

Recommendations for Setting Fishing Opportunities for 2021 for the UK Government

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The Marine Conservation Society (MCS), ClientEarth and Oceana – welcome the opportunity to brief Parliamentarians ahead of upcoming negotiations with the European Union (EU) to set and agree fishing opportunities for shared fish stocks in 2021. Next year marks the first time in over 40 years that the UK will be managing its fisheries resources as an independent coastal state which brings with it additional responsibilities and opportunities to improve the state of its fisheries resources. The UK Government has emphasised its intentions to become a world leader on conservation and recently the Prime Minister signed the 'Leader's pledge for nature' which explicitly highlights ending overfishing. The setting of fishing opportunities for 2021 provides the government the chance to deliver on this commitment. Fishing opportunities and related management measures – for quota and non-quota, shared and domestic stocks - must be designed to recover depleted stocks as quickly as possible and maintain all stocks at sustainable levels.

Ending overfishing for all stocks is an integral component of the United Nations Convention on the Law of the Sea (UNCLOS), the Convention on Biodiversity (CBD) and the United Nations Sustainable Development Goal (SDG) 14. It is also a key element of delivering marine Good Environmental Status (GES) required by the UK Marine Strategy Regulations 2010, which the UK is failing to achieve.ⁱ

The following outlines a summary of the key positions we urge the UK Government to adopt in its approach to the setting of fishing opportunities and management of fisheries for 2021. The UK should ensure:

- **Catch limits do not exceed the Maximum Sustainable Yield (MSY) as scientifically assessed by the International Council for Exploration of the Sea (ICES) (or other best available, peer reviewed scientific advice where an ICES assessment is unavailable);**
- **Catch limits do not exceed the precautionary advice issued by ICES where no MSY advice is available;**
- **Robust monitoring, control and enforcement of the Landing Obligation are in place.ⁱⁱ Where compliance remains poor or uncertain, catch limits should factor this in and apply a buffer to ensure actual catches do not exceed sustainable levels;ⁱⁱⁱ**
- **ICES mixed fisheries advice is applied and lower catch limits adopted where necessary in mixed fisheries to ensure that all stocks encountered are recovered and maintained at healthy levels;**
- **Extra precaution is factored into catch limits set for deep sea stocks that are particularly vulnerable to overfishing^{iv} and that zero catch limits are applied where recommended by ICES;**
- **Catch limits for forage species (such as sand eel) follow an ecosystem-based approach and reflect their important ecological role;**
- **Recovery plans are developed for all depleted stocks, which include avoidance and selectivity measures, timelines for recovery and requirements to use Remote Electronic Monitoring (REM) with cameras to fully document catches and support compliance with management measures.**

Shared stocks

The UK and the EU share over 100 stocks which require collaborative management to ensure they are sustainably exploited. This year, over 30% of assessed stocks of interest to the UK had catch limits set in excess of sustainable levels^v and this excludes nearly all non-quota fish and shellfish stocks that will also need new joint management arrangements going forward. The recovery and sustainable management of shared stocks would greatly benefit the UK economy while also helping to address the current climate^{vi} and biodiversity emergencies.^{vii} It is therefore vital the UK and EU agree on a framework for future fisheries management which prioritises sustainability and delivers on the UK's domestic and international commitments, in particular, to end overfishing which was meant to be reached by 2020. During coastal

state negotiations the UK should be advocating for sharing arrangements and long-term management strategies that enshrine these commitments for both quota and non-quota stocks.

Depleted stocks

Several stocks of interest to the UK are advised to have either a very low or zero catch limit by ICES, including West of Scotland cod and whiting, Irish Sea whiting, North Sea cod, Celtic Sea cod and herring stocks in the Celtic Sea, southern Irish Sea and West of Scotland. We are extremely concerned that limited concerted effort has been made by the UK and devolved governments to apply more progressive management measures to these fisheries to try to recover them. Catch limits need to be set in line with the scientific advice and precautionary recovery plans need to be developed as quickly as possible. These should include a range of complementary measures to improve the selectivity and avoidance of these species, and catches needs to be fully documented at sea through the roll out of Remote Electronic Monitoring (REM) with cameras on vessels over 10m in length encountering these stocks.

It is in the long-term interest of coastal communities and the marine environment to recover these stocks and failing to restore these stocks not only perpetuates overfishing, but also the choke risk these stocks pose. Fisheries around the UK are often mixed which can present challenges for management and for the industry, particularly when dealing with overfished stocks. However, there are multiple measures which, when implemented simultaneously, can help to mitigate the impact of “choke” situations whilst still fishing within MSY limits. These include applying mixed fishery MSY advice provided by ICES to set catch limits; increasing minimum conservation reference sizes to reflect the length at maturity of the species (eg. North Sea cod should be 45/46cm^{viii} instead of 35cm); mandating the use of multiple selectivity and avoidance measures at the same time; and keeping record of which vessels are using which measures to track progress and demonstrate efforts being made.

Deep sea stocks

The majority of TACs set for deep-sea fish stocks in the Northeast Atlantic for 2020 exceeded the scientific advice recommended by ICES.^{ix} The biological characteristics of most deep-sea species and the ecosystems they inhabit make them particularly vulnerable to over-exploitation and poorly adapted to sustained fishing pressure since their productivity and recovery capacity are very limited.^x Consequently, management of deep-sea fish populations should be governed by a precautionary approach and all catch limits should be set in accordance with the best available scientific advice and serious efforts should be made to improve the amount and quality of data we have regarding deep sea stocks as this is still very limited.

Seabass

While the UK should be commended for leading efforts to recover the main shared seabass population, the status of the stock remains fragile and its condition just above its lower biomass limit (B_{lim}).^{xi} ICES has provided advice based on the ranges in the EU Western Waters Multiannual Plan and recommends catch limits for 2021 are set between 1680-2000 tonnes. However, in this case, applying even the lower limit of this recommendation would only result in a very small increase in the Spawning Stock Biomass (SSB) of just 0.18% the following year. We therefore recommend the government set a more ambitious bycatch-only limit in the order of 1000 tonnes with measures akin to those observed in 2018. Ongoing efforts to improve control and enforcement of management measures is needed as in 2019, ICES noted that total discards were considerably underestimated and there appears to be targeted fishing for bass in some areas, despite it currently being a prohibited or bycatch only species for all gear types except handlines. We therefore also suggest an increase in the number of at-sea inspections and close monitoring of monthly reported landings data.

Seabass is a non-quota species and is therefore not subject to a Total Allowable Catch (TAC). This lack of a clear catch limit set in proportion to the state of the population has been part of the problem in the recovery

of this important species. As with all commercially exploited non-quota species, we urge the UK governments to transition these species to TAC and quota management.

We hope Parliamentarians find these recommendations helpful and are able to use them to evaluate and question the UK Government's policies and approach in the coming weeks and months during negotiations with the EU and the setting of fishing opportunities for 2021 and beyond. **For further detail, please [see this linked briefing](#) or [contact](#):**

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ⁱ Defra, 2019. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841246/marine-strategy-part1-october19.pdf [Last accessed, 08.09.2020]

ⁱⁱ As suggested by various sources including: [EFCA \(2020\)](#); [STECF \(2020\)](#); and various ICES advice on fishing opportunities indicating that below minimum size landings have not increased (e.g. North Sea cod and haddock according to observer data).

ⁱⁱⁱ ClientEarth, 2020. Setting Total Allowable Catches (TACs) in the context of the Landing Obligation. Available at: <https://www.documents.clientearth.org/library/download-info/setting-total-allowable-catches-tacs-in-the-context-of-the-landing-obligation/> [Last accessed, 08.09.2020]

^{iv} Koslow J.A., Boehlert G.W., Gordan J.D.M., Haedrich R.L., Lorance P., Parin N., 2000. Continental slope and deep-sea fisheries: implications for a fragile ecosystem. Available at: <https://academic.oup.com/icesjms/article/57/3/548/635930> [Last accessed, 08.09.2020]

^v Victoria Prentis MP, 2020. House of Commons Hansard: Maximum Sustainable Yield: UK-relevant Quota Stock Species. 29 April, volume 675. Available at <https://hansard.parliament.uk/Commons/2020-04-29/debates/20042932000014/MaximumSustainabilityYieldUK-RelevantQuotaStockSpecies> [Last accessed 1.10.20]

^{vi} Trueman C.N., Johnston G., O'Hea B., MacKenzie K.M., 2014. Trophic interactions of fish communities at midwater depths enhance long-term carbon storage and benthic production on continental slopes. Available at: https://www.researchgate.net/publication/262884286_Trophic_interactions_of_fish_communities_at_midwater_depths_enhance_long-term_carbon_storage_and_benthic_production_on_continental_slopes [Last accessed, 08.09.2020]

^{vii} IPBES, 2019. Report of the plenary of the [United Nations] intergovernmental science-policy platform on biodiversity and ecosystem services on the work of its seventh session. Addendum: summary for policymakers of the global assessment report on biodiversity and ecosystem services of the IPBES. Available at: https://ipbes.net/system/tdf/ipbes_7_10_add.1_en_1.pdf?file=1&type=node&id=35329 [Last accessed, 26.11.19]

^{viii} Marty, L., Rochet, M.J., Ernande, B., 2014. Temporal trends in age and size at maturation of four North Sea gadid species: cod, haddock, whiting and Norway pout. Available at: https://www.researchgate.net/publication/261359856_Temporal_trends_in_age_and_size_at_maturation_of_four_North_Sea_gadid_species_Cod_haddock_whiting_and_Norway_pout [Last accessed, 08.09.2020]

^{ix} EC, 2019. Available at: https://eur-lex.europa.eu/resource.html?uri=cellar:e9de678c-cba1-11e8-9424-01aa75ed71a1.0016.02/DOC_1&format=PDF. Note that the 6 remaining TACs were removed. [Last accessed, 08.09.2020]

^x Norse E.A., Brooke S., Cheung W.W.L., Clark M.R., Ekeland I., Froese R., Gjerde K.M., Haedrich R.L., Heppell S.S., Morato T., Morgan L.E., Pauly D., Sumaila R., Watson R., 2012. Sustainability of deep-sea fisheries. Available at: <http://www.ecomarres.com/downloads/deepsea.pdf> [Last accessed, 08.09.2020]

^{xi} ICES, 2020. Sea bass (*Dicentrarchus labrax*) in divisions 4.b–c, 7.a, and 7.d–h (central and southern North Sea, Irish Sea, English Channel, Bristol Channel, and Celtic Sea). Available at <http://ices.dk/sites/pub/Publication%20Reports/Advice/2020/2020/bss.27.4bc7ad-h.pdf> [Last accessed 09.11.2020]