not exceeding F_{MSY} ¹¹.
- Urge ministers to recognise the continued serious situation of western Baltic cod (which has been subject to overfishing for several years and was again set above ICES advice in 2017) and to continue with remedial conservation measures, including a TAC significantly lower than the maximum ICES catch advice for the management area in 2018. In line with the agreed Baltic Sea MAP (Article 5.2), remedial measures must be taken, which should include continued conservation measures and setting fishing opportunities below the fishing mortality range set out in Annex I (Column B) of the MAP, to ensure the rapid return of the stock concerned to levels above those capable of producing MSY.

⁷ *Western Baltic cod caught in SD22-24 (3,541 tonnes) + Eastern Baltic cod caught in SD 24 (2,525 tonnes)* based on Ratio EB:WB cod in SD 24. Excluding assumed recreational catches of 1,754 tonnes, which are not included in the SD 22-24 TAC.

⁸ *Western Baltic cod caught in SD22-24 (1,376 tonnes) + Eastern Baltic cod caught in SD 24 (981 tonnes)* based on Ratio EB:WB cod in SD 24. Excluding assumed recreational catches of 1,754 tonnes, which are not included in the SD 22-24 TAC.

⁹ Including an upward TAC adjustment for the mixing of eastern and western cod stocks in subdivision 24.

¹⁰ Including a downwards TAC adjustment for the mixing of eastern and western cod stocks in subdivision 24.

¹¹ Proposal for a Council Regulation fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea – [Statements \(13404/15\)](#).

- Highlight that the herring in subdivision 20-24 stock biomass is below $MSY B_{trigger}$ and urge ministers to agree on remedial measures in line with Article 5.2 of the Baltic Sea MAP, which could include additional conservation measures and setting fishing opportunities below the fishing mortality range set out in Annex I (Column B) of the MAP, as proposed by the Commission.
- Note that ICES provides advice on maximum catches. To avoid large fluctuations between consecutive years ministers could limit the variation of fishing opportunities for central Baltic Sea herring in 2018 to +20% in line with Article 4.4c of the Baltic Sea MAP.
- Request, in case ministers want to make use of the F ranges listed in Annex I (Column B) of the agreed Baltic MAP (F_{MSY} point value – F_{MSY} upper) despite the well understood negative economic, social and environmental consequences, that scientific evidence be provided and published to demonstrate:
 - That all stocks under the TAC concerned are above the conservation reference point; ($MSY B_{trigger}$); and
 - That the criteria for one of the exceptions provided for in the Baltic MAP Article 4.4 are met. Such evidence should be submitted to the European Commission before the negotiations on Baltic fishing limits, reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF) and made public.
- Urge ministers to remove unreported, misreported and third country catches from the ICES catch advice when setting the Baltic salmon TACs. This will safeguard the stocks from these additional sources of fishing mortality.
- Ask Ministers to support the Commissions' proposal to further protect the critically endangered European eel from commercial and recreational fishing activities in the Baltic Sea.
- Call on Ministers to live-stream their first exchange of views on the Commission's proposal for fishing limits in line with 2009/937/EU Article 8 to enhance transparency, contribute to good governance and increase citizens trust in EU decision making¹².

For more information, please contact:

Andrew Clayton

Project Director, Ending Overfishing in North-western Europe, The Pew Charitable Trusts

Email: AClayton@pewtrusts.org

¹² See also [joint NGO letter to the Estonian presidency](#).