

Questions and Answers – Emergency measures eastern Baltic cod

Why did the Commission adopt emergency measures?

Scientists discovered recently that the stock was doing a lot worse than expected. It has been below safe biological limits for two years and will stay there at least in the medium term even without any fishing. The stock is widely distributed in the Baltic Sea and all Member States in the region participate in the fishery. Earlier this year, the Commission had invited Member States to take action. Some did, others did not. Faced with the urgency and in light of the latest scientific assessment, the Commission has decided to take action at EU level.

So what are these emergency measures?

Targeted cod fishing is prohibited in those areas where eastern Baltic cod is found, meaning ICES areas 24-26. Conversely, areas where there is little eastern Baltic cod are not subject to the prohibition, i.e. areas 27-32 and the shallow coastal waters of area 24.

We have proposed proportionate measures with derogations for by-catches in two types of fisheries. The pelagic fisheries have very small unavoidable by-catches of cod, which cannot be sorted on board. Therefore, these fisheries have a derogation from the prohibition, because otherwise they would not be able to fish at all. Similarly, small-scale coastal fisheries that use passive gears to target mostly flatfish like plaice, flounder and turbot, have some by-catches of cod. They should be allowed to land some by-catches and, hence, have a derogation from the prohibition. However, they should strive to minimize such by-catches and the overall fishing effort shouldn't increase. Therefore, their by-catches are limited to 10% of the catches, and the number of vessels allowed to land such by-catches should remain stable, as compared to the last 18 months.

Those fisheries subject to the prohibition but not benefitting from a derogation will have to discard any catches of eastern Baltic cod.

On what grounds is the Commission allowed to adopt such drastic measures?

The Regulation on the [Common Fisheries Policy 1380/2013](#) provides in its article 12 that, in case of evidence of a serious threat to the conservation of a stock, and on imperative grounds of urgency, the Commission can adopt emergency measures to alleviate the threat. In the same line, the Multiannual Plan for the fisheries in the Baltic Sea obliges the EU to take remedial measures when a stock's biomass is below safe biological limits; such remedial measures may be suspending the targeted fishery and the adoption of emergency measures by the Member States and/or the Commission.

We are already in July – why did the Commission not adopt emergency measures

earlier in the year?

The Commission can only act upon scientific evidence. The scientific evidence of the situation was published by the International Council for the Exploration of the Sea (ICES) on 29 May, and the Commission has taken swift action since then.

The International council for the Exploration of the Sea (ICES) states that the impact of the emergency measures is marginal. Hence, is it at all worth adopting emergency measures for 2019?

ICES states that taking emergency measures in 2019 will lead to an estimated increase of about 4% of the stock's biomass in 2020 compared to a scenario where no action is taken. In the latter case, ICES estimates that the stock's biomass would decrease by -2% in 2020. Moreover, ICES clearly states that "fishing at any level targets the remaining few commercial sized cod (> 35cm), thus further deteriorating the stock structure and reducing its reproductive potential". Therefore, waiting is not an option and would only make the starting position in 2020 even worse.

ICES states that eastern Baltic cod mostly dies from factors other than fisheries – what's the merit then to close the fishery?

ICES indeed estimates that natural mortality, meaning mortality factors other than fisheries, are about three-times more important than fishing mortality. Hence, there is obviously a need to take a more comprehensive and long term approach to this. This, however, should not be taken as an excuse for not acting upon the factor we fully control and which over the decades has contributed to the current situation – fisheries.

The cod stock needs long-term measures – what are the next steps after the expiry of the emergency measures at year-end?

The situation of the eastern Baltic cod stock does indeed need a long-term and comprehensive approach. The legislation in place provides that emergency measures can only last for a maximum of six months, after which they may be prolonged once for another six months maximum if the conditions are still met.

On the fisheries side the existing Multiannual Plan from 2016 provides the necessary rules for the longer run. Indeed, as long as a stock is below safe biological limits all appropriate remedial measures have to be adopted to ensure the rapid return of the stock to safe biological levels. In such a situation, the annual quotas have to be set in the lower part of the ranges provided by scientific advice, and further remedial measures have to be adopted. The additional measures can be further reductions of the quota, seasonal or permanent closures, modifications of the allowed gear types or fishing techniques.

How many fleets and vessels are affected by these emergency measures?

All Member States of the Baltic Sea participate – to different extent – in the fishery of eastern Baltic cod. Also, the emergency measures cover those

areas with an important cod abundance which are in the southern part of the Baltic Sea. The overall economic impact is estimated to be moderate as the overall dependency on eastern Baltic cod is low. There are, however, important variations from one Member State to another and from one fleet segment to another. The most affected are those, which usually target cod, lack the flexibility to redirect their fishery and are already facing structural difficulties.

Are there ways to compensate the fishermen for their economic losses?

The European Maritime and Fisheries Fund (EMFF) provides for the possibility to compensate, under certain conditions and up to certain limits, economic losses due to the temporary impossibility to fish (so-called "temporary cessation"). The impossibility to fish due to emergency measures adopted by a Member State or by the Commission is an eligible case for the compensation scheme.