

REPORT

FOCUS GROUP ON SKATES, RAYS AND SHARKS

Ministry of Environment, Rural and Marine Affairs – Madrid

Friday 16 September 2011

14:00 - 17:00

Chairman: Eibhlín O’Sullivan

Rapporteur: Alexandre Rodríguez

1. Welcome

The Chairman of the Focus Group, Ms O’Sullivan, welcomed all attendees to the meeting and invited all members and observers around the table to give a brief introduction of themselves. The list of participants, and the organisations they represent, is detailed in Annex I.

Apologies: Alexandre Rodríguez (Secretariat) recorded apologies from Conor Nolan (NWWRAC Executive Secretary), Sean O’Donoghue (KFO), Daniel Lefèvre (CRPBN), Jacques Bigot (CFTC), Víctor Badiola (OPPAO), Arianna Broggiato (EBCD), Sonja Fordham (Sharks Alliance), Ali Ross (Shark Trust) and Kara Brydson (RSPB-Birdlife International).

Agenda: The Chairman indicated that the agenda had been slightly revised and previous item 3 (Input from national initiatives) had been moved now to 4. This observation was noted by the members, and the agenda was adopted without any further changes.

Setting the scene:

The Chairman gave an overview on the outcomes of the initial discussions held at Channel Working Group (WG3) meeting held in Dublin Castle the 6 July. She also reminded the group that it was decided at the WG3 meeting to establish to discuss in more detail the Irish proposal on a LTMP for Rays and Sharks for ICES areas VI and VII, as well as other initiatives and proposals from member states in relations to these stocks and also sharks.

Ms. O'Sullivan outlined to the group the terms of reference and objectives of the meeting and gave the floor to Maurice Clarke, scientific expert from Marine Institute in Ireland and member of the ICES WG on Elasmobranchs, to provide a brief overview of the current ICES Advice on Skates and Rays, the main features being:

- Advice formulated on a biannual basis (2010-2011)
- No targeted/zero catch for some vulnerable species
- Unusual case for undulate ray: Commission's decision on a total ban for catching/retaining on board / landing is not consistent with ICES advice (unable to provide advice until they collect more information or evidence).
- Advice for reduction in level of catches is advised for Cuckoo Ray

Jim Ellis (CEFAS) added that ICES will be providing new advice for skates and rays (2012) for West of Scotland, Irish Sea and Celtic Seas eco-region next year for the period 2012-2013.

A link to ICES advice is also available for consultation at the NWWRAC website¹

2. Proposal for a Management Plan for Skates and Rays in ICES VI and VII – J. Lynch (IFO/ISEFPO)

2.1. Update on the proposal – scientific and technical considerations

Mr. Lynch summarised the fundamental key points of the proposal put forward by the Irish fishing industry and backed by scientific expertise from Marine Institute in Ireland which had received input from some NGOs.

The content of the LTMP proposal is available for consultation at the NWWRAC website².

¹ http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=512&language=English

²

http://www.nwwrac.org/admin/publication/upload/DRAFT_Proposal_Management_Plan_Rays_Skates_VI_VII_210611_EN.pdf

The Chairman thanked Mr. Lynch for his presentation and opened the floor for discussion.

2.2. Open discussion and debate from the floor

**** The representatives of the fishing industry made the following remarks:***

Paul Trebilcock (CFPO - UK) expressed his organization's opposition to the proposal of landing the whole bodies of the ray specimens instead of wings only and requested this requirement be removed as this would be detrimental for the Cornish fleet for reasons of operational and market nature. He asked for clarification and comments on this aspect of the proposal.

He also warned that the underlying principles of prohibitions of landings could imply wider implications for other fisheries beyond rays (e.g. case of prawn tails).

Don Thompson (Jersey Fishermen's Association-NFFO-UK) considered the Irish proposal a good starting point framework to operate. However, he agreed with Paul that was necessary to work and refine it so it can be tailored to market demands. He recalled that fishermen targeting rays adapt their exploitation patterns depending on what is demanded by buyers and/or customers. A by-catch proposal could be acceptable but only for exceptional and well-defined cases.

Barrie Deas (NFFO-UK) found the exchange of views and dialogue in this forum very useful and advocated that this opportunity should be used to work towards building consensus and finding common ground for the preparation of a NWWRAC position paper on this matter.

Mr. Deas highlighted that one of the drivers of this topic is the blunt measures applied by the Commission in relation to rays (i.e. zero TAC, 25% reduction for data poor stocks, etc.). Although it is a fact that some species of rays are facing of depletion, it is no less true that there are substantial problems of identification and deliver the required data. A more tailored approach is needed and we should aim to develop a framework to analyze the situation of the fisheries on a species by species and area by area basis. This will allow us to provide a menu of measures that matches those stocks at risk of depletion.

While the NWWRAC has discussed in the past concrete proposals on management measures, we would perhaps need to think first about the framework and include different categories: survival rates, TCMs, long term widespread surveys, etc.

The above mentioned framework should fit in the wider context of CFP reform (including its discards policy) and multi annual long term management plans, and should be in accordance with the ecosystem based approach. External presentations on “good practices” in non-EU waters or fisheries could be useful in formulating ideas.

Jacques Pichon (ANOP-FROM Bretagne-PMA France) stated that the general objective of fishing professionals is to protect the resources while ensuring a way of living for fishermen. The French fishermen are working closely with IFREMER and the Collège de France to identify practical management measures that can be feasible to apply in practice. Better data is required and more precise information about landings is needed on a species by species (different “taxonomic” categories), metier by metier, port by port basis. Also, a better explanation of the scientific methods used to evaluate the state of the stocks would be desirable.

It is particularly important to adapt management of different species of rays to the local reality of each of these species. He does not agree with Commission’s blunt decision of imposing a landings ban, giving two examples:

1. Common skate: there is still a great deal unknown in relation to the biology of this species. It seems evident from recent scientific studies that there are in fact two distinct sub species of common skate.
2. Undulate ray is another extreme case which merits further study.

Therefore, a more profound understanding is required before implementing any LTMP or additional technical measures. Remedial measures which will help to overcome this lack of understanding would be:

- More detailed report of catches/landings by species
- Development of fisheries/science partnerships
- Study of the effectiveness of technical measures and impact assessment of those not only in biological but also in socio-economic terms

Mr. Pichon stressed that it would be useful for future meetings to have a full scientific presentation from ICES representatives on the state of the different species of interest for the European fishermen.

Mr. Pichon understood from a recent presentation of ICES advice that cuckoo ray is considered an endangered species and he would not agree with that, given his knowledge as 50% of the landings of this species is caught by French vessels.

Emiel Brouckaert (Rederscentrale - Belgium) asked the reason behind the inclusion in the proposal of the requirement to land the rays species separately, as it was not clear if that meant to store them separately in the hold of the vessel.

Hugo González posed a question in relation to scientific studies about the incidence of catches of rays in a context of mixed fisheries and the implications of adopting technical measures (e.g. increase the mesh size, setting a MLS, seasonal closures...) which should also take into account the implications for other valuable commercial species. He warned that it would be dangerous to relate reduction of TACs to activity of fleet for a reference period. He noted that the Spanish fleet have an important by-catch fishery for rays.

*** *The representatives from the Environmental NGOs made the following remarks:***

Iwan Ball (WWF) supported the proposal of inclusion in the requirement to land the whole body to help in identification of different species of rays. He also mentioned that this could lead to presenting a superior product that could achieve higher value in the market.

John Woodlock (Irish Seal Sanctuary) congratulated North Devon FA for their initiatives and efforts towards a sustainable exploitation of ray stocks.

Sonja Fordham was absent at the meeting but submitted a letter sent to the Commissioner Damanaki on 31 May 2011 stating the position of Shark Advocates International and Shark Alliance with regard to the EC consultation on the 2012 fishing opportunities related to the Community Plan of Action for Sharks. This letter is available for consultation as background paper at the NWWRAC website³.

3

http://www.nwwrac.org/admin/publication/upload/Letter_Commissioner_Damanaki_CPOA_EU_TAC_Sharks_SAI_SA_310511_EN.pdf

*** *The scientific representatives made the following remarks:***

Jim Ellis (CEFAS) said that there are associated problems with landing the whole body of skates and rays, and a differentiated approach should be considered by species and area. He suggested that a few species might be landed in whole body and then the rest of species could be allowed to be landed in accordance with market requirements.

Regarding undulate rays, a landing ban proposal had proved to be non effective and he encouraged the NWWRAC to present alternatives. The problem here is how to achieve a sustainable exploitation of the fisheries and ensure measures adopted are enforceable.

Regarding cuckoo ray, he confirmed that this species was not listed as endangered species. However, ICES has indicated declining trends in the Celtic Seas, West of Scotland and Irish Sea areas according to independent trawl surveys. But they do not know what the geographical extension and situation of the stock of cuckoo ray is. This reiterates the need of a better understanding and improvement of existing knowledge of this stock.

Maurice Clarke (Marine Institute), in his capacity as scientific advisor of the Irish proposal for a management plan, expressed the willingness to revise the draft version of the plan, taking into account the comments received from the fishing industry members in relation to landing size, adaptative measures on a fishery by fishery basis, etc. The rationale of the Irish Proposal was to set in place, as a first step, an interim TAC decision rule that can be used for setting the TAC in future.

Mr. Clarke reminded the attendees that most skates and rays species are considered data deficient stocks and therefore it is very likely that an automatic reduction of 25% TAC will apply if the proposal of Regulation on Fishing Opportunities is supported and adopted at Council level. This will cause a significant increase in regulatory discards, especially in some countries where quotas are already limited in proportion to the capacity and targeted fishery.

Regarding the state of cuckoo ray, he agreed with Jim Ellis' comments that it cannot be considered as an endangered species and clarified that ICES advice is to reduce the catches. In relation to its geographical extension, the stock may be very large (including even part of the North Sea and Bay of Biscay) but ICES only has included in their advice sub-areas VI and VII. More information together with less noisy assessments (considering fluctuations on stocks, etc.) is required.

Finally, in relation to Emiel Brouckaert's question about the reason to land the ray species separately, Mr. Clarke replied that ICES requested to see data presented separately. It really does not matter about the way to present it or where to do it as far as it is a clear identification of different species.

*** *The representatives from the Member States made the following comments:***

Luke Warwick (DEFRA - UK) said that Government of United Kingdom would be supportive of any constructive solutions for a sustainable exploitation of rays fisheries coming from the NWWRAC.

*** *Mr. Lynch, Mr. O'Flaherty and Ms. Uí Aodha, in their capacity as presenters of the Irish proposal, replied to the majority of these questions from the floor as follows:***

John Lynch (IFO) said that the reason for proposing a landing of the whole body for skates and rays was to link it with the proposal on a minimum landing size (MLS), so it could be easier for Irish control authorities to identify different types of species.

Denis O'Flaherty (IFO) agreed with Hugo González that increases in mesh sizes could have implications to other commercial species (e.g. Dover sole) in the context of mixed fisheries. He also asked for clarification on how length of rays is measured as there seems to be different interpretations.

Caitlín Uí Aodha (ISEFPO), in emphasising the need for a management plan stated that agreement on practical measures to manage rays is crucial; otherwise we will face further severe reductions of TACs as proposed by the Commission based on the precautionary approach.

2.3. Actions agreed: proposed way forward / next steps

- Focus Group to work in a framework with the aim of identifying key areas for work and methodologies to improve information and knowledge on the species and developing consensus-based proposals on management measures for rays and skates in ICES sub-areas VI and VII. This framework should fit into the wider context of CFP reform and multi annual long term management plans, and should be in accordance with the ecosystem based approach to fisheries management.

- Secretariat to invite representatives of ICES Elasmobranch Group to participate in future meetings and make a presentation on the state of the stocks and the distribution patterns for each species.
- Secretariat to produce a detailed meeting report and Maurice Clarke and the Irish authors of the proposal on a LTMP to include all comments received to revise substantially its content, broaden the scope to recognise regional differences, and the requirement for more tailored measures on this basis.

3. Management measures for Sharks: Porbeagle and Spurdog

3.1. Draft proposals for rebuilding the stocks – Paul Trebilcock

Paul Trebilcock reminded the attendees that extensive discussions took place in previous years at Working Group level in relation to management measures for spurdog and porbeagle. However, consensus was not achieved between fishing industry and NGO representatives so the proposal never become formal NWWRAC advice.

Two letters were drafted stating the concern that the effect of a zero TAC has resulted in an increase in discards and had neither helped in reducing F nor rebuild the spurdog and porbeagle stocks, respectively. It was proposed that a replacement of zero TAC constraints by the introduction of by-catch percentages accompanied by monitoring programmes to measure its effectiveness and also to study the survival rates of caught animals that are returned to the sea. This would have a positive effect on reducing misreporting and uncertainties in the distribution and abundance of these stocks. Also the maintenance of a maximum landing size for both spurdog (100 cm. length) and porbeagle (200 cm. length) was suggested as a technical measure to protect adult females. There was also stated the need to develop more sophisticated reporting methods and recording of data.

The present challenge for all the members of this Focus Group is to offer alternatives to the current situation. The NWWRAC should aim to implement measures to reduce discards, improve scientific data and understanding and ensuring industry buy in. The reality we have at the moment is zero TAC.

3.2. Open discussion and comments from the floor

John Woodlock stated that it is the responsibility of the industry to demonstrate that spurdog stocks are recovering. He would only accept an alternative to the ban if there is strong scientific evidence that there have been changes in the perception of the stock and that this has improved.

Jim Ellis clarified that most recent ICES assessment says that spurdog is not technically depleted although it is in big decline at approximately 90%.

Béatrice Harmel (CRPNEM Basse Normandie) said that she was in total disagreement with the zero TAC for tope to long liners in France under the same category as spurdog. This had not any scientific justification nor was endorsed by ICES.

Hugo González asked to devote more resources to scientific campaigns.

3.3. Actions agreed: proposed way forward / next steps

- Paul Trebilcock and Focus Group to circulate the original NWWRAC proposal adapted to the comments received. This proposal will be discussed and a proposed way forward agreed at a forthcoming Focus Group or Working Group meeting.

4. Presentations from national initiatives regarding rays:

All presentations below mentioned are available for consultation at the NWWRAC website.

4.1. Report on North Devon Fishermen's Association initiatives in relation to rays and skates in Bristol Channel and Celtic Sea (VIIIfg) - John Butterwith

Mr. Butterwith (NDFA-NFFO) gave a comprehensive presentation of the importance of rays in terms of landings (70% of total landings) and value of the catches for North Devon Fishermen Association on the Bristol Channel and Celtic Sea. He explained that NDFA has set in place a range of voluntary technical measures and also worked with CEFAS through diverse fisheries-science partnerships to improve gear selectivity (e.g. pilot test with SMP).

He stressed however that he did not intend to advocate for a single mesh size increase in a mixed fisheries where ray are not the majority of the catch composition, as this would lead to losses of high value species such as red mullet and bass.

He also agreed with Paul Trebilcock and provided some arguments and reasons to justify their opposition to the proposal of landing the whole body ray mainly due to operational (small storage capacity of inshore fleets) and economic (loss of profitability, demand only for wings, decrease in price and quality as they need to deliver fish to supermarkets and customers within 24 hours of landing) reasons.

Mr. Butterwith also manifested that identification is not going to improve with the application of this measure and so far identification has proven quite effective to be done by species at sea by only gutting wings.

A report prepared by William Lart (SEAFISH) on the status of skates and rays was included as appendix to the presentation.

4.2. French initiatives and contribution to management for skates and rays - Véronique Legrand

Ms. Legrand (CRPMEM Basse Normandie) presented the structure, objectives and methodology of two French projects based on industry-science partnerships which are due to be carried out in 2011 and 2012 mainly in the Channel, Celtic Sea and the Bay of Biscay. The main objective of both projects is to achieve a sustainable management of rays with the participation of fishermen.

Among the rays, there are species in danger which deserve a full protection; species that are supposed to be in danger but which there are not enough data (case of the undulate ray); and species which can still be fished. To avoid any automatic implementation of the precautionary principle, the priority is to improve the knowledge of rays on a species by species basis in order to evaluate (or review) their state.

Because of the above, and based on an analysis of scientific information available from ICES and data available from surveys and DCF, CRPBN and IFREMER designed two projects envisaged to obtain more information to re-evaluate the status of some rays species and acquire a better knowledge on fishing activities (RAIMOUEST) and biology (DEMERSQUALE) of these species. Particular insight was given to the case of the undulate ray in the Western Channel.

1) The RAIMOUEST Project, within the Western Channel (including Jersey) is centred on the activities of the fisheries (through a survey analysis), and the development of scientific indicators aimed at:

- * Gathering all the existing historical data, both scientific and sectorial / professional.
- * Collecting additional data (independent research scientific campaigns of the fisheries and monitoring of catches by fishermen).

The preliminary results indeed show a different degree of abundance or predominance between the species on the Eastern and Western Channel, the Celtic Sea and the Bay of Biscay (common skate and undulate ray in Western Channel, cuckoo ray in Celtic Sea and Bay of Biscay).

2) The DEMERSQUALE Project, within the Bay of Biscay and Western Channel, focus more particularly in the biology of Elasmobranchii, in particular its reproduction and migratory patterns (through a tagging programme of recaptured individuals).

A better knowledge of the species will make it possible to put forward more appropriate and effective management measures at small scale since the fishing areas are diverse in terms of species and gear types. Last but not least, the aspect of communication between local instances and EU institutions is crucial.

Alain Tétard (IFREMER) concluded that the idea is to give a clear picture of the stocks through surveys conducted by scientific observers that collect data at sea in normal fishing conditions. This allows taking into account the diversity of areas, gears utilised, composition of catches (including parts of catches that fishing vessels retain and parts they don't). These data are collected and processed by Member States within the Data Collection Framework (DCF) created by the Regulation (EC) No 199/2008. Therefore, there is a guarantee on the recognition and identification of species.

4.3. Proposal of Management of Undulate Ray – Don Thompson

Mr. Thompson (Jersey Fishermen's Association) made a detailed presentation from a fisherman's perspective of the history of the EU wide catching, retaining and landing undulate rays. This measure has resulted in a decrease in landings down from 179,000 kilos before year ban to 20,000 kilos in the year of the ban only for Jersey fishermen. This is a very illustrative of the impact of this measure in small fishing communities.

Mr. Thompson also acknowledged that the ban on undulate ray may have a huge detrimental effect for some fishermen in some areas, but not for others due to their patchy and local distributions.

This shows the difficulty to find a common understanding and perspective for common management measures in the whole areas VI or VII, and there is a need to see strengthening of data for all rays stocks in general and undulate ray in particular, as this has never been the subject of specific study. A tagging programme took place in 2006-2008 around Jersey, with almost 900 individuals tagged and 138 recaptured, most around the same area, which demonstrates that they gather in very local distributions.

The aim of these proposals is to achieve a reopening of the undulate ray fishery subjected to some safeguard measures such as maximum percentages of catch composition in landings.

Mr. Thompson ended his presentation putting emphasis on the fact that we cannot rely on a single measure but look at a whole range (“toolbox”) of technical measures and identify which ones we could use to improve these fisheries. The JFA has already proposed a number of technical measures that could help achieving a recovery of the stocks, such as for example a MLS of 76 cm from nose to tail. This proposal was jointly agreed between Jersey and France.

He said that the Irish proposal contained some elements that were acceptable and he remained opened to discussion to seek solutions to move away from TAC and quotas adjustments in all areas.

4.4. Open discussion and comments from the floor

* Undulate Ray

Jim Ellis said that if a ban on undulate ray were to be lifted, a clear alternative should be proposed which was also practical in terms of control and enforcement.

Mr. Ellis expressed doubts about whether a percentage of landings for rays was the most suitable measure, and suggested as alternative to consider kilograms per trip/fishing, as it would be probably easier to have a value rather than a proportion or percentage.

John Butterwith provided clarification that cuckoo ray only counted for 2% of overall quota for NDFA. He said that many cuckoo rays are caught but they are discarded because of its small size as a result of a MLS in place.

Maurice Clarke noted that, even though the undulate ray stock in SW of Ireland was depleted, there was a big proportion in the English Channel. He also reminded that quota for rays covers areas VIIde so there could be a proposal for measures such as setting a by-catch quota in the Channel.

* Common skate

Jacques Pichon affirmed that there was a problem in the Bay of Biscay with the landings ban for this species for some French vessels from Brittany as there was a relatively important fishery there. This seems also to be the case for some areas in Irish waters.

Don Thompson said that, from his own experience as fisherman, this is not a problem in the Channel as common skate was almost never caught in the Channel and around Jersey. He also recalled that there is a problem of identification of different types of rays caught between fishermen, and recording of data (by individual species) should be more robust and compliance of the duty to report should be improved by both small (under 10 m) and big vessels.

Véronique Legrand said that the state of play on knowledge of fisheries not only relies on scientists but also on fisheries organisations, and that industry must continue participating in management proposals and engaging in complementary work with scientists.

4.5. Actions agreed: proposed way forward / next steps

- Secretariat to ask to Spanish, Dutch and Belgian scientists to provide presentations or reports on works carried out by them on skates and rays.

5. Concluding remarks / Close of the meeting

Eibhlin O'Sullivan had to leave the meeting at 16:45 h and Sam Lambourn took over and acted as deputy Chairman for the remaining of the meeting.

The Deputy chair affirmed that this was a very fruitful meeting and thanked all participants, the interpreters' team for their excellent work, and the Spanish Ministry for hosting this meeting, and closed the meeting at 17:05 h.

ANNEX I

LIST OF PARTICIPANTS

NWWRAC MEMBERS		
NAME	SURNAME	ORGANISATION
Eibhlin	O'Sullivan	Focus Group Chair - Irish South & West FPO
Sam	Lambourn	NWWRAC Chairman - Skipper
Iwan	Ball	World Wildlife Fund (WWF)
Ted	Breslin	Kyllibegs Fishermen's Organisation (KFO)
Emiel	Brouckaert	Rederscentrale
Luc	Corbisier	SDVO
John	Crudden	European Anglers' Association (EAA)
Barrie	Deas	National Federation of Fishermen's Organisation (NFFO)
Hugo C.	González García	ARVI-ANASOL
André	Gueguen	CNPMEM
Béatrice	Harmel	CRPMEM Basse Normandie (CRPBN)
John	Lynch	Irish Fishermen's Organisation (IFO)
Eduardo	Míguez	European Association of Ports and Auctions (EAFPA)
Lorcan	O'Cinnéide	Irish Fish Producers Organisation (IFPO)
Jacques	Pichon	Association National OP
Paul	Trebilcock	Cornish FPO
John	Woodlock	Irish Seal Sanctuary
EXPERTS / OBSERVERS		
NAME	SURNAME	ORGANISATION
Gérard	Biais	IFREMER - France
John	Butterwith	North Devon Fishermen's Association – NFFO (UK)
Maurice	Clarke	Marine Institute (Ireland)
John	Daly	Irish Seal Sanctuary
Jim	Ellis	CEFAS (UK)
Roy	Griffin	DG MARE - European Commission
Véronique	Legrand	CRPMEM Basse Normandie
Philippe	Maraval	DPMEM – Ministry of Fisheries - France
Denis	O'Flaherty	ISEFPO / Irish Fishermen's Organisation (IFO)
Alain	Tetard	IFREMER - France
Don	Thompson	Jersey Fishermen's Association - NFFO
Caitlín	Uí Aodha	Irish South and East FPO (ISEFPO)
Hector	Villa González	Ministry of Fisheries - MARM- Spain
Luke	Warwick	DEFRA - Spain

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NWWRAC SECRETARIAT		
Alexandre	Rodríguez	Executive Assistant, Policy Issues
Joanna	McGrath	Executive Assistant, Administration and Finances

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