

European Association of Fish Producers Organisations

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



EAPO / AEOP

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EAPO21-45

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To: EU Member State Fisheries Ministers

Cc: EU Council Secretariat

Dear Madam, dear Sir,

Subject: EAPO Position Paper on Fishing Opportunities 2022

In anticipation of the December AGRIFISH Council EAPO wishes to inform you about the views its members have brought forward around the different bi- and multilateral consultations the European Commission has had, and is having, about the proposal for TACs and quotas 2022. We hope that despite the lateness of this communication about the items EAPO members have addressed with their respective national administrations, you will find this useful to take into account during your deliberations coming Sunday and Monday.

Stakeholder involvement

It is acknowledged that, following the UK's departure from the EU, the dynamics in terms of achieving sustainable fishing have changed. With numerous TACs jointly managed there are strong interlinkages between the EU, UK and Norwegian fleets in the waters concerned. EAPO recommends to pursue level playing fields when aiming to ensure sustainable exploitation of resources.

As a consequence of Brexit, the bilateral and trilateral consultations have become key steps towards setting Fishing Opportunities for shared fish stocks. EAPO wishes to emphasise the vital importance of stakeholder participation in such bi- and trilaterals and generally in the management and governance structures for partnership working with the UK, Norway and other Coastal States. In particular EAPO is requesting PO involvement with the Specialised Committee on Fisheries (SCF) as set up in line with the EU-UK Trade and Cooperation Agreement (TCA), specifically when it addresses issues like quota swaps, non-quota species and technical measures. As the new environment after the UK leaving the EU takes concrete form, we recommend the Council of Fisheries Ministers to include in the mandate to the European Commission a plan to ensure that stakeholder engagement and advice is central to all future management and governance structures being developed.

ICES advice: quality assurance, information from stakeholders and precautionary approach principle

In light of the objective to set fishing opportunities in line with scientific advice, EAPO appreciates the effort ICES has made in addressing quality assurance in stock assessments. There remains a critical need for quality assurance across all assessments in accordance with the ICES advisory plan. EAPO suggests that information on the level of quality assurance a stock has gone through – more specifically whether an assessment has gone into the ICES Transparency Assessment Framework (TAF) or not – is included in the ICES advice sheet. This should be located at the front of the advice page in a very simple and direct format, for example with a coding system.

The lack of data for certain stocks is negatively impacting stock assessments and management leading to uncertain catch advice and insufficient fishing opportunities. The ICES advisory plan recognises this as a quality assurance issue.

EAPO frequently raised issues of stock identification and how uncertainty around the degree at which two or more stocks of the same species are mixed, impacts the stock assessment process. Mismatches between stock and TAC management areas can lead to problems with the setting of reference points and to issues around management decisions. In light of this EAPO recommends the following:

- Managers should ensure that the implementation of the Data Collection Framework (DCF) is completed in order to improve data collection to inform the science so adequate advice can be provided as a robust basis for sustainable fisheries management in line with the CFP;
- More emphasis needs to be placed on finding means to use the experience of fishermen at sea for inclusion into the DCF;
- Genetic research should be used as a tool for informing fisheries managers in relation to stock structure and mixed-stock fisheries. EAPO recommends that also genetic data is integrated into the DCF.

Although frequently EAPO members are told that all the pillars of sustainability are taken into account for calculation of Maximum Sustainable Yield (MSY) reference points, the principle of applying Precautionary Approaches appears to be in contradiction. It is EAPO's view that when preparing fishing opportunities advice, the socio-economic risk factor should be identified much more clearly and the consequences for

communities should be taken into account much more adequately, as per article 2.2 of the Common Fisheries Policy (CFP), before applying a Precautionary Approach.

EAPO specifically refers at the many mixed demersal fisheries in the Atlantic basin in which discrepancies can occur between the stock status of different species. This leads to difficulties in TAC-setting based on individual stock scientific advice. We recommend to count on the fishers' experience to protect stocks identified as being in a dire state and to assist in restoring them, whilst maintaining the possibility to continue the sustainable catch of the other species in the mixed fishery.

Landing Obligation

EAPO would like to re-emphasise 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 development in TAC reflects the development in stock size. These provisions are the only way to make the Landing Obligation workable. It is therefore not logic to apply a deduction of exemption volumes when proposing a TAC.

A 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 TAC. Therefore EAPO recommends the continuation of the quota-exchange pool as mentioned in the Fishing Opportunities Regulations since 2019 to cover unavoidable by-catches by Member States that have no quota for such stocks. This also covers stocks with zero catch advice for which bycatch provisions are foreseen to avoid premature closures of mixed fisheries. In this respect, EAPO fully accepts that directed fishery on such stocks remains prohibited. It is imperative that this approach is maintained as part of the 2022 TACs and Quota to avoid the premature closure of a vast array of sustainable fisheries.

Comments on stocks

EAPO members have substantially contributed to advice issued by the different Advisory Councils (ACs) and in addition EAPO's Baltic Sea Working Group and Northern Pelagic Working Group issued individual [position papers \(link\)](#).

EAPO specifically supports the [South Western Waters AC's advice 155 \(link\)](#) addressing stocks under EU management.

A large majority of the North Sea and North Western Waters stocks are under shared management and the consultations on fishing opportunities 2022 with third countries are currently still in process. There is a particular focus on cod stocks which is reflected amongst others in [the NWWAC advice on Fishing Opportunities 2022 \(link\)](#).

In the North Sea the fisheries will be heavily affected by the regulation of cod. The fishers have experienced a significant increase in catches, an increase that is not reflected in the scientific advice. This will inevitably lead to cod becoming a choke species, unless a balance is struck between real time experiences at sea, scientific perception and management obligations. EAPO therefore recommends to set the TAC for cod to 21.340 tonnes, which will bring it above B_{lim} at the end of the fishing year and which will still be based on a

mortality below F_{MSY} . Existing extraordinary measures shall remain in place until the spawning stock biomass is above $MSY_{Btrigger}$.

EAPO members look forward to be kept apprised about the proceedings and continue to stand ready to provide their input based on PO experience to their respective Member State Fisheries Ministries and Administrations. EAPO in turn is the platform to consolidate such PO-experience on this topic and remains available to contribute to the preparation of the December Council.

Looking forward to your views and wishing you every success at the upcoming Council, I remain,

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Esben Sverdrup-Jensen', written in a cursive style.

Esben Sverdrup-Jensen

President