

**BALTFISH Forum meeting
6th September 2022
Vilnius, Lithuania**

**Hybrid meeting
Report**

1. Opening of the meeting

Ieva Žundiene from the Lithuanian BALTFISH Presidency welcomed the participants to the first Forum meeting under the Lithuanian Presidency.

Representing the BSAC were Jarek Zieliński, the ExCom Chair (in person), Glenn Douglas, BSAC Vice Chair, Teija Aho, Demersal Working Group Chair, Nils Höglund, EBM Working Group Chair and the BSAC Secretariat (remote). The Forum meeting was well attended by several Baltic Member States, the European Commission, HELCOM, stakeholders from the fisheries sector and environmental NGOs.

2. Adoption of the agenda

The agenda was adopted.

3. Approval of the minutes from the Forum meeting on 29th June 2022

The minutes of the last Forum meeting held on 29th June 2022 will be distributed for approval after the meeting.

4. Work program of the Lithuanian BALTFISH Presidency July 2022- June 2023

The BALTFISH Chair informed that the work programme of the Lithuanian Presidency will be distributed after the meeting. Among the main items of the work programme the Chair mentioned the TACs and quotas for 2023. The BALTFISH proposal will be discussed by the High Level Group (HLG) before the Council Meeting in October. With reference to the joint recommendations on harbour porpoise, she underlined that the Lithuanian Presidency will continue the work on the development of 3rd and 4th joint recommendations, with focus on the outstanding issues not covered in the 1st and 2nd Joint Recommendations on harbour porpoise. She thanked the Latvian Presidency for their excellent work done so far with respect to the mitigation measures to prevent bycatch of Baltic Proper harbour porpoise. The work programme also includes the work on multiannual salmon management plan. Meetings of the BLATFISH EMFAF (also including other funds with relevance to fisheries) and Control working groups are also planned. The work plan also includes stickleback and eel. For the sake of transparency, the Lithuanian Presidency will share the information and will hold regular virtual coffee meetings with the BSAC. The Chair informed that the last meeting of BALTFISH under the Lithuanian Presidency will take place in June 2023. Poland will take over the BALTFISH Presidency on 1st July 2023.

A representative of DG Mare expressed full support for the work programme presented by the Lithuanian Presidency and thanked the Latvian Presidency for their good work.

The **BSAC Chair** referred to the BSAC work priorities could be included in the joint work with BALTFISH.

5. Commission proposal on fishing opportunities in the Baltic Sea 2023

– Presentation by the European Commission and exchange of views

The **representative of DG Mare** presented the Commission's proposal on fishing opportunities in 2023¹, stock by stock. She underlined the poor environmental status of the Baltic Sea. Despite some improvements, the Baltic is still suffering from the combined effects of eutrophication and slow response to tackle this challenge and fishing industry is paying the price. She stated that more efforts should be undertaken to improve the implementation of environmental legislation.

With reference to the herring in SDs 30-31 the **representative of DG Mare** stated that in line with the ICES advice, the Commission proposes to decrease the TAC level for herring in the Gulf of Bothnia by 28%, to F_{MSY} lower level, to secure the future of the stock and taking into account the downward trend in SSB and the sub-populations. She referred to the worrying news received from the fishing industry on the decreased condition and size of herring in SDs 30-31, as well as a conflict between small scale fisheries for human consumption versus bigger vessels fishing for industrial purposes. She underlined that the Commission would like to hear the opinion of BALTFISH on the need to apply any additional measures to this stock.

A representative of Danish fishermen underlined that scientific advice and not a conflict between different fisheries sectors should be the guiding principle in setting the fishing opportunities.

Another fisheries representative pointed to a collapse of the coastal fishery of consumption size herring in the Bothnian Bay, probably due to the disappearance of herring caused by ecosystem changes and disappearance of large predator fish. **Another fisheries representative** underlined the need to investigate the causes for the changes in size structure of the stock and effects of environmental factors on the stock

The BSAC Chair underlined that as an advisory body, the BSAC should be included in any consultation process referring to setting the fishing opportunities and management of Baltic fish stocks.

The representative of DG Mare stated that the views of stakeholders had been taken into account as far as possible by the Commission in the proposal on the fishing opportunities.

Western herring

The representative of DG Mare informed that given the current state of the stock, the Commission proposes to only allow a very small TAC for unavoidable by-catches and keep all the accompanying measures from the 2022 fishing opportunities. She underlined that measures need to be taken to limit the fishing pressure on the western herring stock

¹ Proposal for a COUNCIL REGULATION fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2023 and amending Regulation (EU) 2022/109 as regards certain fishing opportunities in other waters

outside the Baltic, in the North Sea and Skagerrak/Kattegat. According to ICES², it is predicted that around 80% of the total western herring catches will be taken in Division 4a in 2022. The catches in the Baltic in SDs 22-24 in 2022 are predicted to account for approximately 10% of the total catches of western herring.

A representative of Danish fishermen underlined the fisheries management should take into account not only the need to protect the fish stocks, but also the role fishing industry has in ensuring food security. He stated that the Baltic MAP provides a sustainable solution for setting the TAC for western Baltic herring for 2023 at F_{MSY} lower. **Another fisheries representative** underlined that the severely reduced fishing pressure on western herring in SDs 22-24 results in 80% of the catch of this stock being taken in the North Sea.

The representative of DG Mare underlined that given the current state of the stock, the Commission proposes to close the directed fishery and set a TAC limited to unavoidable bycatches for another year. This proposal is in line with Article 5(2) of the Baltic MAP³, which provides that additional remedial measures are to be taken if a stock biomass is below safe biological limits. Such remedial measures may in particular include suspending the targeted fishery for the stock concerned.

Central herring

The representative of DG Mare explained that the Commission remains cautious with regard to this stock, with a proposed increase of 14%. This is in line with the ICES advice, because the stock size has still not reached healthy levels and relies on a recent, uncertain year class. She referred to serious misreporting in herring and sprat catches and asked the Member States concerned to solve this problem.

Eastern cod

The representative of DG Mare explained that for eastern Baltic cod, the Commission proposes to maintain the TAC level limited to unavoidable by-catches and all the accompanying measures from the 2022 fishing opportunities. Despite the measures taken since 2019, when scientists first raised the alarm about the very poor status of the stock, the situation has not yet improved.

A representative of Polish fishermen referred to the letter sent to the Commission by four Polish fisheries organisations, pointing to the mismanagement of Baltic fisheries and unacceptable fluctuations in scientific advice from one year to the next. Such changes in the advice have a severe impact on fisheries and should be avoided. He drew attention to the fact that the Commission had not replied to the letter. He underlined that most of the questions asked in the letter are not valid, because they had referred to 2020 and 2021. However, he reiterated the question on how long we have to wait for any positive effects of the Commission's management. He underlined the need to revise the fisheries policy in view of the fact that after at least 15 years of such management the fishing opportunities have further decreased, despite enormous efforts (vessels' scrapping, mesh size increase, MLS increase, closed areas and reduction of fishing time).

² [Herring \(*Clupea harengus*\) in subdivisions 20–24, spring spawners \(Skagerrak, Kattegat, and western Baltic\) \(figshare.com\)](#)

³ [EUR-Lex - 32016R1139 - EN - EUR-Lex \(europa.eu\)](#)

He asked the Commission why the Commission's proposal does not take into account the results of such important research as TABACOD⁴ which brings new information on the growth rate of cod and unfortunately had not been included in the ICES advice.

The representative of DG MARE stated that she had not been aware of the TABACOD.

She stated that the Commission makes an effort to answer all letters from stakeholders and she asked the Polish organisations to resend the letter.

Another fisheries representative underlined that fishermen encounter administrative problems with the clause that the TAC for cod is limited to unavoidable by-catches. In their opinion, this clause should be removed from the regulation fixing the fishing opportunities for 2023⁵. What really matters is the amount of cod taken out and with the present quota, there is no risk to have targeted fishery for cod. He underlined that the clause complicates the management, and in some cases, prevents many fishermen from catching their quotas of other fish.

Representatives of several national administrations underlined that under the present political situation, Russia is not respecting the scientific advice, the management measures and the stock condition. This is very dangerous, especially for the stocks in critical condition, such as the Baltic cod.

In the course of the discussion, **several fisheries representatives** raised the issue of the impact seals and cormorants on fish stocks and called for urgent actions to minimise it. The real bottleneck is caused by the fact that the impact of seals on fish stocks is not included in the scientific advice and in fisheries management. They underlined that the state of the fish stocks will not improve unless management measures are taken with respect to seals and cormorants. They also referred to the need to take into account the species interrelations in the scientific advice and in setting the fishing opportunities, as well as to include the results of recent scientific research (e.g. TABACOD).

With reference to the impact of predators on fish stocks, **the representative of DG Mare** underlined that the legislation in place allows the Member States to implement management measures with respect to seals and cormorants. She stated that stakeholders should reach common understanding and consensus with respect to these management measures. She called for a realistic approach with respect to the current political situation and the possibility to monitor the Russian catches in the Baltic. She underlined that the Commission does not close the eyes on this problem.

Some representatives of national administrations and fisheries representatives called for lifting the ban on trade in seal products in order to facilitate the implementation of management measures.

The BSAC Vice Chair, also representing recreational anglers drew attention to the fact that the chances for the fisheries sector and OIG to reach unanimity on the management of seal populations is very limited. He underlined that not only the seals, but also the cormorants have significant influence on fish population and conflicts remain high in the

⁴ <https://tabacod.dtu.dk/>

⁵ Proposal for COUNCIL REGULATION fixing the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2023 and amending Regulation (EU) 2022/109 as regards certain fishing opportunities in other waters

Baltic and in the freshwater. Cormorants migrate and therefore the problem cannot be left to individual Member States. Stronger management tools are needed at pan-Baltic level. He called on the Member States to make attempts to reach an unanimous position with regard to the management of these predators.

A representative of the Estonian administration stated that measures to limit the population of cormorants had been undertaken in Estonia due to the fast increase of the population in the island where cormorants are nesting and consisted of oiling the eggs.

Some fisheries representatives underlined that under the present environmental conditions in the Baltic (warm water, overfertilisation), the fish stocks are dominated by clupeids. This fact does not help the cod to recover. There is scientific evidence that clupeids, and in particular sprat, predate on cod eggs and that this should be taken into account with regard to the fisheries management for the Baltic. Therefore, the BSAC, as well as EAPO (European Association of Fish Producers Organisations) recommend a higher sprat quota for 2023 (at F_{MSY} upper) to reduce the sprat biomass to a lower level.

The chair of the BSAC EBM Working Group, also representing an ENV NGO underlined that a multispecies approach should definitely be used in fisheries management. However, there is a need to gather more expertise with regard to species interrelations. He pointed out that eutrophication has been reduced due to the efforts undertaken by the agriculture sector.

Referring to the previous intervention, **a fisheries representative** underlined that the results of scientific research referring to species interactions are available and should be implemented into the management decisions.

The BSAC Chair stated that the BSAC is the right, neutral platform for further discussing the impact of seals and cormorants on fish stocks and the ways to manage these predators.

The representative of DG Mare stated that DG ENV is preparing the evaluation report of the regulation on ban on trade in seal products⁶. She promised to come back with information on the timeline of this report to BALTFISH and BSAC. She asked the BSAC and the Member States to discuss in more detail how to proceed with the management of seals and cormorants and to keep the Commission informed on any progress and conclusions. She stated that the Commission will look more into the interspecies relations, but at the same time consider how to eliminate species misreporting.

Western cod

The representative of DG Mare stated that the condition of western Baltic cod has unfortunately grown worse, and the biomass dropped to a historic low in 2021. The Commission, therefore, remains cautious and proposes to maintain the TAC level, limited to unavoidable by-catches, and all the accompanying measures from the 2022 fishing opportunities, such as the spawning closures, to protect the cod on its way to spawning grounds and during spawning. She referred to fact that the North Sea cod was on the brink

⁶ [REGULATION \(EU\) 2015/ 1775 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL - of 6 October 2015 - amending Regulation \(EC\) No 1007/ 2009 on trade in seal products and repealing Commission Regulation \(EU\) No 737/ 2010 \(europa.eu\)](#)

of collapse in the year 2000 and has recovered thanks to the effective implementation of the long term management plan.

A representative of Danish fishermen pointed to the lack of understanding of what is going on with western Baltic cod as well as poor quality of the advice. He referred to the ICES catch option for 2023 that results in an advice to increase the fishery by 31%. Fishermen are concerned that most of the cod that are not caught by the fishermen, seem to disappear through predation of cormorants and seals. He called on the Member States to consider an increase of the TAC for western cod on the basis of scientific advice, which will not harm the stock, but will benefit the fishermen.

He also referred to the lack of evidence of the effectiveness of closures to protect cod on its way to spawning grounds. He underlined that the crisis of the North Sea cod in 2000 cannot be compared to the present situation of the Baltic cod.

He reiterated the request to remove the clause that the TAC for cod is limited to unavoidable by-catches from the regulation fixing the fishing opportunities as it creates unnecessary burden for fishermen and fisheries administrations.

Another fisheries representative stated that according to the recent study cormorants take more fish out from the Baltic than fishermen. **Another fisheries representative** underlined that if no actions are taken to reduce the population of seals and cormorants, both fish and fishermen will disappear from the Baltic.

Referring to the closure to protect cod on the way to spawning, **the chair of the BSAC EBM Working Group, also representing an ENV NGO** referred to the presentation by a German scientist during the BSAC ExCom Theme Session on cod in May 2019 on spawning dynamics and associated management implications for Atlantic cod, which referred to the spawning closure effect to avoid disturbance⁷. He also pointed out that consumption of fish by predators should be differentiated from their impact. Impact is important and needs to be considered in the management. He also referred to the fact that scientists cannot at present advise how many seals should be removed from the ecosystem in order to decrease their impact on fish stocks.

The representative of DG Mare stated that in order to reach a compromise solution, the fisheries sector and the OIG should take a step back from their fixed positions, in the direction of the other side. The impact of seals and cormorants on fish stocks should be assessed. Possible solutions should be considered in the light of the EU legislation in force.

A representative of Polish fishermen expressed the opinion that there is enough scientific data on the impact of seals and cormorants on fish stocks to undertake appropriate measures aimed at minimising this impact. He asked the representative of DG Mare to explain the reasons for extending the spawning closure to the entire SDs 25 and 26 for 4 months instead of restricting the closure to the spawning grounds, which cover only 1-2% of SDs 25-26. He underlined that it is difficult to understand the scientific background of such a decision.

⁷ Presentation during the BSAC ExCom Theme Session on cod, 14th May 2019:
http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Executive-Committee-and-General-Assembly/20190514_Cod_spawningUweKrumme140519.pdf.aspx?lang=en-GB

The representative of DG Mare referred to the fact that a spawning closure in SDs 25-26 had been introduced in 2019 on the basis of the EU request on immediate measures to safeguard eastern cod stock. Scientific advice indicated that spawning closures can have additional benefits for a stock that cannot be achieved by TAC alone, for example an increased recruitment through undisturbed spawning.

A representative of ENV NGO stated that they support the Commission's proposal of zero catch for all targeted cod fishing. She referred to the ICES WGBFAS expert group's opinion recommending a zero catch advice due to high uncertainty of the assessment.

A representative of Danish fishermen underlined that the ICES advice and not the report of a Working Group should be the basis for management decisions. The catch scenarios given in the advice allow for a small increase of the 2023 TAC for western cod.

Plaice

The representative of DG Mare explained that while the ICES advice would allow for a more significant increase, the Commission remains cautious, mainly to protect cod – which is an unavoidable by-catch when fishing for plaice. She underlined that the new rules should soon enter in force, and will allow for the use of new fishing gear that is expected to substantially reduce cod by-catches. The Commission therefore proposes to limit the TAC increase to 25%.

She informed that the new selective gear to avoid cod bycatch is at the last stage of decision making process and the draft Delegated Act should be subject to last consultations of the Member States in September. She referred to the worrying news received from small scale fishermen on the reduction of the size of plaice.

A representative of Danish fishermen stated that Danish fishermen had not observed signs of a reduced size of plaice. He underlined that the Commission's proposal to increase the TAC by 25% is acceptable to Danish fishermen, because they share the Commission's concerns on the need to provide conditions for the cod to recover. They look forward to the implementation of the new gears with selective entities developed to avoid cod bycatch.

Salmon in the Main Basin and in the Gulf of Finland

The representative of DG Mare stated that the status of the different river salmon populations in the main basin varies considerably, with some being very weak and others healthy. In order to achieve the MSY objective, ICES advised last year the closure of all salmon fisheries in the Main Basin. For the coastal waters of the Gulf of Bothnia and the Åland Sea, the advice stated that it would be acceptable to maintain the fishery during the summer. The ICES advice remains unchanged this year, so the Commission proposes to maintain the TAC level and all the accompanying measures from the 2022 fishing opportunities.

She asked the Member States to provide the data on the bycatch of salmon in fisheries targeting other species.

Representatives of the Member States stated that the rate of salmon bycatch is very low (Denmark: 1%, mainly in pelagic fishery, Germany: approx. 10%, Estonia; no recent data available, Lithuania and Latvia: no targeted salmon fishery).

The BSAC Vice Chair, also representing recreational anglers stated that small salmon eat stickleback so there could be a potential bycatch of salmon smolt in stickleback fishery.

The chair of the BSAC EBM Working Group, also representing an ENV NGO asked the representatives of DG Mare to explain the measures on recreational fisheries of salmon.

The representative of DG Mare explained that recreational fisheries for salmon in SDs 22-31, including catch-and-release fishing methods shall be prohibited and any specimen of wild salmon accidentally caught shall be released back into the sea immediately. Recreational fisheries shall be allowed under the condition that no more than one specimen of adipose fin-clipped salmon may be caught and retained per fishermen per day and all specimens of any fish species retained shall be landed whole.

Sprat

The representative of DG Mare referred to the ICES advice to decrease the 2023 TAC for sprat. This is due to the fact that sprat is a prey species for cod, which is not in a good condition, so it would be needed for the cod recovery. In addition, there is evidence of misreporting of sprat, which is in a fragile condition. The last good year class of sprat was in 2015. The fishing pressure is too high, above F_{MSY} . The Commission, therefore, remains cautious and proposes to reduce the TAC by 20%, in order to set it to the lower maximum sustainable yield (MSY) range.

A representative of the Latvian administration stated that Latvia could not agree to the Commission's proposal to decrease the sprat TAC. The scientific advice on sprat allows for a higher TAC within the range recommended by ICES and there is no need for such a decrease. He underlined that in addition the current political situation caused by the war in Ukraine has had severe consequences for fishermen in the Baltic and this fact should also be taken into account when setting the fishing opportunities. He also referred to the fact that Russia is not respecting the scientific advice and the management measures. He asked the Commission to reconsider its proposal for the sprat 2023 TAC in the light of the above arguments.

The representatives of the Estonian administration, as well as the Polish, Latvian and Lithuanian fishermen underlined that they cannot accept the Commission's proposal, which will not allow fishermen to catch a sustainable stock. They referred to the rationale for using the higher catch option for sprat, which takes into account the interspecies dependence. They underlined that sprat predation on cod eggs, as well as competition for food between clupeidae and cod larvae is well known and scientifically documented. Predation of sprat on cod eggs and larvae and further limitation of clupeid catches (sprat, herring) as well as other other food species dependencies (copepods) could be an important factor hampering cod stock recovery. Sprat competes with both herring and small/juvenile cod for food, and a lower sprat biomass may therefore be positive to allow both the central Baltic herring to recover from its current low biomass levels as well as help the cod stocks recover.

The chair of the BSAC EBM Working Group, also representing an ENV NGO stated that the impact of the predation of sprat on cod eggs and larvae should be further investigated by ICES. He welcomed the Commission's proposal and appealed to the Member States to use an ecosystem-based, multispecies approach in setting the fishing opportunities for sprat. Spatial management of sprat could also be considered.

The representative of DG Mare underlined that the Commission's proposal follows the ICES advice and takes into account the interspecies relations, as well as the fact that the

fishing pressure is too high and the fishing mortality is above F_{MSY} . She also referred to the fact that the problem of species misreporting in pelagic fisheries needs to be solved to allow for an increase in the TAC. Referring to the spatial management, she stated that at present ICES lacks expertise and national scientific research institutes should carry out research on the effects of spatial management. However, at present the fuel prices make spatial management and moving the fishery to the north more problematic.

The representative of DG Mare underlined that all the views and arguments presented at the Forum with respect to the fishing opportunities in 2023 had been duly noted.

The BALTFISH Chair thanked the representatives of DG Mare for presenting the Commission's proposal for the fishing opportunities in 2023.

6. BSAC recommendation on fishing opportunities in the Baltic Sea 2023 and the priorities of BSAC working groups

– Presentation and discussion on further work

The BSAC Chair thanked the BALTFISH Presidency for including the BSAC presentation on fishing opportunities⁸ into the Forum agenda. He referred to the main objective of the BSAC which is to advise the European Commission and Member States on matters relating to management of the fisheries in the Baltic Sea. The external evaluation of the BSAC took place in 2021. The BSAC is implementing the recommendations of this evaluation to improve the performance of the BSAC and to promote the impact and influence of the BSAC. According to the evaluation, there is a potential for elevating the impact of the BSAC by finding common ground, being proactive and aligning with regional policy makers through BALTFISH. The work of the BSAC was appreciated at several occasions by the European Commission. He presented the BSAC priorities, including the BSAC recommendations for the fishing opportunities for 2023 in the Baltic Sea, the BSAC reply to the communication from the Commission to the European Parliament and the council "Towards more sustainable fishing in the EU: state of play and orientations for 2023" and the interpretation of the Article 7 of the COUNCIL REGULATION (EU) 2021/1888 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea.

The BSAC Demersal Working Group Chair presented the priorities, which are on the agenda of the next meeting of the Demersal Working Group: gear development and technical measures regulation (follow-up on BSAC letter to the Commission 24/03/2022 and setting up of a focus group on the topic together with BALTFISH), seals and cormorants (follow up on research projects RESOCO, CODHEALTH). She invited the BALTFISH Presidency to the meeting of the Demersal Working Group on 5th October 2022 (online). The BSAC Chair underlined that the BSAC could serve as a platform to deal with the impact and management of seals and cormorants.

The BSAC Pelagic Working Group Chair presented the priorities to be dealt with at the meeting on 3rd October 2022: Bothnian Bay Herring, including collapse of the coastal fishery of human consumption size herring and reasons for the changes in size structure of the stock, species interactions, (prey-predator, food competition, in particular sprat-cod,

⁸ On website [BSAC - BALTFISH](#)

sprat-herring, cormorants and seals, updates on trials in stickleback fisheries, the BSAC Rebuilding Plan for western Baltic spawning herring.

The BSAC EBM Working Group Chair presented the priority issues on the agenda of the meeting on 26th October in Gdynia. The meeting will focus on the development of windfarms at sea from the environmental and fisheries perspective, other effective area based conservation measures (OECMs) and eel.

The BSAC Vice-chair introduced the BSAC recommendations on the fishing opportunities for 2023. He referred to the complex state of a Baltic stocks, resulting in a complex, fractioned advice from the BSAC. He underlined that the BSAC agrees on the continued need to focus on the overall ecosystem, and the other factors that are affecting the well-being of certain stocks. Fishing is one of the factors that is having an influence on the stocks. The fishing sector has been impacted by the crisis caused by the war in Ukraine. The BSAC calls for flexibility in setting the fishing opportunities for the stocks in healthy condition and underlined the urgent need to adopt the legal act to introduce the alternative fishing gear (ROOFLESS) to reduce cod by-catches in flatfish fishery. The Working Group Chairs presented the BSAC recommendations for the respective fish stocks.

The recommendations as well as the reply from the Commission are on the BSAC website⁹.

In its reply to the BSAC, the Commission refers to the extraordinary circumstance created by the war in Ukraine and answers that special considerations to justify setting a TAC in the F_{MSY} upper range are not included in the current legislation. In this context, the BSAC invites the Member States to consider discussing amendments to the current legislation.

The Commission invited the BSAC to explain the rationale behind the proposal to establish a rebuilding plan for western herring. The BSAC has been concerned about the need for remedial measures for the stock since 2019. The BSAC is of the opinion that a rebuilding plan should be implemented because the Baltic MAP has not been adopted by Norway and is thus not used as the basis of the advice and management for this stock which is shared between the North Sea and the Baltic. With reference to alternative fishing gears to reduce cod by-catches in flatfish fisheries, the Commission informs that the legal procedure to implement the gears had taken longer than expected.

The BSAC gave input to the communication from the Commission to the European Parliament and the Council "*Towards more sustainable fishing in the EU: state of play and orientations for 2023*". This consultation activated a big group of BSAC members to give input.

On the question on interpretation of Article 7 of the Council Regulation 2021/1888, the BSAC sees the need to maintain a level playing field and harmonisation in the implementation of these provisions. The BSAC would like to hear BALTFISH Member States interpretations of this last provision allowing for the exemption, and participate in the exchange of views on this topic.

The BSAC Chair underlined that the BSAC looks forward to further improving communication and to working together with BALTFISH on joint recommendations addressed to the European Commission. He invited the BALTFISH Presidency to the next BSAC Executive Committee meeting on 25th October, in Gdynia, Poland.

⁹ [BSAC - BSAC recommendations for the fisheries 2023](#)

The BALTFISH Chair thanked the BSAC representatives for their comprehensive presentation. With reference to the interpretation of Article 7 of the Council Regulation 2021/1888, she stated that the matter will be discussed in the HLG and the BSAC will be informed on the outcome of this discussion.

A representative of an ENV NGO referred to the Commission's proposal on fishing opportunities in the Baltic Sea 2023 and praised the proposal for being well argued. Referring to salmon, he stated that the Council had taken a historic decision in 2021 to safeguard the weak salmon stocks in the Baltic. He praised the Commission for proposing the same management principles with regard to salmon in the Main Basin for 2023.

A representative of Danish fishermen disagreed with the new management system for salmon introduced last year. In his opinion, the new system is not acceptable and has had a major effect on those who fish salmon in southern part of the Baltic and prevented them from pursuing their traditional fishery, at the same time transferring the fish to fishermen from other countries. He expressed hope that a more balanced management system will be established for those Member States which have terminal fisheries for salmon and for others some mixed fishery will be allowed.

The representative of DG Mare thanked the BSAC Chair and all BSAC representatives for presenting the positions of the BSAC on the fishing opportunities for 2023. She stated that some BSAC recommendations on the 2023 TAC are in line with the Commission's proposal, but some are very different. She stated that the Commission's proposal for Baltic TACs in 2023 is conservative, because of the serious state of most of the Baltic fish stocks. The Commission strongly believes that this situation can be improved by being more cautious and by taking account of the Baltic MAP. She took note of the call for more flexibility in the management. This issue could be brought up during the general discussion on the CFP. Fishermen from other sea basins have also called for more flexible management.

With reference to Article 7, **the representative of DG Mare** referred to a letter sent by DG Mare to the BSAC, explaining that the provision does not specify if sorting of catches should take place onboard or on land. The exemption should only be applied to the fishery for human consumption.

The BSAC Chair referred to the need to maintain a level playing field and harmonisation in the implementation of these provisions. The BSAC would like to hear BALTFISH Member States interpretations of this last provision allowing for the exemption, and participate in a roundtable exchange of views on this topic.

The BALTFISH Chair stated that the HLG will discuss how to address the matter and thanked the BSAC for the comprehensive work.

7. State of play on relevant issues concerning Baltic Sea species (Baltic harbour porpoise, European eel, selective flatfish gear)

The BALTFISH Chair informed that the timeline for the work on the 3rd and 4th draft recommendations on harbour porpoise will be discussed in the HLG BALTFISH. The Lithuanian BALTFISH Presidency is strongly committed to continue working on protection measures for harbour porpoise with the input from the Commission and the BSAC. The Chair informed that the Lithuanian Presidency will also work on the eel management.

Referring to the selective gear to avoid the bycatch of cod in flatfish fishery, she stated that according to the latest information received from the Commission, the work on the Delegated Act is being finalised.

The representative of DG Mare stated that the 3rd and 4th recommendations on harbour porpoise are expected to cover all remaining areas in the Baltic which had not been covered by protection measures of the 1st and 2nd Joint Recommendation. She underlined that DG Mare will support BALTFISH in further work on harbour porpoise protection measures. She stated that the use of pingers may still be relevant in some areas as some Member States had sceptical on the implementation of real time closures. She referred to eel and thanked BALTFISH for delivering the input on eel protection measures from the Baltic. The Member States will deal with eel and possible management measures at the Fisheries Council on 26th September 2022. She also referred to the HELCOM BSAP and actions B16 and B17¹⁰ which refer to eel. The Member States are asked to identify rivers where management measures for migratory fish species, including eel, would have the greatest positive impact and by 2024 determine which measures set out in the Convention on the Conservation Migratory Species of Wild Animals (CMS), EU Eel Regulation and other relevant instruments would benefit from regional cooperation on a Baltic-wide level. She encouraged the Member States to implement these actions to help the recovery of eel.

8. AOB

The BALTFISH Chair informed that Jolanta Cesiulienė will be the focal point of the BALTFISH Presidency to share information.

The BALTFISH Chair thanked all Forum participants for good discussions.

¹⁰ [Baltic-Sea-Action-Plan-2021-update.pdf \(helcom.fi\)](https://www.helcom.fi/Baltic-Sea-Action-Plan-2021-update.pdf)