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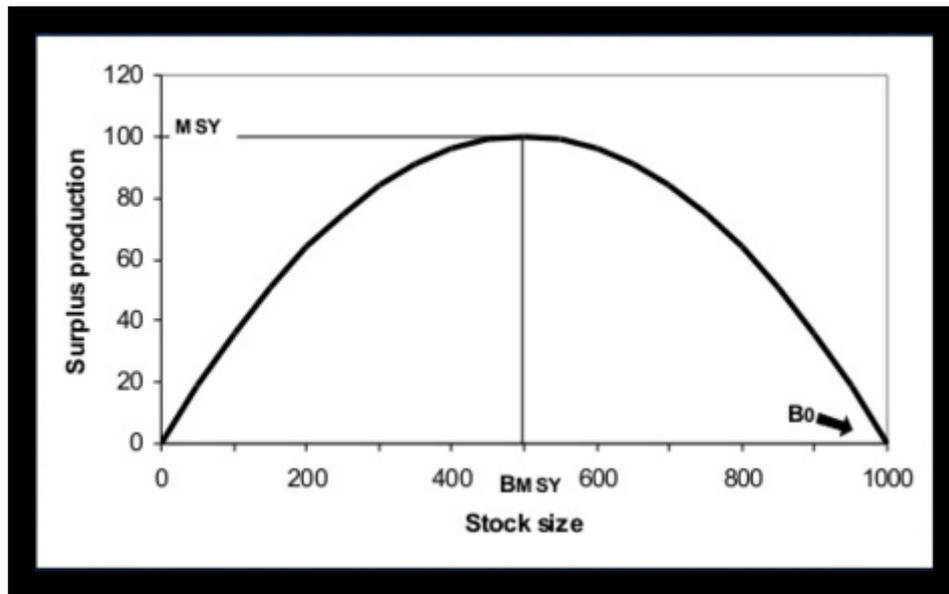
25<sup>th</sup> January 2016

## Multi-annual Management Plans in the Common Fisheries Policy

### A briefing note for Co-legislators

1. Multi-annual Management Plans will be the principal vehicle for the delivery of CFP objectives in the years ahead. As such, it is of paramount importance that they are well designed, workable, absorb the lessons learned from the past, and fit well within the wider context of the CFP and the EU's international obligations.
2. Co-legislators are currently engaged in trilogue discussions over the shape and design of a multi annual plan for the Baltic. Although not set in stone, there is a belief that as the first of the new generation plans, the Baltic will set the pattern for future plans in the North Sea and Western Waters
3. **Multi-annual plans**, along with implementation of the EU **landing obligation**, the achievement of **maximum sustainable yield** and **regionalisation** lie at the heart of the CFP as reformed in 2013. It is important that all of these elements are treated with equal respect.
4. The experience of the EU Cod Management Plan, and its subsequent evaluation by STECF (the scientific body which advises the Commission) illustrated the weakness of single-species management plans. It also highlighted the need to ensure that, as far as possible, quotas in mixed fisheries are coherent and do not move too far in divergent directions. This led the Commission to request ICES to suggest fishing mortality ranges *in the area* at the top of the MSY effort/ yield curve. Using this understanding of MSY would provide managers some room to manoeuvre to achieve maximum sustainable yield for *a group* of species caught together in a mixed fishery and would greatly assist the process of implementing the EU landings obligation. To us it would seem that this approach would be the most consistent with the CFP's legal obligation to ensure that fishing ... "*activities....are environmentally sustainable in the long term and ....consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.*" (Article 2.1 of the CFP Basic Regulation. 1380/2013)
5. Looking forward to the full implementation of the landing obligation, using *F ranges* to provide this flexibility is likely to be one of the most important ways in which *choke species* in mixed fisheries may be mitigated. This is going to be an absolutely essential tool in dealing with chokes in mixed fisheries under the landing obligation. Chokes arise under the landing obligation when the quota for one species in a mixed fishery is exhausted, precluding a vessel, fleet or country from catching its main economic species.

6. Fisheries managers and fisheries stakeholders need the co-legislators to provide a workable framework which provides ambition, direction and guidance, whilst simultaneously avoiding the rigidity of inflexible plans that cannot adapt to changing circumstances. But to achieve this it will be important to avoid a narrow, unduly legalistic, interpretation of MSY which understands MSY only as a *point* at the top of an equilibrium single-species yield curve rather than an *area* in which sustainable high long term yields can be produced.



7. In this context, it is extremely important to appreciate that across all the main species groups in the North East Atlantic, North Sea and Baltic we are no longer talking about seriously depleted stocks but rather fisheries at or close to the top of the effort/yield curve. In the words of ICES:

*"Over the last ten to fifteen years, we have seen a general decline in fishing mortality in the Northeast Atlantic and the Baltic Sea. The stocks have reacted positively to the reduced exploitation and we're observing growing trends in stock sizes for most of the commercially important stocks. For the majority of stocks, it has been observed that fishing mortality has decreased to a level consistent with Maximum Sustainable Yield (MSY) – meaning levels that are not only sustainable but will also deliver high long term yields."*

**Eskild Kirkegaard, Chairman of the Advisory Council of the International Council for Exploration of the Seas, July 2015, State of the Stocks Seminar, Brussels**

8. Against this background, the fierce but ultimately sterile arguments currently raging about the precise definition of maximum sustainable yield, tend towards the theological; This applies especially to the definition and use of Bmsy as the putative goal of fisheries management. During the meeting with stakeholders in 2015, ICES explained very clearly that:

*"When a stock is fished at a constant  $F$  value, the SSB will not remain constant but will fluctuate due to natural factors, particularly naturally varying recruitment. If the fishery is constrained so that  $F = F_{msy}$ , the stock can be expected to fluctuate around a notional biomass  $B_{msy}$ ."*

**(MIACO 2015 Document 6a Fisheries Advice MSY approach)**

We concur with this notion that aiming and realising fishing mortalities in the region of Fmsy are expected to lead to stocks growing to high biomass levels but always conditional on recruitment and abundance of potential predator species.

The essentially pointless doctrinal disputes about MSY overlook the broader issue: how do we manage mixed fisheries within the context of the EU landings obligation? For most stocks we are already in the zone of high yield fisheries and narrow legalistic arguments about the exact point of MSY misses the big picture which is that *understanding MSY in terms of fishing mortality ranges will provide managers with scope to set TACs that are coherent in mixed fisheries.*

9. It is worth recalling that the political reality for those stocks which are jointly managed with Norway is that the quotas are set through mutually agreed consultations each year, notwithstanding the contents of any EU plans that are in place.
10. It is a tenet of good governance that the views of the regulated should be taken into account by the regulators in both the design and implementation of new regulations; Europêche represents the collective views of some 45 thousand fishing vessel operators and 80 thousand fishermen working many diverse fisheries and from many different sizes and styles of vessels; all of whom will be *directly* affected by the new generation management plans. As such we consider that we are not just opinion-holders but *stakeholders* and that as such our view should be given due weight.