



Joint Working Group on Cod Recovery & Other Issues 14th September, 2006, Schiphol, the Netherlands

Record of Meeting Rapporteur: A D Hawkins First Draft

1. Introduction

- 1.1 The Chair Barrie Deas welcomed participants to the meeting, which was being held jointly by the North Sea and North West Waters Regional Advisory Councils to discuss:
 - The forthcoming review of the cod recovery plan and in particular, the organisation of a symposium on cod which would be the centerpiece of the review.
 - 2. Cod Recovery & the December Council
 - 3. The Commission's Communication on Future Policy for the Council
- 1.2 The NSRAC Demersal Working Group had asked a number of questions about the Commission's cod recovery plan. For example:
 - What has brought us to where we are now with cod in such a poor state?
 - Are cod stocks recoverable?
 - Are we using the right measures to promote recovery?
 - Has the impact of climate change on cod been adequately considered?

Every year there has been mounting resistance to the cod recovery plan and the Demersal Working group had concluded that a fundamental review of the plan was now needed. A joint Position Paper had been produced and sent to the Commission by the NSRAC and the NWWRAC. The Commission had now agreed to conduct a review of the cod recovery plan. As part of the review the NSRAC had decided that an interactive symposium should be held to stimulate thought on various issues. An approach seeking funds for the symposium had

- already been made to Jorgen Holmquist of the Commission, who had replied that although no additional money could be placed in RAC budgets for the symposium, it might be found in other budgets. Petter Maier of the Norwegian Fisheries Directorate, DEFRA and SEERAD had also been approached about the symposium.
- 1.3 Ken Patterson, for the Commission, was sympathetic to the idea of a symposium. The Commission could organise a meeting from its own funds. Indeed, it wished to promote a two day meeting, in the spring of 2007, at a fishing port with a large interest in cod. It was proposing a steering committee made up of representatives of the Commission, STECF, ICES, NSRAC and NWWRAC. A small number of keynote speakers would be invited and each would open a short theme session involving other speakers, followed by discussion. The Commission would fund the attendance of guests from the European Parliament and the keynote speakers.
- 1.4 The meeting considered which of the two options the RACs should proceed with. On the one hand, there was support for the fully funded symposium offered by the Commission. It would be a purely scientific conference, which would be attractive to scientists, who would be able to make their presentations without compromise. On the other hand, it would not address the wish of the RACs to have an interactive symposium, which would involve fishers themselves and which would promote dialogue between experts, fishers and fisheries managers on the way forward for the fisheries. Essentially, the RACs were looking for a conference which would help them to formulate their ideas. That was best achieved at a meeting which promoted dialogue between all the interested parties. The Commission's proposal could not serve that function.
- 1.5 Asked whether the Commission would be prepared to fund a symposium of the kind favoured by the RACs Ken Patterson said it was the Commission's view that traditional regional workshops offered the best way of involving fishers in discussions. At a scientific conference of the kind he was proposing each person would present a considered view without pressure to reach conclusions. Moreover, if there was a dialogue between scientists and fishers one or other of the parties might be distressed by any conclusions drawn. He would also wish to see a balanced steering group, not one led by the RACs.
- 1.6 A compromise was put forward: a two day scientific symposium organised by the Commission, to be followed by a single day of discussion organised by the RACs; a half-way house. However, three days was thought to be too long and it was thought that scientists might not care to stay for the third day although their participation in would be essential for any dialogue.
- 1.7 Initially, participants saw some advantages in accepting the Commission's gold, and holding a purely scientific meeting. However, later a clear consensus developed amongst RAC participants that favoured a more participative approach. It was thought that a scientific conference might be enjoyable and instructive but it would not have any useful outcome in terms of developing something new. A dialogue meeting, with fishers able to participate in their own languages, would be far more useful to the RACs. The meeting should be part of the review of the cod recovery plan and should raise the standard of the whole

review. The Edinburgh Workshop had been an example of a mixed format meeting where the report had captured the highlights and taken people's views forward. Similarly, the North Sea Commission Symposium on Predation had brought people together and promoted better understanding of the subject. In response to a question from John Casey about the purpose of the symposium Barrie Deas replied that it was really to answer the many questions on cod recovery posed by the RACs. Patrice Leduc confirmed that the idea for the symposium had arisen from the need of fishers to have their questions answered. Questions raised at the Demersal Working Group meeting had included - is the current recovery plan capable of delivering recovery? Is cod recoverable? What are we saving cod for? Is a 30% increase in biomass year on year feasible? Is natural mortality of cod increasing? The recovery plan itself had been forged from a series of discussions. We needed to go over those discussions again. We also needed to consider the impact of the cod recovery measures on other, healthy fisheries. An exclusively scientific meeting would not be interactive and would not contribute as fully to the improvement of the cod recovery plan.

- Indeed, for fishers the original concept had been to organise a workshop which would be led by the RACs, with experts enlisted from various fields to help the RACs develop their ideas. Christien Absil did not agree with this concept. She favoured a conventional scientific symposium. This would tell us how the science was developing and could lead us to new ideas. If the organisation of the meeting was left to fishers then there was a risk that key scientists would not turn up. Fishers claimed to have been misrepresented by this view. They did not wish to tell scientists what they should say, or give instructions to scientists. It was simply that to be useful to RACs the meeting had to provide an opportunity for fishers to play a part. If the Commission was left in charge we would have a series of presentations of the same advice in the same format given by the same people controlling the process of cod recovery
- 1.9 Possible venues for the more participative meeting favoured by the RACs were considered. Peterhead on the east coast of Scotland was the largest cod port. Thyboron in Western Jutland was another important landing port for cod. Both locations would be suggested to the steering group. One important feature in organising the meeting would be to ensure that there was enough knowledge in the room to be able to answer the questions posed. We would need to send out invitations soon if we were to obtain the best and most knowledgeable speakers.
- 1.10 As funding was the main obstacle to the kind of meeting required Katie Halter was asked whether DEFRA or SEERAD might be able to help. Katie thought they would be prepared to fund the meeting. Others thought the RACs should still ask the Commission for funding and that the conference should be aimed at fulfilling the needs of the Commission as well as the RACs. We could, for example, involve STECF and ICES in the steering committee, as well as the Commission itself.
- 1.11 It was finally agreed that this was an opportunity for the RACs to show what they could do. The issue was one of trust and confidence in the RACs. The RACs should take the lead by establishing a steering group that brought in the other parties. The conference should allow fishers, NGOs, scientists and managers the

chance to participate. If that format could also be accommodated by the Commission then all would be well and good. Otherwise the RACs would seek funding from others. The next step would be to set up the steering group, refine the programme and apply to the Commission and others for funding. STECF and ICES would be invited to participate in the steering group and in the meeting itself. Comments were invited on the latest programme (attached as Annex 1), either via the website and directly to either of the Secretariats. In particular suggestions were required for speakers and chairpersons. The chairs of the two RACs and their Secretariats would now proceed to organise the conference along the lines discussed, beginning with a meeting of the steering group at the earliest opportunity.

1.12 Initial suggestions on the draft programme were as follows:

The time allowed for speakers should be shortened from 40 to 30 minutes to allow for more speakers.

There should only be one discussion session on each of the two days

An evening presentation or debate could be added in on Day 1.

2. Cod recovery & the December Council

- 2.1 Barrie Deas pointed out that the symposium would only be part of the review of the cod recovery plan. The main part of the review is due to take place in 2007, culminating in the December 2007 Council. A non-paper from the Commission has set out an approach.
- 2.2 Ken Patterson took participants through the non-paper. The Commission was seeking comment on the document from the RACs. In mid-October STECF would produce a report. The Commission would then discuss the review further with the RACs or organise regional meetings.
- 2.3 The recovery plan was a commitment by the Council of Ministers that it would set TACs and effort limits according to predefined harvest control rules in response to the latest scientific advice. The harvest control rules under the cod recovery plan require that the TAC each year is fixed at a level that scientists estimate would result in a 30% increase in spawning biomass, until the precautionary level (B_{na}) is achieved. This is the level of biomass that scientists consider to be safe. However, the resulting TAC is constrained to be within 15% of the previous year's TAC, provided that the stock biomass is above the level that gives a high risk of stock collapse (Bim). If the stock is below Bim, more stringent TACs should be fixed, but it is not specified how these should be decided. Furthermore, the recovery plan requires that the effort of fishing vessels fishing for cod should be adjusted in line with the changes in fishing mortality. Unfortunately, after three years of application there is little sign of stock recovery. All four stocks covered by the recovery plan remain at or near their historic low levels. The Commission's non-paper asks whether the plan is working. No effect has been detected since the plan was introduced. It had been argued that the collapse of cod stocks is the result of climate change, not the fishery. However, the

Commission believes that the very high level of fishing mortality on cod is the major influence. The non-paper looks at the historical development of fishing effort on cod. In the North Sea the overall effort has been reduced by 20%. There has been an especially large decrease of effort in the Demersal Trawl Fleet using meshes of 100mm or greater. However, there has been a large increase in effort in other fleets and especially in the Demersal Trawl Fleet using meshes of 70-99mm. The Commission's view is that the plan has not reduced fishing mortality by the amount required. Given the modest reductions in overall fishing effort and continued high levels of fishing mortality, it is hardly surprising that the stocks have continued to decline.

- 2.4 There are a number of reasons why the recovery plan has not reduced fishing effort to the extent required. The TAC and effort reductions imposed by the Council had not been in line with the requirement of the cod recovery plan. Moreover, a weakness of the effort limitation regime had been that it restricted the number of days-at -sea per vessel but did not restrict the number of vessels in each fleet segment. This had created an incentive for fishermen to move from gears that traditionally targeted cod, which were subject to the biggest reductions in effort, towards smaller-mesh gears where cod is taken as a by-catch. The Commission believed that the increase in effort by the 70-99mm fleet now accounts for about half the fishing mortality on cod. Derogations to the effort limitation regime had also interfered with the reductions in effort. There are still incentives for fishers to catch cod, because of their high value. The Commission was sceptical of the value of TAC limits. However, there are few alternative measures available. The STECF has advised that effort limitation is generally more effective than the use of closed areas. Attention is therefore focusing on an improved effort limitation scheme; one in which the total number of kW-days in each area is capped for each national fleet, depending on the historic contributions to cod mortality.
- 2.5 Danish fishers welcomed the Commission's non-paper. They had always been concerned that there would be a transfer of effort to the <100mm sector. However, we needed a much fuller discussion of what needed to be done. We were still discussing old amendments which had yet to be implemented. A period of stability was now needed to allow existing measures to take effect. They were concerned that the Commission had attributed the claimed increase in mortality to fishing, without considering other possible causes. In reply, Ken Patterson emphasised that a fishing mortality of more than 1 would lead to a population crash. If cod recovery was important then fishing mortality needed to be reduced. The Commission accepted that fishers wanted to catch Nephrops, haddock and whiting and that smaller mesh and more days at sea were needed to do this. However, if these vessels continued to catch cod then F would increase.</p>
- 2.6 Fred Normandale pointed out that there had never been any logic to giving more days at sea to vessels using meshes of less than 100mm. There should have been encouragement for vessels to move to larger mesh sizes such as 120mm. Effort by the <100mm fleet needed to be re-examined. He pointed out that only half the fishing mortality could be attributed to the >100mm mesh fleet. The rest was all down to smaller mesh vessels. Michael Park added that with vessels moving to 120mm mesh the fishing mortality on cod should have declined

steeply. Why had this measure not worked? Ken Patterson replied that scientists could only see the overall picture. It was not clear whether smaller mesh vessels were targeting cod and complicating that picture. Fred Normandale added that fishers should receive incentives for deploying larger meshes and Ken Patterson agreed with this and added that fishers should also be encouraged to target species other than cod. There was general agreement with this view around the table. The by-catch of cod should be minimised. There was concern, however, that the Commission was placing too much emphasis on 'black' landings of cod. Fishers were not now targeting cod. They could not entirely avoid a cod by-catch but had sufficient quota to enable this to be landed legally. Concern was also expressed that the days at sea regime was a proxy for enforcement. Now that enforcement had been strengthened the effort regime was no longer needed. — to which Ken Patterson replied that the regime was not only there because of black landings but also because of discarding and high-grading.

- 2.7 It was felt strongly by fishers that the stringent measures already imposed should now be allowed time to take effect for cod. A period of stability was required. The science was largely out-of-date and based on data collected in 2004 and we were now in 2006. It was time to pause before changing the management regime yet again. Irish fishers remarked that some benefits had already been seen in the area set aside for recovery to the west of Scotland in area VI. The Greencastle initiative to close areas where juvenile cod were found had shown encouraging results. Ken Patterson assured fishers that when the cod recovery measures were reviewed all the options would be looked at. If more young cod were coming through then this would show up in the assessments.
- 2.8 It was announced that the NWWRAC intended to write to the Commission to say that tightening of the effort limitation regime will take a lot of energy and exhaust all the participants at the December Council but would deliver less than promised. Unless there was very extreme advice from ICES the Council should roll-over the current measures and preserve the *status quo*. More time could then be devoted to discussion of long term measures such as ways of reducing discards. The Environmental NGOs expressed concern at the suggestion of a roll-over and emphasised that it would damage the RACs to pre-empt the assessments in this way. There was strong emphasis by speakers on the need for reaching a consensus on this issue which the NGOs could support. The value of the draft letter from the NWWRAC was seriously impaired by the clause added by the NGOs. It would also be better if the letter was supported by both RACs.
- 2.9 Christien Absil pointed out that in seeking a roll-over of current measures fishers were accepting the regime imposed. Did that mean that they were no longer concerned about the perverse incentive for fishers to move to smaller mesh sizes? Barrie Deas relied that fishers certainly wanted the details of the recovery plan to be reconsidered under the planned review. However, for now they were simply seeking a roll-over.
- 2.10 Tom Pickerell thought the wording of the draft letter was too strong. BirdLife International and the other NGOs did not want the ICES advice to be preempted. However, there might be scope for compromise. Perhaps the letter

should simply come from fishing industry representatives on the RACs. Or we could wait until the ICES advice came out in October before finalising the letter. After discussion it was agreed that the sensible course of action was to await the advice on cod from ACFM. We might then be able to reach a consensus view.

3. Review of the Commission's proposals on Front-Loading

3.1 In Commission Communication No. COM(2006)246 'Improving consultation on Community fisheries management' the Commission had set out a new working method for deciding on annual fishing opportunities. As part of this new approach it was foreseen that scientific advice would be moved to earlier in the year. Then, the Commission would set out in the first half of each year its intentions concerning its proposals for TACs and quotas for the following year in the form of an annual policy statement. The Commission's policy statement for 2007 has now been published as Communication No. COM(2006) 499. The Communication promises three new Regulations on TACs including proposals concerning deep-sea fisheries and for fish stocks in the Baltic Sea which will be presented in September 2006. The Regulations will take into account the advisory report from ICES published in June 2006 and the STECF opinion on it. as well as subsequent consultations with stakeholders. Fishing opportunities for the remaining stocks will be covered by a proposal to be presented in late November 2006. The Commission has also classified stocks into a number of categories after considering the different levels of biological risk that is perceived by STECF. For each of these categories, similar management measures are proposed. The main categories are:

Stocks exploited close to MSY

For these stocks the fishing mortality should be kept close to current levels, but the TAC would not be changed by more than 15% from one year to the next.

Stocks inside safe biological limits but overexploited with respect to MSY

For these stocks, fishing mortality should not increase and the TAC should be kept within 15% bounds.

Stocks outside safe biological limits

Conditions should not be made worse. The TAC in 2007 should be no more than 15% higher or lower than the TAC in 2006. There should be no increase in F or fall in SSB

Stocks subject to long-term plans

Where there is a recovery plan or long-term management plan, the Commission will propose a TAC that is consistent with that.

Naturally short-lived species

Some stocks of small-sized fish are subject to high levels of natural mortality and the fished stock is mostly a single year-class. Managing such species requires rapid in-year decision-making, where the annual

fishing opportunities are adapted according to the strength of the incoming year-class.

Stocks of unknown status

The Commission will propose measures to prevent the expansion of fisheries unless it is safe to do so.

SPECIAL CASE - Cod stocks covered by the cod recovery plan If fishing mortality is still greater than one, the Commission will propose a reduction of 25% in both TAC levels and in all types of fishing effort that catch cod.

SPECIAL CASE – Mixed fisheries

For the flatfish fisheries the Commission will take account of the long term management plan. For *Nephrops* the Commission will propose the same TAC as last year.

SPECIAL CASE – New TACs

There is provision for member states to provide information on effort levels in the bass fisheries, but TACs are not being proposed for 2007.

Overall, the Commission was seeking agreement to these procedures in broad principle. It would welcome responses from the RACs.

- 3.2 Some fishers liked the transparency of these proposals and welcomed the general approach. However there were some aspects which required further discussion. Where there were insufficient data, or where there was no plan agreed with member states, the proposal was to allow the Commission to do what it wanted. However, there was no rationale for the Commission to increase, for example, the TAC margin for pollack from 15 to 20% if there was no information on the stock. On deep sea fisheries, the Commission had said the proposals were not relevant to any of the existing RACs. In fact the NWWRAC had an interest in these fisheries. There was concern that the deep-sea fisheries were divided between NEAFC and the Commission and that the two management regimes were going in different directions.
- 3.3 Ken Patterson said that the 20% margin for species whose status was not known could be implemented as a reduction where catches were very low, but the Commission would only apply this where it was wise to do so.
- 3.4 Spanish participants found it difficult to accept the proposals, which they needed to study in greater detail. They believed that the TACs should be matched to the scientific advice as in previous years. MSY principles should not be applied to TACs and quotas until fishers' reservations about MSY had been dealt with. Moreover, no-one could be happy with the deep-sea proposals. The Commission should not close all possibilities for discussion of these issues at the December Council.
- 3.5 Scots fishers were concerned at possible reductions in TACs of 25% for cod as this would have an impact on the mixed fisheries catching cod. Was there any scope for relaxing these restrictions for fisheries targeting species other than

cod? It was also pointed out that most of the species being considered fell within the 0.3 figure agreed with Norway. Ken Patterson considered, however, that a 15% margin would bracket the 0.3 figure agreed with Norway. When asked whether the 25% figure applied to all fisheries Ken replied that the 25% margin would apply in principle to all types of fishing effort that caught cod.

- 3.6 There was concern that proposals like those tabled simply came down from on high or emerged from the EU/Norway negotiations. How could the RACs engage in the discussions leading to such proposals? Ken replied that the RACs advise the Commission, which then has to agree a position with the member states and with Norway.
- 3.7 Concern was expressed by fishers that the measures for cod would affect other fisheries which were not targeting cod. Surely the Commission should look at the by-catch levels for those fisheries so that those catching minimal quantities of cod were freed of the restrictions. Further discussion of this issue was required.
- There was support from some fishers for allocating a bag of kilowatt days to each member state, perhaps based on 2000 effort levels, which would then allocate the effort to its fleets. Ken Patterson pointed out that not all member states were happy with this proposal. It would not be possible to mix the allocation of kW days with continuation of the Commission's days at sea scheme.
- 3.9 There was concern from some fishers' representatives that the proposals offered too much scope for exceptions. The paper also introduced new definitions, and perhaps did not take sufficient account of the move towards preparing long term management plans. There was also concern that TACs and effort had got out of balance. Nevertheless the transparency and logic of the paper was a welcome development.
- 3.10 Ken Patterson reiterated that the Commission was seeking a response sooner rather than later from the RACs to these policy proposals. Would the response be based on this meeting? The answer was that this was an initial exchange of views. Each RAC would be considering the proposals in more detail at meetings later in the year. The NWWRAC would be meeting on 2nd and 3rd of November in Paris. The Demersal WG of the NSRAC would be meeting on the 20th October in London. The deliberations of STECF at its meeting on the 9th to 13th October would also be of interest to the RACs and would inform their views. The RACs would be able to send representatives to the STECF meeting.
- 3.11 Christien Absil asked whether a document on the proposals would be presented in advance of the NSRAC Demersal WG. In reply, Barrie Deas welcomed advance comments and suggestions from RAC members, which could be tabled at the meeting. A position paper from Europêche would also be made available.

4. Action Points

	Chairs &
, ,	Secretariats
steering group will be held at the earliest opportunity (para	

1.11).		
in the ste	ECF and the Commission will be invited to participate ering group (para 1.11).	Secretariats
from the	t will be sent to Mr Holmquist also seeking funding Commission for the RAC's symposium. DEFRA and will be asked to fund the meeting should the request 1.11)	Secretariats
comment recomme	s of the RACs and other participants are asked to to the draft programme for the meeting and to end speakers, either through the website or through etariats (para 1.11)	Members
agreed to	ecovery and the December Council, both RACs o wait until the cod assessments had been received FM before preparing a letter to the Commission (para	Chairs & Secretariats
	C would be considering the proposals of the sion on front-loading at meetings later in the year (para	Chairs & Secretariats
October vinform the	perations of STECF at its meeting on the 9 th to 13 th would be of interest to the RACs and would help eir views. Members of both RACs will attend the (para 3.10)'	Secretariats
8. Advance the Comr	comments and suggestions from RAC members on missions proposals should be sent to the RACs before accoming meetings (para 3.11)	Members
	n paper from Europêche will be made available to mbers (para 3.12).	Secretariats

6. In Attendance

Barrie Deas Chair Ann Bell **NSRAC Secretary** Patricia Comiskey **NWWRAC Secretary** Tony Hawkins Rapporteur Michel Goujon France NSRAC Michael Andersen Denmark NSRAC Niels Wichmann Denmark NSRAC Tom Pickerell **WWF NSRAC** Michael Park Scotland NSRAC Antoine le Garrec France NSRAC Bertie Armstrong Scotland NWWRAC Borja Velasco Tuduri Spain, Ministry Victor Badiola Spain NWWRAC Jacques Pichon France NWWRAC Jason Whooley Ireland NWWRAC Ken Patterson Commission Lorcan O'Cinneide Ireland NWWRAC Lothar Fischer Germany NSRAC Luc Mellaerts Belgium NWWRAC Malin Karlsson Sweden, Ministry Mark Dougal Scotland NSRAC

John Casey
Patrice Leduc
Paul Trebilcock
Sean O'Donoghue
Fred Normandale
Andri Gueguen
Katie Halter
Christien Absil
Xavier Harlay
Hugo Andersson

Fenneke Tjallingii – Brocken Ross Skinner France NSRAC England NWWRAC Ireland NWWRAC England NSRAC France NWWRAC

England, Ministry

STECF

Seas at Risk, NŚRAC France NSRAC Sweden NSRAC Netherlands NSRAC Scotland NWWRAC

ANNEX 1 - DRAFT - RAC Conference on Cod Peterhead or Thyboron Beginning of March 2007

DAV 1

Welcome and introduction	(Chair of One of the RACs)
State of the cod stocks	Chair: (Scientist)
09.00 How did cod reach its current state?	(Chair of ICES WG or Chair of ACFM)
09.40 The Canadian experience	George Rose (Memorial University, Newfoundland)?
10.20 Climate change. What is happening?	Bill Turrell (FRS, Aberdeen)?
11.00 COFFEE	
11.20 Changes to the ecosystem	Chris Reid (SAHFOS, Plymouth) or Ken Drinkwater (IMR, Bergen)?
12.00 What is the future for cod?	(Scientist)
12.40 LUNCH	
14.00 The way forward? An environmentalist's view on cod stocks	Andrew Rosenberg ?
14.40 Changes in the cod fisheries. The impact of recovery measures	(Fishers' Representative)
15.20 COFFEE	
15.40 Discussion Forum A	Chair: (Assessment Scientist)

How can we improve the stock assessments for cod? What additional information do we need? And how best can we obtain it?

15.40 Discussion Forum B Chair: (Environmental Scientist)

How do we take account of environmental change in managing cod fisheries?

1700 Reports from the two Discussion sessions

DAY 2

Managing the cod fisheries	Chair: (Fishers' Representative)
09.00 The cod fisheries. Who catches cod?	Eskilde Kirkegarde (DFU, Denmark)?
09.40 By-catches of cod & their management	(Scientist)
10.20 An economist's viewpoint	(Fisheries Economist)
11.00 COFFEE	
11.20 Future management measures	(Commission Scientist)
12.00 The way forward?	(Fisher Representative)
12.40 LUNCH	
12.40 LUNCH	
14.00 Discussion Forum A	Chair: (Fishers' Representative)

What can be done to improve management of the cod fisheries?

14.00 Discussion Forum B Chair: (Fishers' Representative)

Institutional change: How can we improve management within the CFP? What role should the RACs play?

15.30 Reports from the two Discussion sessions

16.00 Concluding session Chair: (Chair of the other RAC)

Where do we go from here? Brief remarks from:

Fishers' Representative, NSRAC)

Fishers' Representative, NWWRAC)

Petter Maier (Norwegian Fisheries Directorate)

Fisheries Director (from one of the Member States)

The Commission (Holmquist?)