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**NSAC Advice Ref. 09-2223**  
**NSAC Advice on North Sea Multiannual Plan (MAP)**

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## 1 Background

The Common Fisheries Policy (CFP) highlights the importance of establishing multiannual plans, taking into account the specificities of the different regions and fisheries, acknowledging that the objective of sustainable extraction of marine biological resources is more effectively achieved through a multiannual approach to fisheries management. The Regulation 2018/973 establishes a multiannual plan for the following demersal stocks in Union waters of the North Sea (ICES divisions 2a, 3a and subarea 4): cod, haddock, plaice, sole, whiting, anglerfish, northern prawn, and Norway lobster. It also applies to by-catches caught in the North Sea when fishing for the above-listed stocks.

The North Sea Advisory Council (NSAC) provided advice in 2017 on the North Sea Multiannual Plan (MAP)<sup>1</sup> prior to its final publication in 2018, with provisions on geographical scope, socio-economic considerations, treatment of stocks, alignment with the Technical Measures Framework, scientific underpinning, enhanced data collection and knowledge-base, information processing and modelling.

The [Regulation \(EU\) 2018/973](#) stipulates that the Commission shall report to the European Parliament and Council on the implementation of the MAP by 6 August 2023. On 18 January 2023, the Commission sent a letter to the NSAC requesting its input to the public consultation, in which it called upon the Advisory Council to provide a position paper with the unified view of its constituents. Should this not be possible, individual organisations were invited to submit independent responses to the survey. This paper is an attempt to collate experience and views of the North Sea demersal fisheries organisations and other stakeholders on the implementation of the North Sea MAP.

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<sup>1</sup> <https://www.nsrac.org/wp-content/uploads/2020/06/12-1617-NSAC-Response-to-the-NS-MAP.pdf>

## 2 Advice

The NSAC believes that MAPs are appropriate and potentially useful tools for achieving the objectives of the Common Fisheries Policy. However, a more ecosystem-based and longer-term approach to MAPs is needed. The MAPs should be improved to make them regionally tailored and ecosystem-based, and to include clear environmental and socio-economic objectives, as also specified in the NS MAP. In our 2017 Advice Ref.11-1617 we mention that it is important to consider the implication of Fmsy ranges in a mixed fisheries context. Fishing contributes to food security and as such requires a better appreciation of socio-economic impacts.

The MAP for the North Sea entered into force at a time when the UK was part of the EU and most of the fisheries in the North Sea were regulated through the Common Fisheries Policy. Following Brexit, this is no longer the case. The CFP and therefore the MAP today only apply to a minor part of the North Sea as such – the EU waters. It should be investigated whether the present wording of the plan appropriately reflects this situation. The UK and Norway are not bound by the plan despite the fact that for several of the most important stocks the UK and Norway have the major part of the stocks according to the allocation keys established between the three parties.

In general, we believe that MAPs may have contributed to an increase in the number of TACs set at MSY. In 2020, 62 out of 78 TACs are set at a level that allows a healthy future for the fish stocks' biomass, compared to only 5 out of 35 in 2009. In addition, the number of stocks fished above Fmsy in the Greater North Sea region has fallen from 12 in 2019 to 9 in 2020.<sup>2</sup> Furthermore, the overall fishing pressure ratio (F/Fmsy) has fallen below 1 for the first time in 2020, indicating a sustainable pressure. It is not clear whether the MAP was the defining factor in these improvements, as it also addresses stocks shared with the UK and Norway where TACs are set following bilateral and trilateral consultations, and therefore not necessarily determined (solely) by the MAP.

Despite overall improvements, the cost for fishing communities has been high - much higher than indicated by the simple calculations of average gross profits. The rigid way in which the theoretically sensible target fishing mortality (Fmsy) has been implemented in the plans has led to unstable quotas relying heavily on the latest stock assessments and not considering the short-term implications for fishing communities. The medium to long-term socio-economic impact on the fisheries concerned when a TAC is set at MSY should in theory be positive, but there are cases, such as for saithe in the North Sea, where this has not been the case. There

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<sup>2</sup> STECF ad-hoc Report: Monitoring of the performance of the Common Fisheries Policy: [https://stecf.jrc.ec.europa.eu/reports/cfp-monitoring/-/asset\\_publisher/oz5O/document/id/26714692?inheritRedirect=false&redirect=https%3A%2F%2Fstecf.jrc.ec.europa.eu%2Freports%2Fcfp-monitoring%3Fp\\_p\\_id%3D101\\_INSTANCE\\_oz5O%26p\\_p\\_lifecycle%3D0%26p\\_p\\_state%3Dnormal%26p\\_p\\_mode%3Dview%26p\\_p\\_col\\_id%3Dcolumn-2%26p\\_p\\_col\\_pos%3D1%26p\\_p\\_col\\_count%3D2](https://stecf.jrc.ec.europa.eu/reports/cfp-monitoring/-/asset_publisher/oz5O/document/id/26714692?inheritRedirect=false&redirect=https%3A%2F%2Fstecf.jrc.ec.europa.eu%2Freports%2Fcfp-monitoring%3Fp_p_id%3D101_INSTANCE_oz5O%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-2%26p_p_col_pos%3D1%26p_p_col_count%3D2)

are also some stocks, such as haddock, where the stock dynamics calls for a more flexible approach, rather than merely setting the TAC at Fmsy yearly.

On discards (unwanted catches that are returned to the sea) and the landing obligation (LO) (Article 15 of the CFP Regulation), it is our opinion that the landing obligation was introduced with insufficient consideration of the consequences to the industry as well as lack of analysis of the benefits for the stocks. First and foremost, the purpose of LO is not well described. If it is to reduce the wasting of resources, why then ban the use of small fish? If it is to push fishers into using more selective gears, why then make technical regulations that force them to use the gears that generate discards? If it is to work with catch quotas rather than landing quotas, why not just make it compulsory to register it rather than force fishers to land it and then throw it out?

From a management point of view, it does make sense to ask fishers to register their total catch, as this is important for scientific assessments. Yet there is no good argument for making fishers land all their catch. Also, it should be recognized that not all stocks react in the same way to discarding and that practices vary between fisheries, areas, and seasons. It makes good sense to ban discarding of fish with a swim bladder, such as cod, haddock and saithe, but it makes no or little sense to force fishers to kill and land small plaice known to survive the release. Fishers can see that some stocks are not affected by historic discard practices (e.g. plaice), whereas others might be. Then again it must be remembered that it is not the discarding itself that has an impact, it is whether the catch is registered or not. The stock does obviously not benefit from fish being killed and landed rather than just being discarded at sea.

Further considerations on Article 15 and the landing obligation have been gathered by the NSAC in its advice on the functioning of the landing obligation, which the reader may access [here](#).

## 2.1 Mixed fisheries considerations

Most of the demersal fisheries target a mixture of species. The composition of the catch is determined by multiple factors such as fishing gear, area, season, and abundance of the various species. This needs to be considered with a high degree of pragmatism. Setting a low quota on an abundant species, in order to protect another species, while expecting full compliance with a landing obligation has proven a challenge. Following a request from the Commission, the ICES produces an annual paper on mixed fisheries considerations. This paper is usually published in the period when the EU, Norway and UK consultations setting the TACs for the coming year take place. However, it is very unclear how the relation between the MAP and the paper on mixed fisheries considerations is to be understood and how they align. Moreover, the stocks are shared between the EU, the UK and Norway - states and entities with different management regimes. The ICES work on the issue is not sufficiently developed to reflect the various aspects. It is important that the capability of individual fishers to adapt to apparently opposing trends and regulations is given a much higher priority as is currently the case in the present management plans.

The technical regulations prevent fishermen from increasing selectivity and the NSAC believe that more freedom to adapt gears to the individual fishers needs would reduce the incentive to discard unwanted catches. Within the context of fisheries management in the North Sea the objective of implementing an ecosystem-based approach, and notably of achieving good environmental status by 2020, has not been sufficiently achieved, though there have been significant improvements in the efforts to implement ecosystem-based fisheries management. The rate of overfishing in the North Sea is low and has been falling, which is a direct effect of improved management and efforts of the fishing community, as well as environmental stakeholders. We believe that the MAP has contributed to these efforts.

In view of the NSAC, the NS MAP has strengthened regional cooperation on the proposal of conservation measures through the submission of joint recommendations, together with stakeholders, though stakeholder consultations had at times been seen as a mere box-ticking exercise with limited time available for proper consideration of documentation by the NSAC members, and/or executed when the positions have already been established and were not to be diverged significantly notwithstanding the NSAC advice.

The NSAC believe that the NS MAP could be significantly improved with more focus on the role of fisheries in providing healthy, low-carbon food as well as social benefits to coastal communities, which would require a more pragmatic use of MSY. The NSAC is in favour of using the concept and supports the objective of the CFP, but believes that there are benefits to a more pragmatic use of the ranges of Fmsy. This is particularly important in respect of the mixed fisheries, but also has benefits in other cases. Therefore, the three conditions for using the Fmsy upper range should be abolished (or softened) or expanded with a socio-economic clause. A more flexible approach could even be applied, where the objective is to be within a range of fishing mortality which allows for the stock to be rebuilt over a longer period. If the stock is below target, the TAC should be set at a level that – according to scientific advice – leaves the stock closer to the target after the regulation than it was before the regulation was set.

### 3 Conclusion

In conclusion, the NSAC believes that the NS MAP has positively contributed to improved sustainability of the North Sea demersal fisheries and more pragmatic management. However, there are still some shortcomings/aspects that could be addressed to make the MAP work for and with the fisheries for an environmentally, economically, and socially viable industry. The NSAC thanks the Commission for the opportunity to comment on the public consultation on the North Sea MAP and invites any further discussion on the matter.