

BSAC meeting with the Commissioner prior to the October Council meeting Report

Online, 18th October 2023

Participants: Commissioner Sinkevičius, one representative from the Cabinet and one from DG MARE. The BSAC was represented by the Executive Committee Chair, Pelagic, Demersal and EBM Working Groups Chairs and the Executive Secretary.

The Commissioner explained that the terrorist attack on the 17th October forced the Commission to hold the meeting online.

He explained that there are difficult circumstances in the Baltic Sea. He was deeply concerned about the state of the overall ecosystem but also of declining fish stocks. The decisions and the dialogue would be easier if the fish resources would allow for better fishing opportunities.

The Commission recognises the important role of fishers in the Baltic. Fisheries is also the sector that pays the highest price for the difficult situation. The Commissioner then highlighted that fishers will go through a difficult time and need to be supported.

He highlighted that nonetheless, the proposal for fishing opportunities for 2024 is based on science. He recalled the discussion with the fisheries sector at the Our Baltic Conference and agreed that scientific advice changes from one year to another and there is a need for as much clarity as possible.

The Commission has to follow the Baltic MAP. It is the reason behind the proposal for the herring stocks. Bycatch quotas are still proposed in order not to close all fisheries that catch herring as bycatch. For sprat, the TAC reduction is linked to the mixed fishery of sprat and herring. The Baltic MAP requires to take additional remedial measures to reduce bycatches of herring, the sprat TAC reduction is one such measure. Other measures include temporal or spatial closures. The Commission heard fishers saying they could fish sprat and herring separately and has asked ICES about this. An ICES workshop will take place on the matter at the end of October. The Commission has worked with its lawyers and continues discussions with the Member States on the application of the MAP.

The Commissioner would have preferred to announce good news, but the reality needs to be admitted and addressed.

The BSAC ExCom Chair thanked the Commission for taking the time to meet with the BSAC and to invite ACs prior to Council meetings and this year specifically before the October Council.

He introduced all the participants and explained that the Chairs of the Working Groups will present the priorities and latest work.

The Chair explained that BSAC shared with the Commission the opinion regarding the complex situation in the Baltic caused by several developments taking place, such as climate

change, species interactions and fisheries. The BSAC took due note of the remedial measures proposed by the Commission and discussed them.

Regarding the Baltic MAP, the BSAC organised a workshop in May, following a request of an OIG stakeholder to reopen the discussion on this issue. The meeting concluded that all stakeholders are interested in the revision of the MAP. By July next year AC will be asked about their views in the context of the evaluation of the MAP and the BSAC will deliver its recommendation. It is clear for stakeholders that the MAP plays a critical role in the setting of the fishing opportunities.

Going back to the fishing opportunities. The BSAC has provided a recommendation on fishing opportunities and understands that this is a transition moment that is difficult for the fishers.

Together with ICES, the BSAC already identified in June 2022 some scientific gaps and called for more research, better data and quality of advice. ICES was not able to provide advice on mixed fisheries science because of missing research on the topic. This is specifically a problem for the herring stocks in the Baltic. This is a serious issue that should be addressed by the Commission.

The Chair finally thanked again the Commissioner for this meeting that allows the BSAC to present its position. The BSAC Chair also highlighted that this contrasted with the short time allocated to ACs to take the floor in recent online meetings including the Joint Special Group.

The Demersal WG Chair highlighted the critical situation for the demersal fisheries in the Baltic. She explained that this was also very true for small scale fisheries. She then presented 2 issues that were linked to the lack of scientific data and knowledge.

First, for the flatfish fishery. The regulation restricts the flatfish fishery in some Baltic area to protect cod spawning. In this context, the BSAC decided to send a letter to BALTFISH Member States asking if it would be possible to carry a test fishery in the area to gather data on the cod bycatch that some members believe to be very low. (*Article 25 of the Technical Measures Regulation*). She asked the Commissioner if the Commission discussed this with Member States and if it would support such proposal?

Second, data is also missing on the cormorants and seals and their impact on the ecosystem and the fish stocks. The BSAC is organising a workshop on predators in the Baltic to have an overview of the science available. It will take place on the 27th October. The state of science and management regimes in the different Member States will be presented during the workshop. As a next step, the workshop will be followed by another one that will feature reflections on the management systems that need to be put in place.

The EBM WG Chair reminded the Commissioner that the BSAC has been asking for a taskforce of both environmental and fisheries ministries to tackle the issues faced in the Baltic. The Joint Special Group is an attempt to form such taskforce and is welcome in this sense. The BSAC sent a letter to support this Group and also highlight that eel is a perfect topic to be discussed in the Joint Special Group.

This work is needed when discussing TAC and quotas. It is very relevant and fully connected.

The Chair also explained that the BSAC prepared a series of recommendations on offshore windfarms, in view of large scale developments at sea. The BSAC is specifically concerned about the fast-paced process side stepping normal procedure and the gaps in knowledge at large scale level. There is also a crucial need to discuss compensation and restoration before the installation of these windfarms. Finally, access to fishing in windfarms is prioritised and coexistence plans are developed, these should also include the recreational fishers.

The Pelagic WG Chair explained that there had been additional comments regarding the fishing opportunity for 2024. These comments touched upon 3 things:

First, the BSAC believes that the TAC proposals such as the Commission proposal made this year should be developed also in the light of their socio-economic impact, including on recreational fishing. Second, the BSAC recommended that the Commission should ask ICES to evaluate the new method behind setting reference points for central herring. Finally, the BSAC would like to ask the Commission for more transparency in requesting scientific advice. While the Commission has every right to ask ICES for particular advice for the Baltic, the BSAC is of the opinion that the Commission should share copies of such requests with the Advisory Councils when they are being formulated and discussed. We consider this a way of ensuring transparency and appropriate involvement of stakeholders, in particular Advisory Councils, at all stages. Knowing exactly what ICES has been asked for enables Advisory Councils to better understand the advice. Without such transparency, the Commission distracts from the BSAC's ability to provide relevant stakeholder input on matters of vital interest to many of its members.

She then referred to the Multiannual Plan for the Baltic. In May 2023, the BSAC organised the workshop on the Multiannual Plan for the Baltic (MAP), on request of an Other Interest Group member, to discuss and hear the stakeholders' views 7 years after the adoption of the plan and 3 years after its first evaluation. The meeting concluded, among others, that there is a need to revise the MAP in view of the current state of the fish stocks, in order to adjust it to the on-going changes in the ecosystem.

She explained that there were lively discussions in the BALTFISH Forum about the Articles of the Multiannual Plan, relevant to setting the fishing opportunities. The BSAC will further discuss any recommendation in relation to the evaluation of the MAP during its Executive Committee on the 26th October. It was her understanding that some Member States seem to not have the same legal interpretation as the Commission when it comes to the use of specific Articles of the MAP to propose fishing opportunities in the Baltic in 2024. The Pelagic WG Chair then asked the Commissioner if the Commission was looking further into the application of article 4.6 of the MAP together with Member States?

The Chair of ExCom concluded on the topic of energy transition of the fishing fleet in the Baltic. The BSAC had set up a focus group to work on the recommendation which was delivered at the end of September. The BSAC highlighted that the energy transition would naturally take place if the fleet size in the Baltic were reduced. In view of the state of the Baltic fish stocks and fishing opportunities it was important to point out that effort made towards energy transition must be based on a solid and viable future for the business and companies at hand.

He also thanked the COM for the invitation to Our Baltic meeting in Palanga.

The Commissioner thanked the BSAC representatives for their comments. He reacted and commented on them:

Regarding the lack of experts on mixed fisheries, ICES explained to the Commission that it was not only a lack of expertise but also a lack of data and relevant surveys.

Regarding the MAP, the Commissioner was happy to hear that both NGOs and fishing sector were agreeing that some amendments were needed and could be discussed together. He stated that the BSAC should meet with the Commission to understand better the rationale behind the application of relevant articles of the MAP.

Regarding the impact of predators, the situation is not easy as well. The Commissioner highlighted that the decline of fish stocks has also impacts on the seals stocks with weaker seals. The populations are stable, and they struggle to feed because of less prey availability. For cormorants the situation is perceived to be different, and Member States can use flexibility in the regulation allowing them to manage the populations. Cormorants have an impact on the nature around the Baltic Sea. The aquaculture sector also asked to look at the cormorant issue. It is an issue that requires actions by Member States.

Regarding the support of the Commission on the flatfish test fishery, this was a new proposal for the Commissioner. He explained that DG MARE will have a further look at this.

Finally, regarding transparency when asking for advice to ICES, the Commissioner explained that the Commission is making efforts to be more transparent in general. For instance, this meeting was a hand towards the stakeholders to be a real part of the decision-making process. If BSAC wanted to make additional recommendations, they would be welcome. He also reminded that when asking for an ICES advice, the Commission consulted with the Member States.

The EBM WG Chair highlighted that across several topics, BSAC is highlighting that business as usual is not possible. It is not possible to discuss fishing quotas in an isolated way. He stressed the urgency to consider several important impacts on fishers and the ecosystem.

The Commissioner thanked again the BSAC representatives. He explained that both NGOs and fishers would be satisfied to see improvement in the fish stocks.

The BSAC Chair, concluded that he looked forward to constructive cooperation with the Commission and wished a very good Council meeting.