

## **BSAC response to the Commission's survey to inform the second report on the implementation of the Multiannual Plan for the Baltic Sea**

Ref: BSAC/2024-2025/1

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The BSAC Secretariat received a letter dated from the 7<sup>th</sup> February 2024, from DG Mare addressed to the BSAC ExCom Chair and to the BALTFISH Presidency. The letter refers to the second report on the implementation of Regulation (EU) 2016/1139 establishing the [Multiannual Plan for the Baltic Sea](#) (MAP).

The BSAC and its members are asked to provide input on various aspects of the MAP evaluation. The replies to and results of the survey will be used to inform the Commission's implementation report.

The BSAC secretariat prepared a first draft based on the past BSAC work on the topic including the [BSAC answer to the first questionnaire of the Commission in 2019](#), [BSAC input to the European parliament Fisheries Committee hearing 23/01/23](#), [BSAC workshop on the Baltic MAP](#) of 16/05/23, and the [BSAC reply to the European Commission open feedback](#) on the proposed changes to the Baltic Multiannual Plan of 29/01/24; and on the discussions in the Joint Working Group on the 27<sup>th</sup> February 2024.

Written input from BSAC members and BSAC Executive Committee was further incorporated in the document.

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### Introduction

The multiannual plan (MAP) objectives are:

- to contribute to the achievement of the objectives of the CFP;
- to aim to ensure that the populations of living marine biological resources are at sustainable levels (i.e. above levels which can produce MSY);
- to contribute to the elimination of discards by avoiding and reducing unwanted catches and by implementing the landing obligation for the relevant species;
- and finally to implement an ecosystem-based approach so as to minimize negative effects of fishing activities on the environment.

The MAP provides that the Commission should report to the European Parliament and to the Council on the results and impacts of the MAP on the stocks covered by the MAP and on the fisheries exploiting these stocks in particular as regards the achievement of the MAP's objectives.

The Commission published a first such report in 2020 ([COM\(2020\)494 final](#)). For the second report the Commission would like to again consult stakeholders, on their assessment of the MAP's performance since the last report in meeting its objectives, and identifying any weaknesses in design or implementation that undermine its effectiveness.

## Survey Questions

### Progress made towards sustainable fishing levels

According to the MAP, **MSY** had to be achieved for all relevant stocks by 2020 and maintained thereafter. In your opinion:

**Question 6 To what extent has the MAP contributed to increase the number of TACs set at MSY and to keep them at MSY thereafter?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*In the BSAC's opinion, the MAP has not contributed to increasing the number of TACs set at MSY and has not helped in dealing with difficult cases such as the eastern and western Baltic cod stocks, western herring and that the provisions in the MAP have in some cases been counter-productive.*

**Question 7 Has the MAP provided an effective framework to contribute to rebuilding fish stocks in the Baltic Sea above healthy levels?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*In the BSAC's opinion, the unsuccessful rebuilding of the Baltic cod stocks exemplifies the ineffective framework provided for by the MAP.*

### Discards and landing obligation

On **discards** and the **landing obligation**, in your opinion:

**Question 9 To what extent do undocumented and illegal discards continue?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The BSAC is of the opinion that the implementation of the Landing Obligation has not been fully successful.*

*The BSAC is eagerly waiting for a report from EFCA on the implementation of the LO in the Baltic Sea in 2019-2021.*

*Some BSAC members highlight that the control of discards has not been properly implemented.*

**Question 10 To what extent has the MAP contributed to avoiding discards and implementing the landing obligation?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The BSAC is of the opinion that the MAP has not contributed to achieving the implementation of the Landing Obligation. For example, it has not provided enough help in terms of the developments of alternative gears or facilitating the removal of gears that do not work. Some of the provisions of the MAP have even been counterproductive in the implementation of the Landing Obligation, for instance the specific measures for flatfish, which have encouraged bad practices in the fishery.*

**Question 11 To what extent does the MAP allow taking into account the management of mixed fisheries – management of by-catch stocks and avoidance of choking situations?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*In the opinion of the BSAC, the MAP should be revised in order for it to be **more adaptive**. There is a need to adapt fishing mortality to spatial distribution/abundance and interactions with other species.*

**Question 12 What is the impact on the fish stocks of the current level of discards and implementation of the landing obligation?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The BSAC is eagerly waiting for a report from EFCA on the implementation of the LO in the Baltic Sea in 2019-2021.*

**Ecosystem-based approach**

On the **ecosystem-based approach to fisheries management** and against the background that ‘good environmental status’ was not achieved by 2020, in your opinion:

**Question 14 To what extent has the MAP contributed to implement the ecosystem-based approach to Baltic Sea fisheries management?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The BSAC is of the opinion that the MAP has actually been counterproductive in implementing an ecosystem-based approach to fisheries, whereby environmental factors and interactions are to become a more integral part of managing the fisheries. Moreover, the MAP does not take into consideration the importance of species interactions and age structure of the stock.*

*This should include the impact of interdependency between fish species and also account for the role of non-fish species predators such as seals and cormorants on the fish stocks, including diseases transmitted by these predators.*

*Some BSAC members are of the opinion that the MAP has failed to facilitate the implementation of MSFD (descriptor 3).*

**Question 15 What is the impact on the relevant stocks of the current situation of the ecosystem (cf. ICES ecosystem overview <https://doi.org/10.17895/ices.advice.21725438> )?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

**Question 16 To what extent can the MAP contribute to addressing the current issues of the Baltic Sea ecosystem?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*In the opinion of the BSAC, the MAP should be revised in order for it to be **more adaptative** to take account of the changing environmental conditions*

*The BSAC is of the opinion that current reference points (fishing mortality) should be revised to take account of e.g. decreasing trend in stock status, unfavorable changes in age and size distribution, negative impact on the status of other species or disruptions in food web or other environmental conditions that will likely decrease productivity of the stocks. There is a need to adapt fishing mortality to spatial distribution/abundance and interactions with other species.*

*Setting TAC at MSY should not be per se an objective. The MAP and the technical measures should be revised to take account of the changes in the state of the fish stocks and the environment.*

*The MAP has no crisis mechanism to deal with unexpected developments of the ecosystem. Under the current unexpected developments of stocks, TAC and quotas and socio-economic impacts are not well dealt with by the existing MAP. For example, on the ecosystem aspect, we clearly see in the Baltic that the predators have to be taken into account if we talk about “ecosystem based management”. Concretely, we need more active management of predators if we want to make full use of the potential value of the Baltic Sea for European food security.*

*Some BSAC members highlight that the MAP should better adapt the fishing effort to the reproductive capacity of the fish stocks. In particular, the lack of selectivity of trawl fishing gear needs to be addressed in order minimize bycatch.*

*Other BSAC members highlight that further effort reduction does not have significant impact of the reproductive capacity of the fish stocks. So far, considerable effort reduction has deprived the fishing communities of work and income, without any positive impact on the fish stocks. Therefore, the reasons behind the current state of resources should be sought elsewhere, and may include predators or change in the stock structure as a result of excessive selectivity.*

## Control and enforcement

On **control and enforcement**, in your opinion

**Question 18 What have been the effects of Article 13 (Margin Of Tolerance) on the relevant Baltic Sea fisheries and on the status of the related stocks?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*Some BSAC members point that there have been significant volumes of catch misreported in the mixed sprat/herring fishery. The Margin of Tolerance has provided an incentive to misreport catches. This has resulted in poor quality catch data being submitted to stock assessors and has contributed to the poor status of the central Baltic herring. ICES have highlighted the impact of catch misreporting in these fisheries in the stock assessments and working group report for a number of years.*

**Question 19 What effects on the relevant stocks do you expect from the recently adopted changes to the MOT?** [Control Regulation Jan 2024: <https://eur-lex.europa.eu/eli/reg/2023/2842/oj>]

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*Some BSAC members point that regarding the problem of compliance with the rules concerning the margin of tolerance (MOT) in the case of fishing vessels retaining unsorted catches, in particular kept on board in refrigerated tanks. Such vessels are adapted to keep fish in the above tanks and transport the catch from the fishing gear to the hold by means of a non-contact pump system. Shipowners have retrofitted their boats with such systems to comply with the so-called 'discard ban'. It is impossible for the skipper on such a vessel to estimate the species composition with such a high degree of accuracy. With a catch of several tens of tonnes, a 20% MOT for non-target species is unfeasible.*

*Example: the catch is 20 tonnes in which the skipper estimates that there are about 200kg of non-target species. In port after landing, the result shows that he made a mistake and there is not 200kg of non-target but 300kg. He has exceeded the MOT under the new regulation. He was wrong by several tens of kilograms in a weight of several tens of thousands. Such a restrictive regulation will lead to massive violations and an avalanche of administrative proceedings and penalties, not because not because the skipper or crew is unwilling or wilfully breaks a rule, but because of a rule that is impossible to enforce. The fishing sector questions such unrealistic regulations, impossible for some segments of the fleet to comply with. The representatives of the fishing sector are of the opinion that the creation of such regulations shows incredible incompetence. Some see it as a deliberate act to eliminate the last group operating on the available raw material and supplying it in quality for direct human consumption, as a supplier of raw material to fish processing plants and a link in the food security chain.*

*Other BSAC members point out that if controls are implemented that lead to more accurate catch data the recently adopted changes to the MOT have a positive impact.*

### Regional cooperation

On **regional cooperation**, in your opinion:

**Question 21 To what extent has the MAP strengthened regional cooperation, including with stakeholders, on the preparation of joint recommendations?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The BSAC is of the opinion that the MAP has not facilitated **regional cooperation** and its functioning is not helped by regional cooperation. The BSAC underlines that the regional process of the implementation of the MAP will not work unless there are sufficient resources onboard.*

**Question 22 Has the MAP triggered strengthened regional cooperation on other topics?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*Predator management and the impact on natural mortality for certain fish species is an example where the MAP has not triggered improved regional cooperation where one would have hoped.*

*Some BSAC members highlight that there is intensive cooperation between stakeholders in the form of a lively exchange of arguments. Unfortunately, in most cases no common solution is found because the interests regarding the management of fish stocks are too diverse. For example, semi-industrial trawling is geared towards mass catches, while small-scale fishing is geared towards quality.*

### Socio-economic impact

Regarding the **socio-economic impact** of the MAP, in your opinion:

**Question 24 How has the overall socio-economic situation of the Baltic Sea fisheries sector developed since the last report on the implementation of the MAP?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The MAP has contributed to biomass decline, which is the single biggest problem for the fishing sector.*

*The exception is for Gulf of Riga herring where there has been significant stock growth.*

**Question 25 Are there differences between different (sub-)sectors?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*Some BSAC members put forward that the small-scale coastal fleet is more dependent on larger stocks with larger individuals, but the implementation of the MAP fails to deliver this, thereby having a significant socio-economic effect on the industry.*

*Other BSAC members remind that it is not a specific segment but the entire fisheries that are dependent on large stocks.*

**Question 26 Do you see a correlation between the implementation of the MAP and the socio-economic developments?**

*Significantly / A little / Not much / Not at all / Counterproductive / No opinion*

*The MAP tries to fish all species at their maximum sustainable yield simultaneously on the basis of single stock assessments. This was criticized by the BSAC members at several occasions. Achieving the MSY objective for every single species at the same time, taking into account the species dependency such as between sprat and cod, is impossible and has negative socio-economic impact.*

*For some BSAC members, the implementation of the MAP therefore necessarily favours fishers catching lower trophic level species.*

*Some BSAC members highlight that the MAP fails to account for there to be sufficient prey availability for predator species, thereby causing repressed biomass growth amongst certain species that some fleet segments are more dependent on.*

*Other BSAC members highlight that, taking into consideration the diet scheme e.g in cod diet is 20-40% of *clupeide*, there is enough of food for the predator species. The problem*

comes from the size/age structure which results from the management approach, which makes some species like cod unable to hunt effectively. The fact that MAP does not include real age/size structure and species dependency diverges from the assumed goals, so this fact has also big correlation with socio-economic development.

*Some BSAC members put forward that the small-scale coastal fleet is more dependent on larger stocks with larger individuals, but the implementation of the MAP fails to deliver this, thereby having a significant socio-economic effect on the industry.*

*Other BSAC members remind that it is not a specific segment but the entire fisheries that are dependent on large stocks.*

### Additional measures

**Question 28 Are there any additional measures that would contribute to the faster achievement of the objectives provided for in Article 3 of the MAP?**

*In the opinion of the BSAC fisheries representatives, the MAP should include **socio-economic considerations**. It should be more of a fisheries management plan and focus on socioeconomic and less on conservation and MSY targets.*

*The BSAC is of the opinion that the MAP should more specifically address **western spring spawning herring**. The MAP has not been accepted by Norway, a key coastal state for the management of the stock. Thus, ICES does not provide scientific advice based on the MAP.*

*In addition, the BSAC has published a reply to the European Commission's open feedback on the proposed changes to the Baltic Multiannual Plan (Article 4.6, ie the 5% rule) in January 2024<sup>1</sup>.*

*The BSAC highlight the need for sustainable management of fish stocks through proper approach to selectivity of fishing gears.*

*Some BSAC members highlight the need improving selectivity in trawl fishing and call for an end to the permanent subsidization of uneconomical fishing operations.*

### Overall assessment

**Question 29 What is your overall assessment of the Baltic MAP?**

*Very beneficial / Beneficial / Neutral / Negative / Very negative / No opinion*

*The BSAC is of the opinion that there is value in having a Multiannual Plan for the Baltic.*

*However, the MAP has not lived up to its expectations and has not delivered the expected results during 6 years of its implementation.*

*In the opinion of the BSAC, the MAP should be revised to include specific major changes.*

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<sup>1</sup> <https://www.bsac.dk/wp-content/uploads/2024/01/BSACanswerBalticMAPfeedback22-23-38.pdf>