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NSAC Advice on 2024 Fishing Opportunities

This paper was approved with consensus by the NSAC Executive Committee on 28 August 2023 via the written procedure.

1 Background

In its Communication on the State of Play and Orientations for 2024¹, providing information on the status of European fisheries monitored in 2022, and proposals and consultations with third countries on fishing opportunities (FOs) for 2024, the Commission notes that the number of fish stocks overfished has dropped significantly in Europe and that fishers are seeing socio-economic gains from certain stocks that have been managed at healthier levels for some time.

The Commission releases such Communication annually, providing updates on the state of the EU fisheries and initiates a public consultation on the current situation and the future directions of fishing opportunities for the upcoming year. The Communication reports on the progress made in achieving sustainable fishing practices within the EU, evaluates the balance between fishing capacity and fishing opportunities, reviews the socio-economic performance of the sector, and monitors the implementation of the landing obligation.² The overall aim of this endeavour is to improve the resilience of fishers, boost the recovery of stocks towards the maximum sustainable yield (MSY), and maintain healthy stocks at MSY level.³

In the North East Atlantic, including the North Sea, the sustainability objective has been achieved at an exceptionally fast rate, with the latest assessment pointing to the best sustainability results so far.⁴ For example, most stocks of interest to the EU were heavily

¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13871-Sustainable-fishing-in-the-EU-state-of-play-and-orientations-for-2024_en

² https://ec.europa.eu/commission/presscorner/detail/en/IP_23_3283

³ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13871-Sustainable-fishing-in-the-EU-state-of-play-and-orientations-for-2024_en

⁴ https://ec.europa.eu/commission/presscorner/detail/en/IP_23_3283

overfished in 2003 with the median fishing mortality in the Northeast Atlantic of 1.68 FMSY. This rate has since fallen, reaching the lowest value in 2021 at 0.76. The Commission further notes that on average, stocks in the Northeast Atlantic are now within the range consistent with the CFP objectives on fishing mortality rate.⁵

The present NSAC advice is an attempt to respond to the Communication with reflections on the 2024 ICES Advice for the Greater North Sea presented to the NSAC Demersal Working Group on 11 July 2023.

2 NSAC Advice

2.1 General observations

Overall, the NSAC members are positive about the fact that scientific advice for the North Sea shows an upward trend for the majority of the stocks and that it is becoming increasingly aligned with fishers' field observations. This is undoubtedly a result of improved stakeholder engagement in almost all stages of advice production, bar the advice request process, which is in the remit of advice requesters. In view of the NSAC, it is important that all stages of advice production are thoroughly planned and executed, since the assumptions on which the requests are produced importantly shape the final advice.

It is also important to note that some of the advice for important commercial stocks, like the North Sea cod, nephrops, and anglerfish, are not yet published and may pose additional limitations in the setting of the fishing opportunities for 2024. The NSAC will advise on these upon their publication.

The NSAC members understand that science is not exact and that it merely constitutes an input into the policy-making with a range of options and methods based on the best available science. With this in mind, we call on managers for a more pragmatic and comprehensive approach when setting the fishing opportunities, taking into account the socio-economic aspects in an ecosystem-based management (EBM) framework with a longer-term perspective than the current annual framework allows. We believe that such an approach would better reflect fisheries reality than does the annual single species advice. We appeal to the managers to prepare its services to further embrace EBFM and manage fisheries with a longer-term perspective.

In addition, the long-term management strategies (LMS) that have been in preparation with third countries for commercially important shared stocks for the longest time have still not been finalized. The NSAC finds this disappointing and calls on the managers to resume this work with the aim of concluding them as soon as possible. We understood from the meeting with the Commission on 2024 ICES Advice and Fishing Opportunities from 19 July 2023 that this

⁵ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13871-Sustainable-fishing-in-the-EU-state-of-play-and-orientations-for-2024_en

will be taken up as a priority in 2024. The NSAC stands ready to feed into these discussions as needed.

We would also like to express concerns regarding the mixed-fisheries considerations scenarios which are extremely limiting, not least due to the fact that they offer a view of fleets as aggregated units, while in fact fleets differ substantially in terms of their technical considerations (types of fisheries, types of gear used). As we understood from the meeting with the Commission on 2024 Fishing opportunities and ICES Advice on 19 July 2023, DG MARE is aware that the underlying assumptions going into these models are often questionable and that there is ongoing work in ICES to address this. The perception of aggregated fleets and lack of spatial elements to the models introduce bias that might severely affect the final outcomes of the advice. We call on the managers to resolve this as promptly as possible, so that the models resemble, as closely as possible, the reality.

In general, the industry believes that EU's fisheries management should be more reflective and less deterministic, and that stock development should be better reflected in the setting of TACs. In addition, we believe that ICES benchmarks need to investigate other factors impacting fish populations (e.g., cormorants, seals, starvation, interspecific competition) and not only fishing.

The NSAC advises the Commission to take these general observations and the specific stock observations below into account when holding bi- and trilateral consultations with Norway and the UK.

2.2 Specific stock observations

Below we comment on individual species with specific observations.

Haddock

The catches for this stock have been stable but remain low compared to the previous 20 years. Recruitment in this stock has seen an improvement in last year while fishing pressure remains below FMSY. Spawning Stock Biomass (SSB) has increased above Btrigger. This has led to an advised catch of close to 150.000 tonnes. This produces an 11% decrease in biomass and represents an 18% increase in advice. Because for some years the TAC has been set much below the scientific advice, it represents an 118% increase in catch.

The haddock stock management is seeing issues emanating from the discrepancy between the TAC and the ICES scientific advice. Especially in the eastern North Sea (Skagerrak) small haddock are abundant and pose a choke risk because the limited increase in TAC does not reflect the increased abundance of the species. The NSAC understand that the reluctance to increase the TAC for haddock as much as advised by ICES, is based on concern for the bycatch of cod. However, it does not seem appropriate to try to manage one problem by creating another, and the NSAC firmly believes that most of the problems related to bycatch are best solved by the fishermen on board and not through restrictive management measures.

The NSAC does not endorse that market issues in UK are used as an argument for setting the TAC far below the scientific advice.

Generally, if a discard ban is to be respected, it is crucial that the development in the TAC reflects the development in the stock concerned.

Plaice (North Sea)

Catches of plaice have decreased, continuing the decreasing trend over the past five years. Recruitment is high, however downward revisions are expected as values have been high for several years. Fishing pressure remains low and below FMSY and SSB has increased consistently over the past five years. There have been some revisions to SSB and consistent recruitment and fishing mortality throughout the time series. Catch advice for this stock is a catch of 150,015 tonnes, leading to a 7% increase in biomass and a 3% increase in catch advice. There has been a special request for this stock this year and advice is now provided at the stock level focused on catches from stock that originate in the North Sea as catches from this stock are lower than catches at a stock level as some individuals migrate to area 7d in quarter 1.

The NSAC has some doubts about the positive ICES advice on plaice, as fishers' perspective reported from Denmark, Sweden and the UK – particularly in the southeastern part of the North Sea – is not in line with this advice, potentially indicating a stock size that is less than the one assessed by ICES. Indeed, there are concerns about gaps in ICES assessments that might result in advice that is overly optimistic.

Sole (North Sea)

Catches for sole in this subarea were lower than in previous years. Recruitment has increased slightly following previous years with very low recruitment. There is high uncertainty on this figure and it is likely to be revised downwards in the future. Aligning with lower catch, fishing pressure has sharply decreased and is now below the target. SSB for this stock has almost reached stability. Headline advice states a catch of 3.588 tonnes. This will lead to a 35% increase in biomass and represents a 61% decrease in catch advice. The main reasons for the decrease in catch advice including: a downward revision for SSB; correction applied to estimated numbers at age in 2023; and the target F being too high previously, meaning a correction factor was applied. This was considered more accurate than the alternative to move the stock from Category 1 to Category 3. The assessment of this stock will be benchmarked in 2024.

The NSAC industry previously expressed concern about the former positive advice for sole and acknowledges that the TAC setting was not in balance with the stock abundance. It is agreed that corrective measures are required, but the current advice to reduce the TAC by 61% is too substantial, not taking into account the reality of possible fisheries pressure. Indeed, currently only about 50% of the fleet is targeting sole compared to 10-20 years ago. In addition, a TAC adjustment determining future fishing opportunities should take into account

impacts on the stock not generated by fisheries. For instance the recruitment correction is not due to the juvenile sole never having been there, but due to juveniles being removed by unknown factors such as predation. It appears that a 2023-2024 benchmark is scheduled for this stock and for the NSAC aspects such as interactions between sole and cormorants, seals and squid should be part of this.

Sole (Skagerrak and Kattegat)

Catches and fishing pressure have decreased in recent years with some discards in recent years. Recruitment and SSB have seen a small increase, however, remains at a level. Headline advice states a catch of 327- 436 tonnes. This implies changes in biomass from a 0,8% decrease to an increase of 4% and represents a decrease in catch advice of 14%.

The ICES Advice for this stock is thought to be misrepresenting the actual situation. This is believed to be due to the assessment not covering the entire stock area, which creates a bias to the stock assessment. It is observed that the stock has increased in the Southern part of the area, which is the part that is not covered by the assessment.

Pandalus Borealis

The ICES Advice for *Pandalus borealis* is a cause of concern for the industry, which again observes improving stock against declining advice. We call for greater flexibility in the management system and improved predictability through avoidance of sudden changes in advice. The NSAC observes that according to ICES, a roll-over of the TAC would result in a further 40% increase in SSB. This is seen as a good example of where a more pragmatic use of the scientific advice could benefit both the stock and the industry.

3 Conclusion

The NSAC thanks the Commission for the opportunity to comment on the scientific basis of the ICES Advice and provide further observations on the process of defining fishing opportunities for 2024. We will repeat this exercise once the remaining advice is published in autumn 2023. Should any aspect remain unclear in the consideration of the above advice, we invite your services to contact us bilaterally.