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DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

Director-General

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**Subject: NWWRAC advice on cod recovery**

Dear Mr. Lambourn,

Thank you for sending me the NWWRAC's advice concerning cod recovery. I will reply under specific headings concerning the issues you raise.

**Cod avoidance plans**

I take note that you are proposing "individual vessel cod avoidance plans" as an alternative measure to promote cod recovery, rather than further reductions in effort or more detailed technical measures to improve species-selection of fishing operations ("cod decoupling").

The idea of setting the initiative to maintain low cod catches in the hands of fishing master is an attractive proposition. It could, as you argue, improve the participatory nature of fisheries management and provide an incentive for the fishers involved to manage their fishing operations actively so as to reduce cod catches.

At this stage I would like to raise a number of questions concerning the proposal in order to understand the details somewhat better. I hope the RAC can be forthcoming on these practical aspects.

1. In the 2007 Fishing Opportunities Regulation for 2007<sup>1</sup>, it is already foreseen under special condition 8.1 (d) of Annex IIa that fishing vessels that catch less than 5% of cod

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<sup>1</sup> Council Regulation (EC) No 41/2007 of 1 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required. O.J. L 15 20.01.2007 p.1

during a fishing trip and are monitored with an observer on board would receive an additional 171 days in VIa and an additional 194 days in VIIa when fishing with 100-120mm trawl and seine gear and (in the North Sea and Skagerrak) unlimited days at sea (for example). Could the RAC explain in what way the "cod avoidance plan" would be different in substance from the application of this rule, and how it could contribute to reducing fishing mortality on cod?

2. How could a low annual cumulative percentage of cod catch (including discards) be enforced unless an observer is present on board at all times when fishing?

3. What penalties would apply to vessels in breach of the conditions of the cod avoidance plan?

You will be aware that the EC recently adopted in the EC-Norway context an objective to reduce discarding of cod to 10%. Given that the state of the cod stocks in western areas is worse than in the North Sea, it would seem reasonable to adopt a discard reduction objective that is no less ambitious than that adopted there.

### **Time-limited voluntary temporary closures**

This system too is attractive in principle. However, as no closures have been triggered by this system yet, the system does not have a track record of demonstrated effectiveness. Further adaptations would seem to be needed. While the Commission is supportive in principle, I do not consider that this conservation measure has been developed to the extent that it can begin to replace traditional measures of managing fishing opportunities, such as by quotas and effort levels.

### **Nephrops**

I understand that you consider that improving the escapement of whitefish from Nephrops trawls can be improved by means of escape panels or grids rather than a mesh size increase. I would invite the RAC to recommend specific details of such fishing gear, if possible together with an evaluation of the expected benefits and consequences. There is quite a significant background of scientific research on this topic, and I expect the RAC will be able to draw on that in formulating its reply.

As there is a severe conservation problem concerning whiting in both the Irish Sea and West of Scotland, I would also invite the RAC to take account of measures that improve whiting escapement.

### **Haddock**

I fully agree that improved data reporting will be useful in improving the stock assessment. However, there are clear benefits to moving to lower fishing mortality rates in the context of a long-term plan, as has been found in the North Sea fisheries. I am keen therefore to develop this debate further in 2008, particularly for the West of Scotland haddock.

### **Rockall haddock**

I agree with the need to pursue a solution to managing this stock through NEAFC. My services will be developing this issue next year.

### **Anglerfish/Monkfish**

Clearly serious improvements in data reporting and assessment are necessary concerning this stock. In the meantime, it is necessary to ensure that fishing effort does not increase. This is difficult to ensure while the largest part of the fishery takes place outside the zone where fishing effort is managed through days at sea. I would therefore ask the RAC to consider what measures can be taken to ensure that fishing effort does not increase in that part of the shelf-edge fishery where monkfish are caught and which is outside the zone covered by "Annex II" effort management.

### **Clyde and Windsock Closures**

We shall need to revert to this matter during the discussion on technical measures next year.

### **Cod by-catch provision**

I note that the RAC requires further time to consider this. I look forward to receiving your reply in due course.

### **Setting the Cod TAC**

I regret that the RAC considers discussions on this point redundant. As I mentioned above, the time-limited temporary closures and the cod avoidance plan do not yet have a proven benefit in stock conservation.

### **Cod in the Celtic Sea**

An evaluation of the "Trevose" closure has been addressed to ICES and to STECF. ICES' advice is now available and has been endorsed by STECF. While it is not easy to separate out the effects of the various changes affecting the cod stock, it would seem that the closure has probably had a small but positive effect on cod conservation. A greater positive effect probably arises due to a 65% reduction in fishing effort by the French fleets in the area.

You will be aware that this stock has been assessed as being still at a very low level, though there are encouraging signs that the fishing mortality is decreasing towards sustainable levels. Various options for further management will still have to be discussed in the context of the management of Irish Sea fisheries.

### **Cod in the Irish Sea**

The latest ICES figures show the fishing mortality at a very high (and still increasing) level, and that the spawning stock size is at the lowest level ever. Clearly, neither the industry-advocated system of closures nor the existing system of limiting days-at-sea has been adequate to provide for recovery of this stock. A re-examination of this question will be necessary, with a focus on the vessels that are catching cod.

### **Cod in the Eastern channel**

Thank you for drawing attention to the "SAUPLIMOR" grid. A reduction in cod discarding to 10% for the North Sea by means of cod avoidance plans, improved technical measures and effort reductions has been part of conservation measures agreed with Norway for 2008. I would appreciate your views on the possibility of extending that approach to zone VIIId, and possibly even to other areas.

**Conclusion**

The Commission will be following up the review of the cod recovery plan further in 2008. I would like to thank the NWWAC for its work in building a constructive dialogue on the issues raised. Clearly however, more needs to be done concerning conservation measures in respect of ensuring that cod stocks in western waters will be able to recover.

Yours sincerely,



Fokion Fotiadis