

Submission of the NL response to the consultation on the development of a regulation establishing a multi-annual plan for the management of North Sea demersal fisheries.

- May 2015 -

The NL welcomes the opportunity to respond to the consultation on a new North Sea mixed fisheries Multi Annual Plan (MAP). Multi annual plans are instrumental to achieving the objectives of the Common Fisheries Policy (EU 1380/2013), in particular on the sustainable exploitation. Considering the shared responsibility in managing the North Sea stocks of the EU and Norway, Norway's involvement is essential. At this time, it is still not clear what the position of Norway is in relation multi annual plans, to MSY or even to mixed fisheries plans. The discussion within the EU is still going on and pending a decision on the Baltic MAP by the co-legislators.

It is generally recognised that the North Sea flatfish plan, together with other measures, has contributed to the recovery of the North Sea plaice and sole stocks. At the December 2014 Council, it was stated that the first phase of the plan was delivered and that we are now in the second, the long term management phase. However, also in light of the new ICES advice on the Fmsy reference points, the objectives of the plan should be revisited. The cod recovery plan on the other hand, has failed to restore the cod stocks in the North Sea and adjacent waters in a timely manner. Even in areas where the scientific advice on the TACs was followed. A strict days at sea scheme has prevented fishermen to change from small to bigger mesh widths. Also other species in this mixed fisheries are affected by this. In light of the landing obligation, the days at sea system should be lifted as soon as possible, to allow fishermen to find areas with less undersized fish.

The new North Sea MAP must meet articles 9 and 10 of the basic regulation and take account of the April 2014 Inter-Institutional Task Force report. The NL think it should offer a framework for sustainable fisheries management over several years, while enabling the more detailed technical measures that will deliver those obligations to be developed through regionalisation. To this end, the MAP should have clearly defined Fmsy objectives, expressed in ranges, for the main target stocks sole, plaice, cod, haddock, whiting, saithe and Norway lobster. Northern hake may also be considered. The new MAP should provide a revision clause, in order to allow for changes based on scientific advice.

3. Current management plans in the North Sea.

The NL confirms that the current EU plans need to be lifted or replaced when the landing obligation enters into force. The provisions in the current plans, such as the Harvest Control Rules, the year to year TAC constraints, the effort scheme are no longer valid under a landing obligation where all fish must be landed and deducted from its quota. A new plan should assist fishermen in avoiding unwanted by catches. A mixed fisheries plan may help to get a more optimal mix of the TACs. However, with the 'relative stability' maintained and the extra demand for quota to account for the undersized fish, it is expected that problems as a result from a mismatch between the quota and the actual catch composition will remain. A mixed fisheries MAP, such as discussed at the scoping meetings, is probably a good approach, but needs further reflection still. For instance on how to manage the by-catch species. The NL agree with ICES advice that the management of certain associated stocks with quota is probably not the best method and alternatives need to be explored. We have commissioned our scientific institute IMARES in spring 2015 to investigate the possibility and conditions to abolish the TACs for the associated species, and whether it is possible to manage these stocks through the TAC setting of the targets species and technical measures.

4. A new North Sea multi-annual plan?

A new North Sea MAP should aim to fulfil the objectives of the new CFP i.e. to achieve an exploitation rate consistent with maximum sustainable yield (MSY), to ensure high and stable yields for the industry, while taking into account mixed-fishery interactions. It should respond to the challenges under the landing obligation, and would need to seek a results-based approach and allow proposing certain tailor made management measures in close consultation with fishers and Member States in a regional approach. It should also be coherent with the Marine Strategy Framework Directive, achieving high long-term yields while maintaining productive and healthy fish stocks in line with article 9 of the basic regulation 'principles and objectives of multiannual plans'.

In line with the CFP, and to the extent possible, the North Sea MAP should become the main repository for all of the elements and instruments necessary for the management of the fisheries and stocks that a plan encompasses. As mentioned under paragraph 3, the new North Sea MAP may also encompass (technical) measures for the management of by-catch species, or species that need recovery such as seabass. In terms of simplification, the NL are in favour of allowing technical measures to be taken under a new MAP.

5.i. How should we deal with stocks that straddle the North Sea and other management areas?

The North Sea mixed fisheries MAP should cover the most important stocks. Lines must be drawn somewhere. From a pragmatic point of view, it makes sense to align the area with the region as defined in the CFP basic regulation. This is also consistent with the approach taken in the discard plan. Pragmatic solutions for overlaps of stocks mixing with Channel or Skagerrak or Kattegat should be sought.

Straddling stocks that occur both in the North Sea and in for instance North Western Waters such as haddock, saithe, hake or seabass should be included in the North Sea MAP. These stocks are economically important and management measures should cover all relevant areas. Measures should therefore be tuned with the MAPs in the adjacent regions.

5.ii. How to deal with the objectives for the stocks covered by the plan?

In line with the CFP, the plan should aim for achieving MSY by 2015 where possible and not later than 2020 in other cases. MSY should be expressed in Fmsy ranges. Stocks should be at or above levels (Btrigger) that can produce Fmsy. For stocks for which there are no reliable MSY reference points available, the precautionary approach should be followed. Every effort should be made to maintain a minimum level of Spawning Stock Biomass greater than Blim. Measures, including technical measures, should be proportionate to the objectives and to the time frame envisaged.

5.iii. Ecosystem aspects

The MAP should allow for the inclusion of measures to mitigate the effects of fisheries on the marine ecosystem, for instance the by-catch of vulnerable species such as seabirds (seabird action plan), marine mammals (EC 812/2004) or sharks (shark action plan), in accordance with art 18.

5.iv. How to manage the regional aspects of mixed fisheries?

The MAP itself is considered a framework regulation allowing for tailor made solutions following the regional approach.