

BSAC Executive Committee
27th June 2024
9:00-16:00 CEST
Brussels, and online through Zoom

Report

1. Welcome by the BSAC ExCom Chair Jarek Zielinski

The ExCom Chair welcomed the participants, including the representatives of DG MARE and DG ENV in person, as well as Member States, BSAC members and observers. The meeting focused on finalising the BSAC recommendations on fishing opportunities for 2025.

a. Apologies, quorum, AOB, and adoption of the agenda

There was a quorum for the meeting. The agenda was adopted.

The Executive Secretary presented a few points for the AOB, on the Rules of Procedure Focus Group, the timing of the CFP evaluation, Fishers of the Future study and the BSAC meetings in the autumn.

b. Adoption of the [report from the last ExCom meeting](#) (16th May 2024) and review of the action items

The Executive Secretary presented the past action items and their current status. Progress was noted with respect to most actions.

The report from the last ExCom meeting was adopted.

The ExCom Chair thanked the Polish BALTFISH Presidency for cooperation during the past year. He informed that the BSAC Management Team met the German BALTFISH Presidency on 18th June, after the BALTFISH Forum meeting.

The ExCom Chair welcomed an observer from the Scottish Creel Fishermen's Federation, member of Low Impact Fishers of Europe.

The ExCom took note.

c. Two ExCom members to check the minutes

Gaetane Le Breuil, European Fishmeal and Fish Oil Producers and Thomas Johansson, Baltic Salmon Fund/Baltic Salmon Rivers Association agreed to check the minutes.

2. From the Secretariat

a. Brief status on expenditure and admin. for 2024-2025

The Executive Secretary presented the status of expenditures as of 31st May. After 2 months of the new financial year the BSAC spent 16% of the budget, mainly on salaries, interpretation for the General Assembly, Executive Committee meetings on 15th and 16th May, Joint WG on 12th June and reimbursements of participation at these meetings.

The ExCom took note.

b. Update of Commission's answers and payments

The Executive Secretary informed that the European Commission had officially approved the grant application for 2024-2025 and the 1st payment was received on 20th June 2024.

The ExCom took note.

3. BSAC recommendation on fishing opportunities for the Baltic in 2025 a. Answers from ICES ACOM Vice - Chair received in writing

The Executive Secretary informed that replies to the questions addressed at the Joint Working Group on 12th June to ICES had been received by the BSAC on 27th June 2023¹. He clarified that what had been called “special request” regarding the question on salmon stocks was not a special request to ICES but rather a question that Estonian authorities wanted to pass on to ICES via the BSAC.

b. Status of the draft recommendation

The ExCom Chair underlined that the replies received from ICES to the questions addressed by the BSAC during the Joint Working Group could have a potential impact on the BSAC recommendations. He underlined that unfortunately the replies had reached the BSAC just before the meeting and noted the absence of the ICES representative at the ExCom meeting.

A fisheries representative from Denmark expressed the view that the time span for responding to the questions put forward by the BSAC members had been very short and therefore the ICES representatives should not be blamed for the late submission of the answers to the BSAC.

With reference to the question on eDNA analysis, **the BSAC members** took note that more effort and time is needed in order to use the eDNA analysis to assess the species composition in pelagic fisheries (bycatch of cod) as an eDNA-to-biomass model for cod in the mixture would need to be established first and tested.

The ExCom decided to continue to follow the research on the eDNA analysis. It was proposed to contact the scientists who had presented the project on eDNA to the BSAC² to ask about any progress in their research.

The ExCom decided to invite the ICES experts (possible ICES Baltic Assessment WG Chair) to the Joint Working Group meetings in June.

c. Discussions on the recommendation

The Executive Secretary informed on the input received from members. In the spirit of looking for compromise, he invited the members to give further input to the recommendations.

¹ The replies include a reply to the question on salmon addressed by the Estonian Administration.

<https://www.bsac.dk/wp-content/uploads/2023/11/ICES-answers-BSAC-questions.docx>

and [https://www.bsac.dk/wp-content/uploads/2023/11/ICES-answers-Salmon Advice.docx](https://www.bsac.dk/wp-content/uploads/2023/11/ICES-answers-Salmon_Advice.docx)

² BSAC Pelagic WG meeting 26th September 2023 report p. 6, Presentation of the DNAMIX & CATCHDNA projects for catch identification; [Past Meetings - Baltic Sea Advisory Council \(bsac.dk\)](#)

The BSAC members had some general comments to the draft recommendations, as well as to the recommendations on several stocks. These comments were duly noted by the Secretariat in the draft recommendations.

A representative of the OIG thanked the Secretariat for preparing a well-balanced draft.

A fisheries representative from Denmark expressed the opinion that the statements expressed by some BSAC members are not respectful towards the fishing industry members. He added that statements explaining the proposed figures should be placed in the section below the table.

Another fisheries representative from Denmark agreed that the table in the recommendation should contain only the proposed figures, whereas the explanatory text should be placed in the comments.

A representatives of recreational anglers stated that the BSAC recommendations should be inclusive and reflect a short rationale behind the figures that do not fit into general statements, such as is the case of recreational anglers. In his view, this year, due to high uncertainties, the quantitative advice cannot always be provided, and explanatory text should be included.

A representative of the OIG underlined that in the spirit of democracy, members should not be restricted from presenting the arguments behind their positions.

The ExCom Chair underlined that it is of utmost importance to keep the BSAC recommendations clear and transparent, for the benefit of the decision-makers. The explanatory text of how the recommendations for each stock have been reached should be given in the text below the table.

A small-scale fisheries representative stated that organisations that support the majority positions should be listed in the footnotes to indicate that a given figure had the necessary support.

A small-scale fisheries representative from Germany underlined that the table presents a clear overview of the BSAC positions and should be part of the recommendations.

A representative of the OIG indicated that the advice does not only consist of a proposed TAC, but also of recommending ecosystem-based approach and other measures that need to be taken into account by decision-makers.

After some further discussion, the ExCom decided to come back to the discussion on the best formulae for the BSAC recommendation for the fishery at the next Joint Working Group in June 2025, in order to have clear guidance for the preparation of the BSAC advice on the fishery. This year, the table would contain figures and simple statements, majority positions would not include footnote list of organisations (unless there is a clear divide) and minority positions will be listed with footnotes.

The ExCom discussed the advice for the Baltic fishery for 2025 for different fish stocks on the basis of a text, which was a compilation of all comments submitted by the participants after the Joint Working Group held on the 12th June 2024.

With regard to plaice, **a small-scale fisheries representative** drew attention to the huge mismatch between the TAC for plaice advised by ICES and the advised TACs for cod, as both species are caught together. The plaice advice does not reflect the impact on cod bycatch. Increased fishing opportunities for plaice may lead to an increase in the bycatch of

cod. In his view, the BSAC should recommend a much lower, realistic TAC for plaice in SDs 22-32.

A fisheries representative from Denmark pointed to the positive developments of the plaice stocks in the Baltic. There are no reasons to set the TAC for plaice in 2025 below the level recommended by ICES. He underlined that the bycatch regulations are restrictive enough to fish for plaice without catching any cod. The expected implementation of the gears that successfully reduce cod bycatches in the flatfish fisheries could provide further opportunities to fish these abundant resources without any risk of cod bycatch.

With reference to herring in SDs 30-31, **a small-scale fisheries representative** proposed to include a text that the BSAC notes a delay in advice, caused by the need for re-evaluating the reference points by ICES, and recommends an increased sampling programme so that more and better-quality data can be gathered³.

The ExCom agreed to the proposed text.

With regard to central herring, **a small-scale fisheries representative** referred to the uncertainty related to the advice for this stock, especially with relation to the estimated recruitment. He expressed the view that an increase of the 2025 TAC as advised by ICES carries a huge risk for the managers. There is a need for more discussion on this stock in order to reach a more informed decision on the TAC.

The ExCom Chair stated that the quality of science could be discussed during a dedicated BSAC meeting, with ICES present in the room. He invited the BSAC members to give input to the preparation of such meeting.

A fisheries representative from Denmark welcomed a discussion on the advice to make better use of science in the management decisions. He emphasised the common interest in achieving good status of fish stocks.

With reference to sprat, **a small-scale fisheries representative** pointed out that a rollover of the 2024 TAC recommended by some fisheries organisations is outside the range recommended by ICES. In his opinion, such advice will not be considered by managers.

A fisheries representative from Poland underlined that they could not support the decrease of the sprat TAC proposed by ICES, as such decrease would have severe implications on the fishing industry, which is already at the verge of collapse.

³ The BSAC notes that the stock has been declining in biomass for the past 30 years despite the stock being fished below F_{MSY} . This has led to ICES re-evaluating the reference points causing a delay to the advice.

The decrease of SSB in recent years is presumed to be largely a consequence of a change in the food chain, which caused a remarkable decrease in weight at age, deteriorated body condition and even starving and dying especially among the larger herring. Furthermore, the overall decrease in SSB after the peak in 1994 corresponds to an overall increase in fishing mortality during the same period up until 2016. After 2016, while fishing mortality has in general decreased, the SSB has not increased.

In 2023 the Finnish catch decreased by 7% (4,155 tonnes) and the Swedish catch by 34% (5,716 tonnes) compared to 2022.

The BSAC recommends an increased sampling programme so that more and better quality can be gathered.

With reference to salmon, a **representative of recreational anglers** underlined that the forecast regarding returning spawners for this year is not looking positive, and if this trend continues over the summer, no fishing should be allowed. The data on returns available at the moment dates from last year. He proposed to wait until September with any management recommendations once the information on the spawning population collected over the summer is available.

Several representatives of the OIG supported his statement and underlined the need to implement a holistic, sustainable, long-term management of the salmon stocks.

A fisheries representative from Denmark stated that some Baltic fish stocks are affected by factors other than fishing. The causes of their worrying conditions must be further investigated.

Some representatives of the OIG referred to the planned scientific project, allowing fishing for salmon in SD 30. Under the present stock condition, such large-scale projects could be very deconstructive for the salmon stock.

A representative of DG MARE explained that the STECF evaluated that the project proposal submitted by Finland was not justified on scientific grounds. An amended project proposal would be submitted to the STECF evaluation. In the meantime Finland started the scientific fishery on 27 May 2024.

The ExCom Chair asked the BSAC members to provide any additional comments to the recommendations in writing.

d. Finalisation of the BSAC recommendation

The ExCom decided to ask the Secretariat to make the necessary amendments to the draft recommendations as agreed by the meeting. The revised document would be sent to the ExCom for final written approval until the agreed deadline of 5th July 2024 mid-day, before being sent to the Commission and Member States.

4. Presentation of the Commission Communication to the European Parliament and the Council: “Towards more sustainable fishing in the EU: state of play and orientations for 2025”⁴, by Martin Mortensen (DG MARE)

a. Presentation by the Commission

Martin Chemnitz Mortensen, Unit D3 of DG MARE presented the annual communication looking into progress in achieving sustainable fishing in the EU (legislative requirement), the balance between fleet capacity and fishing opportunities (legislative requirement), the socio-economic performance of the EU fishing fleet, the implementation of the landing obligation, the main orientations proposed for the 2025 fishing opportunities and the public consultation launched. The Commission is looking forward to the input from all stakeholders until 24th August 2024. He drew attention to the impact of Russia’s military aggression against Ukraine, causing ongoing disruptions of fishing activities and trade flows, scientific advice and international negotiations. Financial support is offered by

⁴ [Sustainable fishing in the EU: state of play and orientations for 2025](#) and [staff working document](#).

EMFAF. The overall sustainability of EU fisheries improved further in 2023, thanks to continued action. This is particularly the case in the EU waters in the Atlantic. The situation in the Baltic Sea, however, remains extremely worrying as populations of previously important commercial stocks continue to decline due to multiple sources of pressure.

He underlined that there is continuous concern on accurate reporting of catches. With reference to the state of the EU fleet, the representative of the Commission stated that Member States indicated in their 2023 reports that their fleets are below the ceilings and meet the requirements under Article 22 of the CFP Regulation. However, concerns remain on the accuracy and reliability of the data underpinning the national reports and the accuracy of Member State action plans. Fuel prices continued to have a high impact on the socio-economic performance of the EU fishing fleet in 2023. Fleet segments that depend on stocks exploited sustainably and that have increased their energy efficiency tend to perform better and generate higher salaries for their crews. This illustrates the important socio-economic gains in stock conservation and energy efficiency by EU fishing fleets. The EU fishing fleet is expected to cover its operational costs and maintain employment in 2024 but it will remain financially vulnerable.

New EU control rules will contribute to the effective monitoring of compliance with the landing obligation. Lack of compliance, undocumented discarding and misreporting of catches undermines the accuracy of catch reporting, that is essential for stock assessment. With reference to the fishing opportunities in the Baltic and North Atlantic, the Commission will propose TACs and quotas in line with the MSY when this advice is available. Where management plans provide flexibility to set catch limits, the Commission may propose using the upper range of MSY for healthy stocks, provided that the scientific advice considers it necessary to achieve the objectives under the multiannual plans, especially for mixed fisheries. There is an urgent need to improve the protection of European eel. In addition to closely monitoring implementation of the 2024 fishing opportunities and assessing the measures for 2025 for marine waters, the Commission again calls on Member States under the EU marine action plan to update their eel management plans under the Eel Regulation.

The Commission invited Member States, Advisory Councils, stakeholders and the public to provide feedback on this Communication by 31st August 2024.

b. Discussion and preparation of the response

A small-scale fisheries representative referred to the graph illustrating overall fishing mortality and biomass in the North-East Atlantic, including the Baltic. According to this graph, average F/F_{MSY} trend based on 59 stocks⁵ indicates that an increasing number of stocks are fished under F_{MSY} , a reduction of F and general increase in the stock biomass the North-East Atlantic. In his view, because F_{MSY} is updated regularly by ICES, this information is misleading in the case of the Baltic.

⁵ Commission Staff Working document accompanying the document Communication from the Commission Sustainable fishing in the EU: state of play and orientations for 2025. eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024SC0139 p.4

The representative of DG MARE explained that each year the Commission asks STECF to assess the progress made in achieving the MSY exploitation rate. He promised to come back with a reply at a later stage, after consulting STECF.

A fisheries representative from Denmark agreed that the average F/FMSY trend is not very informative in the case of the Baltic, but it is not wrong. He underlined that the Baltic is a special case, suffering from multiple pressures beyond fisheries. He appreciated the fact that the Communication reflects a holistic approach and points out positive developments in reaching the management objectives and in the state of the environment, however, management of some stocks raises serious concerns, such as for example the European eel.

The ExCom Chair asked about the key message in the Communication.

The representative of DG MARE underlined that thanks to the actions taken by fishers and national administrations and the commitment from the European Parliament, Council and Commission to manage fisheries responsibly, fishing has become more sustainable and far fewer stocks are overfished in the EU. Unfortunately, despite these efforts, a number of fleet segments will face challenging conditions, particularly those that depend on overfished stocks and use energy-intensive fishing gear. He stated that the socio-economic resilience of the EU fleet needs to be improved.

A small-scale fisheries representative from Germany disagreed with the positive picture of the European stocks and fisheries drawn in the Communication and underlined that all efforts to improve the degrading stocks in the Baltic are still ahead of us.

A small-scale fisheries representative referred to the capacity ceilings and asked what is being done to improve the capacity management in the Member States.

The representative of DG MARE stated that Member States that have fleet segments with a demonstrated imbalance must present action plans that set adjustment targets and tools to achieve balance with a clear timeframe for implementation. The Commission called on Member States to increase the transparency and flexibility of their fishing capacity management and to consider reallocating unused capacity for structural investment on board.

The ExCom Chair thanked the representative of DG Mare for his presentation and replies to the questions.

The ExCom decided to ask the BSAC secretariat to circulate a draft BSAC response to the Communication, based on the discussions, by the end of July, with the aim to finalising the BSAC reply by 31st August 2024.

5. Presentation on selectivity, by Maria Moset Martinez (DG MARE)

Maria Moset Martinez, DG MARE gave a presentation on selectivity. She referred to the Technical Measures Regulation, aimed at improving the exploitation pattern of commercial fisheries, minimising the impact on sensitive species and on the environment. To gain the optimum benefit from a wild-caught fish it should be caught at the right age (size). For that reason, the Commission commissioned scientific advice to identify the optimal ages at which commercial fish species should be caught in order to maximise their yields, to ensure the availability of food supplies and they reach consumers at reasonable prices. Improving selectivity depends not only on using legislation to change the structure of the fishing gear,

but also on using legislation to create incentives for the fishers to operate the gears with better practices. The representative of DG Mare referred to the report: Monitoring fisheries selectivity in EU fish stocks⁶, presenting methods of monitoring selectivity and exploring the most suited selectivity indicators. The discussions were carried out in the framework of the Expert Group of STECF. Any management decision needs to be science based. The

STECF Expert Group on Technical Measures is tasked with the following terms of reference (ToR)⁷. ToR 1: this term of reference focused on identifying the ages and sizes at which fish (as per Annex XIV of the TMR) would need to be caught to optimise yield and reduce the catches of juveniles as far as possible, building upon the relevant work of STECF-21-07⁸ and prioritising stocks where the highest gains can be achieved. ToR 2: This term of reference focused on the identifying, quality control, and summarise the data required to run a bio-economic assessment of gear changes. In particular, but not limited to, the species and fisheries identified in EWG 22-19.

ToR 3: If feasible, identify possible operational changes needed to realise the transition to higher yields. Identify the technical support required to assess at the regional level, the potential socio-economic implications of fisheries-based transition plans for improving yields. ToR 4: management scenarios and ToR 5: Discuss direction of future work, additional needs, stakeholder engagement, and advice needs.

She referred to the current work of the STECF under EWG 23-15⁹. STECF was tasked with the summary of the current knowledge on the tools available to assess the socio-economic implications of changes in technical measures. STECF was also asked to identify, quality control, and summarise the data required to run a bio-economic assessment of gear changes, to identify the most suitable models, per ecoregion, to assess where possible, the impacts of increasing the size-selectivity of gears on the species caught in mixed fisheries in terms of catch, effort, fishing mortality and recruitment, and the likely costs and potential benefits associated with gear changes for fleets on the short-term and longer-term and to identify meaningful management scenarios that could be produced with these models, and the additional information/data/models that would be required to produce additional scenarios.

The representative of DG MARE concluded by saying that improvements in selectivity would mostly benefit long-living, late-maturing stocks. The analysis maps the direction of such selectivity changes. Heavily overfished stocks would benefit most if selectivity is increased together with a decrease in F. Results from any trial testing gear

⁶ [Monitoring fisheries selectivity in EU fish stocks - Publications Office of the EU \(europa.eu\)](#), [JRC Publications Repository - Monitoring fisheries selectivity in EU fish stocks \(europa.eu\)](#) Expert Working Groups of the Scientific Technical and Economic Committee for Fisheries (STECF EWGs) have investigated a range of candidate selectivity indicators, as well as their optimal levels in terms of maximizing equilibrium yields. This report synthesized and applied the methodologies developed in these STECF EWGs to monitor the state of fisheries selectivity in 33 EU stocks in 2003-2021.

⁷ [EN \(europa.eu\)](#);

⁸ Scientific, Technical and Economic Committee for Fisheries (STECF) - Review of the Technical Measures Regulation (STECF 22-19), Publications Office of the European Union, Luxembourg, 2023, doi:10.2760/335552, JRC133589

⁹ [JRC Publications Repository - Scientific Technical and Economic Committee for Fisheries \(STECF\) – Implementation of the Technical Measures Regulation \(STECF-23-15\) \(europa.eu\)](#)

modifications/changes are case-specific, and any operational change would require a detailed cost-benefit study, and a transition plan based on a socio-economic and technical assessment.

With respect to Technical Measures Regulation, the representative of DG MARE stated that reasonable period of time (2 – 5 years) is needed to make it fully operational.

She referred to the ICES advice on innovative gears¹⁰. In 2020, ICES updated the catalogue of innovative fishing gears for EU fisheries. It provides an overview of relevant state-of-the-art technologies, innovations, and their expected impacts, all of potential relevance to EU fisheries. **The representative of DG MARE** invited the BSAC members to give insights, views and proposals related to technical measures and selectivity.

A fisheries representative from Denmark underlined the need for more openness and transparency in the work of STECF, including the possibility for the BSAC members to take part the STECF work and give input on selectivity, gear specifications, as well as other fisheries issues.

The representative of DG MARE stated that the intention is to include the Advisory Councils at all stages of the STECF work.

A representative of the OIG referred to the fact that on several occasions, the BSAC had raised the need to reduce selectivity by implementing a smaller mesh size in pelagic fisheries, to avoid unaccounted high underwater mortality of fish escaping the meshes. He drew the attention to other problems encountered in the Baltic such as lack of fish above certain size. Given the current situation in the Baltic, an increase in mesh size will not contribute to improving the stock status and might even deteriorate the stock. In his view, the only solution is to fish less.

A small-scale fisheries representative from Denmark stated that the objective should be to leave as many fish in the sea and at the same time get maximum profit.

Another small-scale fisheries representative referred to the need to deal with the challenges faced by mixed fisheries, including cod bycatches in pelagic and flatfish fisheries.

The representative of DG MARE indicated that technical measures are a broad and complex set of rules that require flexibility. She noted the need to deal with mixed fisheries. Regarding the situation with small pelagics, she acknowledged the problem and reminded that the solution may not entail changes in mesh sizes only.

A representative of the Danish administration referred to the challenges of incentivising fishers to improve selectivity. She referred to a particular research study conducted in Denmark, **allowing fishers a “free choice of gear” in exchange of mandatory use of electronic monitoring**. So far, the study has received zero applications from fishers to take part.

A fisheries representative from Denmark explained that the institutional hindrances imposed by the Technical Measures Regulation (TMR) remain the main problem. He

¹⁰ https://ices-library.figshare.com/articles/report/EU_request_on_review_of_innovative_gears_for_potential_use_in_EU_waters_and_their_impacts/24212694

underlined that on several occasions the BSAC called for more flexibility in applying the technical measures.

The ExCom Chair thanked the representative of DG Mare for her presentation. He asked the representative of DG MARE at what stage does she expect the Advisory Councils to get involved in the discussions on technical measures.

The representative of DG MARE underlined that the Advisory Councils are invited to give input at any stage of the work on technical measures. She pointed out that the STECF EWG meetings are open to observers and provide sufficient time for discussions.

The ExCom decided that the BSAC should continue to follow the work on technical measures and selectivity carried out by the Commission and engage in the STECF Expert Working group meetings on selectivity and Technical Measures Regulations when invited to do so.

6. Discussion on the BSAC reply to the Commission's evaluation of the Landing Obligation and Update on the EFCA report on monitoring and enforcement of the Landing Obligation in the Baltic Sea in 2019-2021, by Martin Mortensen (DG MARE), Gurvinder Arora (Deloitte)

Presentation by the Commission and Deloitte

Martin Mortensen, DG MARE presented a study launched to support the Commission's evaluation of the landing obligation (LO). Specifically, to gather evidence for an assessment on how the specific intervention has performed and is working, and why it is performing as it does. The contract study results and findings will be used to help the Commission draw up an evaluation providing evidence-based assessment of whether the EU intervention continues to be justified or, where lessons can be learned for improving, whether EU actions should be continued or changed. The contract follows the Better Regulation guidelines. As such, it should provide evidence covering all the five mandatory evaluation criteria of the Better Regulation Guidelines (effectiveness, efficiency, relevance, coherence, EU added value). This study requires quantitative and qualitative data to evaluate the performance of the landing obligation. Two parallel methods will be used: data analysis and stakeholder engagement validation. The Commission has reached out to Member States, Advisory Councils, and European-level stakeholders. The timeline for stakeholder engagement is from mid-April 2024 until the beginning of July 2024. The representative of DG MARE underlined that stakeholder input is essential for the evaluation process.

Gurvinder Arora, Deloitte, responsible for conducting the survey, referred to the specific stakeholder consultation on two case studies in the Baltic. MRAG or Deloitte, contracted to carry out the surveys will reach out to the relevant stakeholders.

A small-scale fisheries representative asked what period is covered by the evaluation. He also asked whether the Commission will take account of the record high discards of cod and plaice resulting from the incompatibility between the fishing opportunities set by the managers and the provisions of the landing obligation.

The representative of DG MARE informed that the study will collect evidence on how the LO has performed during the entire period of its implementation. As concerns the incompatibility between the TAC setting and the LO, he stated that the TACs are set on the basis of scientific advice.

A representative of the OIG underlined that in the past the BSAC had held several meetings focused on the implementation of the landing obligation¹¹ and produced recommendations. He expressed the hope that the comments delivered by the BSAC will be taken into account in the evaluation.

The representative of DG MARE underlined that all comments and recommendations received from stakeholders will be considered in the evaluation, which is a bigger step in assessing the implementation of the landing obligation.

The Executive Secretary informed that the draft BSAC reply to the LO consultation will be sent to the ExCom for written approval after the meeting. The reply will take into account previous BSAC statements on the landing obligation, as well as any further input received from the ExCom members. The Secretariat asked the Member States to provide information on REM pilot projects.

The ExCom decided to ask the Secretariat to send the final draft BSAC reply to the evaluation to the ExCom members for final approval. The reply will be sent to the Commission and the Consortium responsible for the survey by the deadline of 12th July.

Presentation of the information from BALTFISH and EFCA on the report on the implementation of the landing obligation:

Miguel Nuevo, EFCA gave a short update on the report of compliance with the implementation of the landing obligation. EFCA was asked by the BALTFISH Control Expert Group to prepare a report covering the years 2019-2021. The BALTFISH High Level Group endorsed the report on 19th June 2024. The report will be published in the beginning of July. Following the workplan of the BALTFISH CEG, EFCA is willing to assist the CEG to organise a joint meeting with the BSAC and BALTFISH to present and discuss the content of the report. EFCA will discuss with the upcoming German BALTFISH Presidency the possibility to meet in person in Berlin, sometime in September-October. At this meeting, EFCA will also present the results of 2024 risk assessment with non-compliance with the LO and associated misreporting based on 2023 data.

The ExCom took note.

The ExCom decided that the date of the EFCA-BALTFISH-BSAC workshop on the implementation of the landing obligation will be decided at a later stage, after consulting EFCA and BALTFISH.

7. Discussion on the BSAC reply to the Commission's fitness check of the EU rules on Trade in Seal Products, by Anne Delvaux (DG ENV)

Anne Delvaux DG ENV presented the Commission's fitness check of the EU rules on trade in seal products, starting with the policy context. Regulation (EC) No 1007/2009 on trade in seal products, as amended, prohibits the placing on the EU market of seal products, with 2 exceptions: 1) where those products come from hunts by Inuit or other indigenous communities. 2) occasional imports of seal products that are exclusively for personal use by travellers or their families.

¹¹ [\[Modtagerfelt\] \(bsac.dk\)](#); [\[Modtagerfelt\] \(bsac.dk\)](#)

The amendment to the Regulation of 2015 removed a third exception, which allowed the placing on the EU market of seal products resulting from the sustainable management of marine resources. Nowadays, EU Member States are still allowed to hunt seals for the sustainable management of their marine resources, but the resulting products cannot be placed on the EU market anymore. The processing of seal products in the EU and re-export of the processed goods outside the EU is not banned under the Regulation. Member States who have communities who hunt seals for their subsistence are entitled to apply the first exception.

The Seal Pups Directive¹² outlines measures for EU Member States to prohibit imports of products from pups of harp and hooded seals. It does not apply either to products from Inuit or other indigenous communities.

Recent developments: Commission report COM(2023)633¹³ on the implementation of the Seals Regulation over the period 2019-2022, adopted in October 2023, concludes that the Regulation seems to work well in preventing the placing on the EU market of seal products not covered by the Inuit and other indigenous communities' exception. But it also indicates that the EU Member States around the Baltic Sea and Canada are not happy with the Regulation as it stands. The Baltic EU Member States blame the Regulation for preventing, since 2015, the placing on the EU market of products resulting from hunts performed for the sustainable management of their marine resources, while the increasing seal populations damage the fishing gear and eat the fish stock. Canada blames the Regulation for serious drops in its exports of seal products from Inuits and Inuvialuits, and claims that the EU is perceiving the Regulation as a complete ban. To address these concerns, in mid-May 2024, the Commission launched a fitness check of the EU Seal Regime (i.e., an evaluation of the Regulation on Trade in Seal Products and its Implementing Regulation, and of the Seal Pups Directive). This involves a public consultation and a call for evidence (open in all EU languages on the [Have your Say portal](#) until 7 August), as well as targeted consultations with some EU Member States and relevant stakeholders. Based on the evaluation findings, the Commission will consider whether further measures are needed¹⁴. This could be an amendment or a repeal of one or both of the instruments, or no action at all. A fitness check report drafted by the contractors should be available in January 2025 and will be used as the basis for a European Commission Staff Working Document.

The ExCom Chair thanked the representative of DG ENV for the presentation.

A representative of the OIG asked what could be the potential impact of this public consultation on the legislation.

The representative of DG ENV answered that the consultation is aimed at assessing whether the legislation in force remains fit for purpose, and whether there is any room for simplification. It is difficult to predict what will be the results.

¹² [Council Directive 89/370/EEC](#)

¹³ [Commission Report COM\(2023\)633](#)

¹⁴ Up-to-date information is available on our [Trade in Seal Products webpage on EUROPA](#)

A fisheries representative from Denmark stated that due to the increasing damages caused by seals to fish and fisheries, the fishing industry will call for the implementation of culling for management reasons around the Baltic Sea. In this context, under the existing ban on the trade of seal products, a valuable resource will be turned into waste. Rules should allow the sale of seal products resulting from culls conducted for the sole purpose of sustainably managing marine resources.

The representative of DG ENV referred to the origins of the EU Seal Regime, which was a response to concerns expressed by EU citizens about animal welfare aspects of seal hunting. The problem of the waste of resources is being addressed in the fitness check. A reinstatement of the sustainable marine resource management exception is not likely to happen because of WTO constraints.

A representative of the OIG underlined that taking into account public concerns about seal hunting, any change of the existing seal regime, including the trade in seal products will be a challenge.

A small-scale fisheries representative from Sweden referred to the considerable damages caused by seals to small-scale fisheries in Sweden. He asked about the possibility to introduce seal game hunting for tourists. He asked whether in such cases the hunters could bring their hunting trophies to their home country inside the EU.

The representative of DG ENV informed that she will consult the Commission Legal Service whether any derogation to [Regulation \(EU\) 2015/1775](#) could apply, allowing import of seal products to the EU countries¹⁵.

The Executive Secretary informed that draft BSAC reply to the consultation will be sent to the members after the ExCom for further input. The BSAC will send the reply to the Commission before the deadline on 7th August.

The ExCom Chair stated that the BSAC will continue the discussions on the seal management in the workshop planned on 30th October in Helsinki.

The ExCom took note.

8. Update on the topic of stakeholder involvement in the Commission's Advice requests to ICES and STECF

The Executive Secretary presented information on the topic, already presented at the last ExCom in May. This topic was stemming from [the NSAC advice on stakeholder engagement](#) and the [unfolding BSAC comments](#). The BSAC ExCom Chair had asked the Executive Secretary to engage in this topic in accordance with [the BSAC position](#).

¹⁵ After consulting the Legal Service, the representative of DG ENV replied that EU hunters would not be allowed to bring back their hunting trophies to their country inside the EU, as only imports into the EU of seal products brought back by travellers from abroad are allowed as an exception under the Regulation. However, exporting these trophies outside the EU is not prohibited by the Regulation. So, game hunting would be possible for hunters from non-EU countries. Of course, these hunts would have to be carried out in compliance with the Regulations on the protection of species of wild fauna and flora by regulating trade therein, and with the conservation objectives of the Habitats Directive.

The Executive Secretary therefore signalled interest to take part in the Guidelines Drafting Group that was composed of other ACs secretariats and was to meet for the first time in May. The meeting took place on the 20th June. It started discussing what could be the setup of requested meetings (proposal) and stakeholder input (oral/written), and the general chapters of the Guidelines. A lot could be resolved with more systematic information from the COM when work on a special request starts. More transparency and information sharing as a first step. This was only draft work and that any document coming out of this initial phase would have to go through membership scrutiny and ExCom validation.

The ExCom took note.

9. AOB

• Rules of Procedure FG on taking into account small scale

The Secretariat (Klavs Skovsholm) recalled that in January 2024 the ExCom had decided to give a new mandate to the Focus Group dedicated to examining how to define the indicators to attribute the “share” of small-scale fleets in the Member States. The Member States were asked to provide information on the criteria used for attributing vessels to the small-scale fleet segment and on the percentage of small-scale vessels in the entire fishing fleet. Replies from Denmark, Sweden and Latvia were received. The Focus Group will reconvene after the summer.

The ExCom unanimously decided to elect Klavs Skovsholm as Chair of the Focus Group on the Rules of Procedure.

The Executive Secretary informed that the Secretariat will remind the Member States to provide information on their small-scale segment.

• CFP evaluation timing

The Executive Secretary informed that on 20th June the Commission opened a call for evidence (until 6th September). The Commission is planning to come to each AC to have a more targeted discussion after the summer.

A fisheries representative from Denmark proposed to build the BSAC reply on the BSAC White Paper.

The ExCom decided to ask the Secretariat to invite the Commission to the October ExCom and focus the reply on the points of the BSAC White Paper.

• Fishers of the Future study

The Executive Secretary informed that Phase 2 of the ongoing Fishers of the Future study will develop future world scenarios based on key drivers and challenges and will be finalised by the end of June. In Phase 3, the study team will develop a set of profiles of fishers for 2050, which reflect these future world scenarios developed during Phase 2. The Advisory Councils will be asked for feedback on these profiles during a meeting in September. He asked the members to inform the Secretariat if they want to take part.

A fisheries representative from Denmark underlined that in his view Fishers of the Future study is just a consultative work, and their scenarios for the future are far from reality.

A small-scale fisheries representative agreed that, taking account of several gaps the results of the study could hardly be used for the future of fisheries.

The **ExCom** took note.

- **Dates of future meetings:**

- BSAC webinar on climate change – **end of August (tbd)**
- EBM WG – **Tuesday 24th September**, Online
- Demersal and Pelagic WG – **Wednesday 2nd and Thursday 3rd October**, Skagen (DK) and online
- ExCom – **Tuesday 29th October**, Helsinki (FI) and online
- Workshop on predators - **Wednesday 30th October**, Helsinki (FI) and online
- BSAC-BALTFISH-EFCA Workshop on EFCA LO report – **September (Tbc)**
- Science meeting – **tbd**.

The **ExCom** decided to come back to the discussion on the possible science workshop after the summer.

The **ExCom Chair** thanked all participants for good discussions.

Action points:

BSAC recommendations on the fisheries for 2025	ICES responses to the BSAC were received the day before the meeting	The BSAC should continue follow the research on eDNA and should invite additional scientists at the June WG meeting (ICES WG Chair for example)
	Finalisation of the recommendations	Secretariat circulated draft the next day for a 5 day written approval from ExCom
	Discussions on the BSAC table and document layout	The BSAC should agree during the year on a guide for the preparation of this document
Commission's Communication "Towards more sustainable fishing in the EU: state of play and orientations for 2025"	BSAC ExCom discussed the Communication	The BSAC secretariat will circulate a draft SBAC response to this based on the discussions with aim to publish BSAC response by 31/08
Presentation on selectivity work at the Commission		The BSAC will continue to follow this work and will engage in the STECF meetings on selectivity and Technical Measures Regulations when invited to do so.
Evaluation of the landing obligation		The BSAC ExCom will look at the final draft BSAC answer to the evaluation and aim to send it by the deadline 12/07

EFCA report on monitoring and enforcement of the LO 2019-2021 in the Baltic		The BSAC will wait for EFCA suggestion of dates for a workshop on the topic
Commission's fitness check on the EU rules on Trade in seal products		The BSAC secretariat will circulate the draft to members then to ExCom to answer to the Commission before the deadline 07/08
RoP FG on accounting for SSF		The secretariat will remind the MS to answer to the question asked in April
CFP evaluation timing		The secretariat will invite the Commission to discuss this during the October ExCom and focus on the points of the BSAC White Paper.
Science meeting	Members discussed the idea of having a meeting to try reaching more consensus on interspecies dynamics and mixed fisheries	The ExCom Chair suggested setting up a FG with a few interested members to discuss the preparation of such meeting