

ISSUES PAPER

ON MULTI-ANNUAL PLANS IN EU WESTERN WATERS

This document serves the purpose of guiding a debate on the possible scope of multiannual plans. It cannot in any circumstances be regarded as the official position of the Commission. It is intended solely for those to whom it is addressed.

1. SUMMARY

This paper lists and analyses briefly the different issues that may emerge when conceiving multi-annual plans (MAPs) applicable to fishing in EU western waters (ICES sub-areas V-X and CECAF 34.1.1) on the basis of the orientations given in the report of the inter-institutional task force on multi-annual plans¹. The purpose of this document is to guide a first discussion with the co-deciders and help the Commission to define the scope and content of its proposals.

2. ONE OR SEVERAL (HOW MANY?) MAPs?

Possible criteria to define the scope of MAPs:

- Homogeneity with regard to stock distribution (as defined in ICES advice) and/or management areas (as defined in the TACs regulation). If possible, avoid a biological stock appearing in two distinct MAPs
- Homogeneity with regard the type of fisheries (pelagic, demersal) and fleets involved
- Number of MAPs should be as small as possible
- Coincidence with areas covered by Advisory Councils and the regional MS groupings which have developed joint recommendations for discard plans would be desirable.
- Coincidence with MSFD sub-regions

Table 2.1 gives an idea of how the biological stocks are distributed over the area and what are the distinct management areas currently used. Pelagic stocks appear in first position of the list, but it should be noted that in areas VIIIc and IXa mackerel and horse-mackerel are caught to a great extent in mixed demersal fisheries. Preliminary thoughts resulting from examination of the table suggest that it would make sense to join areas from Vb to VIIIab in a single MAP for demersal fish: in this area there are no stocks biologically extending to the Iberian area (VIIIc and IX), except for horse mackerel, mackerel and blue whiting (all of them pelagics), but these stocks are managed separately in both regions. However, the areas would not coincide with the areas covered by the NWWAC and SWWAC, and this may be a problem when seeking the advice of these Councils. Joining area VIIIabde with the "Iberian" MAP would on the one hand facilitate consultation with the Advisory Councils and would make sense in the context of the marine Strategy Framework Directive, where the Bay of Biscay and the Atlantic Iberian coast constitute a distinct subregion within the region "North-east Atlantic Ocean". But on the other hand this division will not match the biological distribution of hake, megrim and anglerfish.

¹ Council Doc. No 8529/14 of 3 April 2014

Table 2.1: Geographical distribution of fish stocks in western waters. Pelagic stocks appear in first position. Different shading means different management (TAC) units for the same stock. Shaded names represent stocks for which, at least partly, an analytical assessment is available and for which MSY-related values are potentially available

[illegible]

	X	CECA F 34.1.1	IX	VIIIc	VIIIab de	VIIk	VIIj	VIIh	VIIg	VII f	VIIe	VII d	VIIc	VIIb	VIIa	VIIb	VIa	Vb	Beyon d
Haddock																			
Whiting																			
Whiting																			
Whiting																			
Whiting																			
Hake																			
Hake																			
Blue ling																			
Ling																			
Ling																			
Norway lobster																			
Norway lobster																			
Norway lobster																			
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Norway lobster																			
Plaice																			
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Pollack																			
Saithe																			
Saithe																			
Skates and rays																			
Skates and rays																			
Skates and rays																			
Gr. halibut																			

	X	CECA F 34.1.1	IX	VIIIc	VIIIab de	VIIk	VIIj	VIIh	VIIg	VII f	VIIe	VII d	VIIc	VIIb	VIIa	VIb	VIa	Vb	Beyon d
Sole																			
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3. WHICH STOCKS TO INCLUDE?

In principle, the basic Regulation does not give indications on which fish stocks are to be included. As a matter of fact, as long as Article 9(2) foresees the setting of precautionary targets whenever the targets relating to MSY cannot be determined, any fish stock is a candidate for inclusion even in absence of analytical assessments allowing the determination of MSY-related targets.

There is no objective reason not to include, at least, those stocks for which TAC is set on the basis of an analytical assessment that, in principle, would also yield MSY-related values. Those stocks are highlighted in Table 2.1.

Another category of stocks is the "data limited" ones, for which a TAC is set on the basis scientific considerations other than a full analytical assessment. If these stocks are to be included in the plan, then consideration should be given on how to deal with them. Scientific advice should be sought on whether their management is already covered by the MSY-driven management of the main species, or on possible MSY proxies for the new stocks, with a view to better design the appropriate management measures. At the same time, it would be conceivable to insert in the MAP measures facilitating a future full analytical assessment, as well as measures to prevent analytically-assessed stocks falling into the "data limited" category.

Finally, there are stocks for which TACs are not set but which are economically and/or biologically important. For some of these, measures already exist at national level, and the question is whether these measures are effective, coordinated and aiming at the objectives of the CFP. Examples of these are sea bass, crabs and lobster, scallops, cephalopods, red mullet, flatfish other than plaice and sole, etc. Some of these stocks are subject to effort limitations in the context of the Western Waters regime, but this does not mean that they are managed in accordance with the new CFP. Consideration should be given to including these stocks in the MAP, perhaps with a specific mandate for Member States to issue measures conducive to a MSY-related objective.

4. OBJECTIVES AND TARGETS

It ensues from the CFP that MAPs should have MSY as the primary objective. Given the timing of the MAP proposals, 2015 as a deadline for MSY will not objectively be an option and it would be more realistic to choose the 2020 deadline. Where exploitation rates are known, either in the form of fishing mortality or any other variable capable of describing the exploitation rate, science should be able to provide ranges of values within which the stock is believed to produce MSY. The legislator could then choose to maintain the stock at that level, thus maximising yields, or to aim at lower exploitation rates with a view to having the stocks above the MSY levels, thus increasing economic and/or biological benefits. Expressing MSY-related ranges of values for exploitation rates also allows a better synchronisation of specific objectives for different stocks in mixed fisheries.

It goes without saying that the lower boundaries of the MSY-related ranges of values for exploitation rates are not a limiting factor since the objective set out in Regulation (EU) No 1380/2013 is to maintain stocks "above" the levels producing MSY. An important issue to consider in mixed fisheries is that there may be

situations where exploitation must be below the lower boundary. Since this may imply loss of long-term yield, how far below are we ready to go in that direction?

Where science cannot calculate exploitation rates or these are not appropriate to establish MSY levels, it should provide indications² on what maximum catches can be kept in the long term without increases in fishing intensity and avoiding stock decline. The objective for these stocks should then be to arrive at that desired status.

Whenever none of these scientific indications becomes available, alternative objectives could be set such as avoiding stock decline and catch stabilisation. In any case, the plan should also aim at improving scientific knowledge on all stocks, especially data-limited or data-lacking ones, with a view to maximise the number of stocks managed on a scientific basis with a MSY-related objective.

Secondary objectives and targets can be set in terms of inter-annual variability in fishing opportunities, improvements of scientific knowledge (reduction of number of data-limited stocks), by-catch reduction, market supply evenness, etc.

5. SAFEGUARDS

Ideally, these should be established as a guarantee that the stocks will not fall below certain threshold levels. These levels are to be set case by case, on the basis of scientific advice, and may represent situations where there is no certainty that the stock will be able to replenish and grow towards sizes capable of producing MSY. They may also represent stock levels or exploitation rates to avoid for economic reasons.

There is a need to decide whether safeguards will be set only in terms of biomass (and hence only for those stocks for which a full assessment is available) or they may include proxies such as egg abundance, catch per unit effort of selected fleets or other type of indicator.

An issue that emerges here is how to specify the triggering of *ad hoc* measures. Would these apply when the stock has fallen below the safeguard value or, in addition, when the prognosis is that, despite the adoption of very restrictive fishing opportunities, the stock is expected to fall below the safeguard value the following year? Will the measures be triggered only when the safeguard levels have been or will be surpassed for two consecutive years?

MAPs should include a provision allowing adaptation of MSY-related indicators and safeguards, including the insertion of new values, following changes in scientific advice.

6. TYPES OF MEASURES

On fixing fishing opportunities, the MAP does not need to specify any given methodology (quotas, effort management, harvest rules) but just indicate that fishing opportunities shall be set aiming at the objectives (primary and secondary) of the

² These can be, e.g. based on stocks' biological features and on historical records of catch, catch per unit effort of selected fleets and abundance indices from scientific surveys.

MAP. It will be then for the Council, on a proposal from the Commission, to adopt the required legislation on fishing opportunities.

MAPs should also include measures aiming at facilitating the implementation of the landing obligation. An issue to consider is whether the MAP will be prescriptive on those measures, will just establish a procedure for their adoption by regionalisation/delegation or a combination of both.

In addition, the MAP should foresee specific measures in case safeguard levels are breached. These should have as sole objective to rebuild stocks above the safeguard levels and facilitate the attainment of MSY within the desired deadlines. As for measures related to the landing obligation, safeguard conditions in the MAP can range from purely prescriptive to just procedural ones.

Technical conservation measures contributing to the objectives of the MAP are also conceivable. Regionalisation/delegation seems the most appropriate approach, but the MAP could already set some specific principles (avoidance of juvenile fish, avoidance of undesired by-catch, environmental protection).

Another issue to consider is whether MAPs should include specific obligations for Member States such as allocating quotas to fishing operators and swap fishing opportunities with other Member States in a manner that avoids choke effects while permitting full utilisation of fishing opportunities and even supply to the markets.

Furthermore, it is possible that special control measures, going beyond or specifying the measures of Regulation (EC) No 1224/2009, are required. Equally, specific measures could be foreseen to improve scientific knowledge.

Finally, consideration should be given to provisions on monitoring and assessing the implementation of the plan.