

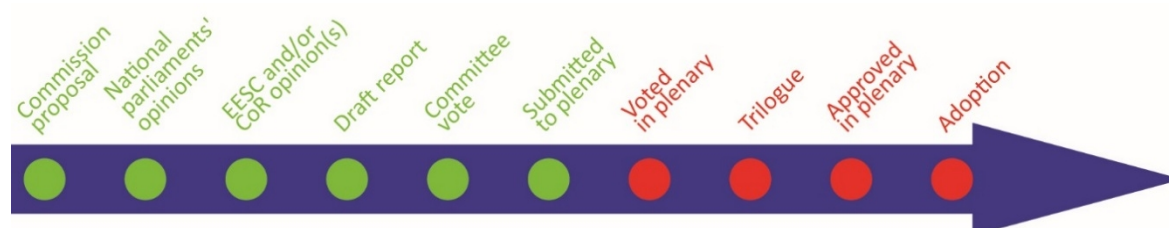
# Multiannual plan for small pelagic fish stocks in the Adriatic Sea

## OVERVIEW

On 9 October 2018, Parliament's Committee on Fisheries (PECH) adopted its report on a proposed multiannual plan to manage fisheries of small pelagic fish stocks (anchovy and sardine) in the Adriatic Sea. These stocks, which are in a poor state, are managed under a complex legal framework at EU, national and international level. They are exploited mainly by Italian and Croatian fishing vessels.

Multiannual fisheries management plans are essential tools for the sustainable exploitation of marine resources, offering notably better predictability over time and a framework for improved cooperation between the Member States concerned at sea basin level. With the new plan for Adriatic small pelagic stocks, the Commission proposed to introduce a major shift in fisheries management in this area, currently based on fishing effort, by framing a system of setting total allowable catches (TACs). The PECH report, however, supports maintaining the current fishing effort regime and opposes the introduction of TACs. It also requires that catch limits for small pelagics are set in 2019 at the level of the 2014 catches, and reduced by 4 % annually between 2020 and 2022.

<b>Proposal for a regulation of the European Parliament and of the Council establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks</b>		
<i>Committee responsible:</i>	Fisheries (PECH)	COM(2017) 97 24.2.2017
<i>Rapporteur:</i>	Ruža Tomašić (ECR, Croatia)	2017/0043(COD)
<i>Shadow rapporteurs:</i>	Elisabetta Gardini (EPP, Italy) Nicola Caputo (S&D, Italy) Norica Nicolai (ALDE, Romania) João Ferreira (GUE/NGL, Portugal) Marco Affronte (Greens/EFA, Italy) Rosa D'Amato (EFDD, Italy)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	First-reading vote in plenary	



## Introduction

On 24 February 2017, the European Commission adopted a [proposal](#) for a regulation establishing a multiannual plan for small pelagic stocks (sardine and anchovy) in the Adriatic Sea and the fisheries exploiting those stocks. This proposal is part of a series of multiannual plans tabled by the Commission since the reform of the common fisheries policy (CFP) at the end of 2013, concerning cod, herring and sprat fisheries in the [Baltic Sea](#) and demersal fisheries in the [North Sea](#) (adopted in July 2016 and July 2018 respectively), as well as demersal fisheries in the [western Mediterranean](#) and in [Western Waters](#) (both of which are currently being discussed by the Parliament and the Council).

By setting long-term approaches for the conservation of given fish stocks and framing possible variations in the setting of annual fishing possibilities, multiannual fisheries plans contribute to ensure sustainable exploitation of marine biological resources and to increase predictability for fishing activities over time. The first [multiannual plans](#) for given fish stocks were developed progressively in the pursuit of the previous CFP review of 2002. Such plans were, however, put in place following different approaches and with diverse types of measures.

The 'CFP Basic Regulation' (No [1380/2013](#)) has revised the basis for this policy. It provides that 'the CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure exploitation of living marine biological resources restores and maintains population of harvested species above levels which can produce the maximum sustainable yield' (MSY). To reach this objective, 'the MSY exploitation rate shall be achieved by 2015 where possible, and on a progressive, incremental basis at the latest by 2020 for all stocks'.

Regarding the possible different fisheries management tools, the CFP Basic Regulation provides that 'multiannual plans shall be adopted as a priority' and such plans should cover, where possible, multiple stocks and fisheries (notably in the case of mixed fisheries or where the dynamics of stocks relate to one another).<sup>1</sup> They must include, among other things, time-framed and quantifiable targets such as fishing mortality rates (F) and/or spawning stock biomass.<sup>2</sup>

The reformed CFP also establishes a phased-in obligation to land all catches. In the Mediterranean Sea, this landing obligation is already applicable since 1 January 2015 for small pelagic fisheries (notably fisheries for mackerel, horse mackerel, anchovy and sardine) and will apply to all species that are subject to catch limits or to size limits by 1 January 2019 at the latest.<sup>3</sup>

## Existing situation

### Small pelagic fisheries in the Adriatic Sea

Pelagic species live in the middle of the water column (up close to the surface) and have very limited or no biological interaction with the sea bottom.<sup>4</sup> Small pelagic fish usually live in dense shoals, making gear such as mid-water pelagic trawls and purse seines particularly efficient for their capture. The vast majority of small pelagic fisheries in the Adriatic target European anchovy and European sardine (counting for over 97 % of small pelagic catches). These fisheries may also catch other small pelagic species, such as mackerel and horse mackerel, but these are landed in small amounts. Valued at about €74 million, small pelagic landings account for almost one fifth of the total fish production in the Adriatic (2013).

For fisheries management purposes, the Adriatic Sea is usually divided in two geographical sub-areas (GSA), namely GSA 17 for the northern part and GSA 18 for the southern part (Figure 1), according to the sea partitioning system adopted by the General Fisheries Commission for the Mediterranean ([GFCM](#)).

Small pelagic shoals are most often largely composed of the same species, but given the practicalities involved, fisheries for anchovy and sardine cannot be isolated from one another. More than 95 % of anchovy and sardine catch takes place in the Northern part of the Adriatic: anchovy

represent a larger part of the total catch along the western coasts, while catches of sardines are more important on the eastern side.

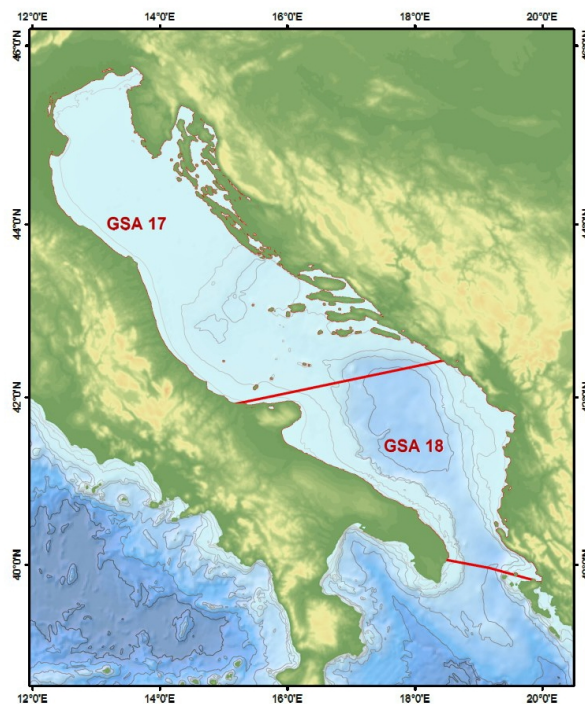
Nearly all fisheries of anchovy and sardine in the Adriatic Sea are conducted by Italian and Croatian vessels (around 200 Italian pair trawlers and purse seiners and about the same number of Croatian purse seiners, the majority of these fleets being over 18 metres in length). Slovenia, with four vessels (all over 12 m) engaged in the fishery, accounts for less than 1 % of the catches on these stocks. Albania and Montenegro also take around another equally small fraction of catches. Anchovy and sardine stocks are in a rather poor state since a long time and another decline in abundance and biomass for both species has been reported by the scientific surveys between 2013 and 2015.

## Main existing rules on fisheries

International cooperation on fisheries in the Mediterranean takes place particularly under the auspices of the GFCM – a regional fisheries management organisation (RFMO) to which the EU is a contracting party.<sup>5</sup> In 2013, the GFCM adopted a [multiannual management plan](#) for small pelagic fisheries in the Adriatic, covering international waters, based primarily on regulation of fishing effort (number of vessels, number of fishing days...). Further emergency measures were adopted by the GFCM for 2015 and 2016 (reduction in fishing effort, closures to protect nursery and spawning grounds). In 2016, GFCM again adopted additional emergency measures to be applied in 2017 and 2018 ([REC.CM-GFCM/40/2016/3](#)). [Recommendations](#) adopted by the GFCM are binding on the parties and may require subsequent [transposition](#) of measures into law applicable under each party's jurisdiction.

At EU level, fisheries management uses a combination of different approaches. Some rules, such as those on the fisheries [control system](#) and on national fleet capacity ceilings, apply across the board; others are designed for regionalised or fisheries-specific application. The '[Mediterranean Regulation](#)' ([No 1967/2006](#)) represents one of the main EU legislative frames for the [management of fishing activities in the area](#). This regulation establishes some **technical measures**, such as specifications on the gear that may be used (as an example, for trawl nets targeting sardine and anchovy, the minimum mesh size shall be 20 mm, and for surrounding nets the minimum mesh size must be 14 mm), and such as minimum size limits for fish (notably 9 cm for anchovy and 11 cm for sardine). The Mediterranean Regulation was notably amended in this regard, in consideration of some new features of the 2013 CFP Basic Regulation (see Introduction), particularly the obligation to land all catches of given species, including undersized fish. Also in the pursuit of CFP reform, the Commission adopted a three-year **discard plan** for certain small pelagic fisheries in the Mediterranean Sea ([No 1392/2014](#)), which provided for a derogation to the landing obligation, by allowing the discard of small amounts of sardine and anchovy. The discard plan expired at the end of 2017, and was replaced by Delegated Regulation No [2018/161](#), applicable until the end of 2020. The CFP Basic Regulation envisages that such types of measures concerning discards should be incorporated in multiannual plans.

Figure 1 – Map of the Adriatic Sea



Source: UNEP-MAP-RAC/SPA. (2015). [Adriatic Sea: Status and conservation of fisheries](#). (Boundaries of GFCM geographical subareas in red).

Furthermore, according to requirements established in the Mediterranean Regulation (Article 19), Italy (in 2011), Croatia and Slovenia (in 2014), adopted **national management plans** in their respective territorial waters for fisheries using specific gear, notably trawls and seines (and other surrounding nets). These separate national plans set different measures concerning sardine and anchovy fisheries, aiming at **limiting effort** in the traditional way of managing fisheries in the Mediterranean (e.g. total fishing capacity or number of fishing days), and adding some technical restrictions, e.g. through various closure periods. Based on GFCM decisions, requirements for **fishing capacity management** in small pelagic fisheries in the Adriatic were also incorporated into EU law in 2015 (by amending Regulation No [1343/2011](#) on certain provisions for fishing in the GFCM agreement area).

In contrast to long established practices for many stocks in the Atlantic and the Baltic Sea, fisheries in the Mediterranean have never been managed through the setting of maximum catch limits for given stocks (with the exception of bluefin tuna and swordfish). However, in December 2016, for the first time, the Council agreed on setting a catch limit for the EU concerning small pelagic species in the Adriatic Sea for 2017 (namely 112 700 tonnes of anchovy plus sardine; see Annex IL of [Regulation 2017/0127](#)). The same catch limit was agreed for the 2018 fishing opportunities (Annex IL of [Regulation 2018/120](#)). Except with an indication that the catch for Slovenia should not exceed 300 tonnes, the Council did not however define the share (quotas) of the total fishing opportunities between the main Member States concerned. As highlighted in the preamble of these regulations, this measure was motivated by GFCM decisions taken in 2016, but this maximum catch limit was fixed exclusively for the respective years and without prejudice to any other measures in the future.

## Preparation of the proposal

As developed in the impact assessment report ([SWD\(2017\)64](#)) accompanying the legislative proposal, the European Commission triggered the preparation for this new plan in consideration of the fact that Adriatic stocks of anchovy and sardine are severely overfished, and that the governance framework to manage these fisheries is ineffective, due to inadequate management measures (fishing effort regimes) and the complexity and instability of rules in this area.

The main scientific base for this initiative emanates from the Scientific and Technical and Economic Committee for Fisheries ([STECF](#)) and the Scientific Advisory Committee of the GFCM (GFCM-SAC; see [2016](#) session for example) – which also serve as scientific reference for GFCM decisions. STECF advice on small pelagic stocks in the Adriatic Sea has been made available into dedicated reports (e.g. [STECF-15-14](#)), or as part of wider advice on Mediterranean stocks assessments (e.g. [STECF-11-14](#)). STECF also reviewed (e.g. [PLEN-16-01](#)) proposals presented by the Mediterranean Advisory Council (see below). The Commission also used some additional external studies, such as a study on the identification of distinct biological units for different fish and shellfish species in different GFCM-GSA ([STOCKMED](#)), or a study on the evaluation of specific management scenarios, for the preparation of multiannual management plans in the Mediterranean and the Black Sea (call [MARE/2014/27](#)).<sup>6</sup>

The European Commission channelled privileged stakeholder consultation through the Mediterranean Advisory Council ([MEDAC](#)), which comprises representatives of the sector (fishing industry, processing sector) and other interested groups (environmental organisations, consumers). Beyond these targeted consultations, the Commission launched an internet-based [public consultation](#) on this [issue](#) between May and September 2015.<sup>7</sup> In September 2015, the Commission also organised a scientific and technical seminar on small pelagic fisheries in the Adriatic, and a workshop on the implementation of MSY, including the case of small pelagic stocks in the Adriatic. After two years of preparation in [dedicated group](#) meetings, also attended by representatives of the Commission, the European Fisheries Control Agency, some national administrations and scientists, the MEDAC adopted its [advice](#) on a multiannual plan for small pelagic fisheries in the Northern Adriatic in March 2016.

For fisheries to be sustainable by 2021, the Commission is of the view that catches should be decreased by about 25-30 %, resulting in lower total revenue in a comparable order of magnitude and in about 10 % job reduction. It claims simultaneously that the multiannual plan will lead to a stock increase of about 20 %, and better working conditions for fishermen (increase estimates of about 10 % in profitability and 5 % in salary; see notably the [summary](#) of the impact assessment).

## The changes the proposal would bring

The [proposed plan](#) would cover the Adriatic Sea area (GFCM-GSA 17 and GSA 18) and apply to the stocks of anchovy and sardine and the fisheries exploiting them, as well as to other small pelagic species, namely mackerel and horse mackerel, caught as by-catch in the anchovy and sardine fisheries. The main elements of this multiannual plan would consist of:

- Managing fisheries for anchovy and sardine stocks based on conservation reference points explicitly indicated in the plan, namely target **fishing mortality** ranges (in line with the MSY objective by 2020) to serve for the setting of fishing opportunities and levels of **spawning stocks biomass**, under which safeguard measures must be taken to reduce fishing mortality.
- Setting provisions for regional cooperation between Member States and delegating powers to the Commission to adopt any joint recommendation by concerned Member States for fisheries [technical measures](#), for the conservation of anchovy and sardine when spawning stocks is too low, as well as for the conservation of mackerel and horse mackerel when remedial action is required.
- Further delegating powers to the Commission to adopt exemptions or other provisions related to the landing obligation for these four small pelagic species, when recommended jointly at regional level by the Member States concerned.
- Setting some additional measures to reinforce control: these include specific requirements concerning landings (prior arrival notification and use of designated ports), but also extending the requirements for vessel monitoring system (VMS) and electronic registration and reporting of catches (electronic logbooks) to all fishing vessels of eight meters length or more (under the general [Control Regulation](#), these measures only apply to fishing vessels as from 12 meters long).
- Providing for regular five-yearly evaluations of this multiannual plan.

This multiannual plan was the first to be proposed concerning the Mediterranean area. As highlighted by the Commission in its [press release](#), the introduction of a permanent system of fixing fishing opportunities for small pelagic stocks in the Adriatic would represent an important shift in fisheries management in this area.<sup>8</sup>

## Advisory committees

The European Economic and Social Committee (EESC) adopted an [opinion](#) on the proposal on 31 May 2017 (rapporteur: Emilio Fatovic, Workers – Group II / Italy). The EESC agrees that it is necessary to take action to protect small pelagic stocks in the Adriatic that are distressed due to over-exploitation. However, the EESC considers among other things that the management model proposed by the Commission, based on setting annual fishing opportunities, cannot be brought into line with the characteristics of the small pelagic fisheries in the Adriatic, and that stepping up the fishing effort measures as proposed by MEDAC would be best suited (see 'Stakeholders' views' below). The EESC also advocates measures to compensate for the economic and social impact of the plan.

## National parliaments

The [scrutiny](#) of this proposal at national level did not lead to any political contribution from EU national parliaments. Given that the legal basis ensures exclusive EU competence, objections on grounds of subsidiarity are not possible.

## Stakeholders' views<sup>9</sup>

As [summarised](#) by the Commission, most of those who responded to the internet-based [consultation](#) expressed support for an EU multiannual approach, usually claiming the need to take the specificities of the regions and the fisheries into account, and to allow regionalised approaches based on general objectives, although some commented simultaneously on some possible detailed measures. Some [stakeholders](#) also expressed concerns with regard to elements of the new CFP (MSY by 2020 at the latest and landing obligation). Views diverge however about the introduction of catch limits which would go in tandem with the setting of fishing mortality levels. This led the [MEDAC](#) to propose a traffic light system instead, combined with different levels of fishing restrictions through effort limitations (days at sea) and area/time closures to fishing. MEDAC was supportive of a mandatory VMS and electronic logbook for all vessels engaged in small pelagic fisheries. The [STECF](#) was however unable to support management based on such a traffic light approach, and maintains the view that pelagic fisheries in the Mediterranean qualify for a total allowable catch control system.

## Legislative process

The Commission presented its proposal to the [Fisheries Council](#) on 6 March 2017. According to a very general description of the outcome of the Ministers' discussion in the corresponding [Council Press release](#), the proposal was generally welcomed by delegations, though some expressed concerns, notably about the potential socio-economic impact of the plan and disproportionate control measures. As reported in more detail by the [press](#) however, the three Member States concerned by the plan (Croatia, Italy and Slovenia) were rather critical and notably expressed their opposition to managing small pelagic stocks in the Adriatic through a system of total allowable catches. They were also supported in this position by Spain, mainly in consideration of possible future multiannual plans to cover other stocks/areas in the Mediterranean.

The Committee on Fisheries (PECH) has considered the proposal on the basis of the [draft report](#) put forward by the rapporteur Ruža Tomašić (ECR, Croatia) on 26 October 2017, and organised a [public hearing](#) on 25 January 2018. The Committee on the Environment, Public Health and Food Safety (ENVI) contributed a [position](#) in the form of amendments.

The PECH committee adopted its report on 9 October 2018, by 14 votes to 11, and 1 abstention. The report is planned to be voted in plenary during the November I session, with a view to entering into interinstitutional negotiations. The report makes several significant modifications to the proposal. In particular, it supports maintaining the current regime based on management of fishing effort, and opposes the introduction of total allowable catches. The report requires using reference points based on stock biomass, instead of target fishing mortality ranges, and merges management measures for anchovy and sardine, introducing the term 'small pelagics' to cover the two species.

The report also contains several requirements in line with the GFCM management plan, already implemented in the area, as regards, for instance, limitation of fishing effort to a maximum 180 fishing days per year, closures to protect nursery and spawning areas, and limitation of the overall fleet capacity to the 2014 level. In addition, catch limits for the small pelagics in 2019 must be set at the level of the 2014 catches, and reduced by 4 % annually between 2020 and 2022.

The report supports taking into account the social and economic impact, which it defines as an explicit objective of the plan, in particular by making extensive use of financial support from the European Maritime and Fisheries Fund (EMFF). In this respect, the report introduces specific requirements, as well as derogations from the EMFF Regulation [508/2014](#), e.g. for increasing the financial contribution above the current threshold for temporary cessation of fishing activities, as well as the maximum duration of support for such cases, and extending the deadline of eligibility for support in case of permanent cessation.

The report introduces an exemption from the Mediterranean Regulation provisions which forbid deployment of purse seines in waters shallower than 70 % of the net drop (i.e. the total height of the net when wet and stretched perpendicular to the float line), and restrict the net length to 800 m and the drop to 120 m. Instead, the report requires a maximum length of 600 m, with a net drop of up to one third of its length.

Finally, the Commission is required to evaluate the effectiveness of the measures introduced by the plan three years after their application, and if appropriate, amend the plan.

## EP SUPPORTING ANALYSIS

[Establishing a multi-annual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks](#), Initial appraisal of a Commission impact assessment, EPRS, European Parliament, May 2017

## OTHER SOURCES

[Multiannual plan for small pelagic stocks in the Adriatic Sea and the fisheries exploiting those stocks](#), European Parliament, Legislative Observatory (OeIL).

## ENDNOTES

- <sup>1</sup> See in particular Articles 9 and 10 of Regulation [No 1380/2013](#).
- <sup>2</sup> The **Maximum Sustainable Yield** (MSY) concept on which the new CFP builds is defined as 'the highest theoretical equilibrium yield that can be continuously taken on average from a stock under existing average environmental conditions without significantly affecting the reproduction process'. MSY roughly corresponds to the largest catch of a fish stock that can be taken over an indefinite period without harming it and if other conditions, notably environmental ones remain constant. The MSY approach is largely about defining where the stock should be and managing fisheries accordingly, in order to exploit the stock on a maximised but sustained pattern over time (in a stable ecosystem). In the EU, MSY is classically expressed in terms of **fishing mortality rate (F)**, i.e. an expression of the level (intensity) of fish removed by fishing. F can subsequently be translated into amounts of fish which can be harvested (Total Allowable Catches). When fishing mortality remains close to a given value (symbolised by **FMSY**), the overall average catch taken from the stock remains close to the maximum possible without harming the future of the stock. In circumstances where the level of a stock is too low, the ability of the remaining fish to continue to reproduce efficiently is itself significantly affected and there is a high risk of collapse, even if fishing is halted. The precautionary approach aims at keeping away from such high risks, notably by setting levels of **spawning stock biomass** (weight of sexually mature fish in a stock) in respect of which safeguard measures should be taken to reduce fishing mortality.
- <sup>3</sup> See in particular Article 15 of Regulation [No 1380/2013](#).
- <sup>4</sup> By differentiation, species which live and feed at or close to the bottom of the sea are called demersal species.
- <sup>5</sup> The GFCM does not however deal with tuna and tuna-like species in the Mediterranean. For these stocks, multilateral cooperation takes place in the International Commission for the Conservation of Atlantic Tunas (ICCAT).
- <sup>6</sup> For further details, see notably Annex II of the [impact assessment report](#) as well as the explanatory memorandum of the [legislative proposal](#) (quoted studies and references are however not all publicly accessible on internet).
- <sup>7</sup> Like the scope of a scientific [working group](#) meeting in 2014, or the scope of the advice issued by MEDAC in 2016, the preparatory consultation work triggered by the Commission was centred on the Northern part of the Adriatic Sea (see notably page 64 of the impact assessment report in this regard). It can also be noted that, as part of these preparations (see Annex II of the same report), the Commission refers to additional input from a retrospective evaluation study of the Mediterranean Regulation (apparently not yet published by DG MARE on its web page).
- <sup>8</sup> Such a shift would only become reality provided that such 'fishing opportunities' are actually translated as 'maximum amounts of fish that can be caught'. The legislative proposal does not, however, seem to be fully in line with what the Commission claims to propose in this regard. While developing arguments to demonstrate that fishing effort regimes have not allowed, and are intrinsically not suited to, proper management of fishing mortality on small pelagic stocks, the Commission proposes to define 'fishing opportunities' not only in terms of catches, but possibly also in terms of fishing effort (see Article 2(2)(f) of the [legislative proposal](#)). Similarly, the Commission presents this plan as contributing to simplification, although the regulatory proposal as such does not change the architecture of existing measures at international, EU and national levels. As an example, even if Member States concerned could make joint recommendations for regional measures (e.g. for common sets of technical measures), the obligation under the

Mediterranean Regulation for national management plans in territorial waters would continue to be applicable. Similarly, fishermen may continue to be faced with patchy sets of national measures when considering some statements in the IA report (e.g. 'The TAC and quota can be considered as a safeguard, i.e. a level of catches not to be exceeded. This approach would provide Member States with the flexibility, either nationally or on a regional basis, to choose the measures they want to implement to stay within their national quotas, such as reducing their fleet or limiting the days vessels will fish, ..., or closing areas/periods to fishing etc.').

<sup>9</sup> This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'EP supporting analysis'.

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[ep@ep.europa.eu](mailto:ep@ep.europa.eu) (contact)

[www.eprs.ep.parl.union.eu](http://www.eprs.ep.parl.union.eu) (intranet)

[www.europarl.europa.eu/thinktank](http://www.europarl.europa.eu/thinktank) (internet)

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Second edition of a briefing originally drafted by Jean Weissenberger. The 'EU Legislation in Progress' briefings are updated at key stages throughout the legislative procedure.