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NWWAC ADVICE

Management measures for Seabass for 2021

27 November 2020

1. Background

The NWWAC Focus Group on Seabass met four times in the period from September to November 2020 to discuss the preparation of an advice to the COM on potential measures to take in 2021 in both commercial and recreational fisheries to aid the recovery of seabass stocks. The advice presented below was further discussed and finalised by correspondence and approved by the Executive Committee of the NWWAC by written procedure on 27 November 2020. No consensus could be reached and accordingly this document provides recommendations adopted by a majority of the members of the Executive Committee of the NWWAC and, as required by Annex III of (EC) No 1224/2009, records the dissenting opinion expressed by the European Anglers Alliance (EAA), the International Forum for Sustainable Underwater Activities (IFSUA) and the Irish Seal Sanctuary (ISS).

2. Seabass catches allocation tool

At the request of the European Commission, ICES developed an allocation tool for sea bass catches aimed at testing management scenarios for commercial fishing (annual or monthly individual limits by trade) and for recreational fishing (daily individual limit per period), using ICES sampling recommendations as the maximum value.

The tool was made available to the NWWAC to prepare its opinion at the end of 2019. In response and in view of the concerns that the use of the tool gave rise to and the points of weakness identified, the NWWAC considered that a revision and a substantial improvement of the tool were necessary before it could be put to good use for the exercise of discussing management measures.

An updated version of the tool[1] has been available since 22 October 2020. The European Commission reiterated its intention to use it to define management measures in 2021 and once again invited the NWWAC to formulate its proposals for 2021 on this new basis.

The members of the NWWAC would like to stress that, while ICES has developed and revised the allocation tool, **this tool does not in any way form the basis of any ICES recommendation for sea bass management[2].**

[1] The online seabass catch allocation tool can be accessed here.
[2] As mentioned in the Introduction section on the tool webpage: link

a. NWWAC consensus opinion on the revised tool

Beyond the updating of the ICES recommendations for the stock for 2021 and the addition of various practical functionalities, the main evolution of the tool relates to the revision of the number of vessels used to simulate the production of commercial fishing. According to data collected from producer Member States on fishing activities in 2019, the results of which have been analysed by ICES[3], the number of vessels has increased significantly.

The results of several simulations are presented in the table below. Since the tool does not allow testing of all measures, or the exact selection of measures, applied or proposed (for example % of total catches per day or trip for trawl and seine, bimonthly limitations, no differentiated time depending on the profession, etc.), the simulations are based only on part of the measures or, in the case of monthly limits, on an estimate of these limits. Simulations 1 to 4 take the best individual quantitative limits fixed in 2019, and simulations 5 to 8 use those proposed by the NWWAC for 2021 (see paragraph 3 of this document).

	Catch advice	Time step	Rec. fishing		Commercial fishing (month nb)				Estimated removals (t)		
			Period	fish/day	Lines	Gill nets	Trawls	Seines	Rec.	Com.	Total
1.	F_{MSY} lower	Annual	7	1	5,5	1,4	2	2,1	288	5396	**5684**
2.	F_{MSY}	Annual	7	1	5,5	1,4	2	2,1	285	5397	**5682**
3.	F_{MSY} lower	Monthly	7	1	0,55 (10)	0,14 (10)	0,2 (10)	0,21 (10)	288	5396	**5684**
4.	F_{MSY}	Monthly	7	1	0,55 (10)	0,14 (10)	0,2 (10)	0,21 (10)	285	5397	**5682**
5.	F_{MSY} lower	Annual	9	2	5,7	1,4	3,1	3,1	429	6199	**6628**
6.	F_{MSY}	Annual	9	2	5,7	1,4	3,1	3,1	424	6199	**6623**
7.	F_{MSY} lower	Monthly	9	2	0,57 (10)	0,14 (10)	0,258 (12)	0,258 (12)	429	6196	**6625**
8.	F_{MSY}	Monthly	9	2	0,57 (10)	0,14 (10)	0,258 (12)	0,258 (12)	424	6196	**6620**

These results first show unexpectedly that the choice of a management target at F_{MSY} is more cautious than that at F_{MSY} lower, which appears contradictory to the logic presented in table 3 of the ICES advice for 2021 (distribution and estimated harvest levels from recreational and commercial fisheries at F_{MSY} and F_{MSY} lower).

The results also show that an annual catch limitation leads to the same result as a monthly limitation. The tool therefore takes into account neither the seasonality of catches, which is, however, very marked for certain metiers, nor the higher activity constraints imposed on commercial fishing by a monthly limitation. The tool is largely free from the restrictions applied in reality and the reasons (adaptability and flexibility) that underlie some of the NWWAC's proposals for 2021.

Above all, the completely unrealistic assumption that each vessel exhausts its entire catch limit, associated with the increase in the number of reference vessel numbers for this new version of the tool, greatly overestimates the fishery withdrawals. Indeed, the estimates resulting from simulations

[3] ICES. 2020. Brief analysis of the data received in response to the 2020 data call on landings by vessel and métier for sea bass (Dicentrarchus labrax) in divisions 4.b–c, 7.a, and 7.d–h. In Report of the ICES Advisory Committee, 2020. ICES Advice 2020, ts.2020.01. link.

1 to 8 are all higher than the catches (discards included) recorded in 2010, i.e. the maximum production level achieved over the past 35 years, while the spawning biomass level (SSB) estimated by ICES in 2010 reached its maximum and, on the contrary, fishing mortality is currently at its lowest level in series. The 2019 catches (including discards) appearing in the ICES opinion for 2021 represent at best a quarter of the tool's estimates according to simulations 1 to 4.

On this basis, the exercise requested by the Commission, consisting of using this tool to identify individual catch limits allowing compliance with ICES recommendations for 2021, does not seem to be logical. It amounts to obscuring the efforts and constraints imposed on the fishery for more than 5 years, while the first signs of encouragement are now being seen on the state of the stock.

The NWWAC also regrets that clear answers could not be provided to all the questions formulated in its 2019 opinion, in particular on the degree of uncertainty of the results of the tool, on the consequences of the application to all metiers with "the same selectivity as that used in the ICES forecasts", on the taking into account of discards, etc. The AC also notes that this new version of the tool does not provide any solution to the major weaknesses identified in 2019, in particular:

- The tool obscures some of the measures presented in article 10 of Regulation (EU) 2020/123, such as the percentage of total catches per trip for trawl and seine, which is all the more impacting as its level is low, and does not take into account the management measures provided for in other pieces of legislation (technical measures, national measures, etc.). Thus, the tool does not allow testing or defending measures other than individual catch limits;
- It only allows comparison of results with ICES recommendations and is therefore limited to looking at stock management through the prism of biological considerations. Thus, it ignores the social and economic dimensions and does not take into account the shared desire to act as a priority on reducing discards;
- It induces a discriminatory treatment between commercial and recreational fishing activities by applying the assumption that each commercial vessel reaches the catch limit assigned to it, unlike for recreational fishermen.

For these various reasons, the members of the NWWAC maintain their position and believe that a revision and a substantial improvement of the tool is necessary before it can be put to good use for the exercise of discussing management measures.

b. NWWAC consensus proposal for improvement opportunities and other applicable parameters

Among the various weaknesses of the tool identified previously, the most detrimental to estimating the levels of commercial fishing withdrawals and comparing same to a management objective, concerns the application of the assumption of each vessel exhausting the entire individual catch limit. To overcome this and reduce overestimation of results, at least partially, a method of subdividing the

number of vessels corresponding to each metier[4] into three groups, according to the individual production of each vessel in the previous year, can be applied. To facilitate understanding, a graphical representation of this method is given below.

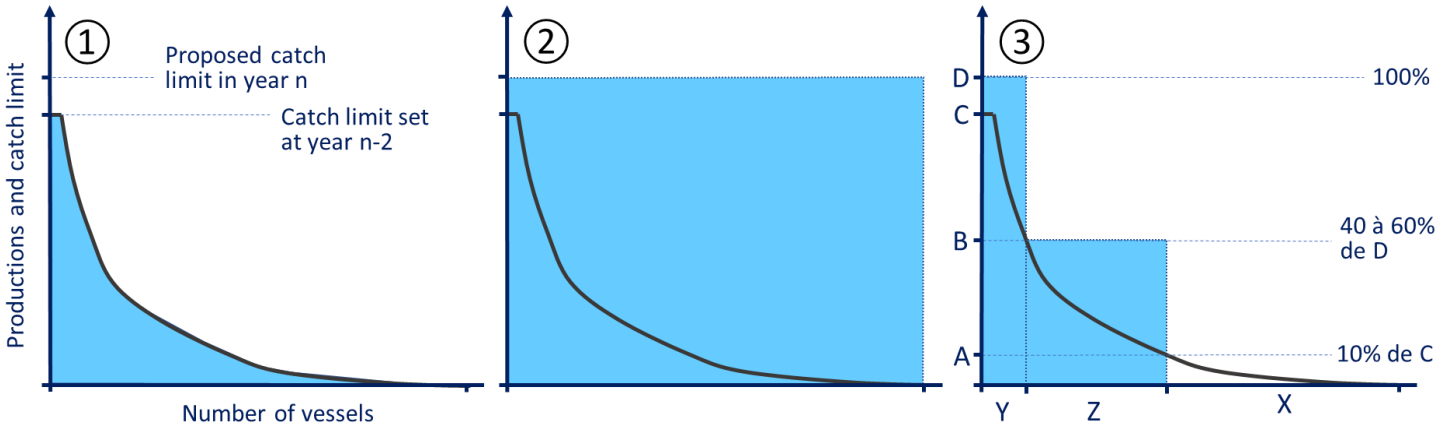

Figure ① is a representation of the level of production of each of the vessels that caught seabass using the fishing gear considered, for one of the metiers benefiting from a derogation from the total ban (hook, net, bottom trawl or seine). The area coloured in blue corresponds to the actual total production for the previous year (n-2). The general shape of the curve is similar to those presented in the ICES analysis and/or those obtained from French data from 2019. Only a few vessels reach the individual catch limit[5].

Figure ② presents the result of the calculation made by the tool for a proposed catch limit for the following year (n) which, in this example, is slightly higher than that of the previous year (n-2). The area coloured in blue corresponds here to the level of samples estimated by the tool.

[4] This number should only concern, for hook and set net trades, vessels meeting the quota and capacity limitation measures provided for in Article 10 of Regulation (EU) No 2020/123. It can be updated every year or according to a time step to be defined.

[5] The ICES analysis does not seek to assess the relevance of the levels of the catch limits applied or proposed, the data collected and the treatments carried out not allowing this. ICES specifies that "the measures and limits described in article 10 of EU (2020) are more complex than the simplification used for this analysis". According to members of the industry, Figures 3-6 of the document, on the contrary, show the strong constraints undergone and the efforts made by the fisheries since 2015: disappearance of a majority of specialized vessels, replaced by multi-active vessels (hook), reorientation towards other resources (all trades), development of bass avoidance strategy (trawl and seine), absence of targeted fishing (net, seine trawl), etc. They also highlight the particular situation of a minority of gillnetters, trawlers and purse seiners, in the absence of a convincing and viable solution to reduce their inevitable catches of seabass.

Figure ③ shows the result obtained by the alternative method. In the same way, the coloured surface corresponds to the level of samples estimated by means of this method. For the metier considered, this method distinguishes between:

- X: Vessels having had (very) low production the previous year (year n-2), for example less than 10% (A) of the limit set at n-2 (C), which are excluded from the calculations made by the tool. The outputs of these vessels will be influenced very little by the increase (or decrease) of the limit in year n. They are compensated for by the overestimates of the productions obtained from the two other groups;
- Y: The ships having utilised, according to their productions in year n-2, a significant part of the limit proposed in year n, between 40 and 60% of the new limit for example (B), to which the value of this new limit (D) is assigned;
- Z: The remaining vessels whose catches are far from the limit proposed in year n and for which an intermediate value of the new limit, between 40 and 60% depending on the example chosen (B), is thus to be used for the calculation. In the same way as for group X, the productions of vessels of group Z will be only slightly influenced by a moderate increase (or decrease) in the limit in year n.

This method remains imperfect and does not provide a solution to all the reservations formulated by the AC on this tool. However, it would help to give sufficient credibility to the levels of the estimates to allow their comparison with ICES recommendations and to open a discussion on these figures in relation to the actual framework proposed, which is not the case with the current tool.

For trawl and seine trades in particular, the added value of this method only exists if the exercise is carried out on total production, landings and discards, or if the level of the percentage of total catches per trip remains acceptable (5%) so that the influence of this additional measure, aimed at prohibiting the return of any targeted fishing practice, remains weak to moderate on production.

In the absence of sufficient time to revise the tool before year-end decisions, if necessary using the alternative method detailed above, another solution can be considered immediately. It is not based on the calculation of total removals but on the analysis of the individual catch limits simulated by the tool.

Indeed, after entering the various parameters and values to be simulated and then launching the test, several figures and tables are generated by the tool. Table 1 shows the individual catch limits per metier simulated by the tool so as not to exceed the chosen management option (FMSY or FMSY lower). The example presented below was obtained from simulation 5 of the table in the previous paragraph, i.e. from the NWWAC proposal for 2021.

Table 1: Simulated catch allocations by vessel. Catch allocations may be less than those entered since total catch is limited to the advice level chosen. Weights are in tonnes.

.	Demersal Trawl	Gill Nets	Hooks and Lines	Seines
Annual catch/vessel	0.62	0.28	1.15	0.63

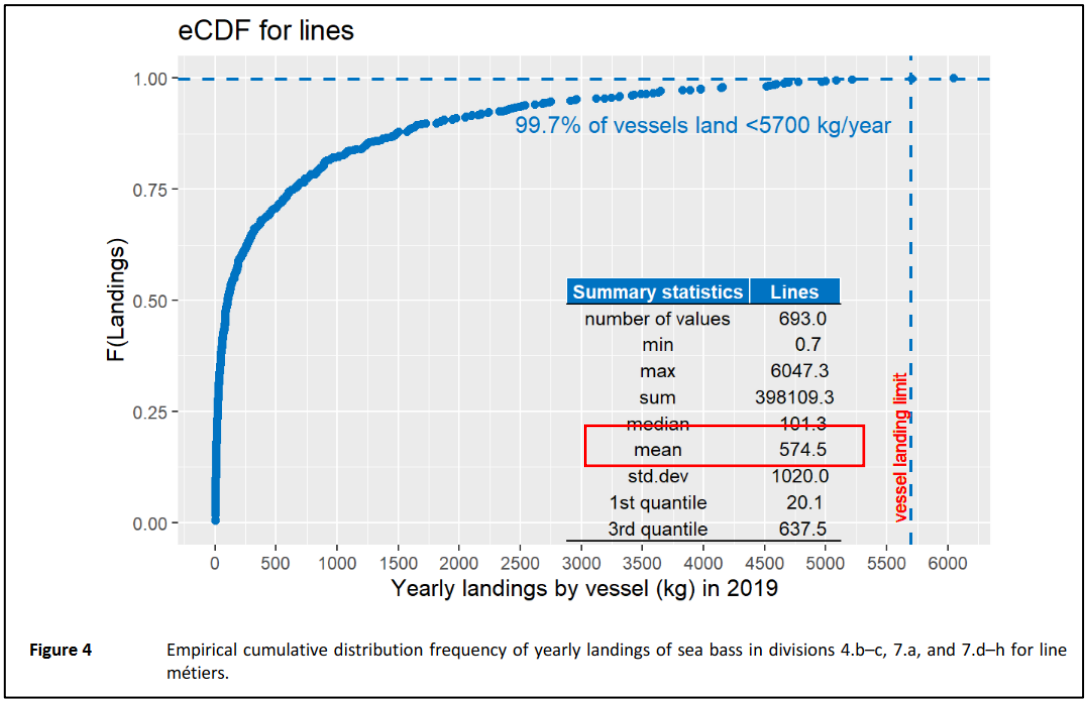

Figure 4 Empirical cumulative distribution frequency of yearly landings of sea bass in divisions 4.b–c, 7.a, and 7.d–h for line métiers.

The tool therefore proposes in this example to set the individual limit for the hook metier at 1.15 tonnes for 2021. Given the fact that the tool considers that each vessel has reached the catch limit allocated to it, this limit also constitutes the average annual individual production that the vessels practicing the hook metier must not exceed in order to meet the management objective. The simulated value can thus be compared with the most recent actual value for the fleet considered. This value is presented above (red frame), in Figure 4 of the ICES analysis.

The average production of hook vessels that caught seabass in 2019, for an individual catch limit set at 5.5 tonnes, amounts to 0.57 tonnes, i.e. barely 50% of the production simulated by the tool. The comparisons made for the other metiers and from the other simulations tested (1, 2 and 6) lead to the same result, except for seine where the real value is slightly higher than the simulated value. The vessels in this fleet segment are, however, few in number (37 out of the 1,902 ships considered by the analysis) and this excess is compensated for by other metiers. Likewise, the differences observed between actual values for 2019 and those simulated for 2021 appear sufficiently large to support the NWWAC management measures for 2021 proposed by a majority of the members of the NWWAC Focus Group Seabass, slightly higher compared to 2019 for certain metiers.

Thus, according to these elements, it appears that the simulations carried out by the tool, using only one part of the proposals for management measures of the NWWAC for 2021, tend to show that the latter make it possible to comply with the ICES recommendation for 2021.

3. Recommendations adopted by a majority of the members of the NWWAC Focus Group Seabass

The 2020 ICES advice for seabass stocks in Divisions 4.b–c, 7.a, and 7.d–h (central and southern North Sea, Irish Sea, English Channel, Bristol Channel, and Celtic Sea) shows some improvement in comparison with the last years' trends. Indeed, fishing mortality (F) has been below F_{MSY} since 2016. After a period of decline from 2009 to 2017, the spawning stock biomass (SSB) has shown an upward trend since then and is currently just above B_{lim}. In accordance with the Western Waters Multiannual Plan (Regulation (EU) 2019/472), ICES advise that total removals in 2021 that correspond to the F ranges in the plan are between 1680 tonnes and 2000 tonnes.

To aid stock recovery, EU-wide measures have been introduced since 2015 to reduce exploitation, and now essentially prohibit directed fishing for seabass, except with hooks and lines. Recreational fisheries were restricted by no-retention some months of the year and daily bag limits the rest of the year.

The management measures introduced for seabass have reportedly resulted in changes in fishing behaviour to avoid catches of bass. These measures produced a dramatic decrease in fishing mortality, with biomass showing positive trends of recovery. However, the NWWAC believes that it would not be wise to relax the management measures too early, as some good recruitment will be required to rebuild the stock to safe levels. As reported by ICES, most of catches since 2017 have been unavoidable bycatches. Industry members have reported great and increasing levels of above minimum sized seabass discards since 2017. The industry reports that discards are larger than landings in France since 2018. Industry members believe that this trend is likely to continue if measures adapted to the reality of the inevitable catch levels are not defined. This is mainly due to the stronger 2013, 2014 and 2016 year classes recruit to the fishery. ICES assumed discards data suggest a decline over the last three years but note that this may be substantially underestimated.

The NWWAC is aware that this advice might have to be revised considering possible future changes in EU waters jurisdiction and development of bilateral agreements after Brexit.

a. Management measures for commercial and recreational fisheries

Despite improving trends and although the biomass level is now above the limit biomass threshold (Blim), the stock is still fragile and its condition remains unsatisfactory. It is still too early to change in depth the management principles applied since 2017 both for commercial fishing (total ban on fishing

except for certain metier, prohibition on targeted fishing except with hooks and lines, etc.) and for recreational fishing (bag limit and "no kill" period).
Uncertainties surrounding, on the one hand, the harvesting of recreational fishing, which affects the precision of the scientific advice (management target) and, on the other hand, the adequacy between the measures set and the target of management (estimates of removals vs actual removals for recreational fishing and for discards from commercial fishing), the AC considers it more prudent to base its proposed measures for 2021 on those for 2020 and, except in special circumstances, to keep them identical to 2020 so as not to increase the mortality rate and to aim for an overall level of withdrawals within the range of F_{MSY} in the ICES advice.

i. Proposal for commercial fisheries

The table below provides an overview of the exemptions implemented over the past four years and presents the proposed measures for 2021.

- **Hook and line and set net metiers**

It is the opinion of the AC industry sector representatives that measures relating to the hook and line and set net metiers are generally accepted and that professionals have been willing for several years to comply with these restrictions in order to protect the stock in a long-term management strategy. They would not understand, however, that more measures would be imposed on them in 2021, especially when facing concrete positive trends of the seabass stock and increase of the biomass.

The majority AC's 2021 proposal for hook and set net metiers is as follows:

- Continuation of the ban on catches in February and March;
- Maintain individual maximum annualized landing limits per vessel and overall restrictions in terms of vessel capacity and contingency, based on catch history in set net and hook metiers.

- **Bottom trawl and seine metiers**

These businesses generate the majority of seabass discards declared in the North zone (95% of discharges declared by all French vessels), mainly during the winter period (December-April). These discards consist mainly of individuals of legal size. Dead and lost for the rebuilding of the stock, they constitute a consequent socio-economic waste, which the AC, under the priority adaptations for 2021, proposes to reduce in favour of landings, without increasing the overall mortality rate associated with commercial fishing. This objective should also make it possible to reduce the uncertainty surrounding the estimates of releases from existing models and help to make the ICES diagnosis more reliable.

According to the review of the 2020 French data, the changes between 2019 and 2020 in the management measures for these metiers contributed to this objective: while discards were reduced

and landings increased at the start of the year (excluding the February-March closure period), total catches remained stable and these changes did not lead to a return to targeted fishing.

Thus, in order to act in favour of the reduction of discards while supporting the efforts of the sector in terms of reporting, it is necessary to bring more flexibility to these most affected fisheries.

Metiers	2017 Measures	2018 Measures	2019 Measures	2020 Measures	2021 Majority AC Proposal
Hook and line	February-March ban 10 t/year Capacity ceiling	February-March ban 5 t/year Capacity ceiling	February-March ban 5.5 t/year Capacity ceiling	February-March ban 5,7 tonnes per vessel per year Capacity ceiling	February-March ban 5,7 tonnes per vessel per year Capacity ceiling
Set net	250 kg/month Capacity ceiling	February-March ban 1.2 t/year Capacity ceiling	February-March ban 1.4 t/year Capacity ceiling	February-March ban 1,4 tonnes per vessel per year Capacity ceiling	February-March ban 1,4 tonnes per vessel per year Capacity ceiling
Demersal trawls and seines	3 % total catch/day 400 kg/month	February-March ban 1% total catch/day 100 kg/month (trawl net) 180 kg/month (seine)	February-March ban 1% total catch/day 400 kg/2months (trawls) 210 kg/month (seines)	February-March ban 520 kg/2 months 5 % weight total catches/ fishing trip	3.1 per vessel per year (i.e. 0.52 * 6) 5% weight total catches per fishing trip

The 2021 AC's proposals for demersal trawls and seines metiers are:

- **Lifting the ban on catches in February and March**: Accidental catches do not stop during this period, on the contrary, they tend to increase given the evolution of the stock: 75% of discards declared by French vessels were made in February and March over the first 7 months of 2020, against 61% in 2019. In addition, due to the prohibition of targeted fishing practices, this closure is redundant and does not contribute to the rebuilding of the stock.

- **Maintaining individual vessel landing limits, set at 5% of total catch (by weight) per trip set for 2020,** which prohibits any targeted fishing practice and contributes visibly and effectively to the priority objective for these metiers.
- **Setting an annual individual vessel landing limits (by weight),** further increasing flexibility and consistency, considering the diversity of situations across the Northern area. The members of the sector support this measure but recall that, if the management objective were really to limit the landings of these metiers to inevitable catches only, the percentage per trip would be sufficient and this quantitative limit would be superfluous.

According to the analysis of the catch data carried out in the North area in 2019 in the bottom trawl and seine metiers, taken from a sample of French trawlers and seiners of 436 vessels, it appears that only 35% of the vessels had a total individual annual production greater than or equal to 62 tonnes and would have been able to land 3.1 tonnes of seabass over the year if the measures proposed for 2021 had been applied in 2019 and in the extreme hypothesis where the catches of sea bass would represent at least 5% of the total catch at each trip. The proportion of vessels likely to reach the limit of 3.1 tonnes of seabass per year is actually lower: according to the same data set, less than 10% of French trawlers and seiners operating in the Northern area declared in 2019 catches (landings and discards) of seabass from the Northern zone at a level equal to or greater than 3.1 t.
Furthermore, the analysis of the data by trip on this same sample reveals the inevitability of the catches made by the fleet segment.

Before considering the above-mentioned proposals, a catch monitoring system should be established in the MS. This system should allow for tracking monthly catches (total landings and discards) offsetting these to prior monthly landings and discards, with the option to revise the above-mentioned rules in case more restrictive ones are needed to avoid an increase in overall mortality and/or discards.

ii. Proposal for recreational fisheries

The results of the 2018 ICES benchmark, which mainly concerned the reassessment of the pressure of recreational activities, demonstrate the importance of having a more precise and up-to-date estimate of the removals made by these activities. The relevance of ICES recommendations and the credibility of the management framework depend on them.

Despite repeated requests and announcements in recent years, no supervision and monitoring of removals commensurate with the challenges has been implemented. In addition, despite the stock situation, the management measures for recreational fishing were largely relaxed in 2020 compared to 2019. Finally, the share of recreational fishing removals out of the total represented 25.8% in 2012 (1440 t out of a total of 5584 t) according to the only quantified data available to date (survey). This

proportion would represent 26.3% according to ICES projections for 2021, if the 2020 measures were repeated identically in 2021 (442 t out of a total of 1680 t).

For these various reasons, the AC considers that no additional relaxation should be considered in the measures concerning recreational fishing and recommends that the 2020 measures be renewed identically for 2021.

Metiers	2017 Measures	2018 Measures	2019 Measures	2020 Measures	2021 Majority AC proposal
MRF / Recreational	Six months retention ban: January – June 1 fish/day: July - December	9 months retention ban (originally 12 months before revised ICES data): January – Sept 1 fish/day: Oct – Dec	Five months retention ban: January - March and Nov - Dec 1 fish/day: April - October	Retention ban in January, February and December. 2 fish/day: March – November (min size 42 cm) Net fishing ban	Ban on detention in January, February and December. 2 fish / day: March - November Net fishing ban

Moreover, the AC proposes to introduce a ban for recreational fishing for bass using longlines. Like the net fishing, these gears can locally generate a significant fishing effort and allow catches well above the daily limit. These fishing practices thus go beyond the framework of recreational activities. Indeed, Rocklin et al. 2014[6] estimated that catches of passive gears contributed in 2014 to 10% of recreational fisheries mortality in France. In other areas this percentage could be even higher.

The members of the fishing sector also recall that, as long as the stocks of northern seabass and the Bay of Biscay are assessed separately by ICES, the state of the southern stock and the management measures applied to recreational fishing in this area must not influence the setting of measures for the North zone. Otherwise, and without waiting for the results of current scientific programs on stock limits, commercial fishing would be legitimate to do the same.

[6] Rocklin D, Levrel H, Drogou M, Herfaut J, Veron G (2014) Combining Telephone Surveys and Fishing Catches Self-Report: The French Sea Bass Recreational Fishery Assessment. PLoS ONE 9(1): e87271. https://doi.org/10.1371/journal.pone.0087271

b. Improving data collection and additional measures

The proposed management measures should be accompanied with additional measures that aim to improve avoidance of bycatch of seabass combined with enhanced monitoring and data collection.

According to ICES, the poor quality of catch data, especially concerning removals from recreational fishing and discards from commercial fishing, represents a significant problem, which needs to be addressed urgently. Initiatives have been put in place in different Member States to collect more data. The AC recommends that these initiatives be encouraged.

For recreational fishing, a complete system for reporting, collecting and monitoring catches must be defined and implemented as quickly as possible, for the reasons mentioned above.

For commercial fishing, a system for monitoring catches, on a monthly time step, must be set up in Member States which do not have one.
In addition, depending on the evolution of catches (discards and landings), from one year to the next, the management measures mentioned above may be reviewed and, if necessary, reinforced to avoid an increase in total mortality and / or discards. In order to improve the avoidance of accidental bass catches, a non-exhaustive list of additional measures can be drawn up:

- Increase in the observation effort at sea to improve scientific knowledge and available information on discards.
- Avoiding seabass catches by using a real-time reporting system. Seabass have a wide distribution and are highly migratory, depending on season, water temperature and population size, which limits the scope for using area closures beyond known nursery sites, but real time information, collated and made available to the fishery, could enable fishers to more effectively avoid areas in which seabass are aggregating. By providing by-catch reports on a regular timeframe (e.g. daily reports) on a grid reference system, advisory maps can be produced. Using a 'traffic-light' system to inform fishers of areas where there is a risk of encountering this species, fishermen can make better informed decisions on their fishing behaviour.
- The participation of fisheries stakeholders in scientific programs to acquire knowledge of the biology of the species and to monitor the status of the stock must be supported. The CBASS, BARFRAY and NOURDEM projects are currently being carried out in the area in partnership with professional fishing.

c. Control and enforcement

The AC highlights that regardless of the efforts to restore seabass stock to sustainable levels, efforts to reduce the bycatch of seabass are undermined if there is insufficient control of the correct application of the measures. It is necessary that Member States continue and strengthen the effort to monitor fishing activities and control compliance with management measures, both for commercial fishing and for recreational activities.

The AC further recommends that ICES establish a new estimate of IUU catches in the advice. The main sources of the problem must be identified in order to be able to define and implement effective and appropriate corrective measures.

The AC also wants to stress the importance of tackling illegal sales, by increasing inspections in restaurants and retailers.

Finally, the AC suggests the Commission to investigate the pros and cons of fin clipping for recreational fishers. This is in force in France as a measure to support control of illegal sales.

3. Minority position prepared by the EAA and supported by IFSUA and ISS

- **ICES advice - Stock Situation**

The stock situation remains fragile. Although the decline has stopped, it is too early to say that an upward trend exists.

Recruitment has been relatively poor in recent years.

Blim is 10,313 tonnes. ICES have estimated that last year the SSB was below Blim (10,061 tonnes) and in 2020 the SSB would be slightly above Blim (11,007 tonnes), but a long way below Bpa (14,439 tonnes).

- **ICES advice - Removals**

ICES has advised the following total removals corresponding to the F ranges in the EU multiannual plan (MAP) for Western Waters and adjacent waters:

	FMSY lower × SSB2021 / MSY Btrigger	**FMSY upper × SB2021 / MSY Btrigger**
Total Mortality	1680	2000

ICES has also provided catch scenarios corresponding to these F ranges:

	FMSY lower × SSB2021 / MSY Btrigger	FMSY upper × SB2021 / MSY Btrigger
Recreational removals	442	526
Commercial Landings	1137	1353
Commercial Discards	101	121

- **ICES Sea Bass Catch Allocation Tool - Bag limits**

The 2020 seabass allocation tool produces the following tonnage impacts for different bag limits. Cells are coloured green where the estimated tonnage is below the ICES recreational catch scenario of 442 tonnes corresponding to FMSY lower × SSB2021 / MSY Btrigger.

	7 Months (Tonnes)	8 Months* (Tonnes)	9 Months (Tonnes)	10 Months (Tonnes)
2 Fish per day	354	392	429	467
3 Fish per day	385	427	468	510
4 Fish per day	394	437	480	523
Unlimited	396	440	483	526

* interpolation

- **EAA Overall Proposal**

In light of the fragile stock situation, the EAA proposes that all catch limits should be set to target the ICES catch scenario of 1,680 tonnes, corresponding to FMSY lower × SSB2021 / MSY Btrigger.

- **EAA Proposal for Recreational Fishing**

Consistent with the EAA's overall proposal, for recreational fishing the EAA proposes an overall catch target of 427 tonnes.

The EAA proposes targeting 427 tonnes with a bag limit of 3 fish for 8 months (April-November). Interpolation of the ICES Catch Allocation Tool outcomes shows this would represent a recreational take of 2 tonnes below the "2 fish for 9 months" bag limit proposal and well under the ICES catch scenario for FMSY lower (442 tonnes/y).

- **EAA Proposal for Commercial Fishing**

The EAA proposes no relaxation of commercial fishing measures for 2021.

We believe 2020 has seen an emerging targeted bass fishery using encircling nets ("GNC"). We recommend that GNC be removed from the definition of fixed nets. Although the EAA believes the GNC method to be more selective than fixed gillnets, and should therefore be generally preferred, the fact that this method requires the targeting of schools of fish by eye[7] makes the practice illegal under the current prohibition of targeted netting.

In adopting the same management measures for 2021 as in 2020, the EAA advises caution with respect to fleet developments, so that a roll over does not result in significant impact changes.

For example, in the flyshoot fleet we see a lot of newcomers from France, The Netherlands and the UK. A recent article[8] mentions a current size of the flyshoot fleet that is fishing the Channel of 75 vessels.

The catches allocation tool, however, mentions a total of just 34 seine vessels. It is fundamental to make sure there are no significant impact changes between 2020 and 2021 by comparing the real-world fleet totals. Allocations per fleet segment should be adjusted to such insights. In this particular case, it could be considered to group the demersal and seine fleet section for redistribution.

Regarding the effects of the 2020 relaxations on discards, the EAA urges for proper data collection and a quick assessment that will answer the question if the reasoning behind this relaxation is scientifically sound and has contributed to substantially less discards and more landings. A possible in year amendment should be considered, depending on the outcomes of such an evaluation.

- **Converting unavoidable commercial discards into landings – without increasing mortality**

Regarding measures for demersal trawlers and seiners, these were relaxed for 2020 in the hope of converting unavoidable discards into landings, without increasing mortality. Whilst we are supportive of the goal, we note that:

- ICES has flagged unexplained and significant variations in discard data between on-board sampling programme estimates and log-book data[9].

[7] Encircling gillnet recognized as very selective – Life Platform
[8] https://www.visned.nl/algemeen/nog-geen-overeenkomst-flyshooters
[9] (WGCSE 2020):
French log book data from 2016 to 2019 showed that discard rates estimated from on-board sampling were much lower than those reported in logbooks. The logbook data provided estimates of discards of 155.6, 270.9, 456.4 and 374.6 tonnes, as opposed to the on-board sampling programme estimates of 152.7, 161.7, 34.2 and 79.2 tonnes for 2016, 2017, 2018 and 2019 respectively.

- There is not yet a full year of relevant data
- This data has not been independently analysed.

We believe that further relaxations for demersal trawlers and seiners at this time would be inconsistent with the precautionary principle, since the relaxations could easily lead to an increase in mortality above the estimates provided by the ICES Catch Allocation Tool.

We recommend that ICES should be asked to investigate the discrepancies between the on-board sampling programme estimates and log-book data. And once a full year of data is available, ICES should be asked to analyse this data and advise how this data should inform future changes in catch limits.

Mixed fisheries will require extra efforts to fish as selectively as possible. To reduce discards to a minimum, the EAA requests additional work to be carried out in the sea bass fishery on measures such as:

- CCTV
- technical selectivity measures
- live fleet information sharing to avoid bass in real time
- avoidance measures in time and place based upon the analysis of historic catches and landings.

- **<u>Commercial Fishing: Closed Season in February and March</u>**

Given the fragile condition of the stock, the EAA believes the closed season provides vital protection during the spawning season and must be retained for all metiers.

The closed season is only effective because it can be enforced through market inspections, where any fresh wild bass on sale from the second week of February would have to have been illegally caught.

If any metier were allowed to land bass during the closed period, this would seriously damage the success of the closed period.

We note that the demersal trawlers and seiners have provided preliminary data showing that in 2019 and 2020 the vast bulk of discards in the period January to July took place during the January - March period. We recommend ICES be asked to investigate the reason for these seasonally high discards in January - March (equal to nearly half the recreational mortality) and advise if any bycatch reduction methods in other fisheries could work to reduce these bass discards.

The increase in discards in 2018 may be explained by more restrictive management measures, but also by the fact that French fishers have been encouraged to report their discards in logbooks because of the landings obligation. Less restrictive management measures in 2019 may have led to the recorded decrease in discards.

- **Areas 8a and 8b**

ICES tagging has showed intermingling of bass in North Western Waters and Areas 8a and 8b, so better protection in Areas 8a and 8b will help to restore the stock in North Western Waters.

For this reason, and to avoid discrimination against fishermen in North Western Waters, the EAA proposes the existing measures in North Western Waters should be replicated in Areas 8a and 8b.

- **Enforcement**

The EAA calls on the Member States to reduce illegal sales of sea bass across the board.

It is noted that the UK enforcement authorities are allowing fixed netters to target bass. The reason behind this seems to be that they are unable to enforce the "unavoidable bycatch" law. It is likely that the same is happening in other Member States.