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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

First report on the implementation of the Multiannual Plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks

{SWD(2020) 171 final}

CONCLUSIONS

The evolution of the Baltic Sea marine environment and the fish stocks of the Baltic Sea is determined by long-term trends from long before the MAP came into effect in 2016**. The roots and causes for how fisheries in the Baltic Sea have evolved go back many years**. Fisheries had developed in a moderately positive way for many years. Yet today certain stocks, first and foremost eastern Baltic cod, are threatened by collapse, caused by influences that commenced long before 2016. While the MAP's implementation has decreased fishing pressure since 2016, other mortality factors have become predominant for certain stocks. In the case of eastern Baltic cod, for instance, scientists consider that three times more fish die due to environmental pressures than from actual fishing.

The consulted **stakeholders and Member States have divergent opinions about the MAP**. The Member States find it too early to evaluate the effects of the MAP, but see a potential for the MAP to become a more important instrument for fisheries management since it contains all the elements needed to reach the relevant objectives. The Baltic Sea Advisory Council (BSAC) and its members however are mostly negative. The fishing industry would favour a wider use of upper F_{MSY} ranges for economic considerations. Past experience has however shown that fishing too hard on stocks that are not in a good shape is short-termism and leads to overfishing and collapsing fisheries. NGOs on the other hand see upper ranges as not being in line with the maximum sustainably yield ("MSY"). The Commission disagrees with that view, as the entire range is in line with MSY which is a long-term economic concept agreed on by the co-legislators in 2014.

The Commission considers that the multi-annual plan for the Baltic Sea[1] has proven to be a **helpful tool to implement the Common Fisheries Policy**[2], notably for setting fishing opportunities. It provides transparent rules for regionally adapted fisheries management. For fish stocks with a data-rich (or MSY) assessment, the plan sets upper limits for annual total allowable catches ("TAC"), while enabling some **flexibility for healthy stocks**. For stocks under pressure, which have so little fish in the sea that they are below dangerous minimum levels, the plan creates a **safety net**. The safety net ensures that, for stocks under pressure, quotas are reduced to a minimum and additional remedial measures are taken to rebuild them.

The Commission considers that the **sustainable and sometimes difficult decisions taken by the Council** for the Baltic stocks were made **possible because of the** framework put in place by the **MAP combining a safety net and flexibilities**. Without a MAP it would have been very difficult to agree on remedies to help stocks below the limit to recover, and quotas would have likely been set at a higher level. On the other hand, the MAP also allowed flexibility for healthy stocks by allowing to use the upper F_{MSY} range to buffer severe reductions in quotas. The MAP has ensured that today all fisheries are either managed in line with MSY or that measures are put

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1 Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks (OJ L 191, 15.7.2016, p. 1). Hereafter "MAP".

2 Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy (OJ L 354, 28.12.2013, p. 22). Hereafter "CFP Basic Regulation".

in place to bring them back to MSY; delivering the basis for the long-term profitability of the fishing industry and ancillary sectors.

The Commission therefore concludes that the **MAP provides a stable long-term instrument to implement the CFP** in the Baltic Sea, offering **less uncertainty for quota setting**, ensuring **remedial measures for stocks under pressure**, making the **quota setting process more transparent** for stakeholders and Member States and **allowing the fishing industry to better plan their fisheries**.

1. INTRODUCTION

The agreement in the inter-institutional Task Force on multi-annual plans between the European Parliament and the Council in 2014[3] paved the way for adopting the first multiannual management plan in 2016 for the Baltic Sea. The MAP provides that the Commission shall report to the co-legislators on the results and impact of the MAP on the stocks and the fisheries exploiting those stocks, in particular as regards achieving the MAP's objectives. This is the first such report.

The MAP's objectives are to: contribute to achieving the objectives of the CFP; aim to ensure that fishing restores and maintains fish stocks above levels which can produce MSY; contribute to eliminating discards by avoiding and reducing unwanted catches, and to the implementation of the landing obligation for the relevant species as well as to implement an ecosystem-based approach to minimise negative effects of fishing activities on the environment. The task force agreed and subsequently the co-legislators decided that the target fishing mortality was to be set as a range of values (with upper and lower limits), which are consistent with achieving MSY. It should be noted that the entire range is in line with MSY which is a long-term economic concept. The MAP has transparent rules for setting fishing opportunities for fish stocks with an assessment for achieving MSY. It also contains specific rules on control and an empowerment for the Commission to adopt delegated acts regarding certain by-catch stocks, exemptions from the landing obligation and technical measures.

The MAP covers as targeted species cod, herring and sprat, as well as by-catches of plaice, flounder, turbot and brill.[4] The target species represent about 95% of total catches in the Baltic Sea.[5] The Council regulations on annual fishing opportunities in the Baltic Sea set annual TACs and national quotas for the target stocks, as well as for plaice and salmon.

The MAP was first applied for the fishing season starting on 1 January 2017. Being the first of its kind, the Baltic MAP has been a model for the subsequent MAPs for the North Sea, Western Waters and Western Mediterranean. The experience gained from implementing the Baltic MAP was used for improving this MAP and for drafting the subsequent MAPs.

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3 Document 8529/14 Limité Pêche 117, Codec 1004 of 3. April 2014, Council of the European Union.

4 For Baltic salmon the Commission proposed a multiannual plan in COM(2011) 470 final of 12.8.2011.

5 ICES Advice 2019 – Baltic Sea Ecoregion Fisheries Overview of 2 September 2019, p. 5.

This report is based on the latest ICES advice for the relevant stocks in the Baltic Sea[6], an ad hoc special advice requested from ICES[7], the analysis made by the Commission's Scientific, Technical and Economic Committee for Fisheries (STECF)[8] of the 2018 national reports on the landing obligation[9], and information held by the Commission. Moreover, the Baltic Sea Member States group (BaltFish), BSAC and its members were consulted.[10] This report therefore presents the developments in the relevant areas of the MAP's implementation and strives to draw conclusions after three full years of implementation (2017-2019) and fishing opportunities established under the MAP for four consecutive years (2017-2020).

2. DEVELOPMENTS IN RELEVANT AREAS

The report focuses on the developments since 2016 in five main areas: fishing levels, discards, the ecosystem-based approach, regional cooperation and socio-economic aspects.

2.1. THE FISHING OPPORTUNITIES SET SINCE 2017

Until 2019 an MSY assessment was available for seven out of the eight stocks – such an assessment was not available for eastern Baltic cod. In 2020 it was no longer available for herring in the Gulf of Bothnia.

In the four TAC setting exercises since the entry into force of the MAP in July 2016 a total of 32 TACs covered by the MAP had to be set out of which 24 were straight forward cases and 8 require some additional elements of context.[11]

Among the straight-forward 24 cases, the Commission proposed TACs at the F_{MSY} point or in the F_{MSY} lower range in 23 cases. In one case (central Baltic herring for 2019) the Commission proposed, in accordance with the MAP, a TAC at the F_{MSY} upper point which the Council followed. In the above-mentioned 24 cases the Council followed the Commission proposal in 16 cases, in two cases it decided to set TACs below the Commission proposal (sprat for 2017 and central herring for 2018), in five cases it increased the TAC within the applicable F_{MSY} ranges of the MAP (Gulf of Riga herring for 2017, western and Gulf of Bothnia herring for 2018, western cod for 2019 and sprat for 2020). In one final case concerning a by-catch species it increased the TAC above the precautionary advice (plaice for 2018), while for all other years the TAC was set in line with the combined MSY and precautionary advice.

The 8 cases presenting a particular context are western cod for 2017 and 2018, western herring for 2019 and 2020, and eastern cod over the entire period. These are outlined below.

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6 Available under http://www.ices.dk/community/advisory-process/Pages/Latest-advice.aspx.

7 ICES Advice 2019 – sr.2019.15 of 27 June 2019.

8 Commission Decision 2016/C 74/05 of 25 February 2016 establishing a Scientific, Technical and Economic Committee for Fisheries (OJ C 74, 26.2.2016, p. 4).

9 STECF 60th plenary meeting report (PLEN-19-01), item 6.2, pp. 18-33; Ad hoc contract report "Evaluation of Member States' Annual Reports on the Landing Obligation (for 2018), March 2019", background document to the plenary meeting report.

10 The questionnaire and replies are contained in the Commission Staff Working Document SWD(2020)XXX accompanying this report.

11 A detailed table is provided in the Annex to the Staff Working Document accompanying this report.

2.1.1. Western Cod

It was known for years that important quantities of eastern cod occurred in area 24, which is part of the western cod management area. In 2015 ICES was able to quantify this phenomenon and provided management options. These options had direct implications on relative stability but the Baltic Sea Member States were unable to agree on a way forward. In both cases the Commission subsequently proposed a TAC at the F_{MSY} point value (corresponding respectively to a 35% and 88% reduction compared to the TAC of the previous year) based on the occurrence of both eastern and western cod in the management area. The Council set the TAC for 2017 by decreasing the TAC by 56% as compared to the 2016 TAC. For 2018 the Commission again took the occurrence of the two cod stocks into account and proposed a roll-over of the 2017 TAC, which the Council followed. Moreover, as the amount of fish in the sea has been below $B_{trigger}$ for many years, the Commission proposed and the Council adopted spawning time closures and a bag limit for recreational fisheries. Regarding the TAC for 2019 it should be noted that the scientific advice provided a very broad range (from +30% to almost +400%). The Commission proposed the lower point value because scientific advice indicated that the stock relied on only one good year class; the Council set the TAC in the lower range at a 70% increase. For 2020, following ICES' advice that the amount of fish in the one good year class had to be revised down by 54%, the Commission proposed to set the TAC at the lowest point value representing a 68% reduction compared to the 2019 TAC. The Council set the TAC in the lower range reducing it by 60%.

2.1.2. Eastern Baltic cod

There was no MSY assessment for eastern Baltic cod during the period covered by this report and until 2019 ICES advised every year to reduce the TAC for eastern Baltic cod based on the precautionary advice. For 2017 the Commission proposed a TAC of -39% in line with the ICES advice on the occurrence of eastern Baltic cod in the distribution area. The Council set a TAC of -25% compared to the 2016 TAC. For 2018 the Commission took into account the occurrence of the stock in the distribution area and proposed a TAC reduction of 28% thereby setting the TAC slightly above the ICES advice. Therefore, the Commission proposed to roll over the TAC for the western stock thereby setting it below the F_{MSY} point value. The Council decreased the TAC for the eastern stock by 8% compared to the 2017 TAC. For 2019 the Commission proposed and the Council adopted a TAC corresponding to a 15% reduction compared to the 2018 TAC. The TACs set by the Council for the three years were all above the level advised by the ICES precautionary advice.

For 2020 the ICES advice became much more severe with a first time 0 catch advice. The Commission therefore looked for a proposal that took into account the reality of mixed fisheries in the Baltic Sea, where eastern Baltic cod is an unavoidable by-catch in most other fisheries. It hence proposed to close any targeted fishing for eastern Baltic cod and only allow a restrictive by-catch TAC of 2000t (i.e. -92% compared to the 2019 TAC). This restrictive by-catch TAC is to cover unavoidable by-catches of eastern cod in other fisheries so that they could continue their activity. This was coupled with remedial measures as required by the MAP, such as a spawning

closure for all fleets catching eastern Baltic cod. The Council accepted the Commission proposal. Given the difficult situation of this stock the Commission proposed to amend the Baltic MAP to reinforce certain management measures and to offer operators to decommission their vessels and leave the sector for good.[12]

2.1.3. Western Baltic herring

The TAC for western Baltic herring was set in line with MSY for many years until 2018. In 2018 ICES reassessed the stock and concluded that the stock's biomass was below the dangerous limit level B_{lim}. As no positive TAC would rebuild the stock above B_{lim} in the next year, it issued a 0 catch advice for 2019. The Commission looked for a balanced solution, while at the same time proposing a TAC low enough to help rebuild the stock. Using the rules of the MAP, the Commission for 2019 proposed a TAC decrease of 44% (i.e. the F_{MSY} lower point) coupled with a remedial measure as required under the MAP of an additional decrease of 19% points. The Council in accordance with the MAP decreased the TAC by 48% as compared to the 2018 TAC. For 2020 the Commission proposed a TAC decrease of 42% (i.e. the F_{MSY} lower point) coupled with a remedial measure of an additional decrease of 29% points. According to ICES this was to rebuild the stock above B_{lim} by 2022. The Council in accordance with the MAP set the TAC at a level corresponding to a 65% decrease as compared to the 2019 TAC. These decisions demonstrate that Council took difficult albeit necessary decisions and these were made possible by the longer term recovery framework in the MAP combining restrictive TACs with additional remedial measures.

2.1.4. Summary

In 2016 three out of the seven TACs for stocks with an MSY assessment were set in line with MSY advice – western and central Baltic herring, and plaice. From 2017 to 2019 six TACs were set in line with MSY every year – it was not the case for western Baltic cod in 2017, plaice in 2018, and western Baltic herring in 2019 as the latter received a 0-catch advice, because the stock's biomass was below safe biological limits. A fishery receiving a 0-catch advice is by principle not in line with MSY and the priority is to rebuild the stock. Only once the stock has been rebuilt, the issue becomes again what TAC can be established in line with the ICES MSY advice and the MAP. For 2020 five TACs out of six TACs for stocks with an MSY assessment were set in line with MSY – it was not achieved for western herring as it received again a 0-catch advice.

The consulted stakeholders expressed diverging opinions on the MAP's role regarding the TAC setting. According to the national administrations, the MAP facilitated the process while underlining the importance of analytical stock assessments and the impact of year-to-year fluctuations of the advised TAC levels as well as non-fisheries related factors. According to BSAC, the MAP has not satisfied anybody, some members even find it counterproductive. There

[12] Commission proposal COM(2019) 564 of 31 October 2019 for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1139 as regards the introduction of capacity limits for eastern Baltic cod, data collection and control measures in the Baltic Sea, and, Regulation (EU) No 508/2014 as regards permanent cessation for fleets fishing for eastern Baltic cod.

are two lines of argumentation to substantiate this assessment – for some the MAP is too rigid because it doesn't allow sufficient TAC increases in certain situations, while other members argue that the MAP is too flexible and therefore didn't ensure that all TACs were set at MSY by 2020 at the latest.

The Commission does not share the views expressed in BSAC. Looking at the above, it is evident that the MAP made it easier to agree on the fishing opportunities and remedial measures, providing a clear set of rules both for the Commission to follow in its proposals as well as for the Council to adhere to in its decision making. By following the detailed rules set out in the MAP, decisions have been coherent and aligned with the CFP objectives and are producing results as e.g. western cod is expected to have recovered in 2020 and western herring is on the path towards recovery.

2.2. LANDING OBLIGATION AND DISCARDS

One of the key objectives of the reformed CFP is to implement the landing obligation and gradually eliminate discards by avoiding and reducing unwanted catches. The landing obligation applies to species managed by a TAC. In the Baltic Sea the landing obligation came into force on 1st January 2015 for cod, herring, sprat and salmon, and on 1st January 2017 for plaice.

The MAP contains in its Article 7 more detailed provisions linked to the implementation of the landing obligation. It empowers the Commission to adopt delegated acts on exemptions relating to high survivability and *de minimis*, on specific provisions on documentation, and on fixing minimum conservation reference sizes.[13] Furthermore, the MAP specifies that the landing obligation does not apply to recreational fishing.

ICES estimates[14] that the discard practices have probably hardly changed since the entry into force of the landing obligation: discards of pelagic species continue to be negligible; for the other fisheries the officially reported discards have been reduced close to zero but illegal discarding continues. STEFC in its evaluation of the Member States' 2018 annual reports on the landing obligation[15] indicated that for the Baltic Sea relevant regional bodies proactively developed approaches to improve the implementation of the landing obligation. However, STECF also stated that across sea basins quantitative data continued being too limited to enable it to estimate changes in the discard quantities. Furthermore, there were indications that the fishing industry's operating practices when at sea had not changed, which implied that a reduction of discards seemed rather unlikely.

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13 Art 15 of Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105) also contains an empowerment.

14 Cf. footnote 5, p. 7-8; ICES Advice 2019 – Baltic Sea Ecoregion Ecosystem overview, 12 December 2019, p. 8.

15 Cf. footnote 9.

The consulted stakeholders share ICES' views on the ongoing discarding. They express the view that controls should be improved. Stakeholders correctly stress that such controls are within the remit of the CFP's Control Regulation (EC) No 1224/2009[16] rather than the MAP. Some stakeholders claim that a more frequent use of the upper F_{MSY} range in setting TACs would have helped reduce discards, whereas NGOs do not want to use upper ranges at all. All respondents coincide in their assessment that the actual discard levels have remained fairly stable since the entry into force of the landing obligation.

The Commission considers that the continuing problem of discards is caused primarily by a lack of control and enforcement by Member State authorities and must be addressed within the EU's fisheries control system. The Baltic Sea MAP was not designed to resolve that problem.

2.3. ECOSYSTEM-BASED APPROACH

The CFP Basic Regulation states in its Article 2(3) that the CFP has to implement the ecosystem-based approach to fisheries management to reduce negative impacts of fishing activities on the marine ecosystem. Article 3(3) of the MAP provides that the MAP has to be coherent with EU environmental law and in particular with the objective of achieving good environmental status by 2020 as required by the Marine Strategy Framework Directive 2008/56/EC (hereafter "MSFD").[17] The MSFD provides eleven qualitative descriptors for determining good environmental status. The MAP aims to ensure that the conditions of descriptor 3 (as the one most relevant for fisheries management) are fulfilled and to contribute to the fulfilment of other relevant descriptors in proportion to the relative role played by fisheries.

Descriptor 3 is directly linked to the fixing of fishing opportunities. It reads "the populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock". Fishing activities have an impact on the descriptors relating to biological diversity (1), the food web (4), sea-floor integrity (6) and marine litter (10). The contribution of fishing to the other descriptors is at best indirect and/or not substantial.[18]

The impact that fishing activities have on the population of harbour porpoises in the Baltic Sea is a cause for severe concern. Drowning in fishing gear is considered to be the main cause of anthropogenic mortality for these mammals. With an estimated population of only 447 individuals this population is today listed as critically endangered.[19] The Commission considers that the Baltic Sea Member States have not taken sufficient action to protect those animals and will consider urgent measures that can be justified and are indicated by science.

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16 Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy (OJ L 343, 22.12.2009, p. 1).

17 Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for the community action in the field of marine environmental policy (OJ 164, 25.6.2008, p. 19).

18 Introduction of non-indigenous species (2), human-induced eutrophication (5), hydrographical conditions (7), level of contaminants in the sea (8), level of contaminants in fish and seafood (9), introduction of energy including underwater noise (11).

19 Cf. footnote 14 (Ecosystem overview), p. 18.

ICES confirms that the Baltic Sea ecosystem is undergoing a fundamental change and is not in balance. Many species and habitats of the Baltic Sea are not in good environmental status because of human influence on the marine environment.[20] The five most important pressures on the Baltic Sea are nutrient and organic enrichment, fishing, the introduction of contaminating compounds, the introduction of non-indigenous species and abrasion and substrate loss.

2.4. REGIONAL COOPERATION

In order to take better account of the differences between the various sea basins and to integrate stakeholders more into fisheries management, in 2004 the EU introduced Regional Advisory Councils.[21] BSAC was set up in March 2006. Its main aim is to provide advice on managing Baltic Sea fisheries. It consists of organisations representing fisheries and other interest groups affected by the CFP (e.g. environmental organisations, sports and recreational fisheries organisations).[22]

The reform of the CFP in 2013 further reinforced this regional dimension and ownership of fisheries management. The role and function of the Advisory Councils was integrated into the CFP Basic Regulation[23]. Advisory Councils have to be consulted on certain matters, notably on Member States' joint recommendations, and their advice is to be taken into account. Divergences in the measures adopted have to be explained. The Commission and the Member States may consult the Advisory Council on any measure, and the Advisory Councils may issue recommendations on and inform about problems relating to fisheries management and socio-economic and conservation aspects.

A further aspect of strengthened regionalisation is that relevant Member States may submit joint recommendations on issues for which the Commission is empowered to adopt delegated acts, i.e. for necessary conservation measures, technical measures and for discard plans. To that effect the Member States of the Baltic Sea set up in late 2013 the Baltic Sea Fisheries Forum ("BaltFish")[24]. BaltFish's primary goal is to improve coordination and cooperation among its Member States on fisheries management, and to develop cooperation with other key stakeholders in the region. It has two working levels, a high-level group composed of the Member States' fisheries directors with Commission officials associated, and a Forum Seminar composed by representatives from the Member States, the Commission, BSAC, and relevant intergovernmental organisations and other stakeholders.

The consulted stakeholders are not convinced about the MAP's added value as regards regional cooperation. The Member States consider that regional cooperation has developed positively while stressing that notably the preparation of joint recommendations could be improved. The

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20 Cf. footnote 7, p. 1; footnote 14 (Ecosystem overview), p. 3.

21 Council Decision 2004/585/EC of 19 July 2004 establishing Regional Advisory Councils under the Common Fisheries Policy (OJ L 256, 3.8.2004, p. 17).

22 http://www.bsac.dk/BSAC/About-the-BSAC.

23 Article 43-45 of Regulation (EU) 1380/2013. Moreover, more detailed rules on the functioning of the Advisory Councils were set by Commission Delegated Regulation (EU) 2015/242 of 9 October 2014 laying down detailed rules on the functioning of the Advisory Councils under the Common Fisheries Policy (OJ L 41, 17.2.2015, p. 1).

24 Memorandum of Understanding on the Principles and working methods of the Baltic Sea Fisheries Forum (BaltFish) of 13 December 2013, http://www.bsac.dk/BSAC-Resources/Documents-section/BALTFISH.

idea of joint recommendations as a regionally tailor-made instrument is well understood, but their preparation often requires time-consuming up-front research. Moreover, the adoption of delegated acts also takes time due to the various scientific and administrative steps in the process. Finally, the scrutiny by the Council and the European Parliament are important steps in the process. The Member States point out that more formal structures for regional groups would be needed which the MAP doesn't provide. This would explain why the stakeholders believe that the MAP has proven inadequate to advance regionalisation.

BSAC shares the opinion that the MAP hasn't enhanced regional cooperation. It notably deplores that BaltFish doesn't spend enough time on issues not related to annual fishing opportunities.

The Commission considers that the MAP provides the necessary legal framework and that the Member States should have made more use of regionalisation by developing more joint proposals and by consulting with the Advisory Councils and other stakeholders on the issues influencing the Baltic Sea over the past years. Key issues, such as a more sustainable management for eastern Baltic cod or taking real measures to protect the critically endangered harbour porpoises have not been addressed collectively

2.5. SOCIO-ECONOMIC DEVELOPMENTS

Overall, Baltic fisheries have generated profits, though landings and their value have decreased, mostly because of decreasing prices for cod. At this stage, no data is available for the development since 2018, but the environmental situation, the depleted eastern Baltic cod and the current public health situation certainly had a negative impact.

The consulted stakeholders claim a negative correlation between the MAP's implementation and the socio-economic development, because of the negative evolution of the stocks. The fishing sector claims that the MAP's major failure is its lack of socio-economic considerations and rigidity on TAC setting, as the sector believes that the conditions to use upper ranges should be less stringent so as to use upper ranges more often. NGOs on the other hand claim that the taking into account of socio-economic considerations in the TAC setting is not sufficiently documented, and that using upper F_{MSY} ranges equals "overfishing". They also feel that "overfishing" has led to negative socio-economic developments. The Member States stress that the upper range can be used for socio-economic reasons.

The Commission is of the view that the MAP has been beneficial. The mixed development of the fish stocks and of the fisheries is not so much due to the implementation of the MAP than to causes that have been in place long before the MAP entered into effect, i.e. environmental factors and in particular unsustainable fishing, which over time have created real socio-economic harm with severe cost to the fishermen and women that depend on fisheries for their livelihood. Only sustainable fishing practices and an appropriate environmental protection can ensure lively fishing communities over time. That is what the legal framework of the MAP provides for.

Finally it should be mentioned that the EMFF Regulation[25] supports the CFP objectives and hence also the implementation of the MAP. In this context, Member States use the EMFF in

[25] Regulation (EU) 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006,

particular to support the development of more selective fishing, to co-finance fisheries control and enforcement activities and to reduce the socio-economic impact on fishermen of some conservation measures. Based on Member States' reporting, the Commission provides a yearly report on EMFF implementation.[26]

(EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

[26] For the latest draft report, see https://ec.europa.eu/fisheries/sites/fisheries/files/2019-11-26-emff-implementation-report_en.pdf.