

European Association of Fish Producers Organisations

Association Européenne des Organisations de Producteurs dans le secteur de la pêche



EAPO / AEOP

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EAPO Position Paper on Fishing Opportunities 2021 for December **Council of Fisheries Ministers**

1. General introduction:

EAPO would like to point at the extremely difficult conditions faced by European fishers this year. The main source of concerns for our fragilized industry is of course the Brexit negotiations.

Brexit negotiations: the need for a contingency plan

Already in August, EAPO was pointing at the importance for the Commission to make proposals for TAC and Quotas in 2021 in accordance with the relative stability, even in the context of a no-deal. No-Deal on fisheries should not prevent the Commission to propose TACs and Quotas to the Council based on the agreed EU share in accordance with the relative stability. It is crucial that the Commission follows the relative stability key not only to determine the Member States quotas for next year in case of No-Deal but also generally as a negotiating power in international discussions with third parties.

The risk of not reaching a bilateral deal before the end of December 2020 is still important. Giving the huge uncertainty carried by the trade negotiations up to this day, it appears essential for EAPO that a contingency plan is made to avoid bringing the industry to a standstill on the 1st of January 2021. The contingency plan proposed by the Commission goes in this direction. EAPO supports this initiative. A roll-over of 25% of the TACs and quotas of 2020 for 2021 would however not allow for a large number of fishing boats to operate normally during the first quarter. EAPO considers this as totally inadequate for a large number of stocks. The roll-over has to be significantly above this level, recognising that there is a third country element to be taken into account. EAPO recommends that the industry should be contacted on a stock-by-stock basis to ascertain the minimum level to be made available for the first quarter of the year. A number of pelagic stocks where

this is absolutely needed have already been identified¹. Finally, EAPO stresses that such roll-over is absolutely needed. Failing to provide any form of safety net in that respect for the sector would be disastrous.

Additional uncertainty: the COVID-19 crisis

On top of this huge threat, the COVID-19 crisis has fragilized our industry. The fishing sector is one of the hardest hit sectors by the COVID-19 crisis². The shock was immediate with huge portions of the fleet tied up in ports. Reduced demand, specifically during the two lockdown periods, but also during the whole year because of the ongoing restrictions on the hospitality sector, have led to massive drops in market prices which severely impacted fishers across the EU. Urgent measures taken at EU level have mitigated the economic impact. However, these have had varying efficiency in the different Member States as no specific additional funding was provided to the EMFF. More worrying for EAPO’s members is the economic crisis and the drop in purchasing power. This jeopardizes any potential market recovery in the short to medium term.

Together, these two topics create a huge uncertainty for fishers and this is a threat for the businesses sustainability. The setting of TAC and Quotas for 2021 should allow the sector to regain some confidence and assure sustainable fishing to continue in the EU. On the 31st of August 2020 EAPO contributed to a Commission consultation with its views (EAPO20-35)³ on the communication from the Commission on the State of Play and orientation for 2021. With the current position paper EAPO wishes to suggest to legislators to take the findings and suggestions presented here into account in order to achieve the socio-economic and environmental objectives of the Common Fisheries Policy (CFP) in 2021.

A/ ICES advice: quality assurance and information from stakeholders

EAPO appreciates the positive initiative taken by ICES in developing an Advisory Plan with a Priority list which begins with “**Assuring quality** - *Assure that quality encompasses the entire process from data collection to the publication of objective and independent advice.*” (Advisory Plan, ICES, 2019) and the effort ICES has made in addressing quality assurance in stock assessments. Nevertheless, EAPO continues to witness a lack of consistency in the advice for several stocks as outlined in the paragraphs 2. Below, and highlights the critical need for quality assurance across all assessments in accordance with the ICES advisory plan.

¹ As the Commission points out, a number of fleets fish all their quota during the first months of the year. For these stocks, higher percentages of roll-over than the one proposed by the Commission are needed.

Stock	Roll-over requested	Explanations
Atlanto-Scandian Herring	100%	TAC agreement already in place
Northeast Atlantic Mackerel	100%	TAC agreement already in place
Blue Whiting	Close to 100%	Fishing takes place fully in Q1-Q2 for some fleets, need to leave some balance for Norway, TAC agreement already in place
Western Horse Mackerel	100%	100% of catches occurring in Q1

² https://ec.europa.eu/fisheries/coronavirus-response-fisheries-and-aquaculture_en

³ <http://www.eapo.com/UserFiles/EAPO20-35%20-%20Response%20to%20Fishing%20Opportunities%20Consultation.pdf>

In 2020, the *information from stakeholders* part of the ICES advice has been taken out of the truncated advices. This exceptional change occurred because of the COVID-19 situation that did not allow for ICES to fully carry out its usual procedure. In 2021, EAPO would like to make sure that this section of the advice is reinstated for all stocks. ICES is working on improving the *information from stakeholder* section and EAPO commends it for that.

B/Managing fisheries at MSY and multiannual plans

Issues presented in the previous paragraph make it impossible to implement MSY in the way prescribed in the current management plans. Therefore, it is now time to think about how to better deliver sustainable management based on the political decision to manage the fishery in line with MSY. EAPO has on several occasions suggested solutions to this: that the objective of fishing with F_{MSY} is obviously maintained, but that this shall be done as an average over a period of time. Setting an arbitrary date, after which all stocks must be in line with a target adopted by politicians is of no use. Nature is not governed by the laws of politics. Nature's reaction to human activity cannot be prescribed and therefore it does not make sense to legislate on such goals.

For stocks where the biomass shows growth (according to the best available scientific assessment), it does not make sense to reduce the quota, regardless of whether the targets have been reached or not. In that case, it is only needed to ensure that the new quota is set at a level aiming to get closer to the target by the next year. Fishers have undertaken huge efforts to bring fishing pressure as close to F_{MSY} as possible through reduction of quotas and increased selectivity. While the obligations have been fulfilled in this respect, the promised return for the sacrifices made, are not forthcoming for all stocks.

The Multi-Annual plans for mixed fisheries are creating a distortion where ranges are now given (Upper MSY, MSY and lower MSY), but always depending upon the lowest common denominator of mixed species by-catches, regardless of the good health of target species. The example of Celtic Sea Haddock amply illustrates this issue. A reasoned and scientifically based management system should not allow to only consider some changes to the biodiversity of multi-dimensional ecosystems while disregarding other positive changes. The naturally induced impacts on other stocks (food & space competitions, intra- and inter-species dynamics) are not being considered. Therefore, the assumption that by-catches will remain constant, while being erroneous, is kept by managers as well as – surprisingly - by many scientists. Maximising catches within a proposed F_{MSY} range, in particular within the context of a MAP, should be a priority, aiming for a minimum of constraints on healthy stock fisheries using the upper ranges where possible. Such an approach will allow for an easing of management in the context of mixed fisheries. ICES should then be requested to identify stocks for which it is possible to apply the F_{MSY} upper range, when meeting the conditions laid down in the MAP regulations.

The huge increase in the number of shared stocks (119) as the UK leaves the EU will prompt the need to adopt a flexible approach. Third parties might have completely different management methods. The MSY approach basis might need to be made flexible and adapt to this new dimension if a different common understanding is reached in the consultations.

Climate change and the consequences on the biotic and abiotic components of the marine ecosystems mean that important ecosystem changes are occurring in the ocean. Across the North-East Atlantic, significant ecosystem shifts have been documented and have complex consequences that need to be taken into account

when setting targets^{4,5,6}. Warming seas lead to changes in the fish stock productivity and distribution and this is not covered enough in the scientific advices.

C/ Landing Obligation

EAPO would like to remind of the importance and legitimacy of both the high survivability and de minimis exemptions to avoid unnecessary restrictions of fishery activities. In addition, in the case of mixed fisheries, applying the landing obligation requires that quotas for growing stocks cannot be reduced. When a stock becomes more abundant it is increasingly difficult to avoid it. With a landing obligation scenario, it is thus crucial that the developments in the TAC regulation reflect the developments in stock. These provisions are the only way to make the Landing Obligation workable.

The most critical aspect of the Landing Obligation is the threat of bringing the fishing of healthy sustainable stocks to a halt in advance of their quota being used by the unavoidable catch of species with zero. This is addressed in the Commission's Communication where it is stated; *"it was decided to set low-level TACs for by-catches only, so that the depleted stocks could be rebuilt, without prematurely shutting down important commercial fisheries or preventing scientists from collecting scientific data"*⁷. It is imperative that this approach is maintained as part of the 2021 TACs to avoid the premature closure of a vast array of sustainable fisheries.

This choke issue is also something that is encountered at a Member State and/or PO level when there is a zero TAC or lack of quota in general.

D/ Additional measures for Celtic Sea stocks (cod and whiting by-catch)

EAPO reaffirms that the remedial measures taken are overly prescriptive and translate into huge efforts for the fishing fleet. They do not represent a balanced or proportionate management response to the challenge of applying necessary rebuilding measures whilst maintaining the legitimate fisheries for other stocks within the ultra-mixed fisheries of the Celtic Sea. Measures such as the ones included in article 13 of last year's TAC and Quota should be part of the context of a multiannual management plan and be subject to a joint recommendation of the NWW Member States Group for implementation in a delegated act.

With regards to the need for remedial measures, EAPO proposed a set of measures last year that were disregarded by the Commission. This year, work was undertaken by the fishing industry to prove the selectivity level of different gears used. However, the context of the COVID crisis has led to delays for tests to be carried-out at sea and more time needs to be allowed to prove the selectivity level of gears. Therefore, the deadline for presenting these results should be postponed. In this context, EAPO calls for the application

⁴ Pierre-Yves Hervann, Didier Gascuel, Exploring the impacts of fishing and environment on the Celtic Sea ecosystem since 1950, Fisheries Research, Volume 225, 2020, 105472, ISSN 0165-7836, <https://doi.org/10.1016/j.fishres.2019.105472>.

⁵ Adriaan D. Rijnsdorp, Myron A. Peck, Georg H. Engelhard, Christian Möllmann, John K. Pinnegar, Resolving the effect of climate change on fish populations, ICES Journal of Marine Science, Volume 66, Issue 7, August 2009, Pages 1570–1583, <https://doi.org/10.1093/icesjms/fsp056>

⁶ Serpetti, N., Baudron, A.R., Burrows, M.T. et al. Impact of ocean warming on sustainable fisheries management informs the Ecosystem Approach to Fisheries. Sci Rep 7, 13438 (2017). <https://doi.org/10.1038/s41598-017-13220-7>

⁷ COM(2020) 248 final

through a delegated act of the NWW Member State Joint Recommendation. The constraining and ambitious provisions it includes will allow to reach the desired results. The application of any other measure will not match the efficiency of these and would have devastating consequences for the fishermen, their families, and communities.

D/ Comments on Pelagic stocks

EAPO's members have been working actively on large-scale genetics projects on stock identification. The collection and analysis of genetic data need to be included in the scope of data collection framework (DCF). Moreover, research financing from different sources should be made available to support this type of research that - until now - has been funded by the industry.

In 2019 an external consultant evaluated the PELAC's two-tier management plan proposal for Blue Whiting by way of a hindcasting exercise. This hindcasting exercise found that the current implementation of the - 20%/+25% TAC stabilizing bounds could be problematic in terms of securing sustainable management of the stock in the long term. The result from the work done on Blue Whiting raises issues in relation to the use of TAC stabilizing bounds in general. EAPO supports the PELAC recommendation that the Commission raises this issue and the use of other stabilizing mechanisms in general with ICES for further evaluation.

E/ Comments on North Sea stocks

A huge proportion of North Sea stocks are shared with the UK and this may lead to numerous problems in connection with Brexit. It should be mentioned that this proposal was made at a time of high uncertainties, therefore a similar approach to the one of last year was adopted. This is specially the case for species such as nephrops. TAC for this species is a sum of advices for a number of relatively well-defined geographical areas. Although unknown at this time, it is likely that there will be a change in the way the quota is calculated this year.

Finally, fisheries observations seem to show an unusual prevalence of cod and saithe, in proportions much higher than foreseen in the scientific assessments. Unfortunately, referring to the COVID situation, ICES has chosen not to reopen the advice for the North Sea stocks. EAPO regrets this decision, and fears that it will exacerbate the complicated situation that fishermen will encounter at sea in 2021.

2. Specific comments on stocks

This year, EAPO provides comments on about 44 stocks. These are presented in alphabetical order of species' scientific names.

Boarfish

EAPO recommends following the ICES advice based on the precautionary approach and to set the TAC in 2021 at 19,152 tonnes. EAPO recommends that a benchmark is carried out in 2021.

Atlanto-Scandian herring

The Coastal States negotiations ended in an agreement to set a TAC based on an agreed Long-Term Management Plan and setting the TAC at 651,033 tonnes in 2021. EAPO supports this decision for this stock that is in line with the ICES advice.

EAPO supports the PELAC encouraging the Commission and Member States to seek rapid agreement with all Coastal States on a sustainable long-term sharing arrangement for the stock. The current situation with no agreed sharing principles is not sustainable in the long-term. **As long as there is no agreed sharing arrangement among the coastal states EAPO proposes to apply the same approach for setting the EU share for Atlanto-Scandian herring as was done the last few years.**

North Sea autumn spawning herring/3A

North Sea autumn spawning herring is a key stock in EU fisheries and secures fishing opportunities for four different fisheries in the North Sea and in 3A. EAPO recommends that the EU and Norway finish work on developing a Long-Term Management Plan that is in accordance with the CFP, the latest scientific advice and that can form the basis for future scientific advice.

For the 2021, EAPO recommends following the ICES advice based on the MSY-approach, setting a TAC at 359,367 t for the A-fleet. For 3A EAPO recommends following the agreed EU and Norway TAC principles when setting the TAC and taking into account the above recommendations for the North Sea autumn spawning herring component

Herring in ICES area 6a and 7bc

EAPO recommends that the major genetics project has been successfully concluded that it is peer-reviewed and published and that an ICES benchmark is arranged in early 2021 in order to separate the two stocks.

EAPO recommends continuing the scientific sampling programme in 2021 in both 6a North and 6a South, 7bc in accordance with ICES catch scenarios to provide minimum level of catches needed to provide sufficient data for ICES.

Celtic Sea herring

EAPO recommends continuing the scientific sampling programme for 2021, at the appropriate times, in accordance with the ICES recommendation for a minimum amount of catch that will ensure the continued scientific monitoring of the stock - 869 tonnes. Furthermore, EAPO recommends that the mixing issue with Irish Sea herring be addressed.

Irish Sea herring

EAPO recommends following the ICES MSY advice and setting the TAC in 2021 at 7,341 tonnes. EAPO supports the PELAC in its request that WKIRISH ecosystem approach is incorporated into future assessment of this stock. Furthermore, EAPO recommends that the mixing issue with Celtic Sea herring be addressed.

Seabass in divisions 4.b–c, 7.a, and 7.d–h

There is some improvement in the perception of the stock based on the ICES advice, with fishing mortality estimates showing a decrease. However, the stock is still in recovery and proper recruitment needs to come through. Moreover, bycatches still represent a big issue given the mixed nature of fisheries in the Channel and the stock's widespread presence in those fishing grounds.

EAPO recommends that catch opportunities should aim at a global catch level compatible with the MSY. In addition, EAPO requests that the fishing ban in February and March be lifted as it does not have any interest in terms of limiting the fishing mortality (by-catches) but instead only prevents bringing value to those unavoidable catches.

Cod in North Sea and Skagerrak

The ICES advice recommends a TAC for 2021 of 14,755 tonnes, which is more than the recommendation from last year, but less than the adopted TAC for 2020. This increased TAC recommendation seems odd considering the 2020 downward revision of biomass estimates for 2019 of almost 20% and the further reduction of biomass from 2019 to 2020. An explanation for conservative scientists to still advise an increased TAC must partly come from the projected good recruitment on its way into the fishery.

This year's assessment confirms the impression that the advice is based on a completely unacceptable chaotic - almost non-existent - scientific background. Although the increasing understanding of the status of the stock by scientists is a good thing, the assessment of the stock size keeps on changing from year to year showing with frightening clarity what one is offering the profession and the management. One thing is that the stock has probably decreased in recent year. However, a much more worrying thing are the huge historical revisions of the stock size (from a SSB in 2015 estimated at 170,000t now thought to have been only at 100,000t). It is obvious that this had a tremendous effect on fishing mortality.

Despite the fundamental uncertainty of the scientific assessment in the development of the stock, ICES estimates that the spawning stock biomass will increase by 44% if the ICES "MSY approach" is followed. It will still grow by 40% if the quota is set to F_{MSY} lower. In both cases, SSB will be above B_{lim} in 2022. **EAPO proposes as a starting point that the TAC for North Sea cod for 2021 be set in accordance with F_{MSY} lower to 17,794 tonnes. However, in line with the cross-industry proposal of October 2020 and taking into account the wider socio-economic context, EAPO recommends that the TAC be set between F_{MSY} lower and F_{MSY} , at TAC (2020) +15% to reach B_{lim} by 2022** As the stock is estimated to be smaller than B_{lim} and TAC are set at the lowest value in the EU management plan, the exceptional measures introduced in the EU regulation and the national cod plan are maintained.

Cod in Kattegat

The ICES advice is a 0 TAC and the stock is estimated to be at a point lower than ever before. There are signals of a relatively good recruitment in 2019. This recruitment is probably "overflow" from the North Sea cod. This implies that these juveniles will probably disappear from the area when they will reach two to three years old (provided they survived "natural" predators like cormorants and seals).

Targeted fishing for cod has been banned in 2020, with a quota of 130 tonnes for by-catch. The catches in late autumn are far below this limit.

The system of by-catch quotas only seems appropriate because there is a ban on discarding of cod in the Kattegat. A more sensible way of protecting cod under the current conditions would be to set a TAC of 0 for cod in order to prevent targeted fishing and, as an interim measure, allow for a derogation from the landing obligation banning it for cod.

Cod 6a and Whiting area 6

ICES had advised a zero-catch option for cod area 6a and whiting area 6. Zero TACs have the effect of creating instant Choke Species (see paragraph 1.C/).

Cod in divisions 7.e–k (western English Channel and southern Celtic Seas)

The ICES advice shows that a constant biomass is given with different projected catch depending on the range chosen although this is a by-catch and not a target fishery.

In the context of the Landing Obligation (see paragraph 1.C/) and the activities of the fleets targeting other species in this mixed fishery, EAPO recommends following an F compatible with MSY and setting a TAC at 1,004 tonnes. Comments on MSY management, MAPs and climate change induced shifts are particularly relevant for this stock (see paragraph 1.B/).

Megrim - in divisions 7b-k and 8abd

The EU manages catches of two stocks of megrim, *L. whiffiagonis* and *L. boscii*, together. In the latest ICES analysis, *L. boscii* megrim catch only represented 7.36% of the total catches of megrim in 2019. ICES does not provide fishing opportunity recommendation for this stock. According to the ICES recommendation for 2021, fishing mortality for *L. whiffiagonis* is below F_{MSY} and the SSB has increased considerably in the last years, over 30% increase from 2017 to 2019.

Anglerfish and megrims are species strongly correlated in the catches of the demersal fleets of the Bay of Biscay and the Celtic Sea. While the fishing possibilities for anglerfish stocks VII and VIII will increase, it would be counterproductive to decrease the TACs of megrims. Maintaining the TACs for zones VII and VIII at the level of those set for 2020 should be authorized under Article 4.5.a of the Management Plan for Western Waters, which indeed allows for the use of the upper range of MSY fishing mortalities assessed by ICES, in the context of mixed fisheries. As this option does not impact the positive dynamics of the stock, **a status quo of fishing possibilities must be proposed at 20,626tonnes (ie 18,832 tonnes for area VII and 1,794 tonnes for area 8). Considering the SSB and recruitment upward trends, the TAC could even be increased further (to 22,000 tonnes) without it compromising the F_{MSY} management objectives.**

Skates and Rays

Considering that the scientific assessment of the species mostly caught in the different fisheries confirms the abundance noticed by fishermen, EAPO has the view that **the four combined TACs should at least be rolled over.**

Specifically for the Bay of Biscay the latest ICES advice indicates an increase in the abundance index for the stocks of Cuckoo Ray (+ 35%) and Spotted ray (+ 20%). In addition, an upward revision of the level of catches for the Thornback ray leads to the recommendation of an increase in fishing possibilities of 41% for this species. On the basis of these positive developments, **the skates and rays TACs for the Bay of Biscay should be increased by 20%** by applying the weighting method for the various ray stocks included in the management unit.

Anglerfish in subareas 4 and 6, and in Division 3.a (North Sea, Rockall and West of Scotland, Skagerrak and Kattegat)

The advice from ICES states that the quota for anglerfish should be reduced by 20%, only on the assumption that the stock is the same in 2020 as it was in 2019. This is contrary to what the experience from the fishery shows and is solely justified by triggered a mathematically calculated TAC due to the fact that the survey that should indicate the stock size in 2020 has been canceled due to the COVID-19 pandemic.

It is simply not acceptable that the cancellation of a survey, no matter how understandable the decision is, is used as a basis for a reduction in the quota for this important species.

It is essential that this stock be moved from ICES Category 3 to Category 1, similar to monkfish in Area 7.

The quota must therefore be set as a rollover of the quota for 2020. Despite the small decline from 2017 to 2019, the stock is well above the levels seen from 2005 to 2015. Data from the fishery shows that the occurrence of anglerfish in the eastern part of the range is increasing.

Anglerfish in subarea 7 and divisions 8abd (southern Celtic Seas, Bay of Biscay)

The EU manages both white (*Lophius piscatorius*) and black (*Lophius budegassa*) stocks jointly. Until 2019 the EU Council has been establishing a stable TAC based on the scientific recommendations at around 42,500 tonnes per year. In 2019, however, the TAC was slightly reduced. In 2020, the TAC increased significantly, but remained below the ICES recommendation. For 2021 ICES recommend a total catch of anglerfish of 50,130 tonnes for Subarea 7 and divisions 8.abd, 12.01% more than the recommendation for 2019 and 13.14% more than the TAC agreed for that year.

EAPO recommends increasing the TAC to 50,130t. The data on spawning biomass abundance provided by ICES as well as the increase in recruitment of both species indicate that it would be possible to increase the fishing opportunities even further.

Haddock in North Sea and Skagerrak

The ICES advice recommends for 2021 a TAC of 69,280 tonnes for all waters, giving 62,768 tonnes to the North Sea and Skagerrak. EAPO suggested principle discussed above would recommend following a strategy that provides a more stable utilization of this species. However, when looking at the SSB and recruitment figures, it is clear that these fluctuations are due to the fact that large year classes appear at regular intervals. In this case, it is not the scientific advice revision of the population perception that causes the yo-yo quotas, but the species' natural life cycle.

For 2021 EAPO recommends setting the quotas in line with the scientific advice of F_{MSY} to 59,135 tonnes for the North Sea and 3,603 tonnes for Skagerrak.

Rockall Haddock (6b):

The proposed reduction of 40% of the advice appears to be related to a revision of the reference points. The parameters on which the advice is based (landings, recruitment, fishing mortality and stock size) do not show the proposed 40% decrease is warranted.

Haddock in divisions 7.b–k (southern Celtic Seas and English Channel)

The dysfunction of MAP can be characterised by this stock's advice (see paragraph 1.B/ and C/), the lower range of MSY was chosen for the 2020 TAC despite the industry's request for a higher amount. The precautionary approach taken has resulted in forecasted amount of discards exceeding the actual catch rate. This is to continue again for this years negotiations.

EAPO notes that the fishing opportunities could be increased a lot this year. In the context of the mixed fishery (see paragraph 1.D/) and to find a good balance between stocks, EAPO recommends a TAC for 2021 set at TAC (2020) + 20%.

Whiting 7.b-k

Fishing mortality for this stock has been importantly reduced for this stock. However, the biomass is very low and the low recruitments of the last for years has led to the difficult situation. No catch option presented would allow the biomass to recover to $MSY-B_{trigger}$ level by 2022 however, most would lead to a biomass increase beyond B_{lim} . **In the context of the MAP and taking into account the increase of the 7d component of the TAC, EAPO request roll-over of TAC 2020 for 2021 (10,863t).**

Whiting in North Sea

EAPO takes note that the scientific advice indicates that the quota for whiting in the North Sea can be set at 26,304 tonnes. Although the advice for whiting has been varying a lot in recent years, EAPO does not find it necessary to go further into the discussion of the quota for this species until there is some clarity regarding Brexit.

The quota for whiting in the North Sea in 2021 should be set at 26,304 tonnes.

Whiting in Skagerrak / Kattegat

As has been the case for whiting in the North Sea, advice for whiting in the Skagerrak/Kattegat has been somewhat tumultuous in recent years. ICES advised that 400 tonnes could be caught in 2020. This year a TAC of 929 tonnes is advised. Part of the explanation for this is that the stock has changed status from being category 5 (stocks where only catch data is available) to category 3 (where an index of the development of the stock can be established). This index indicates that 929 tonnes can be fished. However, **EAPO suggest that the stock should be regulated in other ways than by TAC.**

There is no targeted fishing for whiting in the Skagerrak/Kattegat, nor is there any realistic assessment of the actual stock size Therefore it does not make much sense to set a TAC. The results of the scientific studies do not show any negative development and EAPO's members from Denmark and Sweden are working together to ensure that the management of whiting in IIIa can take place without quotas, and without endangering the stock.

Pollack and Whiting 8

The stocks of pollack and whiting in the Bay of Biscay do not have any analytical assessment, nor abundance indices Therefore, the inter-annual variations of their abundances are unknown. In addition, ICES is not proposing any new opinion for these two stocks and the recommendations for 2021 are based on the 2019 analyses. Nevertheless, the Commission proposed an important decrease of both TACs (respectively -30% and -13%) which seems inappropriate to EAPO. Without any new scientific information, the level of the TACs for whiting and pollack in the Bay of Biscay **must be maintained at the same level in 2021, ie 2,540 tonnes and 1,482 tonnes respectively.**

Hake in subareas 4, 6, 7, and divisions 3a, 8abd

With regard to the stock's characteristics provided in the ICES advice, recruitment is rising for the second consecutive year, fishing mortality is stabilized below F_{MSY} , the spawning stock biomass increased in 2019 and

the discards have decreased by over 50% in the year 2019 in comparison to 2016. It is expected that the recruitment values as estimated this year will be underestimated considering the rebound observed in spawning biomass. These indicators are contrary to the downward revision of the perception of the stock that drives the ICES recommendation.

Therefore, **EAPO requests a roll-over of the 2020 TAC at 112,903t**. Data on spawning biomass abundance and recruitment provided by ICES would suggest that maintaining this TAC will not negatively impact the status of the stock. Since the MSY catch adjustment approach was adopted, an increase in recruitment was observed. Decreasing fishing opportunities using uncertain recruitment estimates as a basis and ignoring both spawning abundance data and trend in recent years could mean an important income loss for the fleet.

Hake in 8c and 9a, Southern stock

Regarding the important socio-economic impact of this stock on the fleets of this area and of the dependency of numerous small-scale fisheries on this stock, EAPO advises for a roll-over of the quota of 2019 at 9,258 tonnes.

Blue whiting

The Coastal States negotiations ended in an agreement to set a TAC on the basis of the Long-Term Management Plan. EAPO supports this decision for the Blue Whiting stock that is in line with the ICES advice. However, EAPO recognizes that the current situation with no sustainable long-term Coastal States sharing arrangement in place for Blue Whiting is not sustainable in the long term and questions the performance of the agreed management plan currently forming the basis for the management of Blue Whiting.

EAPO supports the PELAC encouraging the Commission and Member States to resolve the long going dispute over the sharing of the stock among Coastal States. **As long as there is no agreed sharing arrangement among the coastal states EAPO proposes to apply the same approach for setting the EU share for blue whiting as was done the last few years.**

Nephrops in North Sea

For nephrops, the advice for several functional units (FU) is given for two years. These areas have all been dealt with this year and the advice provided therefore also applies to 2022. The advice is for the individual areas (FU). In general, it recommends a reduction which results in a summed recommendation for all areas of 20,820 tonnes, which is 8.7% less than the total recommendation from last year.

It is not clear how Brexit will affect the allocation of nephrops. ICES has reiterated its advice that there should be a greater degree of local management in the individual areas, so that they are secured against local depletion. Until there is clarity on how the fishery is managed, EAPO's recommendations are based on an assumption of the status quo, with a common quota for the entire North Sea.

The quota for Nephrops in the entire North Sea in 2021 should be set to 20,820 tonnes.

Nephrops in Skagerrak/Kattegat

Based on underwater footage, ICES estimates that the stock is declining slightly, but that the fishing pressure on the stock is less than F_{MSY} . No reference points have been established for the biomass. The advice of

catches between 12,465 and 17,585 tonnes according to the EU management plan is a reduction of 11.7% compared to last year's advice. EAPO believes that the quota for Norway lobster is set at the upper end of what is realistic in relation to the size and development of the stock and therefore recommend that the TAC for 2021 is set at the lowest level as stated in the advice.

The TAC for nephrops in the Skagerrak/Kattegat for 2021 should be reduced to 12,465 tonnes.

Nephrops in area 7.

The Commission has not yet issued its proposal for nephrops in area 7 but the ICES advice is for a 7% increase. The nephrops in Functional Unit 16 (the Porcupine) remains in a very healthy state with ICES advising a 25% increase. **EAPO is of the firm view that a separate *of which* clause for this area which is part of area 7 is no longer required.** In light of the very healthy state of the stock, next year would be an ideal opportunity to start with the flexibility of switching the *of which* clause on and off based on the appropriate scientific assessment

Plaice in North Sea and Skagerrak

According to the ICES advice, 162,607 tonnes can be caught. Allocated for 88% to the North Sea and 12% to Skagerrak, giving a quota of respectively 143,094 and 19,513 tonnes for the two areas.

EAPO is not persuaded that the stock assessment on which the advice is based gives a true and fair view of the status of the stock. The catches realised at sea, whether in the Northern or Southern fishing grounds, are much lower than what the fishermen experienced when the stock was less than half the size of what biologists say it is today. EAPO therefore looks forward to a benchmark assessment in ICES as soon as possible, so that a more realistic management scenario can be established.

Although some members see benefits in a reduced TAC, EAPO recommends a TAC in line with the ICES advice.

Plaice in Kattegat

It is striking that for one of the very few stocks where the scientific assessment is fairly in line with the previous year's one, the Commission is changing its request (from a precautionary approach to MSY). The consequence of this is that ICES, despite of an increase in biomass, recommends a reduction in the quota of just over 50%.

Concretely, it will hardly lead to any problems for the industry, as the landings in 2019 (363 tonnes) were about half of the quota that are now proposed (719 tonnes). In this context, it should be remembered that there is an exception to the landing obligation for this species in the Kattegat. **As a consequence of the quota for the Baltic being set 514 tonnes below the scientific advice, the quota for Kattegat could be set to (719 + 514) 1233 tonnes.**

As there is one stock caught in two management areas (Kattegat and the Baltic Sea), it must be possible to move quota from the Baltic Sea to Kattegat if the quota is exhausted despite expectations. If this is acknowledged, it could be accepted to set the quota to 719 tonnes.

Plaice in 7.bc

EPAO refers at the poor data collection and monitoring of this stock. A benchmark (WKFlatNSCS) was held in February 2020, but insufficient data were available to address this issue and the subsequent questions about stock identity. Consequently, EPAO stresses the importance of improving data collection and data quality for this stock. EPAO reminds of the **importance to avoid choke situation in many other fisheries (see paragraph 1.C/)**.

Plaice in 7.hjk

EPAO refers at the poor data collection and monitoring of this stock. A benchmark (WKFlatNSCS) was held in February 2020, but insufficient data were available to address this issue and the subsequent questions about stock identity. Consequently, EPAO stresses the importance of improving data collection and data quality for this stock. For example, potential stock identity issues need to be investigated and taking into account the mix in populations, inter-area flexibility should be considered. The ICES advice of **plaice 7hjk** is biannual and the lack of data is affecting the process around this stock. In general terms, stocks subject to a zero-catch advice should have an annual advice to allow for the assessment of the stock status and the measures that should be taken accordingly. **As in 2020 the inclusion of a bycatch TAC scenario in the Council TAC & Quota 2021 Regulation is required in order to avoid a choke situation for many mixed fisheries in the Celtic Sea (see paragraph 1.C/)**.

Saithe in North Sea and Skagerrak

The ICES advice for saithe is the epitome of the shortcomings of the management system: Despite the fact that the stock looks quite stable with hindsight, the TAC is going up and down every year after ICES' latest guess on the stock size. The issue here is the inability of scientists to accurately assess the developments for this stock.

The quota for saithe in the North Sea and Skagerrak in 2019 was set in line with the scientific advice from 2018. Already in February 2019, ICES issued a new advice, reducing the quota. The quota for 2020 was again reduced. To the extent that there is any stability, it is only through an almost constant reduction from year to year.

Even though the quotas for saithe are set in line with the scientific advice and the chosen MSY strategy, this year's advice shows that the stock is not only reaching a historically low point but also has been following a downward trend for the past two years. A more acceptable approach must be found that would provide reasonably stable quotas. The management of the saithe fishery has always been relatively stable and unproblematic before the MSY was launched. We would like to see this introduced again.

To the great surprise of the fishermen on both sides of the North Sea, the good catches encountered by fishermen have not been shown in the results from IBTS3. However, **the industry will still argue that the TAC can be set according to F_{MSY} upper in the management plan** (because SSB is larger than $MSY-B_{trigger}$ and is included as a by-catch in some fisheries), **which will give a quota for the North Sea and Skagerrak of 82,203 tonnes**. In view of the negative developments described and recent negative revisions, it may not be realistic to win sympathy for an increase in TACs on this basis. However, it can be stated **that a roll-over of the quota size will be within the framework of the management plan and when considered that no agreement has yet been reached on Brexit to this date, it seems quite reasonable to set the quota for saithe in 2021 to the same as it is in 2020**.

Northeast Atlantic mackerel

EAPO recommends following the ICES MSY advice and setting the TAC in 2021 at 852,284 tonnes. EAPO supports the PELAC in its requests that the Commission asks ICES as a matter of urgency to examine the differences between the results given by the IENSSN survey and the egg survey.

EAPO supports the PELAC's recommendation that the agreed Three Parties Management Strategy be revised in accordance with the revised Management Strategy Evaluation limit reference points. **In absence of a Brexit agreement the EU should set EU quota for NEA mackerel at a level in conformity with the 3-party sharing arrangement minus the UK share as defined under the relative stability key.**

Sole in North Sea

ICES estimates that there was the recruitment of a large year class in 2018 which increases the spawning stock size a lot already in 2020, implying that up to 32,920 tonnes can be caught in 2021. **EAPO recommends that the TAC is set according to F_{MSY} in the management plan, this gives a quota of 21,361 tonnes.**

Sole in Skagerrak/Kattegat

The stock is steadily growing upwards according to the ICES advice and a TAC can be set between 502 and 665 tonnes in accordance with the management plan. **F_{MSY} implies a TAC of 596 tonnes, which is acceptable to EAPO.**

Sole in 7.bc

EAPO refers at the poor data collection and monitoring of this stock. A benchmark (WKFlatNSCS) was held in February 2020, but insufficient data were available to address this issue and the subsequent questions about stock identity. Consequently, EAPO stresses the importance of improving data collection and data quality for this stock. EAPO reminds of the **importance to avoid choke situation in many other fisheries (see paragraph 1.C/).**

Sole in 7.fg

For **sole 7fg** the WKFlatNSCS benchmark resulted in a review of the reference points for F_{MSY} and $MSY-B_{TRIGGER}$. This led to an ICES advice of a 15% TAC reduction whilst all the criteria recognise a positive evolution. SSB is well above the new reference point and F under the new F_{MSY} . **This should make a roll-over or even a slight increase of the TAC possible within the terms of the CFP objectives.**

Sole in 7.hjk

The data poor situation of **sole 7hjk** established during the benchmark (WKFlatNSCS), resulted in a review for category 3 stock to category 5 and a precautionary approach. Consequently, EAPO stresses the importance of improving data collection and data quality for these stocks. For example, potential stock identity issues need to be investigated and taking into account the mix in populations, inter-area flexibility should be considered. Involved fishermen committed to participate in addressing the data poor situation in order to assist in demonstrating the good stock status perceived at sea. **Based on this perception EAPO recommends at least a roll-over for this stock, important to avoid choke situation in many other fisheries (see paragraph 1.C/).**

North Sea horse mackerel

EAPO recommends following the ICES advice and that the TAC is set at 14,014 t in 2021 in line with the Precautionary Approach.

Northeast Atlantic mackerel

EAPO recommends following the ICES MSY advice and setting the TAC in 2021 at 852,284 tonnes. EAPO supports the PELAC in its requests that the Commission asks ICES as a matter of urgency to examine the differences between the results given by the IENSSN survey and the egg survey.

EAPO supports the PELAC's recommendation that the agreed Three Parties Management Strategy be revised in accordance with the revised Management Strategy Evaluation limit reference points. **In absence of a Brexit agreement the EU should set EU quota for NEA mackerel at a level in conformity with the 3-party sharing arrangement minus the UK share as defined under the relative stability key.**

Western horse mackerel

EAPO recommends following the ICES MSY advice and setting the TAC in 2021 at 81,376 tonnes. EAPO recommends that the evaluation by ICES of the rebuilding plan for this stock be expedited.