Setting sustainable Baltic fishing opportunities for 2017

27th July 2016

Introduction

Setting appropriate fishing limits is fundamental to achieving the objectives of the Common Fisheries Policy (CFP), namely to end overfishing and to restore and maintain fish stocks above levels capable of producing the maximum sustainable yield (MSY). At their October meeting, EU fisheries ministers are scheduled to agree on fishing opportunities for the Baltic Sea for 2017. These will be the first limits decided within the framework of the agreed multi-annual plan (MAP) for the Baltic Sea. It is fundamental that Ministers set fishing limits not exceeding scientifically advised levels to allow fish stocks to recover for the benefit of fishermen, coastal communities and the environment (see also detailed recommendations on Total Allowable Catches (TACs) at the end of the document).

The reformed CFP requires an end to overfishing, with legally binding targets and deadlines. Specifically, Article 2.2 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"*. The CFP allows for postponing the 2015 deadline only in exceptional cases, when meeting it "would seriously jeopardise the social and economic sustainability of particular fleets" (Recital 7).

Implementing the CFP in the Baltic

Despite more than two years having passed since the reformed CFP entered into force, progress to incrementally and progressively end overfishing has been limited in the Baltic. In 2015, Council set six out of ten TACs above scientific advice. These were the TACs for both cod stocks, salmon in subdivision 32, sprat, Gulf of Riga herring and the TAC for Bothnian Sea & Bothnian Bay herring. For some stocks, including Gulf of Riga herring, Council set fishing limits above scientifically advised levels although fishing limits had already been previously set not exceeding advised F_{MSY} levels. Moving further away from MSY exploitation levels, rather than incrementally and progressively approaching them is a clear contradiction of the CFP requirements[1]. According to

[1] See European Commission: „EU fisheries in the Atlantic, North Sea and Baltic Sea in line with maximum sustainable yield (MSY)", January 2015 and 2016.

the latest advice from the International Council for the Exploration of the Sea (ICES), only four out of eight MSY assessed fish stocks in the Baltic are within safe biological limits.[2]

On 15th March 2016, representatives of the European Fisheries Council, Parliament, and Commission reached a provisional agreement for a MAP for certain fish stocks in the Baltic Sea. The Baltic MAP is the first of several plans required under Article 9 of the CFP and introduces "ranges" around the limit fishing mortality point agreed in the reformed CFP. The Pew Charitable Trusts strongly opposes continued overfishing above the F_{MSY} point value fishing rates and urges ministers to set fishing limits below the F_{MSY} limit point. This is also in line with advice from the ICES. In its advice to the Commission[3] ICES stated:

> "*In a single-species context fishing above F_{MSY} implies reduced stock biomass and this may be substantial where F_{upper} is much higher than F_{MSY}. So in utilizing F_{MSY} ranges there are more advantages to fishing between F_{MSY} and F_{lower} than between F_{MSY} and F_{upper}. With higher fishing mortalities the following occurs:*
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> - *A need for increased fishing effort;*
> - *Higher dependence of stock and yield on recruiting year classes and increased variability on catch opportunities;*
> - *The size of the fish in the stock and the catch will be smaller on average;*
> - *Greater probability of SSB being less than MSY $B_{trigger}$;*
> - *A lower probability of density-dependent effects such as reduced growth or increased cannibalism.*
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> *For some mixed fisheries it may be difficult to reconcile the Fs on different stocks. An approach for maximizing long-term yield could be to attempt to reconcile F on a mixed fishery using Fs between F_{lower} and F_{MSY}."*

Fishing opportunities for 2017

ICES published its advice for catch limits in the Baltic Sea for 2017 at the end of May 2016[4]. Pew urges the Commission and Fisheries Ministers to make progress towards ending overfishing in accordance with the ICES advice and in line with the CFP.

With respect to the European Commission, we ask the Commission to:

- Propose separate TACs for each stock, including for Bothnian Sea & Bay herring as well as Baltic plaice (Sub. 21-23) and Baltic plaice (Sub. 24-32) to ensure the stocks concerned are sustainably managed.
- Not exceed scientifically advised levels in its proposal for Baltic Sea TACs.
- Make information publicly available on what it considers to be the best available scientific advice in tonnes for each TAC unit it proposes fishing limits for to allow a better understanding of how scientific advice matches with the TACs proposed.[5]

[2] ICES webpage.
[3] ICES Special Request Advice 2015: EU request to ICES to provide FMSY ranges for selected North Sea and Baltic Sea stocks.
[4] ICES webpage.
[5] In particular, the following information should be provided for each proposed TAC: 1) TAC, including geographical area; 2) Stocks covered; 3) All scientific advice used to calculate the TAC proposal; and 4) Information on matching scientific advice with proposed TAC units (information on how

With respect to the Council of Ministers, we:

- Welcome the commitment from fisheries ministers to set the 2017 TAC for sprat in line with MSY.[6]
- Urge ministers to set TACs which do not exceed scientific advice for all stocks, including for Western Baltic cod, Eastern Baltic cod, Gulf of Riga herring, Bothnian Sea & Bothnian Bay herring, sprat and salmon in Subdivision 32.
- Call on ministers not to resume overfishing for stocks for which fishing limits have already been set last year not exceeding MSY advice, such as Baltic plaice, Central Baltic herring and Western Baltic herring.
- Urge ministers to finally recognise the serious situation of Western Baltic cod, which has been subject to overfishing for several years. Stock biomass is well below the B_{Lim} reference point, i.e. there is a high risk that reproduction of the stock is impaired. ICES advises a reduction in fishing opportunities of more than 90 percent compared to 2016 levels. In line with the agreed Baltic MAP (Article 5.3), further remedial measures must be taken which may include suspending the targeted fishery to ensure the rapid return of the stock concerned to above the level capable of producing MSY.
- Note that ICES provides advice on maximum catches. If Ministers are concerned about high fluctuations of fishing opportunities between consecutive years they may consider limiting the fluctuation of fishing opportunities for to Baltic sprat and Baltic plaice.
- Request, in case ministers want to make use of the F ranges listed in Annex I Column B (F_{MSY} point value – F_{MSY} upper) of the agreed Baltic MAP 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 MSY $B_{trigger}$ reference point; 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 Scientific, Technical and Economic Committee for Fisheries (STECF) and made public.
- 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 making.[7]

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area mismatches have been addressed, what amount has been deducted for third country shares, how catch limits take account of the landing obligation etc.).

[6] 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).

[7] See also joint NGO letter to Dutch Ambassador to the EU.

Detailed TAC recommendation in tonnes / individuals for salmon (*approximate values)

TACs[i]			ICES ADVICE			CALCULATED CATCH OPTIONS USING OTHER REFERENCE POINTS				Baltic MAP Safeguards Art. 5.2&3	Pew 2017 TAC recommendation
Name	**2015 TAC**	**2016 TAC**	**Advice on stock & exploitation status**	**Advice for 2017 catches[ii]**	**Variation from 2016 TAC**	**F_{MSY}**	**MSY F_{Lower} MAP Art. 4.2&3[iii]**	**MSY F_{Upper} MAP Art. 4.4a[iv]**	**20% Variation MAP Art. 4.4b[v]**		
Bothnian Sea & Bay herring (30-31)[vi]	158.470	120.872	Bothnian Sea herring: $F < F_{MSY}$ $B > MSY\ B_{trigger}$ Bothnian Bay herring: Undefined	140.998	+17%	(Bothnian Sea herring: 134.556) No information Bothnian Bay herring F_{MSY}	(Bothnian Sea herring: 100.469) No information on Bothnian Bay herring MSY F_{Lower}	(Bothnian Sea herring: 159.144) No information if Bothnian Bay herring is $B>MSY\ B_{trigger}$	-		**≤140.998**
Western Baltic herring (22-24)	22.220	26.274	$F < F_{MSY}$ $B > MSY\ B_{trigger}$	28.401	+8%	28.401	21.188	(35.082)	-		**≤28.401**
Central Baltic herring (25-27, 28.2, 29 and 32)	163.451	177.505	$F < F_{MSY}$ $B > MSY\ B_{trigger}$	191.542[vii]	+8%	191.542	141.767*	(238.602)*	-		**≤191.542**
Gulf of Riga herring (28.1)	38.780	34.915	$F > F_{MSY}$ $B > MSY\ B_{trigger}$	27.429	-21%	27.429	22.216*	(31.817)*	27.932[viii]		**≤27.429**
Eastern Baltic cod 25-32)	51.429	41.143	Unknown	25.644[ix]	-38%	-	No F-Ranges defined in Baltic MAP		-		**≤25.644**
Western Baltic cod (22-24)	15.900	12.720	$F> F_{MSY}$ $B<B_{lim}$	917	-93%[x]	3.164	0	$B<MSY\ B_{trigger}$	$B<MSY\ B_{trigger}$	Measures to ensure $B > B_{MSY}$, such as suspending targeted fishing.[xi]	**≤917, subject to safeguards as per Art. 5 Baltic MAP**
Baltic sprat (22-32)	213.581	202.320	$F > F_{MSY}$ $B > MSY\ B_{trigger}$	282.349[xii]	+40%	282.349	211.312	(292.240)	-		**≤282.349**
Baltic plaice (22-32)[xiii]	3.409	4.034	Plaice (Sub. 21-23): $F < F_{MSY}$ $B > MSY\ B_{trigger}$ Plaice (Sub. 24-32): Undefined	7.862	+95%	Plaice (Sub. 21-23) 6.199 No information Plaice (sub. 24-32) F_{MSY}	No F-Ranges defined in Baltic MAP				**≤7.862**
Salmon (22-31)	95.928	95.928		98.716[xiv]	+3%	-	Not covered Baltic MAP				**≤98.716**
Salmon (32)	13.106	13.106		10.349[xv]	-21%	-	Not covered Baltic MAP				**≤10.349**

[i] Green font = did not exceed scientific advice, Red font = exceeded scientific advice.
[ii] Based on ICES MSY approach (F_{MSY} plus Advice Rule) or ICES precautionary approach.
[iii] Baltic MAP stipulates that fishing opportunities shall comply with the target fishing mortality ranges F_{MSY} lower to F_{MSY} (Art. 4.2), or lower (Art. 4.3).
[iv] Despite negative socio-economic and environmental effects, the Baltic MAP (Art. 4.4a) allows fishing up to MSY F_{Upper}, provided that the stock is above MSY $B_{trigger}$ and "if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries, or if it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics."
[v] Despite negative socio-economic and environmental effects, the Baltic MAP (Art. 4.4b) allows fishing up to MSY F_{Upper}, provided that the stock is above MSY $B_{trigger}$ "to limit variations in fishing opportunities between consecutive years to not more than 20%."
[vi] The TAC is presently calculated by summing up the ICES advices, which results in a non-precautionary TAC. Pew asks for separate TACs for each stock.
[vii] 9.5% Russian share deducted from overall ICES advice. Percentage value based on historical % share values.
[viii] 34.915-20%=27.932
[ix] 5% Russian share deducted from overall ICES advice. Percentage value based on communications with EC and Polish Ministry of Maritime Economy and Inland Waterways.
[x] Considering only Western Baltic cod catches. 87.5% if adding Eastern Baltic cod catches in Subdivision 24 as calculated by ICES.
[xi] The Baltic MAP specifies that if SSB < MSY $B_{trigger}$ further remedial measures shall be taken to ensure rapid return of the stock to levels above the level capable of producing MSY, which may include suspending the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities.
[xii] 10.08% Russian share deducted from overall ICES advice. Percentage value based on 2009 TACs sharing agreement between EU and Russia.
[xiii] ICES does not provide advice for a TAC covering both stocks. The TAC is presently calculated using different ICES advices, which results in a non-precautionary TAC. For more info see ICES Baltic Sea plaice TAC calculation table: http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2016/2016/ple-2123.pdf (p. 4). Pew asks for separate TACs for each stock.
[xiv] 1.9% Russian share deducted from overall ICES advice. Percentage value based on 2009 TACs sharing agreement between EU and Russia. In accordance with ICES information on IUU fisheries 7% of unreported salmon catch and 6% of misreported salmon catch was also deducted from overall ICES advice.
[xv] 9.3% Russian share deducted from overall ICES advice. Percentage value based on 2009 TACs sharing agreement between EU and Russia. In accordance with ICES information on IUU fisheries 3% of unreported salmon catch was also deducted from overall ICES advice.