

6 November 2020

## **NSAC Advice Ref. 02-2021**

### **NSAC Advice on Danish proposal for JR on MSFD-areas in the Kattegat**

*This advice paper was approved by the NSAC Executive Committee on 6 November 2020 by written procedure.*

#### **Background**

NSAC members thank the Danish authorities for having been given the opportunity to present our view on the Joint Recommendation proposal in MSFD-areas in the Kattegat under Article 11 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy.

The NSAC is pleased with the consultation procedure undertaken by the Danish authorities in relation to the implementation of the Marine Strategy Directive and the Habitat Directive in the Kattegat. The process carried out has considered views of a broad number of interest groups, and the arguments have to a large degree been taken onboard.

The proposal under consultation is an example of how environmental protection and fishery can coexist if there is a will to do so. We consider this a coexistence to the highest degree, where both, the necessary environmental and business considerations, are taken into account in a so-called intelligent approach to the management of the EU marine space. Increasing pressure from various maritime players requires an intelligent and scientific approach to marine spatial planning. Even though there are good elements in the Joint Recommendation both, the NSAC fishing industry and Other Interest Groups, have some additional considerations.

#### **Fishing Industry Position**

Notwithstanding the general satisfaction with the consultation procedure, some NSAC fishing industry members have raised the following issues with regards to the Danish JR proposal on Kattegat MPAs, specifically regarding the D2-area described on pages 34-35 of the mentioned proposal. Members disputed from the start of the consultation the location of the border in the south-east part of D2 as it poses a great hinderance to the trawlers who have been trawling across this section for decades. It seems that according to the proposal, trawlers will be interrupted in the middle of the trawl lines.

The NSAC fishing industry members found this peculiar, since in their first presentation of the proposal, the Danish authorities did not point out any kind of scientific evidence to underpin



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the designation of this particular area. On this account, the Swedish authorities had reprimanded the Danish proposal. Following this, the Danish authorities conducted a new survey in 2018, resulting in using red listed species and other rare species, some that admittedly “have never previously been registered in the monitoring database”. The NSAC members see the outcome of the survey as a confirmation of that the trawling has had a moderate impact on the environment considering the long-standing fishing activity in this area, and therefore should still be allowed.

### **Industry Advice**

The fishing industry NSAC would like to see a minor adjustment of the border in the south-east corner of the D2 area. The attached GPS map (see Annex) shows that by reading the coordinates: “Där vill vi ha gränsen” meaning “preferred border” and “Förslagen gräns” meaning “the proposed border”.

### **OIG position**

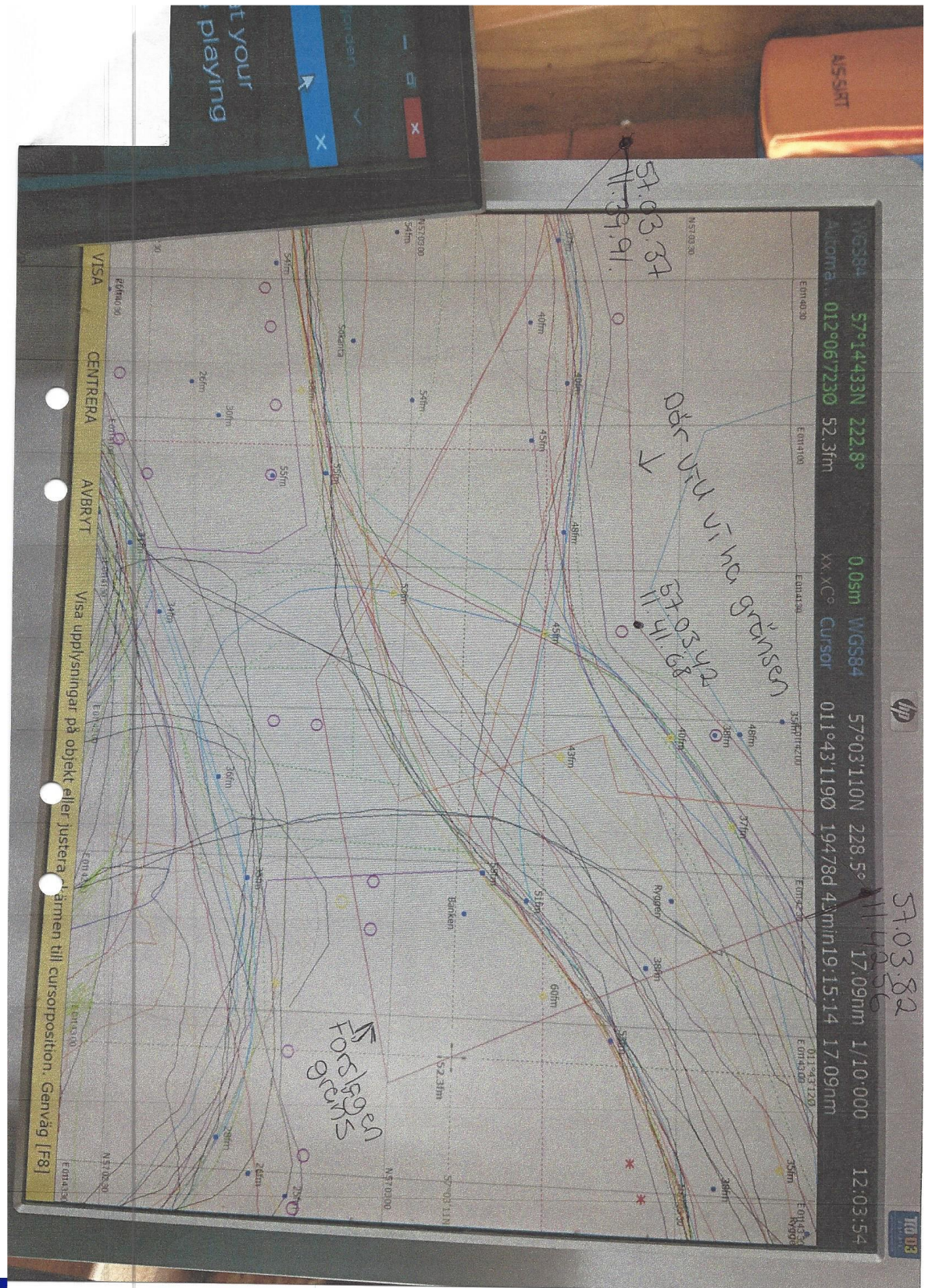
The Other Interest Groups support the enforcement of the fishing through AIS and that the small MPAs are connected in a larger AIS zone. However, they note that the MSFD areas are small and fragmented and have heavy fishing activity surrounding them which makes it unlikely that the conservation goals for these areas will be achieved. Of the Natura 2000-area *‘Kims top og den kinesiske mur’* reef only one fourth will be protected, this disregards the role of the wider ecosystem on a healthy reef ecosystem, by e.g. removing so much of the large predatory fish that are important components of the reef’s health.

### **OIG Advice**

The Other Interest Groups would advise that implementation of U2 category areas take the functions of the ecosystem as a whole into account and ensure the method of protecting the reefs as being effective/adequate.



## **Annex**



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