

Director General João Aguiar Machado  
D.G. for Maritime Affairs and Fisheries  
Rue de la Loi 200  
B-1049 Brussels Belgium

By e mail

To the BALTFISH Presidency  
Att: Sara Colliander, Fisheries Director, Swedish BALTFISH Presidency  
Ministry of Enterprise and Innovation  
Mäster Samuelsgatan 70  
103 33 Stockholm, Sweden

By e mail

Ref: BSAC/2018\_2019/18

Copenhagen 12th December 2018

Dear Director General Aguiar Machado, dear Sara,

At the BSAC Executive Committee meeting on 6<sup>th</sup> November 2018 in Gdynia, the BSAC demersal and pelagic working group chairs reported on the outcome of the October Fisheries Council with respect to TACs and quotas for their respective stocks. Members also had the opportunity to comment on the decisions taken at the October Council. The questions and comments put forward have been compiled and this final response is approved by the ExCom. Comments concern in particular the two cod stocks, as well as the outcome of the annual meeting between the EU and Russia. The pelagic stocks did not give rise to specific discussion.

The BSAC hopes that its advice will be followed in the future, or at least, if not followed, we hope to receive clarification from the Commission or BALTFISH on why they take a different decision.

### **Comments and questions on eastern Baltic cod**

The BSAC recommendation for the TAC for western Baltic cod was 15.021 tonnes, and the OIG recommendation was 6.716 tonnes. The final Council decision was 9.515 tonnes. The Council decision does not reflect either of the BSAC recommendations.

In the past, the Commission sent written comments to the advice provided by the BSAC, and reasons for the decisions taken, and this would be most welcome.

We also seek an explanation from the Commission and BALTFISH about why the spawning protection for western cod has been removed. Some fisheries representatives have pointed out that fish should not be disturbed when spawning. There has recently been an article in the German fisheries magazine FISCHERBLATT (Edition 5/2018 ISSN 0015-2854), where scientists explain the importance of leaving the cod undisturbed when they spawn (ref. pages 17-18). We attach this for reference. ./.

### **Comments relating to eastern Baltic cod**

In view of a massive crisis affecting the eastern Baltic cod, the BSAC is of the view that a rebuilding plan should be established for this stock without any delay. Moreover, the current state of the eastern cod stock calls for an ecosystem-based approach in the management and management of the stock by other means than solely a reduction of the TAC, which is not fully utilised. We could also go as far as to question why the TAC for eastern cod was set so high, above not only the ICES advice, but also above the BSAC recommendation and that of the OIG [BSAC: 18.168 tonnes and OIG 13.224 tonnes respectively].

We also seek clarification as to why on the Commission's website, the Commission informed that its proposal for the eastern cod was based on a precautionary approach, proposing a reduction of 15%, when the final Council agreed TAC ends up much higher than the figure recommended by ICES.

(See reference under:

[https://ec.europa.eu/fisheries/commission-proposes-baltic-sea-fishing-opportunities-2019-increased-quotas-plaice-and-western-cod\\_en](https://ec.europa.eu/fisheries/commission-proposes-baltic-sea-fishing-opportunities-2019-increased-quotas-plaice-and-western-cod_en)

as well as in the Commission's official proposal, Recital 8; page 6:

[https://eur-lex.europa.eu/resource.html?uri=cellar:011fac3d-ad03-11e8-99ee-01aa75ed71a1.0018.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:011fac3d-ad03-11e8-99ee-01aa75ed71a1.0018.02/DOC_1&format=PDF)

Some members seek clarification as to what is the justification for reducing the spawning closure for eastern cod from two months to one month. In order to clarify their question concerning the spawning closure, they provide the following background:

i. In previous years, there has been a two month closure, reference Council Regulation (EU) 2017/1970 of 27 October 2017 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32017R1970> Note1

ii. In Commission proposal COM (2018) 608 Final, Annex page 3, the Commission proposed a two month closure in SDs 25-26 (July-August). <https://eur-lex.europa.eu/legal-content/EN/TXT/DOC/?uri=CELEX:52018PC0608&from=EN>

iii. Poland has been advocating a larger temporal closure. as part of an initiative to revive the Baltic cod. The Fisheries Secretariat reported on a Polish initiative to revive Baltic fish stocks, published 1<sup>st</sup> August 2018. <https://www.fishsec.org/2018/08/01/polish-initiative-to-revive-baltic-fish-stocks/>


iv. ICES has found that a larger temporal closure could be helpful. Reference is made to the request made by Poland to ICES to review the effectiveness of the current conservation measures in place for the Baltic cod. Published 28<sup>th</sup> September 2018. [http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/Special\\_requests/Poland.2018.16.pdf](http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/Special_requests/Poland.2018.16.pdf)

### **Agreement on the fishing opportunities between the EU and Russia**

With respect to EU Russia, we note that Russia permanently allocates to itself quotas that exceed the allocation keys from 2005. We ask the Commission to clarify how Russia has arrived at its figures for 2019. The joint management of stocks is very important. We would like to see this based on the good examples agreed on under the IBSFC. Here we see a role for BALTFISH under regionalisation to reflect the time when there was more dialogue between all the Baltic Sea States and agreement reached on joint management.

We look forward to hearing from both DG Mare and BALTFISH and we look forward to further discussions with you when relevant.

Kind regards,



Esben Sverdrup-Jensen  
Chair BSAC Executive Committee



Andrzej Bialas  
Vice Chair BSAC Executive Committee