

Multiannual plan for fisheries in the Western Waters

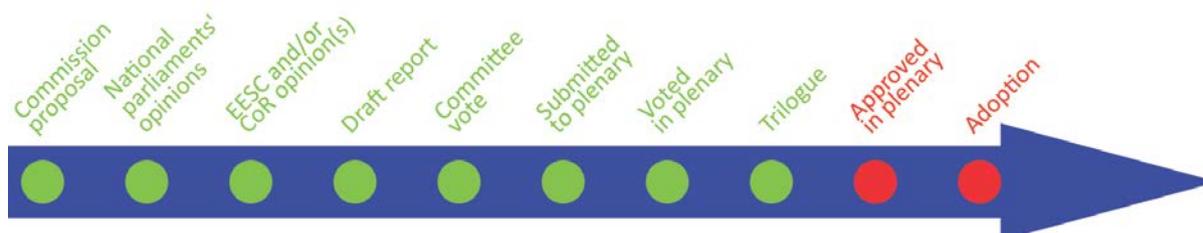
OVERVIEW

During the February 2019 plenary session, the Parliament is due to vote on approving the political agreement reached in trilogue on a proposed multiannual plan for management of fisheries in the Western Waters, an area of the north-east Atlantic along the western coast of the EU. The plan covers fisheries exploiting stocks of fish and crustaceans living close to the sea bottom (i.e. 'demersal fisheries'), including several deep-sea stocks. It aims to ensure that these stocks are exploited sustainably and that their management is based on the most up-to-date scientific information. The EU fishing fleet concerned mainly includes vessels from Belgium, Germany, France, Ireland, Spain, Portugal and the United Kingdom.

The proposed plan follows the pattern set by the recently adopted North Sea multiannual plan. It would allow a certain flexibility in setting fishing opportunities, by defining ranges of fishing mortality based on the best available scientific advice, and would introduce safeguard measures based on biomass levels, so as to restore stocks when they fall below safe biological limits. The plan would not include quantified values for fishing mortality or biomass levels. These are instead provided by the latest scientific advice available, and directly used by the Council when fixing fishing opportunities.

Proposal for a regulation of the European Parliament and of the Council establishing a multiannual plan for fish stocks in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulation (EU) 2016/1139 establishing a multiannual plan for the Baltic Sea, and repealing Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) 509/2007 and (EC) 1300/2008

<i>Committee responsible:</i>	Fisheries (PECH)	COM(2018) 149 23.3.2018
<i>Rapporteur:</i>	Alain Cadec (EPP, France)	2018/0074(COD)
<i>Shadow rapporteurs:</i>	Ricardo Serrão Santos (S&D, Portugal) Baroness Nosheena Mobarik (ECR, UK) Izaskun Bilbao Barandica (ALDE, Spain) João Ferreira (GUE/NGL, Portugal) Linnéa Engström (Greens/EFA, Sweden)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Final first-reading vote in plenary	



Introduction

Within the Common Fisheries Policy (CFP), multiannual plans form the framework for management of fish stocks by fishery and sea basin. The concept of multiannual plans was introduced in 2002 with a view to developing a long-term approach to fisheries management. After the 2013 reform, adoption of multiannual plans became a priority for all EU waters under the current CFP Basic Regulation [1380/2013](#). The overall objective of this new generation of plans is to restore and maintain fish stocks above levels capable of producing the maximum sustainable yield (MSY), i.e. the highest amount of fish that can be taken from a stock without affecting its reproduction. The Basic Regulation also defines the content of the plans, which must include quantifiable targets (such as fishing mortality rates and spawning stock biomass), and safeguards to ensure that quantifiable targets are met. In addition, it introduces a regional approach taking into account the specific features of each sea basin.

A series of multiannual plans have therefore been launched, in accordance with these rules. They concern 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 small pelagic fisheries in the [Adriatic Sea](#) and demersal fisheries in the [western Mediterranean](#) (both of which are currently being discussed by the Parliament and the Council).

On 23 March 2018, the European Commission proposed a [multiannual plan](#) for fisheries in the Western Waters – a northeast Atlantic area roughly covering the waters located west of Scotland and Ireland, the Celtic Sea, the Irish Sea and the English Channel (collectively known as the 'North Western Waters'), as well as the Bay of Biscay, the Iberian waters and the waters around the Azores, Madeira and the Canary Islands (termed the 'South Western Waters', see Figure 1).¹

The multiannual plan covers mainly fishing vessels from Belgium, Germany, France, Ireland, Spain, Portugal and the United Kingdom fishing in the Western Waters. It concerns fisheries exploiting demersal stocks in these waters, namely seabass, cod, megrims, anglerfish, haddock, whiting, hake, blue ling, pollack, plaice, common sole and Norway lobster. It also includes several deep-sea stocks (i.e. fish stocks caught in waters beyond the main fishing grounds of continental shelves, distributed on the continental slopes or associated with seamounts): black scabbardfish, alfonsinos, roundnose grenadier and red seabream. Where these stocks extend beyond the Western Waters, the adjacent areas in question are also included in the plan.

Western Waters demersal fisheries comprise almost half of the total EU demersal fisheries regulated by total allowable catches (TACs). The TACs for these fisheries represented around 368 000 tonnes in 2017, with a first sale value of around €1.4 billion.²

Existing situation

Main fisheries

A large number of demersal species are exploited in the northeast Atlantic. According to [2015 data](#), the most important species in terms of value of the landings are hake, Norway lobster, anglerfish and common sole. The share in landed value of hake is dominated by France and Spain (43 % each). Norway lobster landings are dominated by the United Kingdom, with 45 % of total landings, followed by Ireland and France with 28 % and 24 % respectively. Anglerfish landings are dominated by France (54 %), as well as common sole landings.

Of the approximately 14 600 fishing vessels that were active in the northeast Atlantic in 2015, around 4 000 vessels were classified as 'demersal', whereas around 10 000 vessels, defined as 'other', could use both demersal and pelagic gears. Around 13 000 EU fishermen were employed in the first category, and almost 28 000 in the second one.³

discussion in the Parliament and the Council, determines the conditions under which fishermen may fish, in particular as regards the characteristics of the fishing gear, the minimum size of the fish that may be caught, and closure of fishing in certain areas or during certain periods. The legal framework also includes Regulation [1954/2003](#), which regulates the management of fishing effort in Western Waters, and Regulation [2016/2336](#), which establishes specific conditions for fishing for deep-sea stocks in the northeast Atlantic, including the Western Waters.

Several single-species multiannual plans concerning the Western Waters, introduced under the previous CFP, are currently in force:⁴

- The multi-annual plan for the stock of herring distributed to the west of Scotland (Regulation [1300/2008](#));
- The multi-annual plan for sole in the western Channel (Regulation [509/2007](#));
- The multi-annual plan for sole in the Bay of Biscay (Regulation [388/2006](#));
- The recovery plan for the northern stock of hake (Regulation [811/2004](#));
- The recovery plan for hake and Norway lobster in the Iberian Peninsula (Regulation [2166/2005](#)).

Following the entry into force of the landing obligation for demersal fisheries in the Atlantic EU waters in 2016, discard plans for the North Western Waters and the South Western Waters were adopted for the years 2016 to 2018, which include exemptions from the landing obligation, allowing a limited amount of fish to be discarded.

Preparation of the proposal

The proposal is based on evaluation of existing legislation, in particular the current management plans for single species, carried out by the Commission's Scientific, Technical and Economic Committee for Fisheries (STECF) and the International Council for the Exploration of the Sea (ICES), which are the scientific bodies advising the European Commission on fisheries matters. The Commission also requested external expertise from the Marine Resources Assessment Group (MRAG) under a framework contract. The evaluations concluded that the existing plans do not meet the CFP requirements, and do not perform to achieve its objectives. In addition, the STECF was requested to provide an analysis on the impact of introducing multiannual management plans covering South Western Waters and North Western Waters respectively ([STECF-15-08](#)).

The accompanying process of stakeholder consultation mainly included:

- Stakeholder consultations within the two Advisory Councils that provide advice for the area covered by the proposal, i.e. the [North Western Waters](#) and the [South Western Waters](#) respectively. They represent the stakeholders concerned – the industry (fishing, processing and marketing sectors), and other interest groups such as environmental and consumer organisations.
- An internet-based [public consultation](#) between May and September 2015, with a total of 28 contributions from Member States, Advisory Councils, industry organisations, environmental NGOs and the general public. Most respondents agreed that the current plans are inadequate, and that there is a need for renewed EU action. However, professional organisations considered that the scope of the consultation was too narrow.
- A targeted survey with more technical questions, addressed to the Advisory Councils, Member State authorities, Parliament's Committee on Fisheries (PECH), and the Agriculture, Rural Development and the Environment (NAT) Section of the European Economic and Social Committee.

The Commission also prepared an [impact assessment](#) in support of the proposed multiannual plan. The assessment identifies two major problems affecting demersal fisheries in the Western Waters: overfishing, resulting mainly from the lack of a coherent framework to manage mixed fisheries, and ineffective governance. The impact assessment recommends adopting an EU multiannual plan,

after considering it along with the alternative options of maintaining the status quo and of adopting two different plans for the North Western Waters and the South Western Waters respectively. A single plan was assessed as scoring best in terms of effectiveness and efficiency, reducing administrative burden, achieving the main CFP objectives and providing a stable and predictable management framework. It is considered to simplify the legal framework and reduce the administrative burden on Member States and industry. According to the impact assessment, the division into two distinct plans could lead to arbitrary boundaries that may not reflect stock distribution and may lead to differences in management regimes, which in turn could lead to displaced fishing effort with a disproportionate effect on stocks.

The changes the proposal would bring

The proposed plan builds on the experience of the discussions which preceded the adoption of the previous multiannual plans, in particular the [North Sea plan](#), and follows the pattern set by that plan. It aims to ensure that stocks are exploited sustainably, according to MSY principles and following an ecosystem approach to fisheries management as well as the precautionary approach, and that the decisions on fishing opportunities are based on the most up-to-date scientific information on stocks, mixed fisheries and other aspects of the ecosystem. According to the Commission, the plan is also intended to provide stability of fishing opportunities, to facilitate the application of the landing obligation and to prevent under-utilisation of quotas in mixed fisheries.

The plan introduces a single regulatory framework across the Western Waters, aimed at simplifying fisheries management in the area, and repeals the plans for demersal stocks currently in place. The multiannual plan for herring in the west of Scotland, considered outdated, is also repealed.

Similarly to the North Sea plan, the current proposal allows a certain flexibility in setting fishing opportunities, needed in order to manage mixed fisheries in particular. This flexibility would come from defining the target fishing mortality as a range of values which would result in MSY in the long term (F_{MSY}), for all the stocks covered by the proposal. These **ranges of F_{MSY}** would be based on the best available scientific advice, and regularly updated in accordance with the most recent data collected by ICES. The proposed plan itself does not include quantified reference points for fishing mortality or biomass levels. These are instead provided by the latest ICES scientific advice available, and used by the Council when fixing fishing opportunities. The plan specifies that the Council would establish fishing opportunities for a given stock within the lower range of F_{MSY} available for that stock. However, fishing opportunities within the upper range may be fixed under specific circumstances, such as for limiting the variation of fishing opportunities from one year to another. As regards by-catch stocks, they would be managed under the precautionary approach, taking into account the difficulty of achieving MSY for all stocks in mixed fisheries at the same time, especially when this leads to a premature closure of the fisheries due to exhaustion of the quota for one species (known as choke species).

In addition to the ranges of F_{MSY} , the proposed plan introduces **safeguard measures** based on biomass levels, in order to restore stocks when they fall below safe biological limits.

The proposed plan supports **regional cooperation** between the Member State groups for the South Western and North Western Waters respectively, which may submit joint recommendations concerning the landing obligation and the technical conservation measures.

With the perspective of post-Brexit shared stocks in Western Waters, the plan establishes principles for **management of stocks of common interest** to the EU and third countries.

The proposal empowers the Commission to adopt a series of **technical measures** by delegated acts, such as the characteristics of fishing gears and limitations on their use, or the minimum size of the fish that may be caught. The Commission may also adopt delegated acts on the application of the **landing obligation** in EU Western Waters. The delegation of power concerns a five-year period, tacitly renewable unless opposed by the Parliament or the Council.

In addition, the proposal amends the Baltic Sea multiannual plan (Regulation [2016/1139](#)). This plan is also based on reference points for fishing mortality and biomass levels, but these reference points are specified in the regulation and should be updated by the co-legislators. The amendment of the Baltic plan would bring it in line with the North Sea plan and with the current proposal, as regards the direct use of scientific advice by the Council when fixing fishing opportunities.

Advisory committees

The European Economic and Social Committee (EESC) adopted an [opinion](#) on the proposal on 19 September 2018 (rapporteur: Gabriel Sarró Iparraguirre, Diversity Europe –Group III / Spain). The EESC considers that the multiannual plan is an appropriate measure, although it should also take into account the specificities of the North Western and South Western Waters. The main EESC recommendations include considering the importance of the socio-economic component when allocating fishing opportunities, the possibility to remove certain species from the list covered by the plan, in particular some potential choke species, and increasing support for scientific research to gain better knowledge on the state of the stocks and avoid, as far as possible, applying the precautionary approach.

National parliaments

[The proposal was submitted to scrutiny](#) by the national parliaments; however, since the legal basis ensures exclusive EU competence, objections on grounds of subsidiarity are not possible.

The Joint Committee on Agriculture, Food and the Marine of the Irish Houses of the Oireachtas submitted a [political contribution](#) on the proposed plan. The Committee recommends that the plan clearly accounts for stocks that are vulnerable at a local and Member State level, citing the case of seabass, for which commercial fishing is prohibited in Irish waters, but allowed in other areas in Western Waters. It also recommends that the high level of stakeholder consultation is continued, and supports the greater flexibility in setting fishing opportunities provided by the F_{MSY} ranges. The Committee believes that the application of the landing obligation measures should also take account of local conditions in the case of mixed fisheries.

The Portuguese Parliament also submitted an [opinion](#) of its Committee on Agriculture and the Sea, expressing its intention to follow the developments brought about by the proposal, in particular as regards the impact of the landing obligation provisions on Portuguese fisheries.

Legislative process

The Commission adopted its proposal on 23 March 2018 and presented the proposed plan to the Council on 16 April 2018. According to the Council [press release](#), ministers generally welcomed the proposal. Some would have preferred to have two separate multiannual plans for the northern and southern parts of Western Waters, while others reiterated their concerns over the problems linked to mixed fisheries in the implementation of the landing obligation.

The European Parliament's Committee on Fisheries (PECH) held a first exchange of views on 24 April 2018, following the presentation of the proposal by the Commission. The committee has considered the proposed plan on the basis of the [draft report](#) published on 20 June 2018 by the rapporteur Alain Cadec (EPP, France). On 9 October 2018, the committee adopted its [report](#) on the plan by 15 votes to 6, with 1 abstention. However, the PECH members did not agree on a decision to enter into interinstitutional negotiations with the Council (10 votes in favour to 10 against).

On 25 October 2018, Parliament adopted amendments to the proposal in plenary, by 437 votes to 103 with 11 abstentions. Among other changes, the plenary rejected the possibility to introduce a period of up to three years for reaching MSY, intended to limit the social and economic effects of the plan, which would have prolonged the MSY target after the 2020 deadline required by the Basic

Regulation [1380/2013](#). It also opposed allowing the Council to fix fishing opportunities for species subject to a fishing ban in the case of certain fisheries of particular socio-economic importance.

After two rounds of interinstitutional negotiations, Parliament and Council reached a provisional agreement on 27 November 2018. The PECH committee approved this agreement on 23 January 2019. The agreement maintains Parliament's position on several points, such as expanding the area where seabass is managed on the basis of MSY. It also includes provisions on management of recreational fisheries with a significant impact on a stock managed at MSY, for which the Council may establish fishing limits for recreational fishermen, in line with transparent and objective criteria. The regulation should also specify that the landing obligation does not apply to recreational fisheries. However, other Parliament amendments have not been included in the agreed text, e.g. the closure of seabass fishing during part of the spawning season (1 February to 30 April) and in specific areas (west, south and east of the Irish coast), or the mandatory marking of recreational catches of certain species of high commercial value to prevent their illegal sale.

The Parliament is expected to vote on the agreed text during its February 2019 plenary part-session.

REFERENCE SOURCES

[Multiannual plan for fish stocks in the western waters and adjacent waters, and for fisheries exploiting those stocks](#), European Parliament, Legislative Observatory (OEIL).

ENDNOTES

- ¹ The fishing zones in the northeastern and eastern central Atlantic are most often referred to according to the statistical areas defined by the International Council for the Exploration of the Sea (ICES) and by the Fishery Committee for the Eastern Central Atlantic (CECAF) respectively. The area covered by the proposal is identified as the North Western Waters (ICES subareas 5 (excluding 5a and only Union waters of 5b), 6 and 7) and the South Western Waters (ICES subareas 8, 9 and 10 (waters around Azores), and CECAF zones 34.1.1, 34.1.2 and 34.2.0 (waters around Madeira and the Canary Islands)).
- ² Source: European Commission impact assessment [SWD\(2018\) 112](#), page 3.
- ³ The figures from this section, based on the [STECF Annual Economic Report 2017](#), give a rough approximation of the Western Waters situation. However, the definition of the Northeast Atlantic in this report differs slightly from the Western Waters: it includes ICES area 12 (north of Azores), and does not include subarea 7d (eastern Channel) nor the waters around Madeira and the Canary Islands.
- ⁴ The cod recovery plan (Regulation [1342/2008](#)), concerning several cod fisheries in Western Waters (the eastern Channel, the west of Scotland and the Irish Sea), but also in the North Sea, the Kattegat and the Skagerrak, was repealed by the North Sea multiannual plan.

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