

BSAC Executive Committee Thursday 6th May 2021

Virtual meeting

REPORT

1. Welcome by the BSAC chair

The BSAC Chair welcomed the invited guests from the European Fisheries Control Agency (EFCA) and the International Council for the Exploration of the Sea (ICES), representatives from DG Mare, Member States, all other observers as well as the BSAC ExCom and General Assembly members. He referred to the fact that the BSAC had taken the initiative and invited EFCA and ICES to a dedicated ExCom meeting to discuss relevant issues. He mentioned a record high attendance of 60 participants. He also thanked the BSAC members for submitting many questions to EFCA and ICES. Due to the limited time, the questions had to be prioritised. He thanked the representatives of EFCA and ICES for accepting the invitation to the meeting.

a) Apologies and adoption of the agenda

The agenda was adopted without changes.

The participants list, including the apologies is on the website.¹

Under AOB was noted a point by Krzysztof Stanuch (National Chamber of Fish Producers).

b) Adoption of the minutes from the last ExCom meeting (29th January 2021)

The minutes of the ExCom from 29th January 2021 were adopted². The Chair encouraged members to take part in the follow-up work on the external evaluation. Outstanding issues from that meeting were the questions on technical measures sent to EFCA and to DG Mare, and the letter sent to DG ENV about the Biodiversity Strategy. Replies are awaited.

c) Two ExCom members to check the minutes from this meeting

Egle Smilgevice from the Confederation of Fishermen and Fish Processors of West Lithuania and Nils Höglund from Coalition Clean Baltic agreed to check the minutes.

2. From Secretariat

The BSAC Secretary gave a brief update on finances. She asked the ExCom and General Assembly members to go through all documents sent for the end of the BSAC financial year 2020-21 and new year 2021-22 and to sign a voting card.

¹ [BSAC - Executive Committee meeting with EFCA and ICES](#)

² [BSAC - BSAC Executive Committee](#)

She informed that the funding from the European Commission for the new year 2021-22 is expected early July. The ExCom will be informed in writing on current expenditure.

The ExCom took note.

3. Morning session with European Fisheries Control Agency EFCA

The BSAC Chair referred to the long-lasting cooperation with EFCA from the very beginning of the BSAC. He referred to 24 questions on control and enforcement issues received from the BSAC members. They had been sorted and grouped by the Secretariat. EFCA had prepared a presentation to answer the questions³.

The Executive Director of EFCA thanked the BSAC for inviting EFCA to the meeting and underlined that the representatives of the Agency will try to answer the questions that had been provided before the meeting.

The representative of EFCA gave a presentation and answered the questions. Full text of the questions raised for EFCA is on the website⁴.

Questions 1 and 2 on cooperation with regional organisations and control officials

Referring to questions 1 and 2, **the representative of EFCA** stated that EFCA had received a request for technical assistance from BALTFISH on the implementation of the landing obligation to participate in the BALTFISH Control Working Group and play a role of a professional secretariat for the group. The EFCA representative stated that the main areas of cooperation between the Agency and different EU organisations include the evaluation of compliance with the landing obligation, standardisation of inspections and guidelines as well as cooperation with the fishing industry and the BSAC. EFCA FISHNET is used for storing documents relevant for the Control Expert Group for reference. The BALTFISH Control Expert Group has asked EFCA to organise a joint meeting between the BALTFISH CEG, the BSAC and EFCA to present the results of the compliance with the landing obligation, explain the methodology and discuss the implementation of the landing obligation in the Baltic Sea in general. As in the past, DG MARE will also be invited, as well as some scientific representatives (i.e. ICES). A date is to be agreed on for this meeting, initially planned for September.

The BALTFISH HLG has asked EFCA to publish the executive summary of the landing obligation compliance report for 2019-2020 on the EFCA website⁵.

³ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Executive-Committee-meeting-with-EFCA/Joint-EFCA-BSAC-meeting-6-May-2021FORWEB.pdf.aspx?lang=en-GB>

⁴ Full text of the questions raised for EFCA [BSAC - Executive Committee meeting with EFCA and ICES](#)

⁵ <https://www.efca.europa.eu/en>

Referring to question 2, **the representative of EFCA** informed that EFCA had no formal cooperation with voluntary control people / organisations.

Questions asked at the meeting:

Responding to a question asked by **a representative of the OIG**, the representative of EFCA stated that reports and documents of the Control Working Group can only be accessed by the members of this Group.

Responding to a question on the report on compliance, the representative of EFCA stated that the 2017-18 report is the latest available report. He underlined that EFCA collects information from the Member States, ICES and STECF and is currently reviewing the data from 2019 and 2020. The report for 2019-2020 will be available in 2021.

Questions on CCTV and AIE (questions 3,4,5)

The representative of EFCA stated that legal security of CCTV footage for use in court cases is not directly within EFCA's mandate. It is under the competence of the Member States and the national data protection legislation.

The representative of EFCA referred to the EFCA Technical guidelines and specifications for the implementation of Remote Electronic Monitoring in EU fisheries.⁶ These guidelines contain an indicative minimum number of cameras for vessels of 18-24m, depending on the type of fishing vessel, vessel configuration, processing areas, as well as guidelines for a number of cameras needed to fully monitor activities of a given fishing vessel. The guidelines are constantly updated.

Questions asked at the meeting:

Referring to the costs of installation of CCTV, **the representative of EFCA** referred to the technical guidelines and stated that the cost depends on the size of the vessel and the number of cameras installed. Costs of modern technology are decreasing.

Referring to the question on automatic species identification systems asked by a fisheries representative, the representative of EFCA informed that such a system is in an experimental phase and had been tested in Spain and the Netherlands in the framework of dedicated projects.

Questions on weighing of species (Q 6 and 7)

The representative of EFCA stated that EFCA provides training, promotes best practices, and guidelines for sampling unsorted pelagic landings in the Baltic States. Some dedicated specific actions in Joint Deployment Plans (JDPs) promote the use of the guidelines. These actions include exchange of inspectors to promote a level playing field, and a planned weighing study (non-audit) focused on methodological work. He underlined that questions on approved weighing are not within the direct mandate of EFCA.

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<https://www.efca.europa.eu/sites/default/files/Technical%20guidelines%20and%20specifications%20for%20the%20implementation%20of%20Remote%20Electronic%20Monitoring%20%28REM%29%20in%20EU%20fisheries.pdf>

These questions should be addressed to DG Mare. EFCA only provides guidelines on the specific control of weighing.

Questions asked at the meeting:

A fisheries representative referred to the fact that the issue of weighing the catch had been raised by the BSAC with EFCA as a result of discussions in recent years on control measures. The BSAC had been concerned with different procedures for weighing pelagic industrial catches used in different Member States.

Questions on the control of landings of pelagic species (questions 8, 9, 10)

The representative of EFCA stated that the pelagic fishery is part of a JDP conducted in a coordinated manner with the Member States. According to EFCA there is no common methodology for sampling mixed pelagic catches in the Baltic. EFCA, together with the Member States, developed guidelines for sampling unsorted pelagic landings. There have been two specific actions dedicated to the pelagic fishery at two different times of the year. At the centre of this action, the Member States agreed to use a common sampling process to ascertain the quantities of herring and sprat. While the action is running, this fishery is subject to a joint coordinated approach and is a priority for the Member States. The Member States use a common sampling process during the specific action. Some Member States use national plans outside the action/JDP period. There is no legal requirement to use common sampling. In cooperation with the Member States, EFCA performs dedicated inspections each year. The correctness of weighing and species identification is a Member State and Commission responsibility. There were no questions to this point.

Question on risk based assessment and last haul (questions 11, 12, 13)

The representative of EFCA referred to the fact that fisheries segments with higher estimates of illegal discards will consequently have a higher risk of non-compliance with the landing obligation. The risk is assessed at fleet segment level as a combination of the likelihood of non-compliance (level of illegal discards) and the impact of each fleet segment (the level of catches and the status of the exploited stocks). The impact, per se, is a combination of the level of catches and the status of the exploited stocks. Control activities (including last haul controls) and specific actions of the JDP are focused on segments at higher risk. Last haul inspections are not just conducted to obtain data on unwanted catches; it is a routine procedure that should be done during all inspections at sea.

Control activities carried out in 2019 in the framework of the JDP in the Baltic focused on fishery conducted with static nets. The data indicated a high level of discards of plaice.

Questions asked at the meeting:

A fisheries representative asked for an explanation of the last haul control procedure. The representative of EFCA explained that the last haul should be carried out in every fishery to complement the inspections carried out at landing sites. It does not necessarily focus on collecting the data from the last haul. During the last haul inspectors get detailed catch composition of the haul in order to estimate illegal discards. Cases of highgrading can also be detected.

According to another **fisheries representative** EFCA should highlight to fishermen that risk is assessed at fleet segment level and the risk assessment approach is based on objective criteria. In his view, the risk assessment should be compared between the fleet segments and take into account the fishing quota available.

The representative of EFCA stated that the quota available is taken into account in the risk analysis, as well as the actual catches of a given fleet segment versus the TAC. He underlined that the risk analysis is not driven by any prejudice. Several indicators are used to assess the likelihood of non-compliance, including the catches by a given segment in relation to the TAC. The TACs are also compared between the years. EFCA applies a strategic risk assessment approach. Tactical risk assessment at vessel level is done by the Member States.

A representative of small scale fisheries stated that the fishing effort and not the fishing gear should be a decisive indicator in the risk assessment.

The representative of EFCA underlined that the risk assessment does not take into account the number of vessels, but the catches of a given species taken by a given fleet segment in relation to the TAC.

A fisheries representative expressed the opinion that EFCA should be seeking how to ensure compliance in fisheries and not calculating the non-compliance. The impact of non-compliance falls under the competence of ICES. In his view, EFCA should not focus on determining the segment with the highest risk of non-compliance and should disregard potential risk of non-compliance in all fleet segments.

The representative of EFCA underlined that the main legislative umbrella for EFCA is the CFP, and the status of a stock is the key element of the CFP. EFCA does not conduct stock assessments, but is using ICES data. EFCA is not stepping into ICES competence. He explained that the risk assessment exercise carried out by EFCA aims to define the level of risk of non-compliance associated with each fishery segment, which is defined according to the type of fishing gear, the geographical area and the target species. Based on this assessment, a set of recommendations on priority risks is agreed, and that is the basis for the development of JDPs.

Question 14 Publication of LH inspection data

The representative of EFCA explained that the last haul controls are performed by inspectors from each Member State, and it is up to the Member State to decide if this data can be disclosed. The results of the last haul analysis for risk assessment purposes are published by EFCA each year in the Annual Report. The results of compliance evaluation where the last haul analysis is used are also published on the EFCA website, as decided by BALTFISH.

On technical measures Q15

In response to the questions on technical measures, **the representative of EFCA** explained that EFCA does not establish the regulations for gears and attachments permitted and does not offer specific interpretations of the legislation. It can only promote a common understanding among the Member States of the provisions in force.

He agreed that the current Technical Measures Regulation⁷ had resulted in the revocation of many of the implementing rules as regards the configuration of gears and attachments. This is expected to be rectified with the adoption by the Commission of a Delegated Act. Most of the questions on technical rules raised for EFCA should be addressed to DG Mare. Moreover, the Member States should provide guidance on the application of technical rules. **The EFCA representative** stated that EFCA had been suggesting to BALTFISH and the Commission to come together with the BSAC at a workshop to clarify these questions. **The BSAC Chair** stated that the questions on technical measures sent to EFCA had also been sent to DG Mare after the BSAC Working Group on technical measures held in January 2021.⁸

The representative of DG Mare explained that there is at present a legal void with respect to the interpretation of the technical specifications of BACOMA and T90 codends. This void will be filled in by the implementing rules, which will be published in the near future. He stated that any gears built in conformity with the technical specifications laid down in the Annex to the Technical Measures Regulation are legal to use. At present, the Technical Measures Regulation allows the use of a 120 mm T90 codend or of 105 mm fitted with a 120 mm Bacoma exit window. As a principle, the gear stated in Annex VIII must be used. There are two types of derogations provided under Part B, points 1.2 (i) and (ii). Those under (ii) require a Joint Recommendation and a Delegated Act. Referring to the mesh size allowed when catching sandeel, only meshes less than 16 mm can be used.

A fisheries representative thanked the representative of DG Mare for his clarifications and stated that in his understanding, there is at present no legal document which the fishery inspectors can use during controls of fishing vessels as the basis for interpretation of the technical rules.

He referred to the problem of misinterpretation of the existing technical rules, raised several times by the BSAC since 2015, concerning the use of a 115 mm mesh size in the codend. At present, different interpretation of the same rule by inspectors from different Member States creates a serious problem. He also noted that the misinterpretation of the rule on a 115 mm mesh size in the codend is caused by an editorial mistake in the Commission Delegated Regulation 2018/47⁹ which has not yet been solved. A Joint Recommendation submitted by BALTFISH to change a technical mistake contained in this act has not been adopted.

⁷ The Technical Measures Regulation 2019/1241 [Regulation \(EU\) 2019/ of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations \(EC\) No 1967/2006, \(EC\) No 1224/2009 and Regulations \(EU\) No 1380/2013, \(EU\) 2016/1139, \(EU\) 2018/973, \(EU\) 2019/472 and \(EU\) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations \(EC\) No 894/97, \(EC\) No 850/98, \(EC\) No 2549/2000, \(EC\) No 254/2002, \(EC\) No 812/2004 and \(EC\) No 2187/2005 \(europa.eu\)](#)

⁸ <http://www.bsac.dk/BSAC-Resources/BSAC-Statements-and-recommendations/BSAC-reply-to-the-Commission-questionnaire-on-the>

⁹ [COMMISSION DELEGATED REGULATION \(EU\) 2018/ 47 - of 30 October 2017 - authorising the use of alternative T90 trawls in Baltic Sea fisheries, by way of derogation from Council Regulation \(EC\) No 2187 / 2005 \(europa.eu\)](#)

Another fisheries representative agreed that the technical rules should be clear and easy to interpret in practice. A Joint Recommendation to avoid any misinterpretation of the rules should be adopted without delay.

A representative of the OIG stated that the expertise and strong knowledge of EFCA regarding the implementation of technical measures should be used more widely.

The BSAC Chair proposed to take the discussion on interpretation of technical measures to another BSAC meeting due to lack of time.

Question 16 environmental issues

Referring to the questions on environmental policy and control of emissions from fishing vessels, **the representative of EFCA** stated that these questions should be addressed to the European Maritime Safety Agency (EMSA)¹⁰.

Question on eel 17-20

The representative of EFCA informed the meeting that eel was introduced in the JDP in 2019 as part of the SCIP programme. A Specific Action on eel fisheries is planned under the Baltic JDP, following the regional risk assessment results and a dedicated workshop in August 2020. The action will be region-specific and coordinated in line with the JDP. The focus will be to identify illegal gears (e.g. with no authorisation and no marks, tag or identifier) and on compliance with the seasonal closure. The Member States will also conduct inspections in accordance with the legislation in place.

A representative of the OIG asked if workshops on eel are also organised in other regions outside the Baltic. Referring to the fact that the rules for the eel fishery in force in other EU Member States are not well known, she asked whether EFCA is planning any coordination of control of the eel fishery between the regions.

The representative of EFCA underlined that the Agency can only work within its mandate. So the control actions of EFCA can only take place at sea and in relation to sea related operations. The freshwater stage of eel is outside the EU legal framework, but also requires control. Control of storage of live eels during the fishing closures is also needed. He pointed out that dedicated workshops are the best way to exchange information and expertise. EFCA is also planning to organise such workshops in other regions.

A fisheries representative underlined that stocking of eel as well as storage of live eel are well regulated and controlled in Denmark.

The BSAC Chair stated that eel remains a focus of the work of the BSAC in the future.

Questions on salmon

The representative of EFCA stated that salmon fishery has been part of the work of EFCA in the Baltic since the beginning of the JDP. Traps for salmon have a survivability exemption from the landing obligation.

¹⁰ EFCA has written to the Secretariat the meeting about its initial reply which identified EMSA as the agency responsible for these issues in the marine environment and its offer to provide a contact at EMSA for addressing this question. After a more in-depth analysis of the question, it seems to imply a more political issue and not a technical one. EFCA has concluded this should be for DG MARE rather than for EMSA to answer.

Specific action for 2021 are based on regional risk assessment results. A workshop is organised every year. The focus is on the misreporting of salmon as sea trout and non-compliance with seasonal closures. The Member States are responsible for the control. A coordinated approach through the JDP enables the Member States to focus on the fishery in their territory with the added element of cooperation with their neighbours and transparency regarding the results.

The BSAC Chair underlined that salmon is a key issue for the Baltic, it had been discussed previously with EFCA and he was pleased to see progress.

Question on recreational fishery.

The representative of EFCA stated that the control of recreational fishing is a new activity for EFCA. Referring to specific actions on cod recreational fisheries, he mentioned a dedicated workshop held in August 2020 to discuss risk analysis. In the framework of the Specific Action in 2021, the Member States concerned were tasked with monitoring the activity of recreational fishers at sea, and where possible ashore to monitor compliance with the bag limit, as well as monitoring their activity inside the 6 nautical miles in SD 24. He drew attention to the challenges of such control actions with regard to recreational fisheries. Control is very difficult because the fishing activity is less visible, vessels are not necessarily registered, and individuals may be targeting other fish than cod.

The control activities detected some suspected infringements, mainly concerning non-compliance with the bag limit. The scale of non-compliance could not be assessed. On the basis of experience gathered this year, the recreational fishery should in the future be better controlled, allowing for the collection of better data and development of a more precise strategy and selection of appropriate operational measures. The representative of EFCA expressed the opinion that BALTFISH should discuss the control of recreational fishery.

A representative of anglers stated that the control of recreational fishing is carried out by the Member States and by the anglers themselves and seems sufficient. However, there is a need to better define recreational fishing, of which recreational angling is only one form of activity, in order to address the regulations to the right group. In his view, the EMFAF funding should be used to finance the control of recreational fishing.

A representative of recreational fishermen stated that in his view control should only be conducted by international or national control bodies and not the anglers themselves.

Another representatives of anglers referred to the fact that the self-control of the anglers works well and is supported by good cooperation with the authorities.

The representative of EFCA stated that EFCA cooperates with the national authorities on control, but does not assess their control activities. At present, EFCA is looking at how to improve knowledge and increase inspection activities and resources in relation to recreational fishing.

The BSAC Chair thanked the representatives of EFCA for attending the meeting and answering the questions put forward by the BSAC members. He thanked Pascal Savouret, the outgoing Executive Director of EFCA, for his work and cooperation with the BSAC.

Pascal Savouret, the outgoing Executive Director of EFCA thanked the BSAC for many years of good cooperation. He underlined that EFCA is always ready to welcome the BSAC in Vigo to present its work in more detail.

He underlined that EFCA is looking forward to a joint meeting with the BALTFISH and the BSAC on the implementation of the landing obligation in September 2021.

4. Afternoon session with ICES

The BSAC Chair welcomed the representatives of ICES. He recalled that the BSAC had raised questions about the Baltic Sea, about the fisheries advice and the fish stock assessments, and ICES had invited the BSAC to host a meeting to discuss issues relevant for the Baltic fisheries, fish stock assessment and updates on ICES activities. He underlined that this bilateral meeting is expected to provide input on issues and concerns relating to the advice and advisory process. Many questions had been collected from the BSAC members. Due to the limited time, the BSAC had had to make a prioritised list of questions. The meeting will address only the prioritised subjects.

The representative of ICES emphasised that the participation of ICES representatives at the meeting should be treated as part of a dialogue between ICES and the BSAC. The ICES representatives joined the meeting in their personal capacity to help explain the science. The discussions and explanations do not represent ICES formal positions.

General question on the success of science-based management in the Baltic (considered high priority)¹¹

Is there a need to change the ICES approach to scientific advice by introducing alternative advice, which will put more emphasis on the problems / reasons concerning the growth rate, and on preserving and maintaining the right stock structure and size distribution?

The ICES representative referred to the fisheries overviews¹² produced and the status summary of Baltic Sea stocks in 2020 relative to the ICES maximum sustainable yield (MSY) approach. There are clear examples of increases in SSB as a result of a reduction in the fishing pressure. Globally, there is evidence that effective management measures based on science are resulting in improved stocks. On the other hand, fish live in a dynamic ecosystem, and fishing pressure is not the only driver to consider when looking at fish stocks. He underlined that ICES provides advice at the request of management authorities and the grant agreement with the EU specifies the advice. ICES is not a management body. ICES is not asked to advise on selectivity. He referred to the guidelines for the advisory framework and principles¹³.

A fisheries representative stated that there is not a single voice raised against science based management, but is it put to best use? In his view, the advice can be improved, taking into account the successful advice from the past in terms of stock increase.

Another fisheries representative stated that more advice is expected from ICES on how to deal with the regime shift in the Baltic. He underlined that the advice should not be based on the multiannual plan for the Baltic, which had not delivered any positive results so far.

¹¹ Full text of the questions addressed to ICES: [BSAC - Executive Committee meeting with EFCA and ICES](#)

¹² ICES latest fisheries overview [FisheriesOverviews_BalticSea_2020.pdf \(ices.dk\)](#)

¹³ The Guide to ICES advisory framework and principles (21st January 2021)

https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2020/2020/Guide_to_ICES_Advice.pdf

In his view, more insight should be given into the reasons for the changes in productivity, such as water temperature.

A fisheries representative stated that the question on the need to change the approach to scientific advice had also been originally addressed to the European Commission as a question of solidarity to both institutions responsible for the Baltic advice process which is the basis for fisheries management. He underlined that selectivity should be included in the advice, because it is an important factor determining the structure of the stock. In his view, the present structure of the cod stock in the Baltic is not good. He underlined that so far, the scientific advice has not delivered the expected results and an alternative approach should be sought by ICES.

The ICES representative stated that ICES are including selectivity when setting reference points and in estimating long term yields. ICES does not forecast changes in selectivity, but models them as they develop. Therefore, ICES uses selectivity in the advice, but does not give advice on different types of selectivity to improve long term yields.

ICES advice takes into account regime shifts, but it is difficult to forecast them. The benchmarking process examines in detail how regime shifts impact the reference points, in particular F_{msy} and $B_{trigger}$.

He informed that the advice for cod in SDs 22-24 will be delayed until September 2021, due to some recent updates in the assessment.

He disagreed that the quality of the assessment had got worse. There are issues with the assessment for some stocks. For some stocks, the advice is probably not precise enough to deliver the MSY targets.

A fisheries representative expressed the opinion that the MSY target should be applied on a longer time scale, with long-term objectives, and not on target average, so as to avoid the impression that a stock could collapse when going above the target F_{msy} in the TAC setting.

A fisheries representative stated that in terms of developing an ecosystem based management, he sought insight into the changing ecosystem in terms of nutrients, timing of recruitment, and whether this required more resources for extra surveys. Problems with the assessment of the western Baltic cod were a cause of concern.

A fisheries representative expressed concern that ICES does not include underwater mortality of pelagic fish in the assessment because of the lack of data on the mortality of fish escaping from the fishing gears. ICES stated that this mortality is considered as natural mortality. He underlined that underwater mortality of escapees should be considered as fishing mortality. The scale of this mortality is very high, up to 90%, and this is due to the selectivity of fishing gears, especially pelagic gears. The fact that this data is not included in the assessment contributes to the distortion of data on fishing and natural mortality, which significantly reduces the reliability of ICES assessment.

The ICES representative stated that underwater mortality is not included in the assessment. Research done in the past had indicated that this mortality is difficult to measure. Natural mortality is included in the assessment. With reference to the MSY targets, ranges are included in the multiannual plans and the MSY approach had been phased in. He indicated that ICES is looking at fishing mortality, not just the MSY reference points. In his view the ICES advice is misinterpreted if fishermen get an impression that the stock will collapse when the fishing mortality reference points are exceeded. He agreed that the MSY targets should be developed on a long-term scale.

He stated that progress in stock rebuilding is slow. There are examples of improvement in stock condition, but also examples of serious deterioration. In his view, fisheries management in the Baltic is going in the right direction. All stocks are not able to react at once to the shift of MSY targets.

Another ICES representative agreed that MAPs should be developed with long term objectives in the direction of MSY. Long term objectives matter. However, in crisis situations, short term objectives come in. He referred to the ecosystem overview showing trends in the ecosystem¹⁴. He also stated that ICES does not have a priority objective to have more surveys. What is needed are more resources targeted at turning the research into applied science to feed into the advice, and to do an analysis with regard to fisheries and other human activities.

The BSAC Honorary Chair underlined that a long-term management is crucial. In his view, the cod stocks in the Baltic will not rebuild if there are no positive changes in the ecosystem.

Multispecies - Can ICES deliver a multispecies advice for pelagic stocks? And for demersal stocks? What would this mean in terms of TAC advice?

The ICES representative underlined that it is important to clearly set the fisheries management objectives in order to decide whether the goal is to conduct a multispecies fishery, harvesting the pelagic fish together. In his view, knowing the dynamics of different populations, such a goal would result in lower yields. He informed the meeting that the ICES multispecies working group WGSAM works on different ecosystem models: one feeds into pelagic fish, one with ecosystem dynamics and climate change, and one with social and economic effects of what to fish. The management objectives have to be decided on, but are difficult in terms of a multi-species approach. He underlined that ICES is committed to reflecting more the ecosystem dynamics in the future advice.

Cod

If 20-25 cm cod (some with eggs) turn out to be much older than so far estimated by ICES, and thus considered to be fish with a slow or very slow growth rate, should they be caught, or should they continue to be protected by means of the fishing gears? Is increasing / maintaining selectivity at current levels actually beneficial in terms of population and stock dynamics? Do selective fishing and reduced effort lead to the symptoms seen in the Baltic cod, such as stunted or slow growth, parasites and high mortality of the growing fish?

The ICES representative stated that there is always some degree of uncertainty about the estimated age of fish. The research based on otolith chemistry and tagging indicated that the growth rate of Baltic cod has been reduced. This uncertainty is built into the stock assessment. Selectivity and changing selectivity are included, but changes in selectivity cannot be forecast.

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https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2020/2020/EcosystemOverview_BalticSea_2020.pdf

A fisheries representative stated that the question is purely theoretical because there is practically no market for a 20-25 cm cod.

A fisheries representative underlined that the reason for asking the question had been that there are contrary opinions as to whether small but mature fish should be caught to improve the structure or protected by means of selective gears.

The ICES representative referred to the fact that evidence of a fisheries induced evolution concept¹⁵ is reflected in a number of scientific studies. The question whether to fish or protect small, mature fish should be addressed to the managers. However, at present the evidence is too weak to answer the question as to whether small, mature fish should be fished or protected.

Herring

WBSS herring: This remains a concern for the BSAC. Has ICES got any updates on advice on the management of western Baltic herring This is includes the herring stocks WBSS SDs 20-24 and eastern part of subarea 4.

The ICES representative referred to the fact that the advice for WBSS herring will be released on 28th May 2021. He informed that the WKREBUILD workshop on the rebuilding plans, with western Baltic herring being one of the case studies in the workshop, had made progress in terms of identifying the needs, setting the timeframe for rebuilding, risk level and target. Rebuilding the WBSS herring to target reference points will take several years and could only be achieved with very low fishing mortality. The advice for WBSS herring has been zero catch in recent years. ACOM is planning to investigate whether it is possible to establish guidelines and recommend rebuilding plans for stocks below B_{lim} .

The BSAC Chair stated that the BSAC hopes that a rebuilding plan for WBSS herring could be developed within a year. The BSAC is interested in the results of the ICES work on this issue.

A fisheries representative stated that fishermen have observed high concentrations of WBSS herring, but scientists say that there is no recruitment. He asked whether there are other spawning grounds for WBSS herring which contribute to the increased number of herring in the sea.

The ICES representative stated that there are different spawning areas for WBSS herring and the stock is a complex mix of populations. Recent surveys had gathered a lot of information on the stock. This information will be released with the ICES advice for 2022 at the end of May 2021.

A fisheries representative underlined that science provides a lot of background for management decisions. There should be a dialogue between the managers and scientists. In his view, the advice does not react to the changes in the ecosystem. The advice should not be stuck in a rigid framework and should follow a flexible approach. There is a need to discuss how to improve the advice. Referring to WBSS herring, he drew attention to the fact that there is a lot of herring in the sea, but not from the right stock. Fishermen also want the Rügen herring to recover, but should at the same time be allowed to exploit the available resources.

¹⁵ Throwing down a genomic gauntlet on fisheries-induced evolution 18th May 2021
<https://www.pnas.org/content/118/20/e2105319118.short>

A representative of anglers referred to the fact that the WBSS herring TAC had been decreased drastically in the Baltic, but not as much in the Skagerrak and Kattegat. In his view WBSS herring should be managed in the same way in the entire area of its occurrence.

The ICES representative referred to the fact that ICES advised a zero catch in all these areas. Managers balance the advice against different objectives and take into account other factors.

Central Baltic herring: will ICES adjust its advice to reflect the fact that there are two sub-populations? ¹⁶

The ICES representative stated that some stocks have smaller populations and some stocks are split. He referred to a scientific paper by Lisa Kerr¹⁷ (Lessons learned from practical approaches to reconcile mismatches between biological population structure and stock units of marine fish). This paper analyses the approaches applied to address misalignment of biological and management units.

A representative of OIG raised the issue of uncertainty, and the potential threat to the sub-populations concerned under current management,

Herring with sprat

Latest research reveals genetic sub-populations and the changes of the size and age structure of herring within SDs 30-31. Given this, does ICES have plans for improving of the advice for the herring and sprat fishery? Will ICES aim to make sensitivity testing on modelling sprat-herring catches?¹⁸

With respect to SDs 30-31, **the ICES representative** stated that there are different sub-herring populations in the Bothnian Sea, but there is not enough scientific background to separate them in the advice. He stated that some fish stocks are split into sub-populations, but managers decide to manage them as one stock. He indicated that ICES has at present no resources to address the multi-species issues. A benchmark for sprat and herring in the Baltic is planned in 2022 and will explore the identification of different sub-populations in SDs 30-31.

A representative of OIG drew attention to the sensitivity testing of the modelling regarding mis-reporting of sprat as herring and its effect on the advice.

The BSAC Chair underlined that the same problem of different sub-populations also relates to the WBSS herring, where one stock component drives the stock down.

¹⁶ Sent by Fisheries Secretariat: A combination of genetic and phenotypic characterization of spring- and autumn-spawning herring suggests gene flow between populations. Berg et al ICES Journal of Marine Science 29.2.20 AND:

Ecological adaptation in Atlantic herring is associated with large shifts in allele frequencies at hundreds of loc. Fan Han et al eLife 14.12.20

¹⁷ <https://academic.oup.com/icesjms/article/74/6/1708/2629217?login=true>

¹⁸ Sent by European Anglers Alliance: Biocomplexity in a highly migratory pelagic marine fish, Atlantic herring, Daniel E. Ruzzante et al Proceedings of the Royal Society 21.2.2006

Salmon

Last year's special advice on salmon management indicated that the current regime of considering Baltic salmon as one stock and setting a global TAC is wrong, that it risks weaker stocks etc. Is there now enough data to move from mixed stock fisheries to management based on individual rivers? Can river targets be set, with a target for the amount of returning salmons as a complement, and link them to the potential smolt production?

The ICES representative confirmed that ICES has data on most of the salmon rivers in the Baltic region. Reference points have been reached for AUs 1-4. This is not the case for AU5 or the Gulf of Finland, but there is some data on smolt production. In general terms, there is a need for a wider review by experts to assess whether the data is sufficient to move from mixed stock fisheries to management based on individual rivers. River targets are missing for several rivers and setting some of them may require additional information.

The representative of anglers praised the work of the salmon working group at ICES. He pointed to the poor performance by the Member States in developing the management plan. He was also concerned about the lack of answer from BALTFISH to the BSAC letter about the work related to the salmon management plan.

The BSAC Chair stated that the BSAC had been dealing with this for a long time, and that the Member States were delaying.

Eel - Can ICES clarify its recommendations in relation to the re-stocking of eel? Does it contribute to recruitment?

The ICES representative referred to the ICES advice on eel published in October 2020¹⁹. He stated that restocking should only take place only where survival in silver eel escapement is high, and it should not be used as an alternative to reducing anthropogenic mortality. Where eel are translocated and stocked, measures should be implemented to evaluate their fate and their contribution to silver eel escapement. Such measures should include regionally-coordinated mass marking of eels to distinguish stocked eels from natural recruits in future scientific surveys.

A fisheries representative indicated that restocking of eel in Finland has high survival rates. Tagging is carried out to distinguish stocked eels from wild ones.

Another fisheries representative stated that according to DTU Aqua the fishing mortality in the sea accounts for less than 2% of total eel mortality. Fishermen are thus frustrated that the present management of eel focuses on the least important aspect.

A representative of recreational fishermen stated that dams and other inland factors affecting eel need to be addressed.

¹⁹ [ele.2737.na \(ices.dk\)](https://www.ices.dk/eel/eel2737.na)

The ICES representative referred to the ICES workshop on the future of the eel advice²⁰ held on 1st – 5th February 2021 and which met to discuss the current advice framework, consider options for future assessment and advice needs, and draft a roadmap towards recommendations for a new or adapted advice framework on fishing opportunities and potentially other anthropogenic pressures on European eel.

Wider ecosystem considerations

Has progress been made in the stock assessments in the light of regime shift and climate change (reference and target values, age readings of cod) and increasing natural mortality of fish (especially cod) caused by predation by cormorants and seals?

The ICES representative stated that stock dynamics are influenced by changes in the ecosystem. A number of studies on chlorophyll production indicate that the productivity of the Baltic ecosystem varies. These changes are not well mapped in Northern Europe. In the Baltic, eutrophication has an impact on productivity. In view of these changes in the ecosystem, the long-term MSY targets need to be constantly re-assessed.

Cod

Anticipating the advice for next year, does ICES consider removing its zero catch advice in SDs 25-26 for 2022?

The ICES representative referred to the fact that the ICES advice for 2022 will be published on 28th May 2021 and ICES was not able to pre-empt the advice.

A fisheries representative expressed the opinion that for future meetings with ICES, the questions on scientific advice and fisheries management should be forwarded both to ICES and to the European Commission. **Another fisheries representative** called for an open and frank dialogue between the European Commission, ICES, the Member States and the BSAC in order to increase mutual understanding and flexibility in decision-making process. In his view, ICES is part of the machinery because the fisheries management is built on science.

A representative of DG Mare stated that he took part in order to be able to answer any questions directly related to the management. He reminded the meeting that in line with the CFP requirements, the fisheries management is based on the best available scientific advice.

The BSAC Chair thanked the ICES representatives for attending the meeting and for the informal exchange of opinions with open and frank discussions.

²⁰ <https://www.ices.dk/community/groups/Pages/WKFEA.aspx>;
Link to the report <https://doi.org/10.17895/ices.pub.5988>

AOB

A fisheries representative presented the derogation of Article 7 of Regulation 2020/1579²¹ fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea. This Article gives exemptions from spawning closures in SDs 25-26 to the vessels fishing in where water depth is less than 50 metres for pelagic stocks for direct human consumption, using gears with a mesh size of 45 metres or less, and whose landings are sorted.

However, it is not stated when the landings should be sorted. He asked for clarification that vessels applying this exemption do not have to sort catches on the vessel, but can do so upon landing.

The representative of DG Mare referred to the fact that the interpretation of this derogation had been discussed in the BALTFISH Control Working Group. He promised to return with an answer as soon as possible.

The BSAC Chair thanked all participants for the frank discussions and the interpreters for their work.

²¹ [EUR-Lex - 32020R1579 - EN - EUR-Lex \(europa.eu\)](#)