

Coalition Clean Baltic (CCB) Feedback to the European Commission Call for Evidence on Fisheries Management Rules Revision – Omnibus. Ref. Ares(2026)5273261

Introduction

Coalition Clean Baltic (CCB) welcomes the opportunity to contribute to the European Commission's Call for Evidence for the Impact Assessment accompanying the Fisheries Management Rules Revision – Omnibus initiative. As a regional network of environmental organisations working across the Baltic Sea catchment, CCB focuses its contribution on lessons learned from the implementation of the Baltic Sea Multiannual Plan (MAP), in particular regarding the safeguard contained in Article 4(6) ("the 5% rule") and the urgent need to develop rebuilding trajectories for depleted Baltic Sea fish populations.

The Baltic Sea provides a particularly relevant case study for this impact assessment. It is one of Europe's most environmentally degraded sea basins¹, with several commercially exploited fish populations having experienced severe declines or collapse despite the existence of a comprehensive legal framework under the CFP and the Baltic Sea MAP. The region strongly illustrates the urgent need for implementing ecosystem-based fisheries management. Fish populations are part of a wider food web and are affected by multiple pressures. In such a degraded ecosystem, precautionary management and early intervention by way of remedial measures remain essential to support fish population recovery.

Lessons from the Baltic Sea: the costs of delayed action and non-implementation

The state of the Baltic Sea and its fish stocks demonstrates the ecological, economic and social consequences of delayed intervention and implementation failures. These include the failure to consistently apply precautionary safeguards such as Article 4(6) of the Baltic MAP, as well as broader implementation challenges including persistent concerns regarding catch misreporting and compliance with the Landing Obligation.

Several key fish populations remain in poor condition. Despite several years of fishery closures and severe restrictions, eastern Baltic cod, western Baltic cod and western Baltic spring-spawning herring continue to receive zero-catch advice. Other populations, including central Baltic herring and Gulf of Bothnia herring, remain vulnerable and require precautionary management. Baltic plaice remains relatively abundant, but ICES has highlighted a pronounced decline in condition and weight-at-age, indicating broader ecosystem stress. Baltic salmon populations also face significant challenges, with some of the lowest spawner returns in history.

These developments have generated substantial socio-economic impacts for fisheries-dependent communities and contributed to increasing uncertainty in fisheries management. The collapse of key Baltic fisheries has resulted in vessel decommissioning schemes, fleet

¹ HELCOM HOLAS assessment (HELCOM (2023): State of the Baltic Sea. Third HELCOM holistic assessment 2016-2021. Baltic Sea Environment Proceedings n°194).

reductions and loss of employment opportunities across the region. For example, the fleet segments most dependent on eastern Baltic cod encompassed more than 300 vessels, mainly in Lithuania, Latvia and Poland, and to a lesser extent Denmark and Germany, many of which were considered unlikely to survive a prolonged closure. Studies from the western Baltic have documented reductions of around 50% in the number of fishing vessels associated with the collapse of the cod fishery². In Denmark alone, 31 Baltic fishing vessels have been scrapped since the Baltic cod crisis³.

The developments observed in the Baltic Sea illustrate an important lesson for this impact assessment: *abrupt reductions in fishing opportunities are often the consequence of insufficient precaution and delayed intervention in previous years rather than the result of the precautionary safeguards themselves.*

The role of the 5% safeguard rule

Article 4(6) of the Baltic Sea Multiannual Plan requires fishing opportunities to be set in a way that ensures there is less than a 5% probability of a spawning stock falling below Blim. The 5% safeguard rule is not a standalone conservation objective. This provision *operationalises the precautionary approach established in Article 2(2) of the CFP and provides a clear risk-based framework for avoiding critical stock depletion.*

By translating a general legal obligation into a measurable risk threshold, the safeguard provides a transparent and objective basis for fisheries management decisions when fish populations are at risk of depletion. The value of the 5% rule should therefore be assessed not only in relation to its short-term implications for annual fishing opportunities, but also in terms of its contribution to preventing stock collapse, reducing long-term management uncertainty and constant yo-yo quotas, safeguarding future fishing opportunities, supporting stock recovery and productivity, and maintaining ecosystem functioning.

CCB understands that one objective of this impact assessment initiative is to increase legal certainty and identify an appropriate balance between precaution, stock recovery and socio-economic stability. However, the Baltic Sea demonstrates that socio-economic instability is most often the result of depleted fish populations and delayed management intervention, rather than a consequence of the precautionary safeguards themselves. The severe fluctuations in fishing opportunities observed in the region over recent decades are largely the result of cumulative implementation failures across multiple sectors, including fisheries management, nutrient pollution, habitat degradation and other pressures affecting the marine ecosystem.

² European Parliament Research Service (2025), *Baltic Sea Fishing Area: Current Challenges*; European Commission and Council communications on Baltic fishing opportunities; examples from Baltic fishing communities affected by cod and herring fishery closures. Available at https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI%282025%29767190?utm_source=chatgpt.com. See also European Commission, *Report from the Commission to the European Parliament and the Council on the implementation of emergency measures and support schemes related to the eastern Baltic cod fishery closures*

³ *Annual Fleet Report 2023*, documenting vessel decommissioning under the Baltic cod scrapping programme. <https://lfst.dk/Media/638693399235473740/DK%20Fleet%20report%202023.pdf>

Legal certainty and implementation

In the Baltic Sea context, the main challenge has not been uncertainty regarding the meaning of Article 4(6), but rather the difficulty of consistently applying the safeguard where doing so would require substantial reductions in fishing opportunities. The history of TAC-setting under the Baltic MAP suggests that implementation challenges have primarily arisen from the socio-economic and political consequences of applying the safeguard, rather than from ambiguity in the legal text itself.

We urge the Commission in its impact assessment to distinguish between genuine legal uncertainty and situations where existing legal obligations are politically or socio-economically difficult to implement. These are different problems requiring different policy responses. Before considering amendments to the safeguard, priority should be given to ensuring that existing legal obligations are consistently applied and enforced.

Establishing rebuilding trajectories: an important early-intervention tool

At the October 2025 AGRIFISH Council, Baltic Sea Member States and the European Commission recognised the urgent need to rebuild Baltic fish populations and committed to seeking scientific advice on rebuilding trajectories. Rebuilding trajectories should complement, not replace, existing precautionary safeguards and help rebuild Baltic fish populations to stable, healthy levels and thereby reduce the severe year-to-year fluctuations in fishing opportunities. CCB recommends therefore that the impact assessment evaluate options for introducing recurring rebuilding advice for all stocks below MSY Btrigger, as well as other stocks identified by ICES as requiring rebuilding measures. Waiting until stocks fall below Blim, as is currently very much the situation, would mean delaying recovery planning until populations have already reached a critical state.

Rebuilding trajectories should aim for healthy, resilient and productive fish populations above levels capable of producing MSY, rather than merely preventing stocks from falling below Blim.

Rebuilding trajectories must also reflect the ecosystem context. In the Baltic Sea, stock recovery is influenced not only by fishing mortality, but also by eutrophication, pollution, climate change, oxygen depletion, habitat degradation and loss of essential fish habitats. For forage fish such as herring and sprat, rebuilding advice should also account for their role in the wider food web.

ICES WKREBUILD state that stocks below limit reference levels have a higher risk to see their productivity and resilience further compromised as they persist in a poor state. For this reason, rebuilding strategies should trigger promptly when required⁴. Evaluation of a stock's demographic structure may help in reducing the risk of falling back into a rebuilding framework. Therefore, CCB recommends that rebuilding strategies should be triggered

⁴ [Item - Workshop on guidelines and methods for the design and evaluation of rebuilding plans for category 1-2 stocks \(WKREBUILD2\) - International Council for the Exploration of the Sea - Figshare](#)

promptly and automatically when a stock falls below MSY B_{trigger}. To be effective, it is important that recovery advice includes a determined time frame.

Adoption and usage of rebuilding advice should not hinder research and development necessary to produce such ecosystem-based advice, which CCB strongly recommends is implemented as soon as possible.

CCB recommends that a recovery advice framework for Baltic Sea stocks should be adopted and include the following elements:

- Stocks be encompassed automatically by a rebuilding framework when they are below MSY B_{trigger}.
- Rebuilding trajectories should aim for healthy, resilient and productive fish populations above levels capable of producing MSY. It should be based on the biological characteristics of the stock in question, including generation time or time to sexual maturity and aim to recover within the shortest, biologically feasible time frame.
- Special focus and priority should be given to herring and sprat due to their ecological role in the food web.
- ICES should evaluate and advise on a suitable harvest control regime to achieve such a rapid return to above MSY levels.
- All tools that will aid in returning a stock to above levels capable of producing BMSY should be investigated and utilised, such tools could include actions such as marine habitat restoration, spawning closures etc.
- A stock should be considered to be rebuilt when it has been above MSY B_{trigger} for at least three consecutive years⁵. Due to their unique anadromic life cycle salmon should be considered rebuilt after one generation time. Environmental factors impacting fish populations should be included in the rebuilding advice.

(Continued on next page)

⁵https://ices-library.figshare.com/articles/report/Workshop_on_guidelines_and_methods_for_the_design_and_evaluation_of_rebuilding_plans_for_category_1-2_stocks_WKREBUILD2_/24763293?file=43620351

A stock is considered to be rebuilt when it has been above MSY B_{trigger} for at least three consecutive years.

Summary of CCB recommendations for the call for evidence

CCB recommends that the impact assessment:

1. Prioritise the effective implementation and enforcement of existing provisions of the Baltic Sea Multiannual Plan and the Common Fisheries Policy. The Baltic experience demonstrates that many of the challenges facing fisheries management stem from implementation gaps rather than deficiencies in the legal framework itself.
2. Assess the long-term ecological, economic and social consequences of weakening the existing 5% safeguard, including the risks associated with accepting a higher probability of stocks falling below Blim. The assessment should consider the safeguard's contribution to stock resilience, ecosystem functioning, long-term fisheries stability and the achievement of CFP objectives.
3. Clearly distinguish between genuine legal uncertainty and challenges arising from the socio-economic and political consequences of applying the safeguard as intended. The impact assessment should evaluate whether implementation difficulties stem from shortcomings in the legal framework or from difficulties in applying existing provisions.
4. Evaluate how recurring scientific advice on rebuilding trajectories for depleted stocks could support earlier intervention, improve predictability and contribute to rebuilding fish populations above levels capable of producing Maximum Sustainable Yield (MSY), while complementing rather than replacing existing precautionary safeguards.
5. Evaluate how ecosystem considerations, including eutrophication, climate change, habitat degradation and food-web interactions, can be systematically integrated into rebuilding advice and recovery planning.
6. Assess and recommend how to build the recovery advice on clear and transparent “rules”: a stock falls automatically into a rebuilding framework when under Btrigger. A stock is not recovered until the stock has been at least for three consecutive years above Btrigger. Choose the fastest biologically feasible timeframe for recovery.