EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3/KP

Subject: Reply Commission to recommendation PelAC on the ecosystem-based approach to fisheries management

Dear Mr O'Donoghue,

I would like to thank you for the thoughtful and well-considered reflections contained in the Pelagic Advisory Council's recommendation on the ecosystem-based approach to fisheries management (EAFM) – our reference Ares(2023)6774030.

The report under consideration[1] usefully defines three levels of EAFM challenges: mitigation of the impacts of fishing on longer-term fishing opportunities and the wider ecosystem, challenges concerning the advisory system and its knowledge base, and challenges to improve decision-making.

We see the three levels of challenges as managing (1) fisheries impacts on the structure and function of marine ecosystems, (2) individual and cumulative effects on fisheries resources, and (3) social, economic and governance aspects.

The first challenge, and the one on which we have made most progress, is in line with the Commission's Communication on this topic[2] as well as the Common Fisheries Policy (CFP) as reformed in 2013 ([3]).

It is necessary first to address the basic issues, which means bringing fishing mortality in line with the Maximum Sustainable Yield (MSY) criteria and minimising the impacts on sensitive species and sensitive habitats. Much progress has been made in the northeast Atlantic on MSY implementation, but more needs to be done with respect to the management of cod stocks and stocks in the Baltic Sea and Mediterranean Basin. Our recent Marine Action Plan ([4]), based on legal and political obligations under the Nature Directives, Kunming-Montreal Global Biodiversity Framework, Biodiversity Strategy for 2030, and proposed Nature Restoration Law, aims to reduce the collateral effects of fishing on the marine environment. In terms of ecosystem-based fisheries management,

The Pelagic Advisory Council
Louis Braillelaan 80,
2719 EK Zoetermeer
The Netherlands

([1]) The implementation of ecosystem-based approaches applied to fisheries management under the CFP EASME/EMFF/2018/011 Specific Contract Lot 1 No.1 EASME/EMFF/2018/011 Specific Contract Lot 2 No.3
([2]) The role of the CFP in implementing an ecosystem approach to marine management COM (2008) 187 final.
([3]) Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy
([4]) COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries, COM(2023)102 final.

the most immediate challenges lie in this area. Therefore, I would call on all the Advisory Councils to bring forward their knowledge and expertise to prevent the loss of marine habitats and the extinction of marine species in European waters.

Concerning the scientific and advisory system, the situation is somewhat paradoxical. There is a wide body of knowledge on the dependence of fish stocks on environmental variables, and much work has been done on trophic interactions and interdependencies of predator and prey fish stocks – quantitative work that has its roots in the 1980s. Yet, this knowledge has rarely been translated into scientific advice that is easily usable by the fishing sector, the national or the European administrations. As you report, there are also significant knowledge gaps concerning the interaction of effects on the ecosystems, which are very hard to quantify reliably.

As your analysis points out, marine ecosystems are complex entities with many interactions. Some are quantifiable to varying degrees, others are subtle and not yet amenable to analysis. Many interactions imply trade-offs between different user groups, meaning a clear need for intersectoral negotiations in cases where the actions of one fisheries sector affects another. While scientific advice can indicate how to achieve one-dimensional goals such as maximising long-term yields for individual stocks, it is inappropriate to expect scientific instances to make decisions balancing several outcomes across different user-groups. While solutions could be found to maximise theoretical quantities such as multifisheries gross value added, the social and environmental acceptability of such strategies would likely be questioned.

In the absence of clearly defined multi-objective management requests for advice, it is understandable that the underlying science has not been able to develop very quickly in a useful direction. I agree that further progress would be desirable and helpful, but we have to respect the independence of the scientific instances. Progress in this area will also depend on developing more appropriate governance mechanisms.

The Commission is in general supportive of initiatives to move towards fuller implementation of the ecosystem-based approach. For example, we fully support all related developments in the International Council for the Exploration of the Sea (ICES), such as:

- the Integrated Ecosystem Assessments Steering Group and its related Expert Groups that develop ecosystem modelling and assessment methods, contribute to state of the environment reporting and underpin guidance on meeting ecological, social and economic objectives;
- the release of ecosystem overviews for the different ecoregions;
- the Human Dimension Steering Group, which is responsible for guiding and supporting expert groups that are working on social sciences and humanities in ICES, from evaluating contributions of the sea to livelihoods, cultural identities, and recreation - to informing ecosystem status assessments, policy development, and management.

With the above background in mind, I now turn to the specific recommendations made in your report.

1. **Concerning the F_{eco} initiative, the PelAC strongly advised the Commission to discuss with ICES taking this next step in herring, in order to progress the development of EAFM in a pelagic stock.**

We welcome the work that is being done here, as it can lead to more reliable and practically useful advice.

We have discussed it in respect of its potential application to all stocks, not only herring, and ICES has indicated it will continue this work. However, it is up to ICES, to decide when that work is sufficiently developed to serve as a basis for their advice. Should they decide to do so (and an internal recommendation has already been made in WKREF2), the Commission will welcome such scientific improvement. We encourage but do not intervene in this independent scientific process of advice development – external bodies must take care not to interfere in the independent scientific process.

2. **The PelAC recommends that the Commission discuss with ICES the use of ecosystem modelling and information concerning the selection of reference points and ranges and the selection of indicators; and that the Commission should drive ICES work in the area management strategy evaluations to capture ecosystem elements in fisheries models and advice, and to ensure proper engagement of stakeholders and managers.**

The CFP has established harvest-based objectives but for other ecological objectives it is rather for the Member States to intervene. The framework for ecosystem-based objectives in EU law is the setting of good environmental status criteria under the Marine Strategy Framework Directive (MSFD[5]). The mechanism for setting these is at the initiative of Member States working through the Marine Strategy Coordination Group and its subsidiary bodies. I would encourage the PELAC to engage fully in this process in support of Member State decisions.

For instance, the principle of incorporating additional ecological objectives such as securing a food base for predator species fits very well with Descriptor 4 of the MSFD ("All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity"). More specifically, Member States are required ([6]) to establish threshold values for species composition, abundance, the balance of abundance and the productivity of species in different trophic guilds. The principal mechanism for Member States to develop such criteria is through regional coordination in the relevant Regional Seas Conventions, which also provides the possibility for discussions with third countries.

I agree that this topic is important. Again, this is a process where ICES must take the lead and exercise its impartial scientific judgement. That said, input from stakeholders concerning the values of different scenario options is also valuable.

3. **The PelAC recommends the Commission to ensure that the development and implementation of Ecological Reference Points, such as the "Feco" approach, for other stocks including herring, is included in next Memoranda of Understanding with ICES. In addition, the PelAC recommends to include the recommendation from WKIRISH that ecosystem models, updates and**

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

([6]) Descriptors D4C1, D4C2 D4C3 and D4C4 in Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment and repealing Decision 2010/477/EU. OJ L 125 18.5.2017 p.43

development should form an integral part of the ICES benchmark process, and in particular the definition of reference points, in its MoU with ICES as well.

This topic has been considered in the ICES workshop WKREF2 held in January 2024. The workshop recommended that ICES guidelines include the possibility to use an Feco approach to adjust the F based on ecosystem model information. When and if, ICES concludes that the knowledge and data are sufficiently well based to support advice of this nature, the Commission could then move to requesting its formal provision and testing the methods.

4. **The PelAC recommends the Commission to request ICES to create an ecosystem-focused working group that can evaluate the potential for the application in other regions of an approach similar to the one developed by WKIRISH, as well as other alternative approaches that take into account the interactions between all the relevant species in a given area or trophic web.**

ICES has assured the Commission that it is looking into the questions of the Feco indicator in the ecosystem context as part of its generalised advice. How this is done and what groups are to be convened is an internal matter for ICES. Progress can be reviewed in the next meetings of the requesters of ICES Advice (MIRIA) and of the Advisory Councils and observers to the advisory process (MIACO).

5. **The PelAC recommends the Commission strengthen the allocation of resources to collect necessary data for the incorporation of ecosystem considerations in scientific assessments.**

The Horizon programme is established to support research activities in the form of short-term projects. It is not well suited to support the long-term monitoring and data collection concerning marine ecosystems. These should rather be supported under the Data Collection Framework ([7]), through monitoring activities such as those concerning incidental species - according to Point 2, Annex XIII of the Technical Measures Regulation ([8]), and monitoring programmes established according to Article 11 of the MSFD. All of these monitoring activities are eligible for co-funding under the European Maritime, Fisheries and Aquaculture Fund ([9]). It is necessary to improve the knowledge and data, so that the scientific advice can consider the full context of marine ecosystems as is also emphasised in the Communication on the functioning of the CFP ([10]).

6. **The PelAC recommended the Commission to seek agreement on appropriate and suitable socio-economic indicators, in close consultation with all appropriate stakeholder groups (including groups representing civil society). You asked the Commission to push for the gradual uptake of these indicators in ecosystem models and management strategy evaluations.**

([7]) Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy

([8]) 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

([9]) Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation

([10]) COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL The common fisheries policy today and tomorrow: a Fisheries and Oceans Pact towards sustainable, science-based, innovative and inclusive fisheries management. COM(2023)103 final.

The Commission is working on the further development of social data (quantitative and qualitative) in collaboration with the Scientific, Technical and Economic Committee on Fisheries (STECF).

The latest report of the STECF and their recommendations on this topic were published in December 2023 ([11]). We are consulting stakeholders, including the Advisory Councils, on these recommendations to move forward on this topic. This is a key priority for us as far as the social dimension of fisheries is concerned and was one of the commitments made in the Fisheries & Oceans Package ([12]).

7. **The PelAC recommends the uptake of climate considerations in fisheries advice.**

The understanding of the effects of climate change on fish stocks is evolving rapidly as events that were only recently theoretical forecasts are now becoming a reality. We expect ICES and other scientific bodies to base their advice on the best available science, which we understand to comprise climate change considerations and advice in stock assessments wherever it is considered sufficiently reliable for that purpose. To support the science on this topic, as well as on the further implementation of modern genetic sequencing methods, the Commission has established significant funding and specific work areas under the Horizon Europe and Mission Ocean initiatives.

One possible outcome could be an improvement in the accuracy of short-term forecasts. A more useful outcome might be the assessment of management strategies that take into account climate-driven risks over medium-term horizons.

I would like to thank you and the PelAC for giving this issue such an attentive examination. It is a very important topic indeed, as our main instrument for achieving results is the MSFD, and I suggest that you fully engage in these processes.

I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact Ms Julia Rubeck, our Advisory Councils coordinator, via the functional mailbox MARE-AC@ec.europa.eu.

Yours sincerely,

Charlina VITCHEVA

c.c.: Anne-Marie Kats a.kats@pelagic-ac.org
Merel Barbosa m.barbosa@pelagic-ac.org

([11]) https://stecf.jrc.ec.europa.eu/reports/economic
([12]) COM(2023)100 final, COM(2023)101 final, COM(2023)102 final, COM(103) final