BRIEFING SERIES: Recommendations to the EU and the UK on the setting of fishing opportunities



About this Briefing Series

This Briefing Series, supported by the 29 undersigned organisations, is designed to assist the responsible decisionmakers in the European Union (the European Commission, the Council of the EU and the Member States) and the United Kingdom (the UK Government and devolved administrations) in managing fishing opportunities in a way that:

- Finally ends overfishing,
- Significantly contributes to restoring and/or maintaining all fish stocks above healthy levels and to minimising levels of incidental catches, and
- Safeguards marine ecosystem functioning and resilience, also in light of mounting pressures like climate change.

The Series consists of 11 Briefings covering the following topics related to the setting of fishing opportunities:^{1,2}

- 1. <u>Cover Briefing</u>: Key recommendations on setting fishing opportunities
- 2. <u>Context and legal framework</u>
- <u>"Best available</u>" is not good enough addressing shortcomings in the current scientific advice
- 4. <u>Shared fish stocks</u>
- 5. Fishing opportunities in an ecosystem context
- 6. <u>Mixed fisheries considerations</u> (this briefing)
- 7. The fishing effort regime in the Western Mediterranean Sea
- 8. Landing obligation challenges
- 9. Depleted stocks with zero or very low catch advice
- 10. Stocks not managed by a Total Allowable Catch
- 11. <u>Deep Sea stocks</u>

In order to ensure that fishing opportunities support thriving fisheries while safeguarding ocean health, resilience and productivity, we call on decision-makers to follow all of our recommendations across the entire Briefing Series.

About this Briefing

Achieving sustainability is particularly challenging in mixed fisheries which are at risk of "choking" due to catches of depleted or struggling fish populations if fishing limits follow the (often very low or zero-catch) scientific advice for the latter. The term "choking" means a situation where fisheries run out of quota for less abundant stocks, even though quota for more abundant target stocks are still available. Fisheries that fail to focus on rebuilding depleted stocks become trapped in a vicious cycle of overfishing to avoid short-term quota cuts and closures, thus perpetuating the dire state of stocks caught as bycatch and the "choke" risk they pose. This Briefing highlights that the only truly sustainable way out of this dilemma – both environmentally and socio-economically – is to urgently prioritise the recovery of depleted stocks (also see <u>Briefing 9</u>), by

- Requesting scientific mixed fisheries scenarios that are explicitly geared towards rebuilding depleted stocks;
- Setting TACs for more abundant stocks below their single-stock advice to safeguard others caught in the mix;
- Adopting appropriate spatial measures;
- Ensuring full catch documentation; and
- Maximising selectivity of fishing operations.

Achieving sustainable exploitation of each stock in fisheries targeting multiple species (mixed fisheries) represents challenges, particularly when dealing with overfished stocks (see Briefing 9). Demersal EU and UK fisheries are an illustrative example of this issue with a diversity of species and fisheries subject to numerous biological and technical interactions.

So far, EU and UK management decisions for mixed fisheries have mostly prioritised the exploitation of the most productive and/or economically profitable stocks, at the expense of the most vulnerable populations (often caught as bycatch) or associated species. This approach perpetuates the depletion of vulnerable populations for the sake of avoiding short-term fisheries closures. Instead the focus should be on rebuilding depleted stocks which would support thriving fisheries in the long-term without the constant threat of "choking",³ thanks to a more resilient, productive ecosystem (also see Briefing 9).

³ The term "choke" refers to a situation where no quota is available for one or more "choke" stocks, even though quotas for other more abundant stocks caught together in the mix have not been fully exhausted yet. Setting and respecting TACs set based on the scientific advice for "choke" stocks (which are often depleted





¹ Over the years, the NGOs working on fishing opportunities have been providing a range of annually updated recommendations for different sea basins and groups of species. Many of our key recommendations and concerns are cross-cutting and do not change from year to year. For 2025 onwards, we have consolidated these points into this Briefing Series which is intended to remain valid for years to come. The Series will be complemented by bespoke regionally or topically specific recommendations as appropriate and current scientific state of the art findings.

² Cross-references will be included throughout the text using the relevant Briefing numbers. Full references to all Briefings are listed in ANNEX 1. 3 The term "choke" refers to a situation where no guota is available for one or more "choke" stocks, even though guotas for other more abundant sto

There are multiple measures that can be implemented simultaneously to mitigate these challenges and reduce fishing pressure where necessary. Using a combination of the tools below, fishers and managers should be able to reduce the likelihood and mitigate the impact of "choke" situations whilst still fishing within Maximum Sustainable Yield (MSY) limits. The EU and the UK should ensure that all these options are used to their maximum effect, particularly for at-risk species and stocks, including those shared with third countries.

To adequately account for mixed fisheries interactions we therefore urge EU and UK decision-makers to follow the recommendations below.

Recommendations for TAC-setting in a mixed fisheries context

- Use mixed fishery MSY considerations provided by ICES to assess the compatibility of single-stock TACs with the ambition to safeguard the most vulnerable stock(s) caught in the fishery. When seeking mixed fisheries scenarios from ICES, options geared towards the recovery of depleted stocks should be prioritised rather than those focusing on the full exploitation of the more abundant stocks in the fishery.
- Set TACs for more abundant stocks in mixed fisheries below the ICES single-stock maximum catch advice to account for mixed fishery interactions, and to ensure that no stocks in the fishery are fished above scientific advice. EU and UK decision-makers should also support ICES in explicitly recognising in its single-stock advice where different stocks are caught in mixed fisheries, potentially posing threats for the less abundant ones.^{4,5} For further reasons why TACs should generally (not just for the more abundant stocks) be set well below the ICES single-stock advice, where this is not yet fully recovery-focused and ecosystem-based, please refer to Briefings 1, 3 and 5.
- Adopt spatial measures to reduce fishing pressure on more vulnerable species, including temporary and permanent closures, real-time closures and 'move-on' rules. This should include closing areas with high mixing where we do not have a robust understanding of the impact on individual (sub-)populations and/or by substantially reducing quotas to safeguard depleted and vulnerable populations or sub-populations and the risk of genetic depletion.⁶
- Ensure independent, reliable monitoring and full documentation of catches through Remote Electronic Monitoring (REM) with cameras, supported by observer coverage as appropriate, to better understand catch composition in mixed fisheries and use this to inform further fisheries management.
- Mandate the use of the best available technology and practices to improve the selectivity of fishing operations. A list of authorised mitigation measures should be made available for each active mixed fishery to support fishers. Selectivity measures employed during fishing activity should be included within the legal requirement of logbook reporting to track progress and place the burden of proof onto fishers to prove they are doing everything possible to minimise unwanted catches.

⁶ The principles behind ICES salmon advice that is supported by the Member States is a good example of closing a mixed stock fishery and only allowing fishing close to their origins to mitigate risks to individual stocks or stock components.





and subject to zero-catch advice) can thus "choke" mixed fisheries that target more abundant stocks while also catching the unwanted "choke" species as bycatch. The term "choking" in this context means that fishers have to stop fishing, even though they still have quota for some of the stocks they are catching.

⁴ See for example ICES (2024). Guidelines for advice on fisheries that concurrently catch a mix of stocks of the same species. ICES Technical Guidelines. Report. https://doi.org/10.17895/ices.pub.25764972.v6. While these guidelines refer to stocks of the same species, an explicit recognition in the advice sheet of such mixing issues for stocks of different species could also help take better account of such interactions when setting fishing opportunities.

⁵ For example, the advice for North Sea herring explicitly acknowledges at the top of the advice sheet that this stock is caught in a mixed fishery with the Western Baltic spring spawning (WBSS) herring, for which the advice for 2025 was zero catch, and that therefore catches of WBSS herring should be avoided. ICES (2024). Herring (Clupea harengus) in Subarea 4 and divisions 3.a and 7.d, autumn spawners (North Sea, Skagerrak and Kattegat, eastern English Channel). Replacing advice provided in May 2024. ICES Advice: Recurrent Advice. Report. https://doi.org/10.17895/ices.advice.27677718.v3.

Environmental organisations remain committed to the objectives of the Common Fisheries Policy, the UK Fisheries Act, the Marine Strategy Framework Directive and the UK's Marine Strategy Regulations 2010, as well as the Trade and Cooperation Agreement and other international agreements. We will continue to scrutinise the progress in ending overfishing and boosting long-term population and ecosystem health and resilience as we urge the European Commission, the Council of the EU, the Member States, the UK Government and devolved administrations to finally deliver the EU's and UK's transition to truly sustainable fisheries. This Briefing Series provides a clear and comprehensive list of recommendations on how to get there.

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ANNEX 1 - FULL REFERENCES TO ALL BRIEFINGS IN THIS SERIES

This Briefing Series is supported by 29 organisations, including environmental NGOs and recreational representatives. <u>Briefing 3</u> is additionally supported by the Low Impact Fishers of Europe (LIFE), European Anglers Alliance (EAA), Baltic Salmon Fund and Baltic Salmon Rivers Association. <u>Briefing 7</u> about fisheries management in the Western Mediterranean Sea features fewer logos than the rest of the series since not all of the NGOs signatory to the Briefing Series are active in the Mediterranean.

Briefing 1: Cover briefing: Key recommendations on setting fishing opportunities. Briefing 1 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-1-cover-briefing-key-recommendations-on-setting-fishing-opportunities/</u>

Briefing 2: Context and legal framework. Briefing 2 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-2-context-and-legal-framework/</u>

Briefing 3: "Best available" is not good enough - addressing shortcomings in the current scientific advice. Briefing 3 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-3-addressing-shortcomings-in-the-current-scientific-advice/</u>

Briefing 4: Shared fish stocks. Briefing 4 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-4-shared-fish-stocks/</u>



Briefing 5: Fishing opportunities in an ecosystem context. Briefing 5 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-5-fishing-opportunities-in-an-ecosystem-context/

Briefing 6: Mixed fisheries considerations. Briefing 6 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-6-mixed-fisheries-considerations/</u>

Briefing 7: The fishing effort regime in the Western Mediterranean Sea. Briefing 7 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-7-the-fishing-effort-regime-in-the-western-mediterranean-sea/</u>

Briefing 8: Landing obligation challenges. Briefing 8 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-8-landing-obligation-challenges/</u>

Briefing 9: Depleted stocks with zero or very low catch advice. Briefing 9 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-9-depleted-stocks-with-zero-or-very-low-catch-advice/</u>

Briefing 10: Stocks not managed by a Total Allowable Catch. Briefing 10 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-10-stocks-not-managed-by-a-total-allowable-catch/</u>

Briefing 11: Deep-sea stocks. Briefing 11 of 11 in the Briefing Series "Recommendations to the EU and the UK on the setting of fishing opportunities". July 2025. <u>https://www.clientearth.org/</u><u>latest/documents/joint-briefing-series-recommendations-on-fishing-opportunities-briefing-11-deep-sea-stocks/</u>

