

POSITION STATEMENT: NAPA'S REACTION TO 2022 COASTAL STATES/NEAFC

Introduction

The dust is settling from 2022's negotiations on Northeast Atlantic pelagics, which set out what the likely scenarios will be in 2023. So how did the negotiators fare? Did the Coastal States put aside national interests for the greater good? Will these commercially important fisheries be able to resecure Marine Stewardship Council (MSC) certification, which was lost due to poor management?

What the science said

In mid-October, the International Council for the Exploration of the Sea (ICES) published advice on Northeast Atlantic pelagic stocks. The advised 2023 catch for Northeast Atlantic mackerel is no more than 782,066 tonnes; a 1.6% reduction from the 2022 catch advice. However, the agreed 2022 total allowable catch (TAC) was set at 1,131,416 tonnes. To follow the ICES advice in 2023, a cut of 31% is required.

The advised 2023 catch for Atlanto-Scandian herring is no more than 511,171 tonnes; a 14.6% reduction from the 2022 catch advice. However, in 2022 there was no agreement on the TAC; the sum of the declared unilateral quotas from the individual parties was 827,963 tonnes. In order to follow the ICES advice in 2023, a cut of 38% is required.

There was better news for blue whiting. The advised 2023 catch for blue whiting is no more than 1,359,629 tonnes; an 81% increase from the 2022 catch advice. The preliminary 2022 catch was calculated to be 1,107,529 tonnes. As such, compared to 2022, there is an opportunity for a 23% increase in the TAC.

However, the uptick in the advice for blue whiting is **not** linked to improved stock management. On the contrary, unprecedented levels of recruitment have flooded the fishery, effectively masking the underlying problems of inadequate management and governance, which mackerel, herring and blue whiting collectively suffer from.

The moment of truth: Coastal States

In late-October, the seven Coastal States¹ convened in London for the Coastal States meeting². Most notably, the elevated advice for blue whiting offered a golden opportunity to the Coastal States. The revised estimates of abundance would allow all parties to scale-back their allocations and ensure the TAC does not exceed the scientific advice without taking real-term cuts. Would they seize this chance?

¹ UK, EU, Norway, Iceland, Greenland, Faroes and Russian Federation

² Northeast Atlantic mackerel, Atlanto-Scandian herring and blue whiting fisheries exist across both Coastal State exclusive economic zones (EEZs) and in international waters. To manage these fisheries, the Coastal States adopt management measures and allocations for the whole distribution area of the fish stocks – this includes proposing measures to be adopted by the North East Atlantic Fisheries Commission (NEAFC) in international waters (i.e. the NEAFC Regulatory Area). NEAFC endorses management measures for the part of the stock that occurs within the Regulatory Area, but only after the relevant Coastal States have agreed on TACs and allocations at a separate meeting called the **Coastal States meeting**.

Coastal States: what happened?

Mackerel

- There was broad recognition of the advice from ICES, with most Parties indicating their support for setting the TAC at this level.
- Parties discussed a sharing arrangement.
- There were constructive talks, with good progress being made in exploring solutions.
- Parties agreed to continue the sharing discussions at the start of November before signing an Agreed Record on a total catch limit.

Atlanto-Scandian Herring

- Parties agreed to set the TAC for herring in line with the headline advice from ICES, equating to a TAC of 511,171 tonnes; a -14.60% decrease compared to 2022.

Blue Whiting

- There were divergent views on the TAC level, with the UK supporting a TAC constraint principle.
- Parties agreed to reconvene to continue discussions on the TAC for blue whiting before the North East Atlantic Fisheries Commission (NEAFC) meeting.

What was noticeable from the discussions this year was that previously there has been quick agreement to follow the ICES advice and set a TAC accordingly. While this sounds great on paper, in reality, this only 'works' if there is a multilateral agreement between all Parties, which would bind the TACs of individual Coastal States together, thereby restraining them from each setting their own quotas independently. This year saw far more debate and discussion.

There were limited discussions on Atlanto-Scandian herring (relative to mackerel and blue whiting). This was likely because the Russian Federation is a Coastal State for this species and several of the other Coastal States did not wish to negotiate with Russia due to the invasion of Ukraine.

The follow-up: North East Atlantic Fisheries Commission (NEAFC)

The NEAFC meeting took place in late November and despite intersessional Working Group meetings on mackerel and blue whiting, no agreements had been reached.

NEAFC: what happened?

Mackerel

- Discussions on a total allowable catch for North East Atlantic mackerel were ongoing.
- A catch limit for mackerel will be tabled via correspondence once an Agreed Record has been agreed and signed by the Coastal States.
- The agreed records will be made publicly available online once they are signed.

Atlanto-Scandian Herring

- Coastal States agreed that the total allowable catch for 2023 will be in line with scientific advice for Atlanto-Scandian herring.
- The UK did not co-sign the same Agreed Record as the Russian Federation, instead signing a separate, identical version.
- All Parties expressed a genuine willingness to continue addressing a new quota sharing arrangement and underlined the need to reach a new approach for sustainable management.
- The delegations agreed that the Parties will meet in January 2023 to address the issue of a quota sharing arrangement for the imminent future.

Blue Whiting

- Discussions on a total allowable catch for blue whiting were ongoing.
- Measures were adopted for blue whiting in the NEAFC Regulatory Area (international waters) in 2023.
- These measures reflect the outcomes of Coastal State consultations and prevent countries who are not Coastal States or Fishing Nations from targeting these stocks.

The upshot: Post-NEAFC discussions

In early December, the Mackerel Working Group meet once again. This time, the Parties agreed to set the TAC in line with the headline scientific advice, equating to 782,066 tonnes: a **-1.62% decrease** on the 2022 TAC. But, as noted above, for this to mean anything, a sharing agreement is needed.

However, the Agreed Record also reflects agreement by the delegations to initially set quotas for 2023 at levels which would contribute to a conducive environment for the conclusion of sharing consultations towards the start of the year. For the majority of Parties, this will be through setting provisional quotas at the start of the year.

This is a significant step, as last year the UK and the EU set their mackerel allocation before the sharing discussions had even begun. Not conducive for constructive dialogue.

The Parties also agreed a work plan for continued discussions on quota sharing in 2023. Parties will meet several times in February and March for a period of intensive discussions, with aim of reaching final agreement before **31st March**.

Again, this is significant – setting a deadline *should* enable an agreement to be reached for 2023. In recent years, the sharing discussions have taken so long that the mackerel fishing seasons had started before a conclusion was reached.

Following NEAFC, the TAC for blue whiting was also set at the level advised by ICES, equating to 1,359,629 tonnes: an 80.62% increase on the 2022 TAC.

This was disappointing and must be viewed as a missed opportunity (as described above). However, the UK strongly advocated for the TAC for blue whiting to be set at a more precautionary level, in line with TAC constraint principles. The outcome reflects the strong positions of the other Coastal States to the stock. A unilateral statement is included in the Agreed Record, which highlights the UK position that the preference would have been for a more precautionary level, and that Parties should seek mechanisms to ensure greater stability in the stock going forward.

NAPA's digest

NAPA called on the Coastal States involved in Northeast Atlantic pelagic fisheries to:

- **Agree** sustainable catch shares
- **Follow** the science
- **Commit** to long-term management

This year we have seen progress; the previous 'rubber-stamping' of pledges to adhere to ICES advice, followed by a lack of political will to agree on allocations resulting in TACs collectively exceeding said advice, was only seen with Atlanto-Scandian herring. That in itself was likely a consequence of the geopolitical situation in Ukraine.

There were more involved discussions on mackerel and blue whiting this year. The UK position of restraint to 'bank' the unexpected boom in blue whiting must be recognised; it is unfortunate that other Coastal States were not as ambitious. Finally, the setting of a deadline for a mackerel sharing agreement is very positive; NAPA will hold the Coastal States to their timeline.

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