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MEDAC contribution*
Regulation establishing a multiannual plan for the management of Northern Adriatic Sea small pelagic fisheries
Public consultation

Question 1. Is the existing legal framework sufficient to meet the objectives of the CFP in the northern Adriatic Sea?

The general legislative framework resulting from the Basic Regulation of the CFP (Reg.1380/ 2013) has the development of regional cooperation between Member States that have a direct interest in fisheries management (so-called Regionalisation) among its fundamental principles. However in order to implement this principle, except for the matters already set out in the basic regulation, for example those concerning the introduction of certain conservation measures, it is necessary for the co-legislators to adopt an ad hoc Regulation, giving the Commission the power to adopt "delegated or implementing" acts on the basis of joint recommendations from the Member States themselves which in turn shall be achieved after consulting the relative Advisory Council. It is therefore thought that the current legislative framework needs a regulation, to be adopted with the ordinary legislative procedure, in order to respond directly to the objectives of the CFP. This would establish the framework for a LTMP, the specifications for which should be decided at regional level.
In this context, which is already highly structured and complex, intervention in terms of EU regulations can only be limited to orientation and the determination of objectives, leaving the identification of management measures to the Member States, which must consider the actual conditions in which small pelagic fishing activities are carried out in the mid-northern Adriatic, through responsible self-determination of the productive sectors within the MEDAC.
However, during the year 2015 substantial restrictions in fishing effort have been implemented and it could be necessary to determine the effects before we begin to add new measures to regulate fishing.

Question 2. Is it necessary to complete it with an additional framework for fisheries management?

As stated in the answer to question 1, a regulation is considered necessary to define the long-term management framework: this Regulation, like the one that has been developed for the corresponding initiative concerning the plan for the Baltic Sea, should only contain the general aspects, leaving decisions on technical measures, that are specific to the area, to the delegated regulation to be implemented according to the principle of regionalisation under art. 18 of Reg. 1380/2013.

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We suggest that the plan, defined in the delegated regulation, is implemented in two phases:

1^ Phase: adjustment and stabilization of fishing effort, with the implementation of measures regulating fishing effort, the measures of temporary or permanent cessation of fishing and spatial/time fishing limitation. At this stage the planned monitoring for validation of the measures taken and to improve the quality of the scientific support would be implemented. Framework to reduce uncertainty would be placed in position. Duration: year 2016.-2018.

2^ Phase: after a revision in accordance with Art. 10 of the Regulation 1380/2013, implementation of the possible amendments to established multi-year management plan.

Question 3. Would it be sufficient to amend the above-mentioned existing plans (national and GFCM) in order to introduce the objectives of the new CFP into the northern Adriatic Sea?

To create a standardised framework, it is deemed appropriate to proceed as described in the answers to questions 1 and 2. So it is not considered appropriate nor sufficient merely to modify the existing management plans, both national and GFCM.
In fact, we consider necessary to derogate, by regionalization, for example, the provisions of Art. 13 EC Regulation 1967/2006 about the length and the height of "*plivarica*" purse seine and about about maximal depth of deployment. Our proposal is a maximum length of 600 m, and the maximum height 1/3 lengths, and for maximal depth deployment we consider sufficient prohibition within 300m of coast or within the 50 m isobaths where depth is reached at shorter distance from the coast
Explanation: It is well known that the practice of fishing with *plivarica* which targets small pelagic fish, due to the configuration of the Adriatic Sea, has resulted in the application of tools with dimensions different from values as described in article 13 and Annex II of Regulation 1967/2006. Such a tool has a greater ability in use and searching for fish that matches the demands of the market, which significantly affects the catch with very small amounts of discard. Use of such a tool enables greater mobility of fleet and targets higher catch sizes. Moreover, such a tool is used in a way that its use has less negative impact on habitats and resources than tools in above mentioned Regulation. Regarding maximal depth of deployment, deploying the nets over the coraligenus habitat is not possible since the fishing activity will end with damaged or lost net. Overmore the limitation (prohibition of fihing within 300m of coast or within 50m isobat) assures that the nets will not be deployed over segrass areas.

Question 4: Do you think that the small pelagic fisheries in the northern Adriatic Sea would be better managed with a single, coherent management framework at EU level?

Yes, certainly. That has been clearly explained in the introduction part.
MEDAC welcomes the reform of the CFP, and in particular regional approach to the management

of fisheries resources, as well as the expressed necessary appreciation for the socio-economic value of fisheries for the fishermen and for the wider community.
MEDAC believes that regional approach that takes into account the arguments of the fisheries sector is a correct path for long-term successful sustainability of the fishery.
Fishery is not only about the exploitation of resources, it is a way of life and the keeper of the cultural and traditional values of rural areas and coastal islands.
Therefore, our primary interest is sustainability of fisheries and cooperation with countries in the region in order to achieve the best fishing results with mutual respect, development of fishery economies and long-term friendly relations.
Management plan provide for measures that can influence in differently ways on the above mentioned values. The consequences of such plan's success or failure can be directly felt only by fishermen.
That's why MEDAC think we have the right to request a clear framework for the adoption of the management plan. We need to determine precisely the entity of the credits and responsibilities for the consequences of the measures adopted, in this way we can ensure that there will not be negative repercussions within the EC area.
To achieve this goal (a joint management plan designed for the Adriatic Sea and for fleets operating there) MEDAC has established a Focus Group within WG1 relative to the EC fisheries policies, which in recent months has been working on this issue, pending the Commission's proposal and the future basic regulation for a LTMP for small pelagic fisheries in the Northern Adriatic
We have taken note of the scientist's assessment on the state of resources in GSA17. We have also taken note of their opinion that there is scientific indication showing the need to control or reduce the fishing mortality of small pelagic fish. However, we have noticed a significant disparity in some very important assessments produced by different scientific bodies (GFCM-SAC, STECF).
For this reason it is necessary to set up a management plan including the measures already implemented at the regional and national levels, and to promote scientific research aimed at increasing certainty of obtained estimates.
For the above mentioned reasons we have taken the position that the management plan should be made in the form of adaptive management in which the measures are implemented in order to achieve target directions, besides positioning of the reference points that are expected to be achieved with certainty by introduction of regulatory measures. This means that we propose the adaptive application of the measures regulating fishing effort.

Question 5. Do you consider an EU multi-annual plan for small pelagic fisheries in the northern Adriatic Sea which takes account of interactions between fishing activities to be an appropriate approach?

It is absolutely necessary and appropriate that a multi-year plan should take into account interactions between the different fisheries involved: this is therefore also true for the Northern Adriatic in relation to sardine and anchovy fisheries by pelagic trawl and purse seine. Nevertheless, traditional local fisheries must also be protected, such as "*menaidi*" (a kind of driftnet) in Trieste,

which target the same species as pelagic trawl and purse seine fisheries, albeit with negligible catches.
A joint multi-annual plan for the Northern Adriatic for all the states operating in the basin should also bear in mind the results of the new measures that have already been implemented, including for example, the landing obligation. Consequently the parameters for assessment should be tailored to the specific situation of the small pelagic stocks that, unlike other species, are subject to periodic fluctuations that are not caused by fishing activities.
It is also necessary to consider the importance of the impact of environmental factors on the oscillations of biomass.

Question 6. With regard to the above list, what elements should be included in a possible EU multi-annual management plan for fisheries in the northern Adriatic Sea in the light of the objectives and challenges of the new CFP?

Starting from a real, accurate assessment of the state of resources, the measures to contain fishing effort that may be necessary to achieve the objectives of the CFP, as well as a detailed analysis of the socio-economic situation of the fleets involved, the plan should achieve an overall design with a virtuous balance considering sustainability in environmental, economic and social terms for this specific fishery. In particular, to provide some sort of index, the following are proposed:

1. the definition of its scope in terms of the area, the species involved and the fishery (seine and pelagic trawl)
2. the exclusion of certain traditional activities from the obligations of the management plan (eg. local gillnet fisheries called "*menaidi*")
3. the purposes and the specific objectives of the Plan, in addition to the general ones of the CFP; the objectives regarding fishing mortality of the species involved will be specified, within a range of values; the reference values for conservation in terms of spawning stock biomass (SSB) with the possibility for progressive introduction in order to allow fishers to adjust without excessive difficulties;
4. timetable for achieving MSY, which could be different from that considered in the CFP
5. the implementation of the landing obligation
6. any exceptions
7. mandate to the Commission to adopt delegated acts on a regional basis pursuant to art. 18 of Reg. 1380/2013
8. control and enforcement measures.

Question 7. Do you think that the plan should include elements aimed at ensuring correct implementation of the landing obligation? If so, what elements should be introduced, according to Article 15 of the Basic Regulation of the CFP?

For the purposes of legal precision and uniformity in the regulations in force, it is appropriate that the Management Plan should repeat the measures concerning the landing obligation. However, in

this case it would only be a mere repetition of the directives already in force in accordance with article. 15 of Reg. 1380/2013.

Question 8. What combination of means (including public support under the European Maritime and Fisheries Fund) should be preferred in order to achieve the environmental objectives of the CFP in the northern Adriatic Sea, while minimizing the short-term socio-economic effects on the fishing fleets and the coastal communities dependent on these fisheries?

It is clear that regionalisation helps in the definition of policies that are closer to the reality of the fisheries sector in the different areas, and as such it is a tool that can be more successful than others in reconciling the environmental protection requirements with the legitimate expectations of the operators from a socioeconomic point of view.
The EMFF, which includes measures that in some cases can alleviate the hardships and economic impact of technical measures necessary to achieve certain "environmental" objectives established in the Management Plan, is definitely the most important lever to speed up the process. However it would be desirable to see a reward system for access to the EMFF within the framework regulation of the management plan for small pelagics in the Adriatic. This applies, in particular, to the possibility of relaxing the rules on the inadmissibility of applications to the EMFF, notwithstanding the requirements of Article 10 of Reg. 508/2014 (and subsequent delegated regulations). This does not mean in any way that behaviour which does not conform to the provisions of the CFP would be in a sense “decriminalised”, the operator would, however, be encouraged to accept management measures (regardless of how they are established from a legal point of view, basic act or delegated act) that in the short term could have serious repercussions on income and employment.
Another tool that is essential to guarantee a true understanding of the measures to be implemented, is effective promotion and distribution of information: this way coastal communities can get a better picture of the motivations and aims of the Management Plan.
We suggest a combination of management tools presented here through the proposed measures for the management plan. We do not accept the proposal of the STECF on the introduction of catch quotas for various reasons. Quotas will bring a significant increase of discard, especially of anchovies. Quotas will politically destabilise region and cause tension between fishermen in countries and between countries. Quotas will increase the likelihood of seeking ways to avoid compliance with regulations. Because of all above mentioned, quotas effect on the recovery of resources will be much smaller than effect of controlled use of fishing days. It will worsen the future cooperation in the region.
In accordance with Art. 9 point 4 of the Regulation 1380/2013 measures included in the multiannual plans plan should not be put into effect until impact of the proposed measures on socio-economic consequences it is determined and until the measures to address the expected socio-economic consequences are adopted. In accordance with the objectives of the Common Fisheries Policy (Art. 2, point 1 1380/2013) those measures should be acceptable to all Member States.

Question 9. What combination of mechanisms is to be preferred in order to minimize the administrative burden for fishers and running costs for the administrations that are responsible for fisheries? Give reasons for your answers.

It is commonly accepted that measures are as effective as they are easy to apply and to monitor. For that reason, tools should be chosen on the basis of how easy they are for the operators to apply and for the authorities in charge to control: fisheries sector associations could therefore be involved at an advisory level to suggest how to streamline procedures. Modern technology makes it possible to achieve this result: an idea may be, for example, to substitute or to support temporary suspension of fishing activities with space-time closures, leaving the operators free to carry on with their activities but obliging them to comply with VMS and logbook requirements (with the exemption of small-scale vessels- to be defined regionally).
Ultimately the aim is to make the measures more accessible, reducing bureaucracy and improving simplification, both in presentation and in the approval of applications for EMFF support for operators and fisheries enterprises.
It is also necessary to provide a means for promoting public infrastructure, particularly landing sites and fishing ports, in order to most effectively be able to carry out controls.

Question 10. Which species can be identified as the species defining the fishery activities and which other (secondary) species should also be included in the plan?

The management plan should only concern sardine and anchovy resources, as they are the most important from a quantitative, commercial and economic point of view. Minor species, which are captured accidentally, are of negligible importance both for quantity and value and could be identified in the second phase of the management after the 2018.

Question 11. What management approach, tools and guarantees could be used for the management of secondary target species under the plan?

In the northern Adriatic there are no target species of secondary importance that require special management measures, nor do they need tools or guarantees. The fishers themselves have no interest in the capture of secondary species. The reply given to question 10 also applies to mackerel, horse mackerel and especially sprat. However, recording them would provide valuable information for scientific research.

Question 12. Within the final deadline of 2020, what time limit can we give to the achievement of MSY for small pelagic stocks in the northern Adriatic Sea? What is the most realistic date?

The situation concerning MSY data in the northern Adriatic is still unclear. The annual assessment still does not seem to define precise parameters. The deadline of 2020 would therefore seem rather too close and so it should not be brought forward, if anything, it should be postponed, albeit taking all possible precautions to prevent overfishing from continuing.

Question 13. What other possible management measures that have not yet been applied in the Mediterranean do you consider most appropriate in view of further limits on catches and/or fishing effort?

Space/time closures, possibly in rotation, of the areas in which the sensitive stages of anchovy and sardine are predominant could be a measure to be experimented in the future after specific assessment of their effectiveness has been carried out.
Another possibility would be the introduction of "statistical grids" the Adriatic that are larger than those identified by the GFCM (i.e. larger than 30' x 30'): in light of what was said in answer to question 9, this may allow for the introduction of a fishing effort management system with space-time closures and/or limitations, in exchange the fishers would have freedom of choice concerning the fishing days, so they would be free to choose whether to go to sea or not depending on the markets, which would be managed where possible by the Producers' Organizations which could also obtain a significant economic return from the EMFF for the achievement of the CFP objectives (see. Art. 66 EMFF).
A further option could be to extend the period in which anchovy and sardine fisheries are prohibited within the 6-mile limit in terms of time (for example for two months).

Question 14. What issues related to ecosystems may be considered under the plan, and what measures would be appropriate to minimise impact?

All activities have an impact on the ecosystems. This is also true for the fisheries sector. However it common belief that careful and conscientious management of small pelagic fisheries with purse seine or with the pelagic trawl gear, in compliance with the existing regulations, can ensure limited impact on the resource. Effort management as described in answer to question 13 could be sufficient to protect the ecosystems.
It is necessary to take into account also the natural oscillation of the biomass of anchovies and sardines that depend on environmental factors.
It is necessary to estimate the effects of the protection of bluefin tuna in the Mediterranean on the state of stocks of small pelagic fish in the Adriatic. The growth of tuna population in the Adriatic directly effects stocks of sardines and anchovies in the Adriatic. We believe that the growth of tuna in the Adriatic is unproportional to the catch quotas to which Adriatic fisherman are entitled, and that Adriatic fisherman are, considering others on the Mediterranean, in a inferior, deprived position.

Question 15. Are there specific measures (for example, minimum mesh size, permanent or seasonal closures, etc.) which deserve greater flexibility in the context of the multi-annual management plans that could be introduced at regional level to help achieve the objectives of the plan?

As mentioned above, it is fundamental and indispensable that the specific technical measures (mesh size, minimum conservation size, height of purse seine nets, space-time closures, etc.) are considered at region level with EC delegated acts.

The role of the Advisory Council, the MEDAC, is clearly central to this process, providing advice to national administrations in order to put them in a position to give informed input, with the support of scientific research, the EC's delegated regulations. The framework measures, as well as goals, should on the other hand be inserted into the basic regulation, to be adopted through the ordinary legislative procedure by the co-legislators.
In the context of regionalisation other measures could also be evaluated and tested in macro areas (space-time closures and suspension of fisheries activities for biological purposes), with the possibility of verifying the effects, the measures could then be edited and re-calibrated depending on the areas, periods and types of fishery activities and the different target species.

* The document has been approved by all the members of the Executive Committee with the objections raised by OCEANA and WWF.

WWF agrees on the need to have a unique legal text with all provisions in force integrated in a management plan for small pelagics in the North Adriatic, the need to implement mechanisms allowing adaptive management, and supports the management of the fishery through limitation of fishing effort complemented with additional safeward measures. However, WWF believes that besides the need to refine the scientific analysis, there are enough elements to elaborate a comprehensive management plan fully respecting provisions and deadlines contained in the CFP Basic Regulation (EU No 1380/2013).

OCEANA considers that the MEDAC proposal is not reflecting the principle driving the Common Fisheries Policy (CFP; EC Reg.1380/ 2013). The regionalisation should not undermine nor postpone the achievement of the principles and the obligation set in the CFP to recover EU stocks by 2020, at the very latest. Oceana believes that a multiannual plan (MAP) for the management of Northern Adriatic Sea small pelagic fisheries should set clear management objectives in line with the CFP. Also, the MAP should include, as advised by STECF, a reduction in both fishing effort and catches along with the implementation of a catch limit system, as also to ensure the correct implementation of the landing obligation. Moreover, support from public funding should only be foreseen within a multi-annual plan and intended to promote best practices.