

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

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The Baltic Sea Advisory Council's recommendations on technical measures

Dear João Aguiar Machado,

The Baltic Sea Advisory Council has held joint working groups to discuss and propose amendments to the current technical measures regulation for the Baltic 2187/2005¹ which are redundant and which are in urgent need of revision to be able to meet the demands of the landing obligation and stay in line with the CFP objectives. The latest working group took place on 31st August 2015 in Warsaw and has culminated in a set of recommendations. These have been approved by the BSAC's Executive Committee by written procedure.

We are pleased to send you the recommendations and we look forward very much to discussing them further with your services and with the Baltic member states.

Kind regards,



Reine J. Johansson
Chairman of the BSAC



Piotr Prędko
Vice-chair BSAC

C.C.
DG Mare Baltic Unit, Member States, Fisheries Council of the European Community,
European Parliament, European Fisheries Control Agency, ICES and HELCOM

The Baltic Sea Advisory Council's recommendation on technical measures

The BSAC held a **Joint Working Group** in Warsaw on 31st August 2015 to discuss and propose amendments to the current technical measures regulation for the Baltic 2187/2005² which are redundant and which are in urgent need of revision to be able to meet the demands of the landing obligation and stay in line with the CFP objectives. There was consensus on the need for increased flexibility for the fishermen, whilst at the same time ensuring full accountability for what the fishermen catch.

The BSAC strongly supports the proposed move away from micromanagement and towards a results-based approach. Ideally, any measures that are necessary should be decided on at a regional level in a relatively fast and efficient way, in accordance with the Basic Regulation (e.g. Article 18(2)). Regional measures should be developed in consultation with the Advisory Councils. There is scope for technical measures to be tailored to specific fisheries at a regional level; through, for example, multiannual plans.

The Working Group had a thorough discussion and proposed amendments to the above-mentioned regulation. The Working Group noted the need to implement amended technical rules without delay as an interim, short-term solution with a clear objective to enable fishermen to comply with the landing obligation, as many of the existing rules are in contradiction with the landing obligation. It was the view of the Working Group that there are now legal options available to make such short-term changes, both in the above-mentioned regulation itself and the updated Article 15 of the CFP Basic Regulation. Following the adoption of the Multiannual Plan for the Baltic, new rules should be proposed and adopted in the context of Joint Recommendations and Delegated Acts no later than 1 year after entry into force of the new management plan.

² 2005R2187 — EN — 01.06.2015 — 003.001 — 1

The Working Group recommended the following amendments to Regulation 2187/2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound:

Amendments to Annex II of the Regulation:

Delete Footnote 2 and in consequence Appendix 1 and Appendix 2, which refer to the specifications of the Bacoma and T90 gears.

Delete footnotes 4 and 5, which refer to the catch composition.

Merge columns 1, 2, 3, 4 and 5 to cover the specification of gears used in the pelagic fishery (mesh size range from 0 to 90 mm). In the light of the landing obligation, as well as the high mortality of pelagic fish which escape from the nets, there is no need to maintain a differentiation between different species of pelagic fish.³

After all participants at the meeting agreed to recommend these changes, discussions in the wake of the meeting showed that it might be relevant to set a maximum mesh size in the pelagic fisheries, if the rationale for merging the columns is that selection of pelagic fish in small meshes does not result in high survival rates. Although there is widespread acceptance of the idea to set a mesh size range for pelagics, the BSAC is not able to advise on what mesh sizes would be relevant until this has been discussed at a later meeting. The BSAC wishes again to underline that these proposals are to be seen as short term solutions. Complete technical measures, including suitable mesh size ranges for pelagics, must be developed under the Baltic multiannual management plan. The BSAC welcomes scientific input to the process.

The Working Group considered these recommendations to be necessary if the landing obligation is to be practical to implement in the Baltic Sea region, while it also recognised that it implies a big shift in the way fisheries are currently managed. The Working Group therefore also discussed adding an 'evaluation' date in which the process will be evaluated according to a number of predefined metrics, such as level of unwanted catch, data reporting and compliance. Potential adjustments could then be made in the light of these results.

The Finnish Association for Nature Conservation, the Fisheries Secretariat and WWF cannot endorse the recommendation to merge Annex II columns 1 to 5 due to the increase in mesh size and the concern for substantial underwater mortality. However, all organisations fully support continued discussion towards a maximum mesh size and support the remaining points of this recommendation.

³ The organisation **Darłowska Group of Fish Producers and Shipowners** does not support the deletion of the mesh size reference <16 mm for sandeel fishery.

Baltic 2020 and Oceana cannot support any of the recommendations without further discussion. Baltic 2020 and the Finnish Association for Nature Conservation were not present at the meeting.

Amendments to Chapters I - IV

The Working Group noted the need to further consider **Articles 5, 6 and 7** (and has applied square brackets) in the light of the anticipated new provisions on the mesh sizes specified in the Multiannual Plan.

The Working Group underlined the need to provide more flexibility for the fishermen with regard to the gear they use. The Group proposed to create an inventory of tools and best practices available from the experiences gained by fishermen on the BSAC website.

The Working Group recommended considering an amendment to **Article 11** in view of the difficulties that have been experienced in using the Omega Gauge to control mesh size.

The Working Group recommended the modification of **Articles 12.1 and Article 15.2** for consistency with other proposed changes. These are redundant and in contradiction with the Landing Obligation now in force in the Baltic.

The Working Group recommended deleting **Article 13 (d)** as it is redundant for the Baltic fisheries.

*The Working Group recommended revising **the Preamble** in line with the objectives of the new CFP and to better reflect the provisions of the Landing Obligation and the amendments made.*