

| ROADMAP                    |  |
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| TITLE OF THE INITIATIVE    | <b>Proposal for a Regulation of the European Parliament and of the Council for a management plan for cod stocks and pelagic stocks in the Baltic Sea</b> |
| TYPE OF INITIATIVE         | X CWP (2010)      • Non-CWP      • Implementing act/Delegated act  |
| LEAD DG – RESPONSIBLE UNIT | DG MARE - E2   |
| EXPECTED DATE OF ADOPTION  | July 2012  |
| VERSION OF ROADMAP         | No: 1      Last modification:      September 2011  |

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudge the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

| A. Context, problem definition  |
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| <p>(i) What is the political context of the initiative?</p> <p>(ii) How does it relate to past and possible future initiatives, and to other EU policies?</p> <p>(iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?</p>   |
| <p>A multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting these stocks entered into force on 01 January 2008<sup>1</sup>. The plan includes an obligation for the Commission to evaluate the impact of its management measures in the third year of its application, and in each subsequent year based on advice by the Scientific, Technical and Economic Committee for Fisheries (STECF) and the Baltic Sea Regional Advisory Council (BS RAC). In addition, the Commission is obliged to seek scientific advice by STECF on the rate of progress towards the plan's targets every third year, and to propose modifications of the measures as it deems necessary to reach the plan's objective. In addition, the Commission shall propose new target fishing mortalities in case STECF advice indicates they are not in accordance with the plan's objective.</p> <p>Since these two conditions were met in 2011; the STECF and the BS RAC were requested by the Commission to provide advice on the performance of the plan and the rate of progress towards the targets laid down in the plan. In particular, it is important that the plan's targets are consistent with the EU's commitment to achieve maximum sustainable yield by 2015, in line with the objectives set out by the World Summit on Sustainable Development in 2002. The STECF generally found this to be the case, but recommended that a revised plan should have clearer objectives and measures which are easy to follow and control. Some rules could be discontinued and replaced by a system of incentives for the fishery. i.e. "result based management".</p> <p>The cod plan is at present the only management plan in the Baltic Sea, but there has been strong demand from stakeholders to bring all of the pelagic stocks in the Baltic under a multi-annual management plan. The Commission had begun drafting an impact assessment for such a plan based on the responses of stakeholders to a range of possible options, with the intention of proposing a regulation for adoption by the beginning of 2012.</p> <p>During 2011, the Commission was therefore consulting the stakeholders in the Baltic on two separate proposals, one for the revision of the cod plan, the other for the establishment of a pelagic plan. In both sets of consultations it became apparent that the stakeholders considered that the biological interactions between the pelagic stocks and the cod stocks in the Baltic needed to be taken into consideration. In other words, the management of the pelagic stocks should take into account the development of the cod stocks, and vice-versa. This can be best done by integrating the two plans into one multi-species plan. The two separate proposals previously planned will therefore be merged into one proposal covering both cod and pelagic stocks.</p> <p>The initiative is complemented by fisheries actions as specified under the Baltic Sea Strategy.</p> <p>The development of a multi-species management plan would be a major step towards an ecosystem approach to fisheries management, and would also be consistent with the regionalisation of the Common Fisheries Policy as foreseen in the Commission's proposal for the reform of the CFP.</p> |
| <p>What are the main problems which this initiative will address?</p>   |
| <p>The main problem to be addressed is to rebuild all the Baltic stocks so that they can be exploited at their maximum sustainable yield. However, in the Baltic there are well documented biological interactions between species, notably the predation of cod on juvenile sprat and vice versa. This means that disproportionately</p>   |

<sup>1</sup> Council Regulation (EC) No [1098/2007](#) of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97

rebuilding one stock could have a negative impact on another stock. The purpose of the multi-species plan would be to achieve a suitable balance in the abundance of all the stocks by specifying harvest rules that take into account their relative abundances.

There are two cod stocks in the Baltic Sea, one in the Western Baltic (SD 22-24) and one in the Eastern Baltic (SD 25-32).

Recent assessments of the International Council for the Exploration of the Sea (ICES) and STECF indicate that the Eastern cod stock in SD 25-32 is benefiting from the strongest recruitment in 20 years (2005 and 2006 year classes). The cod management plan constrains any year on year TAC increases to 15%. This means that current levels of fishing mortality are significantly lower than the target and are continuing to decline as the stock size increases. This could have a significant negative effect on the pelagic stocks, notably sprat, because of the increased predation mortality by cod.

The Eastern cod stock is shared with Russia, which takes about 10% of the overall catch.

The Western cod stock in SD 22-24 is overexploited in relation to maximum sustainable yield and fishing mortality still above target. As has been the case for several years at the present high exploitation rate, the stock is dependent upon the strength of recruitment year classes. Recruitment in the last years has been very low, however incoming year class of 2008 might be the highest since 2003. Cod is mainly taken by trawlers and gillnetters. In the Eastern Baltic gillnets and longline catches account for about 30% of the total catch. Misreporting used to be significant in the past with total catches being about 32-45% higher than reported figures. There are indications that in most recent years, misreporting has declined. In the Western Baltic, there are indications of high and variable removals of cod in recreational fisheries.

There are 6 pelagic stocks in the Baltic Sea, namely:

- Western Baltic Herring (ICES Subdivisions 22-24)
- Central Baltic Herring (ICES Subdivisions 25-27, 28.2, 29 & 32)
- Gulf of Riga Herring (ICES Subdivision 28.1)
- Bothnian Sea Herring (ICES Subdivision 30)
- Bothnian Bay Herring (ICES Subdivision 31)
- Sprat (ICES Subdivisions 22-32).

The Western Baltic herring stock migrates to a certain extent into the Skagerrak where it mixes with the North Sea spring spawning herring. The latter is a shared stock with Norway, so appropriate TAC levels in the Skagerrak must be agreed with Norway.

Recent assessments of the International Council for the Exploration of the Sea (ICES) and the Scientific Technical and Economic Committee for Fisheries (STECF) indicate that 4 out of the 6 Baltic Sea pelagic stocks (i.e. herring in the Gulf of Riga, Central and Western Baltic and sprat) are overfished in relation to high long-term yields due to quota setting beyond sustainability. Herring in the Bothnian Sea is fished at appropriate levels and the situation of the Bothnian Bay herring is unknown. The herring stock in the Western Baltic is at the lowest observed level. Next to overfishing it is suffering from continuously declining recruitment. Recruitment for this stock is at a historical low level with reasons for the recruitment failure unknown. Economic evaluation of the fleet suggests overcapacity in certain segments of the fleet. A long term management scheme should facilitate recovery of the Western Baltic herring stock pending future trends in recruitment and its application to other pelagic stocks in the Baltic such as the sprat ensure sustainable exploitation of all pelagic stocks in the long-term.

Although the current high levels of the eastern cod stock are thought to be hindering the recovery of certain pelagic stocks, especially sprat, in the future the situation could be reversed. The development of a multi-species plan that sets coherent targets for cod and pelagic stocks would be the best way to address these issues.

Who will be affected by it?

The sectors affected are fishing fleets from the Baltic states, and associated on-shore processing industries.

Denmark accounts for 28% of EU cod landings in the Baltic, Poland for 23%, Sweden 21%, Germany 12%, Latvia 7%, Lithuania 5%, Estonia 2% and Finland 2%.

Sweden accounts for 24% of EU pelagic landings, Finland for 18%, Estonia and Latvia 13%, Poland 12% and Germany, Denmark and Lithuania less than 10% each.

Impacts on Norway are expected to be limited as the stocks in the Baltic are not shared with Norway. However indirect impact would occur because of the mixing of Western Baltic herring with North Sea autumn spawning herring in Illa (the Skagerrak) which is subject to a joint management plan.

Sprat and central herring are shared with Russia and impacts on Russia can be expected respectively.

- (i) Is EU action justified on grounds of subsidiarity?
- (ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? (Necessity Test)
- (iii) Can the EU achieve the objectives better? (Test of EU Value Added)

Under the Article 3 of the Treaty on the Functioning of the European Union (TFEU)<sup>2</sup> the EU has exclusive competence for the conservation of the marine biological resources under the Common Fisheries Policy, managed directly through EU regulations.

Therefore the subsidiarity principle does not apply.

## B. Objectives of the initiative

What are the main policy objectives?

The general objective is to ensure the exploitation of the stocks consistently with sustainable economic, environmental and social conditions in line with the CFP.

The specific objective of the plan is to ensure sustainable exploitation of the cod and pelagic stocks by gradually adjusting and maintaining fishing mortality at defined targets. The evaluation would require the current targets for the cod stocks be changed to be coherent with the targets set for the pelagic stocks. The plan would ensure that the relative sizes and exploitation rates of the pelagic and cod stocks are kept in balance in order to ensure high long term yields and an appropriate balance between the interests of those exploiting the cod stocks and those exploiting the pelagic stocks.

Do the objectives imply developing EU policy in new areas?

No

## C. Options

- (i) What are the policy options being considered?
- (ii) What legislative or 'soft law' instruments could be considered?
- (iii) How do the options respect the proportionality principle?

(i) The following options will be preliminarily considered. Definite options will be specified after scientific advice by ICES and STECF has been completed.

Option 1: No policy change and keeping the existing cod plan unchanged and maintaining the annual fixation of TACs (Total Allowable Catches) for the pelagic stocks.

Option 2: Multiannual management plan based on reaching a target fishing mortality in correspondence to maximum sustainable yield by 2015, using the targets suggested on a single species basis.

Option 3: Multiannual management plan based on reaching high long term yields in all stocks, fixing target fishing mortalities that take into account the relative abundance of the stocks.

(ii) With regard to option 2 and option 3, a regulation from the European Parliament and the Council to establish a multi-annual management plan. With regards to option 3, there could be conflicting interests between different stakeholders on the appropriate balance that should be maintained between the stocks. This means they would need to assume the responsibility to reach consensus in order to guide the Commission in drafting its proposal. This would represent a major step forward in the regionalisation of the CFP.

## D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

Option 1: No policy change

Keeping simply an annual decision on TACs and quotas and existing technical measures and control provisions instead of developing a long-term strategy ensuring sustainability of fishing activities will likely maintain an economic uncertainty for fishing enterprises and the processing sector as well as for the commerce of fish. Where catch interests are exceeding natural availability of the resources, overfishing of stocks is likely to continue. This option is not consistent with EU policy and with the objectives set out by the World Summit on Sustainable Development in 2002.

Option 2: Multiannual management plan based on reaching a target fishing mortality in correspondence to maximum sustainable yield by 2015, using the targets suggested on a single species basis.

In general, a long term plan will provide for sustainable exploitation levels. This will allow maximizing benefits of

<sup>2</sup> Consolidated version of the [Treaty on the Functioning of the European Union](#)

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| <p>the stocks and providing for higher predictability of annual catch options thus providing more stability for the fisheries sector along with clearer economic perspectives allowing for well measured investments in the sector. Different harvest control rules would be applicable for each stock in relation to its status to facilitate stock recovery as necessary and allow for an annual adjustment in fishing mortality to reach or maintain the long term fishing mortality targets. Technical measures and control and monitoring measures would be defined jointly as necessary. This option is consistent with EU policy and the objectives set out by the World Summit on Sustainable Development in 2002. However, as stocks are rebuilt, there is a risk that the biological interactions between them will make the targets for the individual species incompatible, requiring their revision.</p> <p>Option 3: Multiannual management plan based on reaching high long term yields in all stocks, fixing target fishing mortalities that take into account the relative abundance of the stocks.</p> <p>This option would have all the advantages of option 2. However, instead of simply responding to developments in the relative abundance of the stocks by periodic revisions of the targets of the plan, the plan would attempt to manage those relative abundances. This would represent a serious challenge for scientists, and would require constructive guidance from stakeholders. Nevertheless, it would represent the first steps in a regionalised, ecosystem approach to fisheries management.</p> |
| <p>(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?</p>  |
| <p>Work on the impact assessment will begin in October of 2011. The IA steering group will be set up by November 2011. SG, DG REGIO and DG ENV will be invited to participate. The impact assessment will build on the work already done by the STECF for the revision of the cod plan and the establishment of the pelagic plan.</p>  |
| <p>(i) Is any of options likely to have impacts on the EU budget above €5m?<br/> (ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.</p>  |
| <p>No</p>  |

#### E. Evidence base, planning of further work and consultation

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| <p>(i) What information and data are already available? Will existing impact assessment and evaluation work be used?<br/> (ii) What further information needs to be gathered, how will this be done (<i>e.g. internally or by an external contractor</i>), and by when?<br/> (iii) What is the timing for the procurement process &amp; the contract for any external contracts that you are planning (<i>e.g. for analytical studies, information gathering, etc.</i>)?<br/> (iv) Is any particular communication or information activity foreseen? If so, what, and by when?</p>  |
| <p>(i) ICES and STECF provide scientific advice on stock status and fishing opportunities and a brief description of the fishing fleet on an annual basis. ICES also run routine analyses of the multi-species interactions in the Baltic. Moreover, STECF provides an annual analysis of the economic performance of the fishing fleet.</p> <p>Advice on options for the multi-annual management of the pelagic stocks in the Baltic was provided by ICES in May 2009 on special request by the Commission<sup>3</sup>.</p> <p>Additional analysis (including data gathering as necessary) of the options provided by ICES as well as advice on an additional option based on economic rationalisation of the industry and the environmental and socio-economic impacts of all options was provided by MRAG as contractor of the DG MARE framework contract for "Studies in the Field of the Common Fisheries policy and Maritime Affairs, Lot 4: <i>Impact Assessment Studies related to the CFP</i>" in September 2009<sup>4</sup>. STECF reviewed the results by ICES and MRAG and provided advice in November 2009<sup>5</sup>.</p> <p>The STECF evaluated the performance of the Baltic cod plan in October 2010<sup>6</sup>, and held a scoping meeting for the impact of possible options in June 2011<sup>7</sup>.</p> |

<sup>3</sup><http://www.ices.dk/committe/acom/comwork/report/2009/Special%20Requests/EC%20Multiannual%20management%20pelagic%20stocks%20Baltic.pdf>.

<sup>4</sup> Final report (Fish/2006/09). Economic and social impacts of the proposed scenarios for a multi-annual management plan for Baltic pelagic fisheries

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Using the work already done separately on the pelagic and cod plans, the STECF will hold a scoping meeting in October 2011 to consider options for a combined, multi-species plan.

(ii) Most of the models and data required are available through ICES. However, data on fish diets are necessary to run the multi-species models. The most recent diet data are from 1991; so, it would be highly desirable for the advice to be based on current data. This could be obtained by funding Baltic fisheries science institutes to collect and analyse fish stomachs.

(iii) Advice on options for long-term management strategies and their expected impacts will be available through the STECF scoping process for the impact assessment. Collection and analysis of stomach data could be done in around eighteen months.

(iv) No.

Which stakeholders & experts have been or will be consulted, how, and at what stage?

Exchanges of views were held on numerous occasions with the stakeholders concerned with the revision of the Baltic cod plan and with the development of the Baltic pelagic plan (Baltic Sea RAC and Pelagic RAC, BaltFish). The decision to combine the two exercises by developing one multi-species plan was made on the basis of these consultations and the strong demand for the biological interactions between the two groups of species to be taken into account. The STECF will hold a scoping meeting to consider the options for a multi-species plan in the Baltic in the autumn of 2011, where stakeholders will be invited to participate. Further consultations will be arranged before the Commission presents its proposal in the summer of 2012. Since some stocks are shared with Russia, and the TAC setting for western Baltic herring has implications for the TAC of herring in the Skagerrak, Norway and Russia will also be involved in the consultations.