

Brussels, 24 January 2025
(OR. en)

5607/1/25
REV 1

PECHE 15

NOTE

| | |
|----------|--|
| From: | General Secretariat of the Council |
| To: | Delegations |
| Subject: | AOB for the meeting of Agriculture and Fisheries Council on 27 January Western mediterranean fisheries management: legal and scientific actions - Information from Spain, France and Italy |

AGRIFISH COUNCIL, 27 January 2025

AOB: WESTERN MEDITERRANEAN FISHERIES MANAGEMENT:

LEGAL AND SCIENTIFIC ACTIONS

In order to achieve sustainable and robust fisheries management that is ‘future-proof’ and allows for both the economic viability of the sector and the recovery of species, the EU should adopt legal and scientific measures in the Western Mediterranean.

I) The amendment of the Multiannual plan for demersal stocks in the western Mediterranean Sea

After five years of implementation of Regulation (EU) 2019/1022 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (WestMed MAP), a number of stocks in the Western Mediterranean have completely recovered, others are in the process of improvement and some still need time to reach maximum sustainable yield (MSY).

During these five years, the fishing sector in the Western Mediterranean has made significant efforts to achieve the objectives of the plan. The implementation of the plan has revealed some of its shortcomings that make it difficult to comply with the provisions of the plan. It is therefore necessary to amend the MAP to increase its efficiency as a tool for managing Mediterranean fisheries.

Firstly, the WestMed MAP should take into account the mixed nature of the fisheries in this area. The Regulation on the Common Fisheries Policy requires specific conservation objectives and measures to be established in order to address the specific problems of mixed fisheries, and the criteria taken into account to set the maximum allowable fishing effort, assessing optimal harvest. Indeed, given the large number of species caught during the same fishing operation, Mediterranean demersal trawlers obviously operate in a mixed fishery context, as defined in Article 4(1)(36) of Regulation (EU) No 1380/2013. This specific context must be taken into account in the management plan for the Mediterranean Sea. Failure to take this reality of mixed fisheries into account in the West Med management plan would run contrary to the Common Fisheries Policy and the three social, economic and environmental pillars on which it is based. Furthermore, recital 9 of the management plan states that ‘the Commission should, in particular, obtain publicly available scientific advice, including advice on mixed fisheries, which takes into account the plan and indicates ranges of FMSY and conservation reference points (BPA and Blim)’. However, mixed fisheries are not taken into account in scientific advice sufficiently and advices are provided on a stock-by-stock basis.

Furthermore, unlike all other multiannual plans, the WestMed MAP states that fishing effort for each fishing effort group must be established according to the MSY available at that time for the most vulnerable stock (Article 4(3)). Since hake is the most vulnerable stock and given the mixed nature of this fishery, this implies a *de facto* legal obligation to apply the choke principle, which is contradicts the most vulnerable stock principle and is not workable for Mediterranean fisheries, which are mixed by nature. The MAP should be adapted to the reality of the fishery.

Secondly, the WestMed MAP should be amended to ensure greater legal certainty and economic predictability for operators. This could be achieved by including stabilisers that require reductions and increases in days limited to 20%, similarly to other multiannual plans. Another possible solution could be the introduction of interannual flexibility and multiannual decisions.

II) Improvement of scientific information

Although significant efforts have been made in recent years to assess the demersal populations of the Western Mediterranean, there is still room for improvement as regards these assessments and on the performance of scientific working groups.

The Scientific Advisory Committee (SAC) of the General Fisheries Commission for the Mediterranean (GFCM) is a scientific body of a regional fisheries management organisation (RFMO), and its assessments should be considered as valid as the assessments of the scientific bodies of other RFMOs. The assessments carried out within the SAC of the GFCM should also be taken into account as those issued by STECF to establish the management measures of the MAP.

Although hake in the West Med MAP is the species with the most delicate situation, the latest fisheries campaigns show a recovery in biomass. This is in contrast with the results of the assessments, which indicate that the species seems to be at major risk of collapse, and would indicate that the models used do not fully reflect the reality facing the fishery. It is therefore necessary to accelerate the implementation of a benchmark for this species in the West Med MAP, the aim being that the next evaluations are already produced using the most appropriate model. Only by implementing these changes can we ensure robust results that will lead to appropriate management measures.

Moreover, it will be necessary to establish ranges in the management measures to accommodate the socio-economic effects.

Spain, France and Italy invite Member States to join in the request to the Commission to swiftly submit a proposal for an amendment of the multiannual plan for the Western Mediterranean Sea MAP to provide legal clarity and to adapt the legislation to reflect available scientific evidence.