



EU pelagic industry position paper on fishing opportunities and Coastal States negotiations for pelagic stocks for 2023

Coastal States / Northeast Atlantic mackerel

a. Total Allowable Catch (TAC)

The EU pelagic industry wants to follow the ICES advice of -2% (786 066 tonnes) and supports all other recommendations by the Pelagic Advisory Council (PelAC) for this stock. We argue that the ICES advice would likely have been an increase of the TAC were it not for the current overshoot of the TAC as a result of excessive unilateral quotas set by other Parties.

The EU pelagic industry would support starting a benchmark procedure for the current assessment methodology. We feel the assessment could be improved, e.g. by including new analyses of the egg survey, the North Sea part of the swept area survey and the updated procedure for including tagging data, as well as by using a more realistic recruitment estimate.

b. Joint management and sharing arrangement

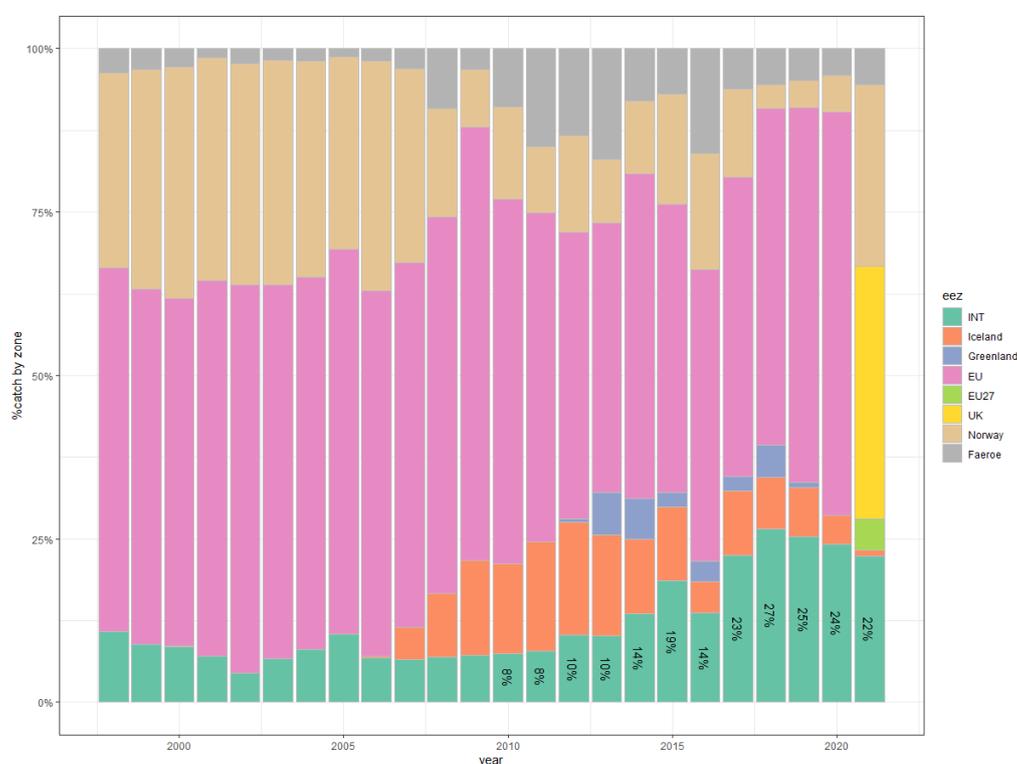
The EU pelagic industry urges the Commission to make a strong effort to have all Parties engage in meaningful negotiations. Despite several further rounds of consultations in 2022 there is still no clear perspective of having a new sharing arrangement in place in the immediate future. Discussions have seemingly been at a standstill for the larger part of the year. Talks were stalled by Parties claiming that circumstances were not right for real negotiations and wanting to debate in great detail the possible criteria for calculating shares, for which they brought invalid arguments to the table.

The EU pelagic industry calls on the Commission and the Council to stick firmly to the position that the concept of zonal attachment cannot serve as the basis for a sharing arrangement. Instead track records should be respected, with a view to providing continuity, stability and predictability. Some Parties however, in particular Norway and the UK, advocate the use of the concept of zonal attachment as the main criterion. As we noted previously¹, we conclude that this year's report on the geographical distribution of the mackerel stock in the Northeast Atlantic shows that the data concerned, while in itself resulting from the best of endeavours by the Coastal States scientific community, does not provide a basis for taking a zonal attachment approach to the quota-sharing arrangement for this stock. There are simply too many caveats, limitations and uncertainties in relation to the methodology and the outcome, which the authors stress will be extremely difficult to remedy in the future. The cherry-picking by said Parties of pieces of data in order to make a case for themselves should remain unacceptable to the EU. Moreover, the current fishing season, showing again very different patterns, underscores the invalidity of those claims and the instability of the concept.

¹ [EAPO position paper on Coastal States mackerel distribution report and consultations \(16 March 2022\)](#)

The EU pelagic industry reiterates with urgency its call on the Commission and the Council to strongly condemn and take immediate action against Parties setting excessive unilateral quotas and, in addition, to not accept the current overfishing to count towards an increased fishing track record for those Parties concerned. Norway and Faroe Islands set their quotas at the same unrealistically inflated levels as in the past year, when both Parties increased their shares by 55%. This means that the predicted overshoot of the TAC is again around 42%. These actions are unacceptable, at odds with the UN Convention on the Law of the Sea and particularly the 1995 Straddling Stocks Agreement, and can be qualified as IUU fishing. They fly in the face of the ongoing efforts to reach agreement on a sharing arrangement between all involved Coastal States. Right now only the EU and the UK are sticking with quotas based on the most recent sharing arrangement in place.

The EU pelagic industry maintains that the EU should continue to seek a quota-sharing arrangement on the basis of those previously in place, rightly honouring historic track records. It should seek a constructive cooperation with the UK in this matter, reflecting the ties between the EU and the UK through their Trade and Cooperation Agreement (TCA). Any new sharing arrangement should also be congruent with the TCA. Considering that catches in international waters have been significantly higher over recent years (see graph below), we would support a joint EU-UK proposal to limit the mackerel fishery in international waters to a maximum percentage of 10% of the TAC, with the same limit applying to each individual quota share within that TAC.



The industry does not support a package approach for a sharing arrangement and reciprocal access for all three pelagic stocks under the remit of the Coastal States.



Coastal States / Blue whiting

a. Total Allowable Catch (TAC)

The EU pelagic industry wants to follow the ICES advice and supports all other recommendations by the PelAC for this stock. The ICES advice of +81% (TAC of 1 359 629 tonnes) reflects the outcome of both the long-term management plan and $F=F_{msy}$. The industry is happy to see that under the current management plan recruitment and biomass are now at some of the highest levels ever, and likely to remain so for a number of years. Also in light of the advised TAC decreases for other stocks, it is important for the industry to make maximum use of the very positive advice for blue whiting. In the meantime, ICES should evaluate the long-term management plan including the parts that weren't part of the previous evaluation, with a view to reaffirming that the plan will be the basis for future ICES advice.

b. Joint management and sharing arrangement

The EU pelagic industry notes that no consultations on a sharing arrangement have been scheduled for the remainder of 2022 and that a report on the stock's geographical distribution has not yet been made available. We urge the Coastal States to adopt a sharing arrangement, but if no sharing arrangement is reached, the industry would support the continuation of a joint EU-UK share of 41.42% of the TAC (subsequently allocated between EU and UK on the basis of the Trade and Cooperation Agreement), which has been in place for the past 7 years.

As with mackerel, zonal attachment should not be the criterion on which to base a sharing arrangement. Data on geographical distribution is incomplete and inconsistent and therefore does not allow for clear conclusions to be drawn.

The industry does not support a package approach for a sharing arrangement and reciprocal access for all three pelagic stocks under the remit of the Coastal States.

Coastal States / Atlanto-Scandian herring

a. Total Allowable Catch (TAC)

The EU pelagic industry wants to follow the ICES advice of -15% (511 171 tonnes), which follows from the current management plan, as well as the recommendations by the PelAC.

b. Joint management and sharing arrangement

The EU pelagic industry notes that no consultations on a sharing arrangement have been scheduled for the remainder of 2022 and that a report on the stock's geographical distribution has not yet been made available. As with mackerel and blue whiting, zonal attachment should not be the criterion on which to base a sharing arrangement. Data on geographical distribution is incomplete and inconsistent and therefore does not allow for clear conclusions to be drawn.

The industry does not support a package approach for a sharing arrangement and reciprocal access for all three pelagic stocks under the remit of the Coastal States.



EU-UK-Norway / North Sea herring

The EU pelagic industry wants to follow the ICES advice of a TAC of 414 486 tonnes (-22% compared to the previous advice), based on the MSY approach in absence of a long-term management strategy agreed among the three Coastal States concerned, as well as the recommendations by the PelAC. The ICES advice for 2022 corresponds with a decrease of 5.6% of the TAC for 2022, which was set lower than advised. Considering last year's ICES advice, under similar circumstances, was +45%, the industry calls on both ICES and the managing Coastal States to explore methods that allow for more stable TACs to be set. We urge the EU, the UK and Norway to work together on a long-term management strategy taking into account all factors impacting stock (spawning) dynamics, including those related to climate, the ecosystem and other economic uses of the relevant areas. Research is needed to better assess the effects on the herring stock and recruitment of the greatly increasing abundance of windfarms and predator populations.

EU-UK / Western horse mackerel

The EU pelagic industry notes with great concern the ICES advice for a zero-TAC (0 tonnes) for this stock, with ICES's assessment showing a consistently low recruitment. The assessment includes a retrospective adjustment scaling fishing mortality further upward and spawning stock biomass (SSB) further downward, leading the latter to fall below B_{lim} . Said adjustment and the possible influence of the positive outlier of the 1982 (!) year class appear to be weaker elements in the current model. Therefore the EU industry calls for a benchmark procedure to be carried out without delay, covering the Western, Southern and North Sea horse mackerel stocks.

It needs mentioning that 2022 catch data point to another year of (close to) full utilisation of the TAC and appear to indicate a certain recovery. It should also be stressed that the estimated biomass is substantial at around 750 000 - 800 000 tonnes and will remain so in the various scenarios listed by ICES. Furthermore, the absence of a TAC would impact the viability of those fisheries taking place in conjunction with the horse mackerel fishery around the same fishing grounds.

We have a responsibility to keep the fishery alive if we can do so in a sustainable way. Therefore, and considering all the above, the EU industry, like the PelAC, would favour the main alternative to the zero-TAC advice (MSY approach), which is to follow the ICES-approved PelAC rebuilding plan. This would result in a TAC for 2023 of 15 513 tonnes (-78%). Further simulations using current data show that with a fishing mortality lower than 0.075, effective rebuilding would indeed be possible over the next 6 to 7 years, with projected catches increasing up to around 45 000 tonnes in 2029-2030. The industry would support the process by putting great effort into collecting catch data and genetic data.

As the EU and the UK have not yet agreed on the use of the PelAC rebuilding plan (although advised by the PelAC last year), the industry as co-owner of the plan requests the Commission and the Council to (re)introduce it to the UK right at the start of their talks and discuss the need for further evaluation of the plan, as advised by the PelAC.

EU-UK / Greater silversmelt

In light of last year's increase by 218%, the EU industry can support the ICES advice of 17 078 tonnes (-30% compared to the previous advice, -10% compared to the 2022 assumed catch), as well as the recommendations by the PelAC and the NWWAC.



Since 2016, unilateral quotas have been set by the Faroe Islands and EU/UK separately, and the sum exceeds the recommended catches. We call on the EU Commission and the Council to prevent overfishing of the stock and reach an agreement on the sharing of this stock.

EU-Norway / exchange of quotas ('balance')

The EU pelagic industry considers the amount of blue whiting to be transferred to Norway the most important aspect of the balance. The result should preferably improve on last year's (when 31 500 tonnes was transferred), making use of other stocks of interest to Norway instead where possible, while at the same time taking into account that the exchange of quotas will always have to be a package deal. We ask the Commission and the Council to revisit the potential contribution to the balance of the southern blue whiting sub-TAC (WHB/8C3411), a contribution which again failed to materialise during the previous negotiations. Finally, newly requested access for Norwegian vessels to parts of EU waters (e.g. the 'Irish Box') should not be considered and only be offered in exchange for payment in fish and on the basis of a revised and limited transfer agreement.

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