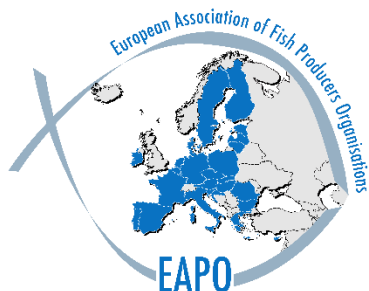


**European Association of Fish Producers Organisations**

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



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## Consultation on the proposed Southern North Sea Demersal Non-Quota Species Fisheries Management Plan

### **1. Do you have any comments on the engagement process for developing this draft FMP? See FMP engagement report for details.**

The 13 demersal non-quota species (NQS), which are shared stocks between the EU and UK, fall under the Trade & Cooperation Agreement. EAPO encourages strong collaboration between the parties on proposed management measures, ensuring the involvement of all stakeholders. It is in the best interest of all parties to enhance the management of these stocks, particularly in light of recent initiatives aimed at developing individual stock catch advice. EAPO regrets the lack of consideration of the Specialised Committee on Fisheries, that “may in particular provide a forum for discussion and cooperation in relation to sustainable fisheries management” (article 508.1a of the TCA).

### **2. Do you have any comments on the evidence used in the draft FMP?**

EAPO find that the evidence text does not describe what the landings, values and gear percentages data represent. More detailed data on catch composition and historical evolution is absolutely necessary to justify the proposed measures. In the current documents, it appears that those measures are based on consulted stakeholders’ concerns only. Besides, it is not clear if the numbers presented are based on UK auctions/markets and landings in UK harbours and if EU auctions/markets and landings from EU harbours are also included. EAPO would like to point out that the economic dependence on the FMP species has been estimated for UK vessels only. However, fishing of the FMP species is not exclusive to UK vessels but also involves EU vessels. For the right context, the economic dependence should in our view also be estimated for EU vessels. For instance, French flyseiners realise on average 53% of their 4c-revenue in the 6-12nm zone. Those seiners all exceed the 221 kW limit and will thus lose more than half of their revenue from that ICES zone.

### **3. Do you have any comments on the goals in the draft FMP?**

EAPO firmly asserts that the successful management of NQS species in the southern North Sea should be conducted in collaboration with the European Union, as highlighted in the consultation. Additionally, EAPO emphasizes the need for clarification on the benchmarks that will be utilized to assess the restoration of NQS stocks, and what is meant by the wider impacts of demersal NQS fisheries. On that matter, EAPO would like to raise warnings regarding goal n°3. EAPO wishes to stress the risk to fall in ideological battles around fishing gear impacts. There is still a pressing need for quantitative evidence on those impacts. Overly precautionary measures will be detrimental to large numbers of vessels with direct impacts on the downstream activities, such as ports and fishmongers. EAPO believes that it is important to develop social and economic objectives as well under the FMP in order to establish a balance with environmental goals. EAPO would welcome the opportunity to participate in the southern North Sea demersal NQS management group possibly through collaboration with its own North Sea Working Group.

### **4. Do you have any comments on the measures and actions in the draft FMP?**

In general, EAPO concludes that the FMP is highly focussed on restricting one specific gear type, namely flyseining. Fisheries targeting demersal non-quota stocks in the Southern North Sea employ several fishing gears, with the most widely used being the bottom trawl with doors (fishing gear code: OTB). This is evident from the number of vessels using OTB and the landing figures for non-quota species. However, the proposal to increase the mesh size to 100 mm only applies to flyseine gear (code SSC/SDN). In this regard, EAPO views the FMP as discriminatory.

The FMP indicates that the increase in flyseine fishing or demersal seining capability, and the emergence of newer and larger vessels in the southern North Sea (ICES areas 4b and 4c), has the potential to cause significant harm to the FMP stocks. EAPO acknowledges that the number of vessels deploying flyseine gear has increased in both the UK and EU fleets. However, EAPO does not support the suggestion that flyseining is an unsustainable fishing method that needs to be restricted. Flyseining already is a permitted fishery, with the ability to limit permits if the circumstances require it. EAPO would like to indicate that flyseining promotes high fuel efficiency, good fish quality, high selectivity and low impact on the seabed and benthic habitats. Furthermore, this fishing technique is only effective when there is sufficient natural light for the fish to see the seine ropes. Flyseining is only practiced during daylight hours.

EAPO cannot support restricting engine power of flyseiners to 221kW in the 0-12nm zone, as French flyseiners realise on average 53% of their 4c-revenues in the 6-12nm zone. As stated earlier, this fleet exceeds the 221kW limit and will thus lose a significant part of their fishing opportunities within ICES area 4c.

EAPO cannot support the introduction of a measure for all flyseiners to use a minimum mesh size of 100mm in the English waters of ICES area 4b and 4c. As indicated earlier, this measure would be discriminatory for a fishing method. Next to this, EAPO would advocate for alignment of minimum mesh sizes between UK and EU waters: the introduction of a minimum mesh size of 80mm is currently being discussed for flyseining in EU waters and alignment of this mesh size in UK waters would be highly beneficial.

EAPO cannot support the implementation of a gross tonnage limitation, a permitting scheme, an engine size limitation and a rope length and diameter restriction in ICES areas 4b and 4c for

flyseiners, as it is not described what these limitations and restrictions might be. The exact limitation and restriction of the above mentioned measures should be defined first and (scientifically) substantiated before these measures could be supported.

EAPO cannot support the implementation of seasonal closures or time restrictions. It is essential to gather more scientific knowledge about the seasonal distribution and migration patterns of the FMP species in order to design outlines for seasonal closures or time restrictions. Therefore, EAPO deems seasonal closures or time restrictions to be sub-optimal measures and only a last resort.

Regarding the emerging cephalopod fisheries EAPO can support improving monitoring and data collection for cephalopod species in the Southern North Sea in order to assess and understand stock dynamics and health.

EAPO cannot support the implementation of a Minimum Conservation Reference Size (MCRS) for flyseine species such as red mullet and gurnards as it is not described what the MCRS in cm might be and for which species a MCRS will be implemented. The exact MCRS in cm should be investigated and determined first based on best available scientific knowledge, before this measure could be supported. The introduction of an MCRS should be based on scientific studies. Without scientific evidence, it will be difficult to assess the effectiveness of such a measure. EAPO members support the idea of an MCRS to protect juvenile fish, as it aligns with the goal of stock health and population growth. However, it is essential that MCRS implementation remains practical and feasible for fishers. Measures that are too complex may impact operational efficiency. Furthermore, EAPO wishes to draw the attention of DEFRA to the difficulties that professional fishers at sea experience with different minimum sizes across borders.

Lastly, the administration must be conscious of the consequences of effort displacement on maritime security. Following the measures on flyseiners adopted in December 2024 in the eastern Channel, the ship density in this zone's European waters reached concerning levels. This effort displacement also puts at risk non-quota stocks on the European side, going against the objectives of sustainable fisheries displayed in the UK's fisheries' strategy.

## **6. Do you have any additional comments on the draft FMP?**

It is crucial to evaluate the socio-economic impacts of introducing new management measures. Sustainable fishing relies on the harmonious integration of social, economic, and environmental factors, all of which must be in balance. EAPO advises that the management of NQS should actively involve stakeholders rather than being conducted in isolation by individual parties. Engaging in discussions at the stakeholder level is essential to foster significant changes that can be effectively implemented at sea.

Finally, regarding the De-Minimis Assessment (DMA), EAPO would like to express its opposition to the policy options considered. The options 0 ("Do nothing") and 1 ("Self-Regulation") imply that only option 2 ("FMP") can ensure a sustainable exploitation of non-quota demersal stocks. The Advisory Councils provide a platform for stakeholders to discuss and progress collaboratively towards more sustainable fisheries. Consequently, EAPO cannot accept DEFRA's statement in option 1 ("Voluntary measures are unenforceable so there's no guarantee they provide increased protection to stocks.") and the attached rationale.

7. Do you have any comments on the assessment of the environmental effects of the draft FMP, as set out in the environmental report?

Regarding benthic impacts of fishing gear, the environmental report states that “there is widespread disturbance of seabed habitats by demersal towed gear and other marine activities, and this is preventing the achievement of [good environmental status,] GES. Other impacts from non-fisheries activities may also be having an influence, but to a much lesser degree.” Again, EAPO stresses the need to quantify these benthic impacts, in particular in relation to the sediment type, to move away from ideological oppositions between stakeholders. Scientific studies have shown that tremendous sediment movements in sandy-muddy environments, which are very common in the southern North Sea, are caused by natural factors such as hydrodynamics and storms.