

DRAFT OVERALL REPORT

NWWRAC Focus Group on Cod Recovery Strategy

CNPMEM - Paris, 17 July 2007

9:45-16:00h.

Participants:

Barrie Deas (Chairman)
Sean O'Donoghue (Spokesperson WG1)
Jacques Pichon (Spokesperson WG2)
Lorcan Kennedy (Spokesperson WG4)
Gerard O'Flynn
Ian Gatt
Luc Mellaerts
André Leberre
Marc Ghiglia
Julien Lamothe
Paul Trebilcock
Alexandre Rodríguez (NWWRAC Secretariat – Overall Rapporteur)

Mike Armstrong (Scientist)
Norman Graham (Scientist)

Hélène Syndique (Observer)
Olivier Letoré (Observer)
Julie Rigaud (Observer)

PLENARY SESSION OF FOCUS GROUP ON COD (morning)

Rapporteur: Alexandre Rodríguez

Welcome and Adoption of the Agenda

- Welcome

The Chairman welcomes participants and briefly explains the steps taken for this Focus Group to come about: Cod Symposium; letters from the Chairmen of the North Sea RAC and the NWWRAC addressed to the Commission requesting the creation of multidisciplinary study groups regionally-area based; drafting and circulation of an overarching paper for comments and endorsement amongst Executive Committee members.

Furthermore, the Chairman stresses the need to consider specific replies to certain questions raised in the Commission's Non-Paper on the Review of the Cod Recovery Plan.

- Adoption of the Agenda

At the proposal of Lorcan Kennedy and as agreed by all participants, the Chairman decides to make some changes to the agenda and cut the duration of Working Group 4 down to one hour, thereby enabling a wider discussion of the overall topics to be dealt with. Working Group 3 questions in this interval of extra time. This possibility of giving some time to discuss questions related to NWWRAC Working Group 3 (English Channel) is dismissed given that cod recovery plans are largely based on areas within the English Channel comes under the scope of application of the North Sea RAC.

No further changes are made on the agenda, so it is adopted as such.

Structure and Procedures

- Structure:

The Chairman reminds participants that the conclusions drawn by the Focus Group, and the actions proposed, must be reported back to the respective Working Groups of the NWWRAC for debate and discussion, either in forthcoming meetings or by electronic means. Subsequently, these proposals are to be forwarded to the Executive Committee for their appraisal and, where appropriate, adoption.

- Procedures:

Participants are asked to choose between one of these two options:

- a) Inclusion of the specific questions stated in the Commission's Non-Paper into Barrie's overarching paper currently under circulation; or
- b) Drafting of an independent document separately considering the specific regional nature of each area.

The second option is chosen and it is agreed to proceed as follows:

- The Chairman shall draft an introductory covering letter to the overarching paper to be submitted to the Commission. This letter shall clearly explain that this overarching paper reflects the conclusions drawn from the Cod Symposium, but it should not be regarded as a reply from the NWWRAC to the Commission's Non-Paper on review of Cod Recovery Programme.

- This Focus Group will develop a position paper analysing the various questions raised by the Commission for each area under its scope of action. It is deemed that such a reply shall require a longer period of time than the one set up by the Commission (30th of September). Therefore, it is agreed to seek from the Commission an extension of the above mentioned time period.

This reply shall provide an individual opinion for each area of interest, delivering different solutions for different areas (West of Scotland and Ireland, Celtic Sea and Western Approaches, and Irish Sea), thus rejecting the "*one-size-fits-all*" approach.

Furthermore, several participants expressed their concern about the possibility that, in 2008, there will be no changes on the cod recovery plan, as approval for the next Regulation is expected for 2009. Thus, it is necessary to consider how to proceed regarding this interim period and outline a plan with specific provisional suggestions to be submitted to the next Executive Committee (for instance, to avoid a new application of Annex 2 of the current TAC and Quota Regulation).

The NWWRAC Secretariat briefly explains to participants the timescales and the schedule for submitting proposals for arranging new Focus Group meetings with the aim of including such meetings costs within the budget for NWWRAC financial year 3. The Secretariat also puts forward the possibility of appointing one rapporteur per Working Sub-Group to draft a regional-based reply to some of the questions included in the Non-Paper.

ACTIONS:

- The Chairman shall work on an introductory covering letter to the overarching paper.
- Focus Group members shall agree an estimated date and the NWWRAC Secretariat shall start with the Focus Group's next meeting arrangements, which is to be held prior to the meeting of the next Executive Committee (27th of September).
- One or more rapporteurs shall be chosen to draft replies to Non-Paper questions and submit a brief report before the Focus Group's next meeting.

Appointment of Spokespersons for each regional Working Sub Group

Spokespersons unanimously chosen from the participants at the meeting are:

- Sean O'Donogue for Working Sub Group 1 (West of Scotland and Ireland)
- Jacques Pichon for Working Sub Group 2 (Celtic Sea and Western Approaches)
- Lorcan Kennedy for Working Sub Group 4 (Irish Sea)

At the afternoon session spokespersons shall briefly summarize the conclusions drawn from their respective working sub-groups and forward a report containing the key points of these conclusions to the Secretariat to the NWWRAC forthwith.

SUB-WORKING GROUP 1 – West Of Scotland and Ireland (ICES AREA VI)

Spokesperson & Rapporteur: Sean O'Donogue

The first task this sub-working group discussed was the identification of the relevant issues that should be addressed in relation to cod recovery in Area VI.

The issues identified were:

1. Level of fishing activity in Area VI for cod in terms of landings and effort over the last number of years, and the role of further TAC reductions.
2. The quality of the scientific assessment and whether or not improvements could be suggested.
3. The issue raised in the Commission's non-paper on cod recovery in terms of decoupling in the Area VI context. In particular the decoupling of anglerfish from cod.
4. Whether or not the cod fishery in Area VI could be considered as a by-catch fishery?
5. The appropriateness of mesh size increases in the different fisheries.
6. The Commission's non paper seeks advice on Haddock in Area VI and how could a long term plan be developed for the West of Scotland haddock, consistent with the North Sea haddock plan, which benefits cod in Area VI.
7. Should the mesh size for the saithe fishery in Area VI be increased from a 100mm to 110mm or 120mm?
8. How important is the cod fishery in Area VI and what measures can be introduced to ensure that other fisheries are not affected to a degree that they become uneconomic?
9. Can closed areas and real time closures play a significant role in cod recovery in Area VI?
10. Will different effort regimes exist for a range of species and how practical is such a scenario?

Time constraint did not permit the Sub Working Group of Area VI to consider all the issues/questions raised in the 10 items listed. Six of the ten items were discussed to a varying degree. The outcome to these discussions is summarised below.

- a. **Effort, landings and TAC reduction:** The scientists present (Norman Graham and Mike Armstrong) confirmed that landings and effort data for cod in Area VI have shown a significant decrease over the last number of years. The effort in 2001 measured in kW/days for the fleets fishing a mesh size of 100mm plus was 8.3 million kW days. This was reduced to 2.1 million kW days by 2006, a 75% reduction in effort. Similarly the landings of cod in the same period reduced from 2347 tonnes to 483 tonnes a reduction of 80%.

TAC reduction Area VI: The Group agreed that any further reduction in TAC for Area VI from the present level of 490 tonnes was pointless and counter productive as it would lead to increased discarding of cod. The Group also considered that at a level of 490 tonnes the cod fishery in Area VI was effectively a by-catch fishery (see comments below on the by-catch issue).

- b. **Scientific assessment cod Area VI:** The scientists informed the group that the cod assessment in Area VI was unreliable, that total mortality was still high even though it was declining, that the spawning stock biomass was increasing but still below B_{lim} and that a problem existed with unaccounted removals. It was suggested that the implementation of the buyers and sellers registration should solve the fishing part of the unaccounted removals. This still left seal predation and other factors to be taken into account in the unaccounted removals.

In light of a suggestion from the scientists the group agreed that a complete scientific audit of cod in Area VI was required, covering amongst other issues the unaccounted removals, an accurate assessment of fishing effort, the type and frequency of surveys, and the involvement of the stakeholders in the collection of data and assessment process.

- c. **Closed Areas & Real Time Closures:** There are three closed areas in Area VI, one of them (the Windstock closure in the northern part of Area VI) being included in Community legislation. The other two (Greencastle & Clyde) are national closures implemented by Ireland and UK respectively. The Cod Symposium held in Edinburgh had identified the need for assessment of the Windstock closure. The scientists considered that this assessment would prove difficult particularly in the absence of baseline data; however they still considered that the Windstock closure was a useful tool in the protection of the cod stock in Area VI. On this issue, Ian Gatt remarked that the Scottish industry has developed a project to carry out an evaluation of the Windstock closure, expected to be finished before the end of March 2008. On the other closures, the scientist considered that both Greencastle and Clyde closures had a role to play in the recovery of the cod stock in Area VI.

Ian Gatt tabled a very interesting concept in relation to the real time closures. Ian explained that the Scottish industry, scientists and administration had identified a number of juvenile cod areas in the North Sea and West of Scotland suitable for real time closures. This industry-science partnership has already approved five projects to be undertaken. These projects are proposals to close these areas on a voluntary pilot basis using an agreed set of defined criteria, covering such issues as length of closure (21 days), a triggering mechanism for closure (more than 60 cod less than 35cm in a one hour toe) and size of a closed area (15 miles square area). The Group were very interested in this concept and Ian agreed to circulate a written document on the concept to the Group in a couple of weeks time, for their consideration and for further discussion at the next meeting.

- d. **Designating the Cod Fishery in Area VI as a by-catch fishery:** The Group agreed that effectively the cod fishery in Area VI was a by-catch fishery. However the Group considered that further detailed discussions were required before it could recommend that a by-catch provision for Area VI cod be enshrined in Community legislation.

For example the discards issue, percentage by-catch figure or quantity adopted needed further analysis. It should be noted that the Group wished to re-iterate that discussing a by-catch provision for Area VI cod has no implications whatsoever for the other cod recovery areas. In fact in their view it highlights the needs for different solutions for different areas.

- e. **Decoupling:** The Group considered that decoupling cod from other species was desirable. A difficulty with decoupling arises in trying to obtain the necessary data showing the absence of cod in a particular fishery that can vary from vessel to vessel in same grounds and is also dependant on the fishery targeted by the vessel. It was agreed that this was a complex issue and probably required an individual vessel catch plan. This discussion then led into Barrie Deas putting forward an idea of a cod avoidance individual catch plan for each vessel.

The Group agreed that this idea merited further consideration and asked Barrie Deas to produce a draft for discussion at the next meeting scheduled for the 12th September. The Group agreed that a cod avoidance catch plan for each vessel must if accepted be real and verifiable. The Group also considered that such a cod catch avoidance catch plan for an individual vessel, provided it was real and verifiable, could lead to a situation that an individual vessel was (no?) longer under the effort restriction regime for cod and that it could also play a very important role in addressing the discards issue.

- f. **Mesh Sizes Increases:** Based on information supplied by the scientists the Group agreed that a mesh size increase in the Nephrops fishery from 70mm to 80mm was of no benefit to cod. There was no consensus on increasing the mesh size in the saithe fishery from 100mm to 110mm or 120mm. The Group did agree to consider other gear modifications other than mesh size increases, such as escape panels; grids etc as they believed these offered a real possibility of allowing cod escape.

The Group due to time constraint was unable to cover the other items listed at the beginning of the meeting and agreed to discuss these under the heading of the Commission's Consultative points for Area VI and to further elaborate on the other issues discussed above during the next meeting.

SUB WORKING GROUP 2 – Celtic Sea (ICES AREA VII except a, d & e)

Spokesperson & Rapporteur: Jacques Pichon

The members of the working group consider that the issues raised by the Commission in their Non-Paper must be reviewed in the light of the information provided by the ICES working group responsible for stock assessment that met in June 2007.

These elements reveal that:

Fishing mortality continues to decrease; this tendency, which started in 1999, has accelerated since 2005, the date on which the management measures recommended by the industry was implemented (Trevose Head box). Fishing mortality was estimated at 0.59 when it was still higher than F_{pa} (0.68) in 2005.

The total fishing effort of vessels fishing for Cod keeps on decreasing. This decrease is mostly due to a change of activity of the French trawlers responsible for about 60% of annual landings.

However, one must note that the reduction observed on the English, Belgian and French fleets are partially compensated by the increased effort of the Irish element of the fishing fleet present in area VII f g. The effects of the reduction in fishing pressure on the spawning biomass can only be measured from 2005, when a slight increase was recorded. Before that year, biomass had continued to decrease despite a reduction of the effort exerted on the stock. This weak progress is due to the succession of weak recruitment since 2002.

The group doubts the validity of the recruitment figures adopted by the ICES. It appears that some indexes of available resources spotted by fishermen were not noticed by scientific campaigns.

- The scientists confirmed that the data available for the assessments is insufficient. In particular, it appears that the assessment of catches is rendered difficult by the large reject rate, whose volume and composition were not very well known.

They also confirm that the key question for improving the situation of this stock concerns the preservation of juveniles so that recruitment, however weak it may be, may enable biomass to increase. To that effect, selective technical measures could be useful, or area closure measures in real time. They remind us that, according to them, it is impossible to assess the box results. They are convinced that these effects are positive as they facilitated a reduction in the fishing effort, notably by French trawlers. This said, even if the evolution observed is encouraging, important progress remains to be made in terms of reduction of effort with a view to the long-term management of the stock (MSY).

- On the other hand, the fishing industry representatives declared that the box was established in the Celtic Sea in order to protect the brood stock during the spawning period. This proposition was made as an alternative to the implementation of a day at sea regime.

Despite their repeated requests, the results of this measure were not assessed. The professionals deny the STECF allegations, taken up by the Commission, according to which the results of the box would be void due to the transfer of effort generated by its application. On the one hand, the work carried out by IFREMER, ILVO and CEFAS confirm their convictions; on the other hand, the reduction in fishing mortality and the recovery of the biomass are very encouraging signs. In addition, the results of the system set up by the EU in other areas (annex II – days at sea) proved very disappointing (STECF assessment adopted by the Commission).

Based on these assessments, the group recommends:

- For 2008, the regime of annexe II of the TAC and Quota regulation (regulation of days at sea per gear) must not be applied in the Celtic Sea, as it would result in an increase of the effort on Cod.
- For 2008, the Cod Box as specified in annexe III of the TAC and Quota regulation should be maintained.
- In the medium term, protection measures for juveniles could be considered, but the selectivity measures (grid, escape panel, ...) are better adapted to the protection of juvenile cod than increases in mesh size. These measures should be adapted to the multispecific character of the area.
- The closures of the box for the protection of juveniles could be examined.
- Scientific assessments must be improved by taking rejects into account. Collaboration between professionals and scientists will have to be sought.
- The effects of the eventual implementation of the plaice and sole management plan, of a reduction of cod by-catches in nephrops fisheries, should be discussed with the stakeholders directly involved in these activities.

SUB-WORKING GROUP 4 - Irish Sea (ICES AREA VIIa)

Spokesperson & Rapporteur: Lorcan Kennedy

Key points and recommendations

- The principal fishing activity in Area VIIa is a directed Nephrops fishery with smaller scale Beam Trawler, Whitefish trawling and Seining activities.
- Significant decreases in effort are noted in the past five years although mortality is ostensibly too high – although qualifications as to data quality overshadow the assessments. With this caveat in mind, it is clear that while the absolute quantities may be at issue, that no significant improvement in the Cod situation can presently be identified by ICES.
- It is noted that Area VIIa was the subject of the first wave of Cod recovery plans and that there have been Area Closures in place with a series of derogations since 2000.
- It is further noted that STECF are to review and evaluate the Area VIIa closures in November 2007 as well as Area VIIa being part of the overall Cod Recovery programmes during 2008.
- A certain level of frustration exists that significant changes in stock abundance of Haddock, for example, have not proved possible to incorporate into assessments within appropriate timeframes.

The major development in Area VIIa is the joint Industry / Science Data Enhancement / Discard Study which has just commenced with the full support of National Administrations and Stakeholders. This has the potential to dramatically improve quantitatively and qualitatively the data upon which future assessments can be based and indeed to provide data in respect of a range of applications.

- The targets for stock rebuilding in terms of stock size and trajectories need to be reviewed as a prerequisite to the overall evaluation of Cod Recovery plans to take place in 2008.
- The specific geographic and characteristic fishing patterns in Area VII likewise must be identified and not selected on the same basis as North Sea, Celtic Sea or West of Scotland areas.
- Future regulatory measures should be the subject of regulatory impact assessment to take account of the social and economic consequences as well as biological impacts.
- Some doubt was cast at the meeting as to the Commission's reference level of 4.4m Kw/Days, and whether this is in fact closer to 5m Kw/Days.
- The impact of increases in mesh sizes was a topic of discussion. For example, increasing minimum mesh size from 70mm to 80mm was seen as having no beneficial effect for Cod or Haddock, whatever about Nephrops. This is not to say that general increases in Nephrops minimum mesh sizes should not be considered.
- The key technical approach in respect of fishing gear must be in improving selectivity to protect juveniles of key target stocks, as well as spawning adults of the same species – an incentivised cod-avoidance approach. This may not include elimination of such by-catches, but better targeting as a result of design, having regard to the economic significance of some whitefish by-catches in Nephrops fisheries.
- The desirability of incentivising outcomes in terms of selectivity and mortality targets, possibly spatially and seasonally differentiated to relate to spawning aggregations, was discussed.

Overall, the view is that while there is significant potential in the application of technical measures and gear design, scope for review and reform of the approach to closed areas, that 2008 should be used to pilot or test the real-time application of an agreed series of measures, pending the results emanating from the Industry Science study and the EU Commission's review of Cod Recovery.

The latter must include consideration of alternatives to says-at-sea restrictions as the principal policy tool to be applied.

Changes in the current management regime including available days at sea in advance of such analysis, evaluation and work programmes will serve no useful purpose and possibly be counter-productive to the general aim of cod recovery.

PLENARY SESSION – FOCUS GROUP ON COD (afternoon)

Rapporteur: Alexandre Rodríguez

Summary report: key points and recommendations for each Working Sub Group

Given the diverse and complex nature of the issues at stake, it is agreed to postpone presentation of the key points until the drafting of the meeting overall report, in which each spokesperson clearly expresses what the main conclusions drawn were (see epigraphs on different working sub groups).

ACTION: Each spokesperson will submit a copy of their report to the NWWRAC Secretariat on the key ideas and conclusions adopted in each sub group forthwith.

General reply to the Commission's Non-Paper

The participants agree that this point has been sufficiently discussed and agreed at the morning session (see Procedures section of point 3).

Reading of André Leberre's Letter and Comments

It is considered that this proposal has a series of advantages and drawbacks that should be carefully looked at before a final decision is reached. Cod is regarded as not one of the most suitable pilot species and it is suggested the possibility of evaluating this action for other species first (such as pelagic ones). Moreover, it is noted that neither Member States nor the Commission seem particularly keen to back this proposal.

ACTION: It is decided to consider this proposal for study in subsequent NWWRAC working groups and the Executive Committee.

Determining future tasks – Reference terms, group size, schedule, translation and interpreting requirements, etc.

The date of 12th of September and the venue of Dublin are initially agreed for the focus group's next meeting, as many of his participants will also be attending a TCM seminar in the same city on 13 and 14 September. Its duration is yet to be decided, although a half-day (morning or afternoon) could be sufficient. The meeting shall involve a brief discussion on the approaches to the replies to the Non-Paper, taking as basis the proposals included in this report and the subsequent reports submitted by the appointed rapporteurs.

ACTION: To study the existing funding options and making arrangements for the meeting.

AOB

No comments.

Closure

The Chairman thanks the members for their participation and the translators for their work, and considers the meeting as highly productive in terms of output and conclusions drawn.

The meeting is adjourned at 16 h.