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Cc: DG MARE, Scheveningen Group

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NSAC Advice Ref. 19-2425
NSAC Advice on fisheries management measures for GES in the
Belgian Part of the North Sea

This paper was approved with consensus by the NSAC Executive Committee on 5 September 2025.

1 Background

On the 23rd of June 2025, the NSAC received a request for advice from the Belgian Ministry of the Environment to the Joint Recommendation regarding Fisheries Management Measures under Article 11 and 18 of Regulation (EU) No 1380/2013 of The European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy to protect the bottom integrity and the occurring habitats in three sites to achieve the good environmental status under the Marine Strategy Framework Directive 2008/56/EC and reach a favourable conservation status in the Vlaamse Banken under the Habitats Directive 92/43/EEC.

In the request it is described that based on the actualization of the initial assessment pursuant to Article 8 of the Marine Strategy Framework Directive (MSFD), the Good Environmental Status (GES) is not reached for the Belgian Part of the North Sea (BPNS). The high prevalence and intensity of bottom disturbing fisheries has led to very low scores for bottom integrity and a suboptimal condition of the benthic habitats within the entire surface area of the BPNS, the special area of conservation Vlaamse Banken designated under the Habitats Directive included.

To accomplish the GES within the BPNS and reach a favourable conservation status within the Vlaamse Banken, the Belgian Ministry of the Environment finds that stronger protection of a sufficiently large area of the shallow sandbanks and of the gravel beds and the *Lanice conchilega* aggregations occurring within these sandbanks is needed. The findings include that currently, all mobile fishing techniques targeting demersal fish cause seafloor disturbance and actively remove benthic fauna living on top and within the sediments. As gravel bed fauna is extremely sensitive, static fishing gears are also expected to cause significant levels of disturbance within this biotope.

In order to take a big step towards GES and a favourable conservation status, fisheries measures are proposed for three areas within the BPNS. The measures cover a total surface area of 337.32 km² and entail 9.77% of the BPNS. According to the Belgian Ministry of the Environment the proposed measures will eliminate the main cause for bottom disturbance within these areas and will provide the stability needed to allow gravel bed and sandy bottom communities to recover.

The management measures were developed through an extensive process of consultation with the different stakeholders, with the aim of developing measures ensuring the protection of highly valuable areas which will contribute towards reaching the conservation objectives with a limited socio-economic impact.

2 NSAC Advice

The fisheries measures proposed within the three designated areas will significantly affect both large- and small-scale fishing activities of certain North Sea Member States, specifically Belgium, the Netherlands, and France, leading to clear consequences on their landings.

The NSAC welcomes the extensive stakeholder consultation process that took place at both national and international levels, including direct and indirect engagement with industry representatives. Furthermore, the proposed involvement of the fishing industry in both passive and active nature restoration efforts (such as the collaborative development of oyster reefs) is a positive example. Even if still in a trial phase, such initiatives demonstrate how commercial fisheries can constructively contribute to environmental goals. These efforts may represent a valuable example for other Member States, showing that nature restoration measures can be inclusive rather than solely restrictive.

However, we also want to flag that the projected measures would have a direct and severe impact on the French fleet. In Zones 1 and 2, catches can amount to up to 1 tonne per tide, worth around €4,000, representing between 3% and 20% of the turnover of a single fishing tide. Overall, more than 50% of French fishing activity in Belgian waters is concentrated in these zones, with a particular dependence on bottom gears targeted by the proposed bans. The envisaged prohibition would eliminate 88% of the value and 81% of the volumes landed by French vessels operating in Belgium. This economic effect goes beyond the vessels themselves: it also affects the entire supply chain and the coastal communities that depend on it. The NSAC stresses the disproportionate nature of these losses, which directly threaten the viability of French artisanal fisheries in the North Sea.

Zone 1 is not part of Natura 2000 and is therefore not subject to specific legal conservation obligations, which makes it important to carefully consider the justification for introducing restrictive measures there. While the precautionary principle is important, its application should be supported by a clear legal basis and solid scientific evidence. EU law (Article 11 of the CFP, MSFD, and the principle of proportionality under Article 5 TEU) highlighted the need for measures to be properly justified, necessary, and proportionate to the pressures identified.

It should also be noted that passive fishing activities have already been marginal since 2016, and no robust causal link has been established between their use and any decline in gravel habitats. We want also mention that area 1 is in a busy traffic zone and space for the fishing industry is limited. The positioning of this area 1 with the long small shape is terrible for trawling (ottertrawl) and seine fishery (Flyshoot). The area is just that area what now at a safe way could be fished near to the traffic lanes. This maybe relative small area (1) has much more negative impact due the positioning. In this context, the NSAC wishes to underline its concern that the Belgian proposal may appear disproportionate and risk diverging from the core principles of European governance.

Additionally, the potential risks linked to the displacement of fishing effort may not have been fully assessed in the Belgian proposal. While the documents accompanying the joint recommendation mention this aspect, they also suggest that the consequences would not necessarily be negative. In practice, however, displacement can lead to more competition between fleets, higher pressure on available resources, and reduced profitability for fishermen. These professionals would have to absorb the organisational and economic impacts of working in smaller, less productive zones. These challenges represent a significant concern to the sustainability of fishing businesses and to the socio-economic balance of coastal communities. The problem is compounded by the parallel closure of 43 UK MPAs, many targeting the same gears, which will create unprecedented cumulative effects. Closing new areas without a thorough assessment of concrete impacts per fleet segment amounts to neglecting the profession and its strategic role. The result is a serious underestimation of the combined pressures facing fisheries in the Eastern Channel and the North Sea.

At the same time, the NSAC emphasizes the need for coherence in the application of measures. If fisheries are to be excluded from the three areas, other potentially disruptive activities, such as offshore wind farm development, should be subject to the same level of scrutiny. Selectively banning one activity while permitting others undermines the credibility and fairness of marine protection policies.

This inconsistency is further illustrated by a contradiction in the planning approach: while gravel habitats are described by the Belgian authorities themselves as extremely sensitive, the federal government has designated the 285 km² “Princess Elisabeth Zone” (PEZ) for offshore renewable energy directly on these habitats, partly overlapping with the Natura 2000 site “Vlaamse Banken.” It is inconsistent to justify the construction of a wind farm — which entails permanent alteration of the seabed and long-term disturbance of benthic fauna — while at the same time prohibiting passive gears whose impact is punctual and limited, and in areas outside Natura 2000 such as Zone 1. The paradox is all the more striking given that heavy industrial activities are authorised on these very substrates, while artisanal fishing is excluded.

Moreover, the NSAC regrets the limited consultation in Belgian spatial planning. Fishers have not been adequately involved in preparatory discussions, whether on MPAs, anchorage areas, or temporary specific directives (DST). Greater inclusion would strengthen the legitimacy of the recommendations and help create a fair balance between maritime uses.

Finally, we wish to flag that initially Belgian authorities described these zones as “search areas,” but the current direction suggests a move toward a full ban on bottom trawling. The NSAC believes it is important to assess and communicate the socio-economic implications of such a ban on the fishing sector. We suggest to adopt a more nuanced approach, potentially avoiding blanket closures and instead focusing on targeted measures taking into account the huge work that many fishers engaged in to restrict the impact of their activities on the environment.

The fishing sector has supported numerous projects (such as French initiatives IPREM¹, REVERSE², and CONNECT³) demonstrating that trawling has evolved towards practices more respectful of marine habitats. Major innovations (rock hopper, lighter rigs, optimised and monitored trawl doors) significantly reduce pressure on the seabed and are already recognised and authorised in certain sensitive French areas. These advances combine economic performance with environmental performance, paving the way for the sustainable use of trawling even in sensitive areas. The NSAC encourages Belgium to take these technological improvements into account. Overlooking these advancements by banning trawling risks disregarding the fleet’s modernisation efforts and depriving the use of tools that can contribute to the sustainability of fisheries while respecting marine habitats.

3 Conclusion

The NSAC is concerned that the measures proposed by Belgium in Zones 1 and 2 of the BPNS appear disproportionate and insufficiently justified. As currently framed, they risk undermining the economic viability of the French fleet and creating an imbalance in comparison to other maritime uses. The limited consideration of fisheries from Belgian spatial planning further reduces the perceived legitimacy of the processes and the relevance of the recommendations. In light of the potential for major socio-economic impacts and the need for stronger justification, the NSAC asks for the withdrawal of the proposed management measures.

At the same time, the NSAC wishes to thank the Belgian Ministry for Environment for the timely consultation that enabled to receive the AC to provide its mandatory AC advice on the draft Joint Recommendation of the Scheveningen Group concerning fisheries management measures in the BPNS. We remain available for further discussion on the subject.

¹ S.Liefmann *et al.*, 2022. Effets des engins de pêche sur les fonds marins de Manche-Est et du golfe normand-breton. Rapport final du projet IPREM - Impact des engins de Pêche sur les fonds marins et la Résilience Ecologique du Milieu (2021-2022). <https://doi.org/10.13155/89603>

² IFREMER, B.Vincent (2021). [Projet REVERSE](#)- Réduction de la remise en suspension du sédiment et des émissions de gaz à effet de serre par les activités de chalutage

³ B.Vincent *et al.*, 2023. Projet CONNECT- Création d’un logiciel pour l’Optimisation du frottement des PaNNEaux de Chalut.