



North Western Waters Regional Advisory Council

Response to the Communication from the European Commission Concerning Fishing Opportunities for 2013 - COM (2012) 278 final

September 2012

Rationale / Timing of consultation

This document is the North Western Waters RAC (henceforth, NWWWRAC) response to the EU public consultation launched by the Commission on the 7th of June 2012. It has been adopted by consensus by the members of the NWWWRAC.

The NWWWRAC discussed this Communication at the last Working Group 1 meeting and subsequently agreed the elements to include in the response at the Executive Committee held the 5th of July 2012.

1. Introduction

The NWWWRAC is positive of the fact that the Commission has extended this year the period of consultation to the RAC and ACFA until September as opposed to July; and that the Commission has decided to continue issuing a Communication on an annual basis, in line with previous years. However, we would like to see more detail as to how the Commission has taken into account the RAC views in their proposal on a Regulation to the Council.

One of the main points addressed here relates to the policy development seeking to reach Maximum Sustainable Yield (MSY) for all stocks, where applicable, by 2015.

The Johannesburg commitment to exploit all stocks at MSY levels has led to much discussion and work on the practical details of the transition. ICES has been instructed to use this approach as a framework for its advice, although this has been done on a single species approach with some multispecies considerations for the first time this year for the North Sea. We note that the urgent next phase of work must be to determine properly inter-species interaction and how that affects the setting of fishing opportunities in terms of MSY.

The same argument applies to how MSY exploitation levels will contribute to the decrease of the pressures on discards by volume and size, as this is more related to improvements on selectivity and technical measures than restrictions in catches imposed through quotas and/or effort regime.

2. State of Fish Stocks

The NWWRAC welcomes the recognition and description in the document that where there is a sound assessment fish stocks in European waters are shown to be improving in general terms, among other reasons due to the genuine efforts by a majority of the fishing industry to commit to a sustainable exploitation of commercial stocks. The NWWRAC also agrees that data deficiencies are the most challenging issue that scientists and managers are facing nowadays, and the NWWRAC has been proactive in coming up with regional task forces for a stronger involvement of stakeholders and Member States in the process of providing required data to scientists.

However, the NWWRAC is disappointed to see that appendices in the Communication are inadequate in highlighting trends of improvements in European fisheries. For example, in Annex Ia, the Commission uses tables showing averages number of stocks over a ten year period. The NWWRAC believes this should be rectified in future proposals and provide a more detailed description on a species-by-species basis to give a more clear understanding on the evolution of each particular stock.

Regarding the general overview on the state of the stocks made in page 4 for the areas of concern to the NWWRAC, i.e. West of Scotland, Irish Sea and Celtic Sea, it must be noted that important progress has been made following a NWWRAC technical proposal to introduce improvements to gear selectivity (through the use of square mesh panels) aiming to reduce discards of cod, haddock and whiting for trawl and seine fisheries in an area of the Celtic Sea (ICES VIIIfg and part of j)¹. As a result of this proposal and subsequent exchange of correspondence between the Commission and the NWWRAC in the first quarter of 2012², as well as extensive discussions at the Council of Ministers, a Commission's regulation was passed in July under the emergency measures procedure of Art 45.1 of Regulation (EC) No. 850/98.

3. Economic analysis

The economic benefits of an MSY approach for the fleet expressed in pages 2 and 5 are presented in a simplistic way and do not refer to any specific socio-economic studies or impact assessment reports to back statements such as *"the same or larger quantities (of fish stocks) will be caught, but with lower impact on the environment"* or *"it is phasing out overfishing that can make the biggest contribution to economic efficiency and stability in the face of challenges from higher costs and lower product prices"*. Furthermore, it would be useful to know where the figure of *"at least €135m"* mentioned as an increase of value of TACs in 2012, comes from.

¹ NWWRAC Proposal on Gear Selectivity measures for Celtic Sea (October 2011):
http://www.nwwrac.org/admin/publication/upload/NWWRAC_Proposal_Selectivity_Measures_SMP_Celtic_Sea_13102011_EN.pdf

² NWWRAC letter clarifying aspects of implementation of gear selectivity measures (April 2012):
http://www.nwwrac.org/admin/publication/upload/NWWRAC_Response_EC_Letter_Implementation_TCM_SMP_Celtic_Sea_5April2012_EN.pdf



4. Policy directions:

4.1. Developments in scientific advice for stocks where information is incomplete

The most important concern from the fishing industry of the NWWRAC relates to the application of a precautionary margin leading to a resurgence of automatic reductions for data limited stocks lacking of analytical assessment. This method for setting TACs might impose unjustified and draconian constraints for a fishing industry that has already suffered a severe reduction of fishing opportunities in consecutive years. The fishing industry of the NWWRAC would like to reiterate its disagreement to the imposition of catch reductions only relying on a precautionary approach even for situations where trends for the stock without population size estimates show an improvement and therefore are not properly justified for conservation reasons.

The NWWRAC has already submitted in early August a letter to the Commission asking for clarification of the application of ICES precautionary margin for data limited stocks with no full quantitative assessment and stock status unknown in relation to (candidate) reference points³. The fishing industry of the NWWRAC is very concerned about the practical implications of an automatic reduction of 20% to those stocks where scientific advice is unavailable, indeed without any accompanying mitigation measures in place for those fleets affected. The fishing industry of the NWWRAC prefers an approach which takes into account stock trends instead of this single, over-simplified approach.

The NWWRAC will continue working with ICES and national scientists in identifying and tackling the reasons for lack of data as well as where this responsibility lies. A more sophisticated solution is required to manage data poor stocks and mitigate data uncertainties.

4.2. Fishing effort

The NWWRAC appreciates the inclusion by the Commission of the graphics showing a general decrease of fishing effort in West of Scotland and Irish Sea in the period 2003/2004-2010 under Annex II. This reflects the genuine efforts by the industry to adapt to the effort limitations, reduce fishing capacity and make advances in matters of sustainability.

When talking about links between regulatory areas and stock identity, it is mentioned on page 6 that the management of Norway lobster by functional units and the management of the two stocks of plaice in the Channel require consideration in this respect.

³www.nwwrac.org/admin/publication/upload/NWWRAC_Letter_Application_ICES_Precautionary_Margin_DLS_2Aug2012_EN.pdf

