

STECF PLENARY MEETING 19-01

25-29 MARCH, JRC ISPRA

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Table of Contents

1.	Introduction.....	1
2.	List of participants	1
3.	Information to the Plenary	2
4.	STECF initiatives.....	2
5.	Assessment of STECF EWG reports	2
5.1.	EWG 19-01: Methods for developing fishing effort regime for demersal fisheries in West Med.....	2
6.	Additional requests submitted to the STECF plenary by the Commission 2	
6.1.	CFP monitoring.....	2
6.2.	Monitoring the Landing Obligation	2
6.3.	Development of criteria for reviewing <i>de minimis</i> requests	3
6.4.	Evaluation of Mediterranean national management plans	5
6.5.	Evaluation of a management plan for mechanised dredges in Catalonia, Spain.....	6
6.6.	Evaluation of new management plan for hydraulic dredges in Italian waters	7
6.7.	Evaluation of new Discard plan for Clams in Italian waters.....	9
6.8.	Survivability Exemption for Plaice in Otter Trawls, Celtic Sea	10
6.9.	De minimis for MCRS Whiting in the Irish Sea	10
6.10.	Assessment of national plans, established by France and Spain for red seabream in subareas 6-8, in order to ensure that the plans are comprehensive and effective	11
6.11.	Review of a Joint Recommendation concerning fisheries management measures in Natura 2000 sites.....	12
6.12.	Review of a Joint Recommendation concerning ‘Swedish T90’ gear modification ..	13
7.	Items/discussion points for preparation of EWGs and other STECF work 13	
7.1.	State of play and future guidelines on Data Transmission Failures.....	13
7.2.	Discussion on and drafting of ToRs for EWGs later in the year.....	13
7.3.	Debriefing from the January 2019 GFCM benchmark meeting on hake.....	13

1. INTRODUCTION

[Does not belong to the ToRs but is listed here to avoid confusion with the section numbering when editing the plenary report.]

2. LIST OF PARTICIPANTS

[Does not belong to the ToRs but is listed here to avoid confusion with the section numbering when editing the plenary report.]

3. INFORMATION TO THE PLENARY

4. STECF INITIATIVES

5. ASSESSMENT OF STECF EWG REPORTS

5.1. EWG 19-01: Methods for developing fishing effort regime for demersal fisheries in West Med

Request to the STECF

STECF is requested to review the report of the STECF Expert Working Group meeting, evaluate the findings and make any appropriate comments and recommendations.

6. ADDITIONAL REQUESTS SUBMITTED TO THE STECF PLENARY BY THE COMMISSION

6.1. CFP monitoring

Background provided by the Commission

Article 50 of the Common Fisheries Policy (CFP; Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013) stipulates: "The Commission shall report annually to the European Parliament and to the Council on the progress on achieving maximum sustainable yield and on the situation of fish stocks, as early as possible following the adoption of the yearly Council Regulation fixing the fishing opportunities available in Union waters and, in certain non-Union waters, to Union vessels."

Request to the STECF

STECF is requested to report on progress in achieving MSY objectives in line with the Common Fisheries Policy.

6.2. Monitoring the Landing Obligation

Background provided by the Commission

In order to facilitate the reporting, and in line with the outcome of STECF EWG 16-04, in 2018 Member States were invited on a voluntary basis to complete questionnaires seeking more detailed information on the impact of the landing obligation and national steps taken to assist with its implementation. This year, Member States were asked to update the information provided as appropriate. This information has been reviewed and summarized in an ad hoc contract.

Regulation (EU) No 2015/812 (the so-called Omnibus Regulation), introduced an obligation for the Commission to report annually on the implementation of the landing obligation, based on information transmitted by the Member States, the Advisory Councils and other relevant sources.

According to Article 9 of the Omnibus Regulation, Commission report should include the following elements:

- Steps taken by Member States and producer organisations to comply with the landing obligation;
- Steps taken by Member States regarding control of compliance with the landing obligation;
- Information on the socioeconomic impact of the landing obligation;
- Information on the effect of the landing obligation on safety on board fishing vessels;
- Information on the use and outlets of catches below the minimum conservation reference size of a species subject to the landing obligation;
- Information on port infrastructures and of vessels' fitting with regard to the landing obligation; for each fishery concerned; and
- Information on the difficulties encountered in the implementation of the landing obligation and recommendations to address them.

In order to facilitate the reporting, and in line with the outcome of STECF EWG 16-04, in 2018 Member States were invited on a voluntary basis to complete a questionnaire seeking more detailed information on the impact of the landing obligation and national steps taken to assist with its implementation. This year, Member States were asked to update the information provided as appropriate. This information has been reviewed and summarized in an ad hoc contract.

Request to the STECF

Based on:

- The report of the STECF ad hoc contract (1902) for Evaluation of Member States Annual Reports on the Landing Obligation;
- Annual reports received by Member States and EFCA, and the letters sent by the Advisory Councils with their advices in 2018;
- Any other relevant sources of information

STECF is requested to:

- (1) To advise the Commission on the elements appropriate to meet the reporting requirements of Article 9 of Regulation 2015/812, review and summarise the main findings of the reports highlighting, in a structured manner, key salient points raised by each MS and to provide an overview of them at the sea basin level, including for the long distance fleet operating beyond EU waters (also to be considered as appropriate in the points below);
- (2) To identify to what extent discard rates are being reduced in specific fleets or fisheries;
- (3) Identify specific actions where MS have made adjustments to support the implementation of the landing obligation;
- (4) Identify the most important gaps or weakness in implementation and the lessons to be learned from best practices. Where available, identify specific fleets and stocks where the landing obligation has had a direct impact on fishing activity;
- (5) Highlight the most important weaknesses in reporting and the lessons to be learned from best practices;
- (6) Make any further recommendations as appropriate to improve the full implementation, as of 1 January 2019, its identified challenges and the reporting.

6.3. Development of criteria for reviewing *de minimis* requests

Background provided by the Commission

Under Article 15(4.c) of the Basic Regulation of the CFP, it is possible for a *de minimis* exemption to be granted as part of a discard plan created via a delegated act based on Joint Recommendations provided by the Member State Regional Groups. Such exemptions must be supported with relevant data and information based on two criteria:

(i) where scientific evidence indicates that increases in selectivity are very difficult to achieve; or

(ii) to avoid disproportionate costs of handling unwanted catches, for those fishing gears where unwanted catches per fishing gear do not represent more than a certain percentage, to be established in a plan, of total annual catch of that gear.

In the discard plans agreed in 2018 and which apply from 2019 onwards, several *de minimis* requests from Member States were granted on a temporary basis. In these cases, STECF EWG 18-06 and PLEN 18-02 identified gaps and raised concerns about the supporting information supplied. The discard plans subsequently agreed require Member States to provide additional data and supporting information, by 1 May 2019 for the Mediterranean discard plan¹ and 31 May 2019 for the three discard plans concerning the Northeast Atlantic², if they wish for these exemptions to be extended until the expiry date of the discard plans. This supporting information should address the concerns raised by STECF.

In the discard plans to date, in many cases, the exemptions based on criteria (i) on selectivity have been well justified with supporting studies and selectivity trials. However, in some cases the justification has been based on generic studies that have limited relevance to the fishery for which the exemption is being sought. For criteria (ii) related to disproportionate costs, in very few cases, including for many of the temporary exemptions, has a strong justification been provided to support the exemption. The arguments have been generic rather than fishery-specific and have been supported with limited data indicating the scale and reasons for the disproportionate costs involved.

This ad hoc contract aims to assist Member States in preparing Joint Recommendations for 2019 by identifying the types of data and information that would support, upon scientific examination, the extension of the temporary *de minimis* exemptions and address the concerns raised by STECF. This will assist STECF in evaluating both these exemption requests and any new *de minimis* exemptions put forward by Member States.

Request to the STECF

The specific ToRs of the ad hoc contract are as follows:

- (1) List the *de minimis* included in the Delegated Acts adopted by the COM in the discard plans for the North Western Waters, South Western Waters, North Sea, Baltic Sea, and Mediterranean which are defined in the discard plans as temporary;
- (2) For each exemption, identify which of the two criteria (increased selectivity and disproportionate handling costs) has been used to support the exemption and the

¹ Commission Delegated Regulation (EU) 2018/2036 of 18 October 2018 amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32018R2036>;

² Commission Delegated Regulation (EU) 2018/2035 of 18 October 2018 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2019-2021, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2018.327.01.0017.01.ENG

Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018 establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021, https://eur-lex.europa.eu/legal-content/EN/TXT/?toc=OJ%3AL%3A2018%3A327%3ATOC&uri=uriserv%3AOJ.L_.2018.327.01.0008.01.ENG

Commission Delegated Regulation (EU) 2018/2033 of 18 October 2018 establishing a discard plan for certain demersal fisheries in South-Western waters for the period 2019-2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R2033>

concerns/comments raised by STECF EWG 18-06 and PLEN 18-02. Comments and recommendations from previous STECF reports on the Landing Obligation that may be relevant should also be considered;

- (3) Based on 2) above, identify per provision as listed under 1), the supporting evidence to be provided by Member States that would assist STECF in its related assessment of these provisions. Specifically, identify:
- a. Updated and additional quantitative information and types of data that would support the continuation of the specific provisions as well as future exemption requests of such nature;
 - b. In the absence of further information and data referred to under (a), other additional qualitative information that would support the exemption and which would facilitate evaluation by STECF.

STECF are requested to consider and conclude on the report of the ad hoc contract in light of the terms or reference, in particular on the (additional) quantitative and qualitative information expected from Member States in support of joint recommendations for *de minimis* provisions in discard plans, as identified in the report.

6.4. Evaluation of Mediterranean national management plans

Background provided by the Commission

Under Article 19 of Council Regulation (EC) No 1967/2006 (hereafter referred to as "MEDREG"³), Member States are expected to adopt management plans for fisheries conducted by trawl nets, boats seines, shore seines, surrounding nets and dredges within their territorial waters.

In 2013, the Common Fisheries Policy (CFP⁴) introduced new elements for conservation such as the target of maximum sustainable yield (MSY) for all the stocks by 2020 at the latest, the landing obligation and the regionalisation approach.

In line with these two regulations, the plans shall be based on scientific, technical and economic advice, and shall contain conservation measures to restore and maintain fish stocks above levels capable of producing maximum sustainable yield or MSY. Where targets relating to the MSY (e.g. fishing mortality at MSY) cannot be determined, owing to insufficient data, the plans shall provide for measures based on the precautionary approach, ensuring at least a comparable degree of conservation of the relevant stocks.

³ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94. [OJ L 409, 30.12.2006, p. 11–85.](#)

⁴ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC. [OJ L 354, 28.12.2013, p. 22–61.](#)

The plans shall also contain specific conservation measures based on the ecosystem approach to achieve the objectives set. In particular, they may incorporate any measure included in the following list to limit fishing mortality and the environmental impact of fishing activities: limiting catches, fixing the number and type of fishing vessels authorized to fish, limiting fishing effort, adopting technical measures (structure of fishing gears, fishing practices, areas/period of fishing restriction, minimum size, reduction of impact of fishing activities on marine ecosystems and non-target species), establishing incentives to promote more selective fisheries, conduct pilot projects on alternative types of fishing management techniques, etc.

In March 2019, an ad-hoc contract was launched to carry out a preliminary evaluation of the national management plans.

Request to the STECF

STECF is requested to review the report of the ad-hoc contract, evaluate the findings and make any appropriate comments and recommendations.

6.5. Evaluation of a management plan for mechanised dredges in Catalonia, Spain

Background provided by the Commission

Article 19 of Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea ('MEDREG') requires Member States to adopt management plans for fisheries conducted by trawl nets, boats seines, shore seines, surrounding nets and dredges within their territorial waters.

In 2014, the Autonomous Community of Catalonia prepared the first management plan for mechanised dredges exploiting mollusc bivalves (*Donax spp.*, *Chamelea gallina* and *Callista chione*). The draft plan and its technical information were assessed by the STECF in November 2014 (PLEN 14-03)⁵. After revision, it was adopted by Order ARP/362/2015 of 15 December⁶. The validity of the plan ended on 22 December 2018.

Today, the Directorate-General for Fisheries and Maritime Affairs (DGPAM) of the Autonomous Community of Catalonia proposes a revised plan, taking into account the results of a scientific monitoring carried out between 2016-2018 by the DGPAM and the consultancy TECNOAMBIENTE, as well as recommendations from the co-management committee and direct fishers.

Request to the STECF

TOR 1. Advice and assess whether the management plan contains adequate elements in terms of:

1.1. The description of the fisheries

⁵ Scientific, Technical and Economic Committee for Fisheries (STECF) – 47th Plenary Meeting Report (PLEN-14-03). 2014. Publications Office of the European Union, Luxembourg, [JRC 93037](#), 138 pp.

⁶ ORDEN ARP/362/2015, de 15 de diciembre, por la que se establece el Plan de gestión de la actividad de marisqueo de bivalvos mediante dragas mecanizadas (jaulas).

- Recent and historical data on catches (landings and discards) of the species concerned, fishing effort and abundance indices such as catch-per-unit-effort;
- Data on length-frequency distribution of the catches, with particular reference to the species subject to minimum sizes in accordance with Annex III of the MEDREG;
- An updated state of the exploited resources; and
- Information on economic indicators, including the profitability of the fisheries.

1.2. Objectives, safeguards and conservation/technical measures

- Objectives consistent with Article 2 of the CFP and quantifiable targets, such as fishing mortality rates and total biomass;
- Measures proportionate to the objectives, the targets and the expected time frame. **In particular, the proposed modifications of the plan i.e. closure of certain fishing grounds, fishing effort reductions and the duration of plan;**
- Safeguards to ensure that quantifiable targets are met, as well as remedial actions, where needed, including situations where the deteriorating quality of data or non-availability places the sustainability of the main stocks of the fishery at risk; and
- Other conservation measures, in particular measures to fully monitor catches of the target species, to gradually eliminate discards and to minimise the negative impact of fishing on the ecosystem.

1.3. Other aspects

- Quantifiable indicators for periodic monitoring and assessment of progress in achieving the objectives of the plan.

TOR 2. If deemed necessary, provide any recommendations and guidance on how to obtain improved scientific/technical supporting material for the plan. This could be done in terms of collection of data, evaluation of the status of the target stocks, evaluation of conservation measures, impact on the marine ecosystem and monitoring programme.

6.6. Evaluation of new management plan for hydraulic dredges in Italian waters

Background provided by the Commission

Under Article 19 of Council Regulation (EC) No 1967/2006 (hereafter referred to as "MEDREG"), Member States are expected to adopt management plans for fisheries conducted by trawl nets, boats seines, shore seines, surrounding nets and dredges within their territorial waters.

In 2013, the Common Fisheries Policy (CFP) introduced new elements for conservation such as the target of maximum sustainable yield (MSY) for all the stocks by 2020 at the latest, the landing obligation and the regionalisation approach.

In line with these two regulations, the plans shall be based on scientific, technical and economic advice, and shall contain conservation measures to restore and maintain fish stocks above levels capable of producing maximum sustainable yield or MSY. Where targets relating to the MSY (e.g. fishing mortality at MSY) cannot be determined, owing to insufficient data, the plans shall provide for measures based on the precautionary approach, ensuring at least a comparable degree of conservation of the relevant stocks.

The plans shall also contain specific conservation measures based on the ecosystem approach to achieve the objectives set. In particular, they may incorporate any measure included in the following list to limit fishing mortality and the environmental impact of fishing activities: limiting catches, fixing the number and type of fishing vessels authorized to fish, limiting fishing effort, adopting technical measures (structure of fishing gears, fishing practices, areas/period of fishing restriction, minimum size, reduction of impact of fishing activities on marine ecosystems and non-target species), establishing incentives to promote more selective fisheries, conduct pilot projects on alternative types of fishing management techniques, etc.

In 2016, Italy submitted consolidated management plans for hydraulic dredges in Italy to the European Commission (EC) and these were adopted at national level. Italy submitted new management plans for these gears which should be examined by the STECF.

Request to STECF

TOR 1. To assess and advice whether the management plans for marine commercial fishing carried out with hydraulic dredges in the territorial waters of the Republic of Italy contains adequate elements in terms of:

1.1. The description of the fisheries

- Recent and historical data on catches (landings and discards) of the species concerned, fishing effort and abundance indices such as catch-per-unit-effort (or CPUE).
- Data on length-frequency distribution of the catches, with particular reference to the species subject to minimum sizes in accordance with Annex III of the MEDREG.
- An updated state of the exploited resources.
- Information on economic indicators, including the profitability of the fisheries.

1.2. Objectives, safeguards and conservation/technical measures

- Objectives consistent with article 2 of the CFP and quantifiable targets, such as fishing mortality rates and total biomass.
- Measures proportionate to the objectives, the targets and the expected time frame.
- Safeguards to ensure that quantifiable targets are met, as well as remedial actions, where needed, including situations where the deteriorating quality of data or non-availability places the sustainability of the main stocks of the fishery at risk.
- Other conservation measures, in particular measures to fully monitor catches of the target species, to gradually eliminate discards and to minimise the negative impact of fishing on the ecosystem.

1.3. Other aspects

- Quantifiable indicators for periodic monitoring and assessment of progress in achieving the objectives of the plan.

TOR 2. If deemed necessary, provide any recommendations and guidance on how to obtain improved scientific/technical supporting material for the plan. This could be done in terms of collection of data, evaluation of the status of the target stocks, evaluation of conservation measures, impact on the marine ecosystem and monitoring programme.

Documentation: The management plan for the fleets fishing with hydraulic dredges.

6.7. Evaluation of new Discard plan for Clams in Italian waters

Background provided by the Commission

The landing obligation is compulsory, as from 1 January 2017, for the species that define the fisheries (other than small pelagics) and that are subject to a minimum conservation reference size (MCRS) according to Annex III of the MEDREG. The fisheries targeting the mollusc bivalve Venus clams (Venus gallina – as originally described – or *Chamelea gallina*) are therefore subject to this provision.

In light of this, in 2016 Italy submitted to the European Commission a proposal of a three-year discard plan for the fisheries targeting Venus clams by hydraulic dredges in the Northern Adriatic Sea (see Annexes of the present report). With the derogation at the basis of the discard plan expiring in December 2019, the IT administration is submitting an updated discard plan.

The draft discard plan is accompanied by a study which evaluates the possible effects of re-defining the MCRS and the monitoring of the previous two years of implementation.

Request to the STECF

STECF is requested to review and make any appropriate comments and recommendations on the draft discard plan for the fisheries targeting Venus clams in the Northern Adriatic Sea and its supporting study.

In particular, STECF is requested to:

- Provide an opinion whether the survivability of Venus clams has been scientifically underpinned in the discard plan, and assess the potential survivability rates of Venus clams, taking into account the characteristics of the fishing gear, the fishing operations, the biological state of the Venus clams after the fishing operations, and the environmental conditions of the re-stocking area.
- Assess the potential past and future impacts on the stock of the proposed change in the MCRS for Venus clams from 25 mm to 22 mm on exploitation rates and stock biomass.
- In light of the results of the monitoring program for the period 2017-2018, assess whether the proposed new scientific monitoring program is likely to provide adequate data and information to evaluate the effects of the discard plan

In making this evaluation, STECF is asked to take into account the works of the STECF-EWG 15-14, 16-06⁷ and of the European Parliament⁸.

The evaluation of this discard plan is linked to the evaluation of the National Management plan for hydraulic dredges in Italian territorial waters.

Documentation: The discard plan for the fleets fishing Venus Clams in the Northern Adriatic.

⁷ https://stecf.jrc.ec.europa.eu/reports/discards/-/asset_publisher/b1zP/document/id/1450181?inheritRedirect=false

⁸ Scarcella G. & Cabanelas A.M. (2016) Research for PECH Committee - The clam fisheries sector in the EU - The Adriatic Sea case. Directorate-General for Internal Policies, Policy Department B: Structural and Cohesion Policies, Fisheries, 60 pp. doi:10.2861/401646.

6.8. Survivability Exemption for Plaice in Otter Trawls, Celtic Sea

Background provided by the Commission

In the framework of the Landing Obligation and in accordance with article 15 of regulation (EU) No 1380/2013, the NWW Member States Group proposes an extension to the existing high survivability exemptions for plaice. The existing discard plan introduced for the North Western Waters for 2019 (Regulation (EU) 2018/2034) includes survivability exemptions for plaice caught with otter trawls and trammel nets in 7d, 7e, 7f and 7g as well as beam trawls in 7a-7k. The exemption for beam trawls is valid until 31 December 2019.

The proposed extension of the exemption would apply in the mixed demersal and *Nephrops* fisheries conducted with bottom trawls with a mesh size of 70-119 mm in ICES divisions 7a and 7b-k (excluding 7d and e). In the case of *Nephrops* fisheries in 7a the exemption would be based on the use of highly selective gears. This proposal provides further information to support the existing exemptions for plaice caught with bottom otter trawls and also seeks to increase the coverage of the exemption to other areas of area 7 where plaice are caught as a bycatch.

Request to the STECF

The STECF is requested to:

- (1) Review the supporting documentation underpinning the proposed exemption.
- (2) If data is insufficient, then assess what further supporting information may be available or required and how this is to be supplied in the future.
- (3) Consider the potential implications of the proposed exemption both in terms of stock management and fisheries sustainability. The proposed exemption covers a range of TAC units, including the "unavoidable bycatch" TAC area in 7hjk. The STECF is therefore requested to consider their response on a TAC unit by TAC unit level, considering implications in TAC setting from a sustainable fisheries management perspective.

6.9. De minimis for MCRS Whiting in the Irish Sea

Background provided by the Commission

In the framework of the Landing Obligation and in accordance with article 15 of regulation (EU) No 1380/2013, the NWW Member States Group proposes a new *de minimis* exemption for Whiting below the Minimum Conservation Reference Size (<MCRS) in ICES division 7a (Irish Sea).

Request to the STECF

The STECF is requested to:

- 1) Review the supporting documentation underpinning the proposed exemption.
- 2) If data is insufficient, then assess what further supporting information may be available or required and how this is to be supplied in the future.
- 3) Consider the potential implications of the proposed exemption both in terms of stock management and fisheries sustainability. These implications should be especially considered in the context of the existing "unavoidable bycatch" TAC currently set for Whiting in 7a.

6.10. Assessment of national plans, established by France and Spain for red seabream in subareas 6-8, in order to ensure that the plans are comprehensive and effective

Background provided by the Commission

The ICES scientific advice sets out that the stock of red seabream in areas 6-8 is seriously depleted and advises that there should be zero catches for this stock in 2019 and 2020. Since 2014 the ICES advice has been to reduce mortality by all means, to allow the stock to rebuild, and avoid a further collapse. ICES furthermore recommend that measures be put in place to protect juveniles.

By 1 March 2019, taking into account national specificities, France and Spain committed to implement coordinated national plans necessary for rebuilding the stock of red seabream in ICES subareas 6-8, in particular through measures such as:

- Closing for commercial and recreational fishing the areas where juveniles occur on the basis of scientific evidence, as identified by the Member States;
- Increasing minimum size to 35cm, to incentivize avoiding catching red seabream that has not reached the size of maturing into females;
- Fixing catch limits per vessel and per trip to ensure that red seabream is only fished as a by-catch species;
- Undertaking a scientific research project with the view to finding ways to avoid catching juvenile red seabream in the longline and otter trawl fleets that account for the main share of the catches. This project should, as recommended by STECF, include improving the biological knowledge on species reproduction and maturity stages and update the estimates of size/age at maturity as male and female, the size-as sex-change and the proportion of gonochoric individuals.

France adopted the following measures:

- **Minimum size 35cm**
- **Capping bycatches:**
 - Pelagic trawlers: 200kg/year
 - Demersal trawlers: 200 kg/tide
 - Nets and lines: 100 kg/tide
- **Seasonal closing of quota:** the reproduction period occurs between January and June. Quotas will be closed during this period in all areas. It is believed that while occasional accidental catches may still occur due to the large distribution area of the species, this measure will strongly limit them.

Spain is about to adopt the following measures:

- **Mesh size 33 cm** in accordance with Regulation (EU) 787/2017).
- **Capping bycatches:** Daily maximum catch limits of 150 kg per vessel of red seabream in areas 6, 7 and 8 (*to be adopted through resolution in the coming days*). The catch limit may be modified through a national resolution (*draft law about to be adopted*).
- **Areas and closure periods** are established for bottom gear in order to protect concentration areas of Red Seabream juveniles (*draft law about to be adopted*).
- Spain will continue to place scientific observers on board of the vessels and compile data in order to identify new closing areas and periods. VMS and DEA information has been sent to all vessels catching red seabream; and the Spanish national institute IEO will design a plan for on board observers based on those samplings. Similar wording *will be adopted under the new legal provision regarding closing areas in the coming weeks*.

Request to the STECF

STECF is requested to assess the content of the national plans in order to ensure that the plans are comprehensive and effective to help improve the state of the stock.

6.11. Review of a Joint Recommendation concerning fisheries management measures in Natura 2000 sites

Background provided by the Commission

In accordance with Article 11 of Regulation 1380/2013 Member States having direct management interest in certain areas or fisheries may submit joint recommendations for fisheries conservation measures to be adopted by the Commission that are necessary to comply with their environmental obligations.

Germany initiated the procedure with Belgium, Denmark, France, the Netherlands, Sweden and the United Kingdom for adopting a joint recommendation for fisheries management measures in four Natura 2000 sites in the German Exclusive Economic Zone (EEZ) of the North Sea concerning all fishing vessels, including EU vessels with fishing rights in the German EEZ under non-German flag. After several consultations amongst these Member States, stakeholders and NGOs, the final joint recommendation was submitted to the Commission on 4 February 2019. Similar joint recommendations were submitted by the MS having direct management interest to the Commission in 2015-2016 concerning Natura 2000 sites in waters under the sovereignty of Denmark and Sweden.

Once the joint recommendation is received, it is necessary to evaluate the various elements of the joint recommendation on fisheries measures necessary for compliance with environmental obligations and to identify areas if and where additional supporting information may be required. In particular, it has to be assessed whether the measures in the joint recommendation are compatible with the requirements referred to in Article 11(1) of Regulation 1380/2013. This calls for the review of the supporting scientific information provided.

As in previous years, STECF is asked for a review of the joint recommendation via an ad hoc contract – to feed into the STECF PLEN 19-01.

Request to the STECF

The STECF is requested to:

- (1) Review whether the proposed conservation measures minimise the negative impacts of fishing activities on the marine ecosystem and ensure that fisheries activities avoid the degradation of the marine environment as stipulated under Article 2(3) of Regulation 1380/2013.
- (2) Review how the proposed measures contribute towards ensuring that the habitats and species addressed in the recommendation are maintained and restored at favourable conservation status as stipulated under Article 6 of the Habitats Directive 92/43/EEC and Art. 4 of the Birds Directive. In undertaking this review, all relevant aspects, including ensuring compliance with the proposed measures, should be considered.
- (3) Assess if the proposed conservation measures would contribute to the objectives under Articles 1(1) and 13(4) of the MSF Directive 2008/56/EC, in particular with the objective of achieving a good environmental status by 2020.

6.12. Review of a Joint Recommendation concerning 'Swedish T90' gear modification

Background provided by the Commission

BALTFISH sent a new joint recommendation to the Commission with the request to correct the existing Delegated Regulation (EU) 2018/47 authorising the use of alternative T90 gears in the Baltic Sea. Following the input from the BSAC a mistake has been detected in the annex (the scientific report) to the Joint Recommendation that was sent in May 2017.

A corrigendum to the scientific report was issued by SLU Aqua on the 18th of December 2018. The corrigendum reads:

"The drawing in Figure 2 in the report: *Gear trials in the Baltic: Increased selectivity with a modified T90 cod-end*, 2017-03-27 by SLU, is not entirely correct". Only the cod-end was measured during the gear trials. In the figure and in the associated table presented in the original report, all cod-end measurements were correctly presented. The specifications for the extension piece was mistakenly taken from the legal text for the BACOMA codend. However, in the trials the cod-end was mounted on a tapered section (from 100 ($\varnothing > 80$) to 80 meshes in circumference). BALTFISH notes this will not change the results or the conclusions on the selectivity of the experimental cod-end in the original report, which was evaluated by STECF Expert Working Group meeting held on 6-9 June 2017 (EWG 17-03) and assessed by the STECF Plenary (STECF PLEN 17-02)."

Request to the STECF:

The STECF is requested to review the supporting documentation provided for the correction aimed by BALTFISH in order to assess if this correction is justified.

7. ITEMS/DISCUSSION POINTS FOR PREPARATION OF EWGs AND OTHER STECF WORK

7.1. State of play and future guidelines on Data Transmission Failures

Background provided by the Commission

The current procedure on the evaluation of data transmission failures does not provide for a timely improvement of data collection. There are several steps, from the beginning until the end of the process, which should be better defined and harmonized to make the process iterative and the results comparable among end-users and MS.

Request to the STECF

STECF is asked to compile the current work done on the reporting and evaluation of DT issues and to set up updated guidelines for (1) end-users to report issues, (2) MS to comment on issues and (3) STECF to assess the issue and the MS comment.

7.2. Discussion on and drafting of ToRs for EWGs later in the year

7.3. Debriefing from the January 2019 GFCM benchmark meeting on hake