

## Coastal States/NEAFC Position Statement

### Top-level Asks

#### 1. Address allocations

- The Coastal States should prioritise resolving the allocation issues around these stocks.

#### 2. Follow the scientific advice

- The Coastal States should ensure that the overall catch for each stock does not exceed the scientific advice.

#### 3. Implement long-term management plans

- Multi-annual management should be the underlying approach by default.

#### 4. Cap on catching in International waters

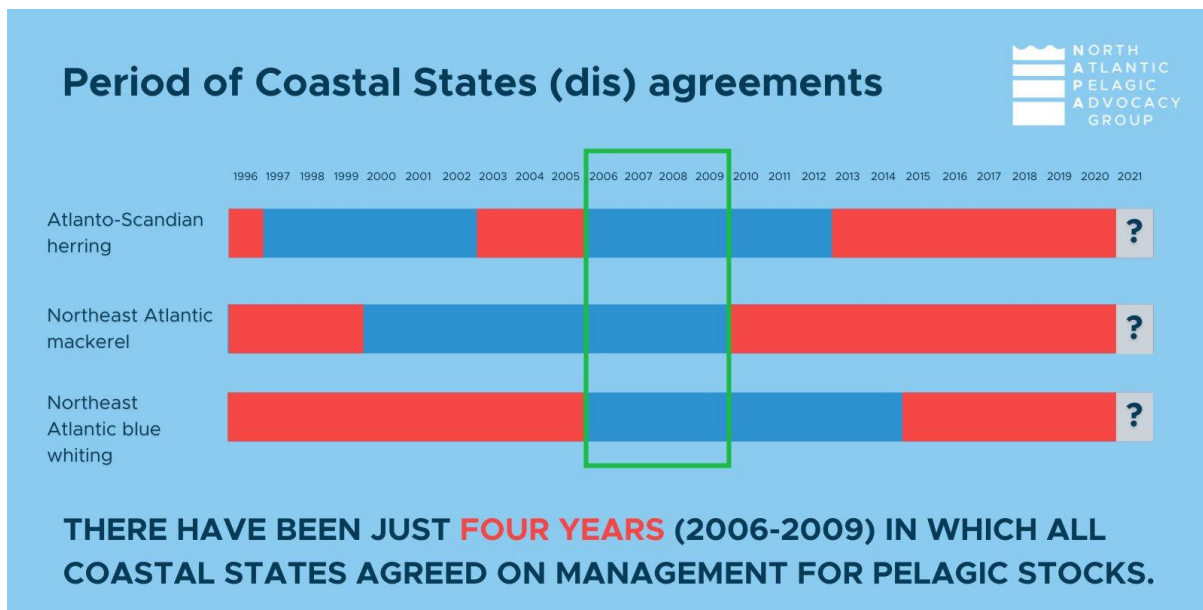
- Further overfishing could be constrained by a cap on catches in international waters

### 1. Address allocations

#### What is the issue?

- Since 1996, there have only been four years (2006-2009) where North East Atlantic Coastal States have been in agreement on allocation of stock total allowable catch (TAC) for three commercially important North East Atlantic pelagic fisheries (Figure 1).
- A 'good' allocation mechanism will ensure that no participant (or State in this case) is worse off from acting cooperatively. In the case of international fisheries, successful allocation agreements must also be capable of being self-enforcing as there is no third party to ensure enforcement
- The frequent failures of Coastal States to agree on allocations were highlighted by the [First](#) (2006) and [Second](#) (2014) NEAFC Performance Reviews.
- The second review recommended that NEAFC agrees on and applies objective criteria for determining allocations.
- In 2015, NEAFC agreed to establish a Working Group on allocation criteria.
- In 2017 several NEAFC members acknowledged that the task was a very ambitious one, and agreed that there did not seem to be value in continuing with formal meetings of the working group in 2018.
- At the 2019 Annual Meeting it was agreed to discontinue the Working Group on Allocation Criteria.
- *To date no collective allocation mechanism has been agreed.*
- We acknowledge that fisheries negotiations by their very nature are complex. Achieving satisfactory resolutions is a daunting task.
- Frequently, dispute resolution mechanisms are used in fisheries negotiations, and have been incorporated into a number of fisheries agreements.
- Dispute resolution mechanisms can be described as a structured process that addresses disputes or grievances that arise between two or more parties that aims to reach a consensual agreement that will accommodate their needs. Dispute resolution mechanisms may incorporate conciliation, conflict resolution, mediation, and negotiation.
- Success will be founded on cooperation, with agreed processes and procedures for TAC-setting and quota allocation that can respond to shifts in stock distribution and biomass, coupled with quota trading and exchange mechanisms to balance quota availability with need (with built-in review periods), strong implementation and enforcement of regulations, an effective and responsive dispute resolution procedure, and supported by a strong science-policy interface.

Figure 1: Status of Coastal States Agreements (1996-2020)



#### What are we calling for?

- Coastal States to urgently agree and employ an allocation mechanism for North East Atlantic mackerel, Atlanto-Scandian herring and blue whiting.
- NEAFC to re-establish the NEAFC Working Group (WG) on Allocation as a first step.
- A dispute resolution mechanism should be utilised to facilitate successful negotiations. The NEAFC Guidelines for Coastal State Consultations in the North East Atlantic provides for a variety of dispute settlement avenues, but the weakness is the non-binding nature and apparent reluctance by the Coastal States to employ.
- It is recommended that the Coastal States adopt NEAFC Guidelines for Coastal State Consultations in the North East Atlantic in their discussions, and both the Coastal States and NEAFC employ a secondary, compulsory binding dispute settlement system if agreement is not reached.

## 2. Follow the scientific advice

#### What is the issue?

- Since 2009, the combined unilateral TACs agreed for each stock have significantly exceeded the scientific advice.
- Currently, due to lack of political agreement, the TACs for North East Atlantic mackerel, Atlanto-Scandian herring and blue whiting are 130-140% of the scientific advice.
- As a consequence of this, and the absence of a long-term management strategy, the Marine Stewardship Council (MSC) certificates in this region for these fisheries were suspended.
- This greatly impacted supply chain companies who had made public commitments to sourcing sustainable seafood.

#### What are we calling for?

- Coastal States should ensure that the overall catch for each stock does not exceed the scientific advice.

### 3. Implement long-term management plans

#### What is the issue?

- Fishing can be said to be sustainable when it can be carried out over the long-term at an acceptable level of biological and economic productivity, without leading to ecological changes that reduce options for future generations.
- The current approach with North East Atlantic pelagic fisheries is one of taking decisions year-to-year, often in crisis management mode.
- A longer-term strategy is urgently needed, but without a clear framework for making management decisions, negotiations are often contentious, reactive, and focused on short-term performance.
- An alternative approach, known as “harvest strategies” or “management procedures,” is the preferred approach for longer-term fisheries management.
- Harvest strategies are pre-agreed frameworks for making fisheries management decisions, such as setting quotas.
- As well as adhering to best practices of modern fisheries management, consistent with the United Nations Fish Stocks Agreement and the Food and Agricultural Organization Code of Conduct for Responsible Fisheries, harvest strategies are an essential component of the Global Sustainable Seafood Initiative’s (GSSI) benchmarking tool.
- Responsible members of the supply chain, including NAPA members, are continually increasing their sourcing from fisheries certified by schemes that are internationally recognized by the GSSI.
- Accordingly, sourcing may be impacted should long-term management plans not be implemented.
- Commitments to sustainable fishing have also been made by all coastal states involved in Northeast Atlantic fisheries through the adoption of the Sustainable Development Goals (SDGs), in particular SDG 14 on ‘life below water’. SDG 14.4 states:
  - ***by 2020, effectively regulate harvesting, and end overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices and implement science-based management plans, to restore fish stocks in the shortest time feasible at least to levels that can produce maximum sustainable yield as determined by their biological characteristics***

#### What are we calling for?

- Implementation of harvest strategies, which incorporate precautionary harvest control rules for setting catch limits, a periodic review process, and any necessary mechanisms to transition from previous arrangements to a new system.

### 4. Cap on catching in international waters

#### What is the issue?

- There has been an increase in the percentage of mackerel and herring caught from international waters in the last decade.
- It has been proposed, by the UK Government (NEAFC, 2020) and the [Blue Marine Foundation](#) that a cap on catches in international waters could act to ‘contain’ the fishery and limit the ability to overfish.
- NEAFC has employed this method before; in 2002, a cap on the international catch of many, though not all, deep-water species taken in bottom trawl fisheries in international waters was set.
- The North West Atlantic Fisheries Organization (NAFO) also employs caps on international catches to manage the cod fishery; there is a 5% cap of catches in the NAFO regulatory area.

**What are we calling for?**

- A NAPA [analysis](#) suggests that a cap on catching in international waters would not compensate for the current overfishing, but it could act to constrain further overfishing, and should be considered further by NEAFC.