

Opinion of the European Economic and Social Committee on the 'Proposal for a Regulation of the European Parliament and of the Council establishing a multiannual plan for the Baltic salmon stock and the fisheries exploiting that stock'

COM(2011) 470 final — 2011/0206 COD

(2012/C 68/09)

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On 13 September 2011 the European Parliament decided to consult the European Economic and Social Committee, under Article 43(2) of the Treaty on the Functioning of the European Union, on the

Proposal for a Regulation of the European Parliament and of the Council establishing a multiannual plan for the Baltic salmon stock and the fisheries exploiting that stock

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The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 21 December 2011.

At its 477th plenary session, held on 18 and 19 January 2012 (meeting of 18 January 2012), the European Economic and Social Committee adopted the following opinion by 169 votes to 4 with 9 abstentions.

1. Conclusions and recommendations

1.1 The European Economic and Social Committee welcomes and endorses the objectives of the multiannual plan to ensure sustainable exploitation and safeguard the genetic integrity and diversity of all Baltic Sea salmon stocks. However, the timetable is unrealistic for weak southern stocks in the light of current information.

1.2 The EESC believes it is essential for fishing restrictions to apply to the entire life cycle of salmon and to all forms of fishing. Recovery of weak salmon stocks will require not just fishing restrictions but also measures to restore salmon breeding areas. In the EESC's view, setting total allowable catches (TACs) for river areas does not make sense because it is administratively cumbersome and its monitoring would entail considerable additional costs. Responsibility for regulating and monitoring fishing in internal waters should lie primarily with the Member State concerned. The European Commission would oversee the implementation of national monitoring programmes based on the reports from the Member States.

1.3 The EESC agrees with including service vessels in the scope of the Regulation. However, recreational fishing outside the scope of the plan still accounts for a large proportion of the total salmon catch. Recreational fishing should also be regulated and monitored at national level and this should be kept track of through the reports submitted to the Commission by the Member States.

1.4 As regards the viability of fishing, the EESC believes it is important for quotas and restrictions on fishing activity to be gradually switched to fishing mortality rate targets. Regulation of salmon fishing at sea should in future be based not on TACs for a number of salmon stocks but on technical rules set for fishing periods and gear in order to protect weak salmon stocks.

1.5 The EESC does not agree with prohibiting compensatory restocking without strong scientific evidence that such restocking is harmful. The quality of smolt for release must be monitored. The EESC recommends that the genetic risk of stocking activity be reduced by producing smolt from parent salmon caught in the wild every year.

1.6 The European Economic and Social Committee considers it essential to monitor salmon fishing adequately and effectively, and recommends that resources be focused urgently on monitoring salmon fishing. However, rather than new permanent monitoring obligations, the EESC believes that the main measure should be effective implementation in all Member States of the monitoring regulations developed intensively over recent years. The EESC calls for further clarification of the International Council for the Exploration of the Sea's assessment concerning widespread misreporting of salmon catches.

1.7 The EESC emphasises the importance of state-of-the-art salmon research for successful implementation of the multiannual plan. Only sufficiently reliable information can ensure adequate measures to protect and restore salmon stocks, and the possibility of exploiting those stocks sustainably. As well as reliable statistics on catches, more information is needed on the causes of at-sea mortality.

1.8 The EESC considers that the proposal for a regulation might entail negative employment effects for commercial fishermen, the processing industry, sales, equipment, fishing tourism and aquaculture. The extent of these effects will vary between Member States and between regions within them. The EESC calls for negative employment effects to be minimised

when measures are implemented under the proposed regulation, and for effects produced to be widely taken into account when approving EU structural support and in the future reform of the Common Fisheries Policy. The EESC notes that improving and streamlining access to the structural funds would increase salmon stocks in a sustainable way and create more jobs in the Baltic fishing industry.

2. Introduction

2.1 Earlier regulation of Baltic salmon stocks included fishing restrictions set by national governments, as well as technical fishing provisions laid down by Council regulation and fishing quotas (TACs) fixed annually. Up until 2006, quotas were set by the International Baltic Sea Fishery Commission (IBSFC). All measures relating to salmon up until 2010 were coordinated through the International Baltic Sea Fishery Commission's Salmon Action Plan (SAP).

2.2 Since 2006, Baltic Sea fishing quotas available to the EU Member States have been established on an annual basis by Council regulation. The European Commission's proposal for a Regulation has been drawn up based on advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF).

2.3 The EU continues to allocate agreed quotas to its Member States on the basis of 'relative stability'. This means that each Member State's relative share of the quota remains unchanged from one year to the next although the quota amount itself may vary.

2.4 The only non-EU country with fishing operations in the Baltic Sea is Russia. The EU and Russia discuss the status of Baltic Sea fish stocks and salmon fishing opportunities in separate bilateral talks. There is currently no formal negotiating procedure like that of the Baltic Sea Fishery Commission for sharing of fish quotas between the EU and Russia.

2.5 The Baltic Sea commercial salmon quota is divided into two parts: the main basin and the Gulf of Bothnia (ICES 22-31) quota and the Gulf of Finland (ICES 32) quota. In practice, the quota has not restricted salmon fishing for several years. Of the total 2010 Baltic Sea salmon quota of 309 665 only 150 092 (i.e. 48.5 % of the quota) were caught. The percentage of the quota that was used varied between countries, from 2.8 to 84.9 per cent. Salmon is caught by both commercial and recreational fishermen at sea, in estuaries and in river areas. Recreational fishing accounts for 20-30 % of the total amount of salmon caught in the Baltic Sea region and nearly one half of the coastal or river catch. Recreational salmon catches are not included in the fishing quota calculation.

2.6 The state of the major northern salmon rivers improved significantly in the mid-90s as a result of national time

restrictions on coastal fishing imposed by Sweden and Finland. Since then, smolt production from these rivers has remained at a substantially higher level, close to their potential production capacity and to the maximum sustainable yield set as a target by the multiannual plan. Baltic Sea salmon fishing is based largely on production from these healthy northern salmon rivers.

2.7 Despite measures taken to date, smolt production from salmon rivers to the central and southern parts of the Baltic Sea has remained low. Mixed salmon stock fishing in the Baltic main basin has declined significantly owing to the 2008 driftnet ban. Increased drift-line fishing means that salmon fishing has increased again in the main basin.

2.8 Despite the significant rise in smolt production, the size of the fishable salmon stock has not grown to the same extent. More research data is needed on the factors causing salmon mortality at sea.

2.9 In its advice on fishing opportunities for 2012, ICES identifies widespread misreporting of salmon catches as sea trout in drift-line fishing in the Baltic Sea.

2.10 ICES has expressed its concern about the situation of Baltic Sea salmon stocks and genetic diversity. The Baltic Marine Environment Protection Commission (HELCOM) has also drawn attention to the status of salmon stocks in the Baltic Sea.

2.11 Salmon fishing is important socially and economically for coastal fishing communities. The most recent estimate of the total number of Baltic Sea salmon fishermen is for 2007, when the European Commission calculated the total of commercial salmon fishermen at around 400, of which 340 fished off the coast. In 2010 an ICES working group on salmon estimated the total number of vessels fishing for salmon on the high seas at 141, which is significantly higher than the estimate for 2007. Salmon provides work not just for commercial fishermen but also for at least as many people in fishing tourism. The employment implications of commercial and recreational salmon fishing in the Gulf of Bothnia are estimated to be equally significant. Salmon fishing also employs a large number of people indirectly in fish processing and selling, and the fishing equipment industry. Smolt production to maintain salmon fishing and salmon stocks is also an important source of employment locally.

3. Commission proposal

3.1 On 12 August 2011, the European Commission submitted a proposal for a regulation (COM(2011) 470) to the European Parliament and the Council establishing a multi-annual plan for the Baltic salmon stock and the fisheries exploiting that stock.

3.2 The management plan for Baltic salmon stock would apply to commercial fishing in the Baltic Sea and the rivers draining into it. It would also apply to companies offering guided fishing trips and their recreational fishing services in the Baltic Sea. The proposal provides scope, subject to certain conditions, for the regulation of river fishing by EU provisions, and it covers salmon releases.

3.3 The main objective of the proposal is to ensure that the Baltic salmon stock is exploited in a sustainable way, in line with the principle of maximum sustainable yield, and that its genetic integrity and diversity are safeguarded.

3.4 A target for Baltic Sea wild salmon stocks is set per river at 75 % of the river's estimated potential smolt production capacity. Depending on the current condition of the salmon river, the target should be reached within five to ten years of the regulation coming into effect.

3.5 Compulsory TACs per river are proposed for wild salmon stocks. The Member States would be responsible for fixing these. On the basis of scientific data, the Member States would have to determine the maximum permissible fishing mortality and corresponding TAC level per river.

3.6 Every three years, the EU Commission would assess the above-mentioned measures by the Member States and their compatibility with achieving the objectives. Should a Member State not publish data, or should its measures not be adequate to meet the objectives, the Commission could amend the fishing mortality levels set for that Member State's wild salmon rivers and/or the TAC or prohibit salmon fishing in all those rivers.

3.7 A single fishing mortality rate for sea fishing of 0.1 is proposed for all Baltic Sea salmon stocks. This mortality rate would mean that approximately 10 % of salmon for fishing could be caught annually. In setting the annual TAC, the regulator should ensure that a maximum fishing mortality rate of 0.1 is not exceeded. The Commission can amend fishing mortality rates at sea should circumstances change in such a way as to jeopardise achievement of the objectives.

3.8 Salmon caught by service vessels should be counted as part of the Member States' use of the national salmon quota.

3.9 The Member States would be required to set river-specific technical fishing rules for those weak wild salmon stocks which have not reached the 50 % target for wild salmon river smolt production capacity. Member States would have two years from when the regulation enters into force to draw up those provisions. The Member State itself could select and decide on these technical fishing provisions (e.g. gear restrictions and prohibited fishing periods or areas).

3.10 The Commission will assess the technical fishing provisions introduced by the Member States every three years. If a Member State does not introduce measures within the time limit, or if it fails to publish them or its measures are inadequate in terms of meeting the objectives for wild salmon rivers, the Commission may set technical river-specific fishing rules.

3.11 Salmon releases would be restricted to stocking and direct restocking. 'Stocking' refers to the release of stock into wild salmon rivers and 'direct restocking' to the release of fish into potential salmon rivers with the aim of establishing self-sustaining wild salmon populations.

3.12 A seven-year transitional period is proposed for releases. After this transitional period only the above types of release would be permitted.

3.13 The proposal sets out new monitoring provisions to complement those already in force. The new monitoring obligations apply to commercial salmon-fishing vessels, irrespective of length, and vessels used for recreational fishing trips.

3.14 Catches are to be inspected as they are landed. Landing inspections must cover at least 10 % of the total landed catch.

3.15 The Commission proposes that, if necessary, it be granted delegated powers for an indeterminate period of time for the regulation of salmon fishing both at sea and in rivers.

4. Specific comments

4.1 The European Economic and Social Committee welcomes and endorses the objectives of the multiannual plan. The plan's aim that production should reach at least 75 % of potential wild smolt production within ten years at most is extremely ambitious. According to ICES assessments, the objective is being realised in the major northern salmon rivers of the Baltic, but for the weak southern salmon stocks the timetable is unrealistic despite the level of fishing restrictions.

4.2 The regulation covers commercial fishing and service vessels. The significance of the latter in terms of the total salmon catch is small. However, the combined coastal and river salmon catch of recreational fishing falling outside the scope of the Regulation is comparable to the commercial catch of an area of equivalent size. The EESC does not consider setting a TAC purely for commercial fishing in a river area to be a sensible option because almost all river fishing is recreational. The EESC believes that fishing restrictions must cover the entire salmon life cycle and all forms of fishing. Responsibility for regulating commercial and recreational fishing in its internal waters must lie primarily with the Member State concerned.

4.3 In management and recovery plans that have already been adopted for fish stocks in the EU, the fishing mortality rate set for each stock is the rate that is most appropriate for achieving sustainable exploitation of that stock. Many different salmon stocks are fished in the Baltic Sea, and their biological status varies. The regulation and its explanatory memorandum do not make clear why the proposal sets just one single fishing mortality rate for all Baltic Sea salmon stocks at sea and how that rate was arrived at.

4.4 Baltic Sea northern salmon stocks are already very close to the maximum sustainable yield target. Reducing the salmon quota for the Baltic Sea main basin and the Gulf of Bothnia to a level at which the fishing mortality of southern salmon stocks would also be at its maximum sustainable yield would place unnecessary restrictions on fishing of northern salmon stocks. Regulation of salmon fishing at sea should therefore be based in future not on the TAC for a number of salmon stocks but on the technical rules governing fishing periods and gear, which can be directed specifically at protecting weak salmon stocks. If regulation of salmon fishing continues to be based on annual fixing of the TAC, the progressive decrease in fishing mortality to a target level that applies in management plans for other fish stock should also obtain for quotas for salmon fishing at sea. Sudden and radical changes in regulation where there is no compelling need are highly problematic from the perspective of the fishing industry.

4.5 In the main basin region of the Baltic Sea, salmon fishing consists entirely of so-called mixed fisheries, comprising different salmon stocks. The nearer to a salmon river the fishing takes place, the better it can target that river's salmon stock. Rules on and monitoring of drift fishing in the Baltic Sea main basin will in future be important for the recovery of weak salmon stocks in the south. It has been noted that in the autumn more undersized salmon are caught by drift-line fishing than are caught by other forms of fishing; line-fishing time restrictions could therefore be used also to reduce the number of fish which have to be discarded. However, it should be pointed out that southern salmon stocks in the Baltic Sea have not recovered despite a drastic reduction in fishing in the main basin. This means that recovery of weak salmon stocks requires not just limits on fishing at sea but also strict limits on fishing in estuaries and river areas, as well as measures to restore salmon breeding areas so as to ensure natural reproduction.

4.6 The European Economic and Social Committee is concerned about estimates of misreported salmon catches; it calls for the matter to be further elucidated and considers it important to monitor salmon fishing adequately and effectively. The Commission proposal would result in a permanent increase in public sector monitoring obligations, and costs would increase. Costs would be incurred by changes to and maintenance of IT systems in particular, and by the need to increase human and other resources in order to monitor and study regulatory compliance. The EESC calls for monitoring resources to be increased as far as possible and for available resources to be concentrated on monitoring of salmon fishing until the multiannual plan for salmon has been approved and

reporting problems are deemed to have been resolved. As regards rules on monitoring of salmon fishing, the EESC considers efficient implementation in all the Member States of existing monitoring rules, which have been developed intensively over the past few years, to be the priority. The European Commission should keep a check on the implementation of national monitoring programmes through the reports provided by the Member States.

4.7 Salmon are released by stocking and direct restocking or as compensatory restocking ordered by court decision to make up for catch losses resulting from the building of hydroelectric power plants. The proposal would halt all forms of release other than stocking and direct restocking into potential salmon rivers seven years after entry into force of the regulation. The seven-year deadline for replacing compensatory restocking by other provisions is just too short, because it is likely that time would be taken up with planning and implementing alternative provisions in addition to the transition process that would involve judicial hearings at all three levels.

4.8 Prohibition of compensatory restocking is justified by the threat such restocking poses to the genetic diversity of salmon stocks. However, there is no scientific proof to support this assessment. Catches from compensatory restocking are of unquestionable importance to estuaries and coastal fishing in salmon stocking areas, and also represent a boost to employment of several dozen person-years for aquaculture businesses operating on the coast. Compensatory restocking should therefore not be prohibited without solid scientific proof that such activity is harmful. The EESC also believes that the quality of smolt for release must be monitored and the adipose fins of all smolt released clipped so that salmon which have reproduced naturally can be distinguished from released salmon in the catch. The risk to genetic diversity posed by stocking can be minimised by wherever possible in smolt plants using parent salmon caught yearly in the wild that have gone through natural selection instead of salmon stocks that need to be conserved.

4.9 The situation of the Gulf of Finland provides a good illustration of the importance of salmon stocking. If salmon stocking were to be prohibited in the built-up Kymi river estuary, for example, this would in practice mean the end of salmon fishing in the Gulf of Finland and an end to the significant recreational fishing taking place below the Kymi river power plant. This fishing is of considerable importance to fishing tourism, and the situation is the same for many rivers in the Baltic Sea region.

4.10 By reducing the quota, for instance, the proposal would have a considerable economic impact on commercial fishermen, as well as sectors that are dependent on primary production such as fish processing and selling, and producers of fishing equipment. The long migration routes of salmon, different fishing methods and different regulatory needs at each stage of migration mean that the economic effects vary between and within Member States. Because of the short salmon-fishing season, most fishermen also catch other types of fish. But salmon is the most important species in economic terms for the majority, and even minor regulatory changes may

produce considerable shifts in the sustainability of the fishing industry. From the perspective of fishermen who may have to abandon their occupation, the proposal will reduce the supply of salmon and other fish caught along with it for consumption, processing and sale, thereby increasing dependence on fish produced outside the EU. Fishing tourism in river areas could also suffer financially due to more stringent regulation of river fishing and compliance with the TAC for river fishing. In the longer term, however, the proposal could have the effect of increasing jobs in fishing tourism in river areas as salmon stocks recover.

4.11 The proposal also has financial implications for aquaculture businesses. Aquaculture businesses that produce smolt for use in compensatory restocking employ several dozen staff in areas where there are few alternative employment opportunities. If aquaculture businesses have to abandon their activities

because compensatory restocking is discontinued, the employment situation in those areas will deteriorate. Closing these operations would also mean losing the long experience and know-how of aquaculture.

4.12 The negative employment effects of the proposal for a regulation should be taken into consideration when applying existing EU structural funding rules and reforming the Common Fisheries Policy. Possible support options would include for example aid for discontinuation of fishing activity or investment and training for reorienting fishing operations. However, the EESC believes that such assistance should be only a complementary measure. The priority is for jobs in salmon fishing and related industries to be considered at the stage of planning practical measures in such a way as to keep negative employment effects to a minimum.

Brussels, 18 January 2012.

The President
of the European Economic and Social Committee
Staffan NILSSON
