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LES EAUX OCCIDENTALES
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NORTH WESTERN
WATERS
ADVISORY COUNCIL

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ADVICE

On the Consultation on Fishing Opportunities for 2019 under the common fisheries policy (COM (2018) 452 final)

18 September 2018

The North Western Waters Advisory Council (NWWAC) had the opportunity to exchange preliminary views with reference to the ICES presentation of scientific advice for fish stocks in North Western Waters for 2019 and the Policy Statement from DGMARE at the meeting of the NWWAC Working Groups in Ghent (3rd and 4th July 2018).

Further to these discussions, the members of the NWWAC have developed advice on the way in which levels of fishing opportunities are set according to the Common fisheries Policy and on the basis of scientific advice.

The NWWAC intends that this advice will represent its main contribution to the COM and relevant Member States as they work towards proposing and setting the fishing opportunities in the North Western Waters for 2019.

1. General comments

The Landing Obligation

To prepare for the full implementation of the landing obligation, the NWWAC, in co-operation with the NWW Member States Group, has developed a comprehensive tool (Choke Mitigation Tool), which serves to identify and mitigate the choke risks at fishery level.

The Joint Recommendations (JR) for 2019 submitted by NWW Member States Group to the European Commission contained *de minimis* and high survivability exemptions, and technical measures designed to increase the selectivity in key fisheries. However, the Member States widely acknowledged that the resulting Discard Plan will not lead to full mitigation of the identified choke risks and that further measures will be needed to avoid fisheries closing prematurely in early 2019. As part of the first phase of advice on the landing obligation, the NWWAC identified the key choke species and potential mitigation measures outside the remit of Article 15 of the Common Fisheries Policy (CFP) to reduce the

choke risks for NWW fisheries¹. In the second phase of the advice process, the NWWAC has updated the Choke Mitigation Tool and evaluated the mitigation measures included in the Joint Recommendations for 2019 to make further recommendations to resolve choke issues in NWW. The NWWAC intends to discuss this draft advice at its meetings in September (12-14th September, Dublin). A joint meeting with the NWW Member States Technical Group to discuss the draft advice is provisionally scheduled on the 7th of September 2018, in Brussels. The NWWAC intends to finalise the advice by the end of September.

Of particular significance, and of key concern to the NWWAC is the issue of how mixed fisheries would be managed where a zero-TAC existed for a species and the capture of that species would represent a choke for the entire fishery. The NWWAC considers that solutions should be identified prior to January 2019, when the landing obligation will be implemented in full.

The mixed fisheries considerations, for example for the Celtic Sea in 2017 ([link](#)), are not the basis for the setting of TACs. The NWWAC stresses that such scenarios can be relevant for the management of mixed fisheries and the COM and the Council should take this into account.

Mixed-fisheries scenarios are based on central assumptions that fleets' fishing patterns and catchability in 2017 and 2018 are the same as those in 2016 (similar to procedures in single-stock forecasts, where growth and selectivity are assumed constant). The NWWAC recommends that the single stock assessments, which form the basis for the mixed fisheries advice, and subsequent mixed-fisheries scenarios should take into account changes to fishing practices that may be a consequence of the implementation of the landing obligation (e.g. changes in selectivity and effort distribution).

The mixed-fisheries scenarios could take into account potential effect on quota uptake if individual Member States have zero quota for certain stocks, or the mixed fishery contains zero TAC stocks. The NWWAC is keen to provide input to ICES on possible alternative or additional scenarios for the mixed fisheries considerations. This will help decision-makers in setting fishing opportunities for mixed fisheries while mitigating choke risks.

¹ NWWAC advice on addressing High Choke Risk stocks under the Landing Obligation 17th April 2018 ([link](#), lien, enlace)

The Western Waters Multi-Annual Plan

It is a CFP objective to achieve MSY exploitation rates for all stocks by 2020. The Commission's proposal for a WW MAP specifies a list of species for which precise MSY-related targets should be set. These species are defined for the different regional fisheries as a group of main target species. The other species called "by-catch species" are managed to remain within safe biological limits, provided they are offered a comparable degree of conservation than those with MSY advice. The NWWAC highlights the importance and relevance of the species defined as main targets and would appreciate to be able to cooperate with the COM and relevant Member States to put together this specific list.

2. Development of the state of the stocks

The NWWAC would like to comment on the basis of the assessment and the consequences of the ICES advice for some specific stocks for which advice was released in June 2018.

General

Considering the status of cod stocks in the North Western Waters, NWWAC members are in the process of developing a proposal for this stock in collaboration with scientific experts (from EDF Scientific Ltd and Marine Scotland Science) and the ICES Stock Identification Methods Working Group (SIMWG), focusing on the genetic composition and additional management measures for gadoids throughout ICES areas 4, 5, 6 and 7. The project aims to evaluate whether the management areas match the biological stock boundaries and to assess the level of connectivity between the stocks. The NWWAC would like the support of the COM to conduct this study which will be overseen by a NWWAC Focus Group on cod.

The NWWAC advice for sharks and rays (24th March 2017, [link](#)) highlighted that the use of a combined TAC is inadequate to protect the species. We therefore proposed several alternative management measures for further consideration by the COM. The NWWAC is keen to continue to cooperate with the COM and the NWW Members States Group to develop these alternative management measures further.

The NWWAC has established a Focus Group on seabass in order to draft advice on management measures for both commercial and recreational fisheries to take the recovery of this stock forward for 2019 (21st August 2018, [link](#)). The NWWAC considers that the ban on directed fishing for seabass should continue while derogations should be put in place for specific fisheries in 2019. The advice outlines accompanying management measures that aim to improve avoidance of bycatch of seabass combined with enhanced monitoring and data collection on seabass catches.

West of Scotland

The advice for haddock in subarea 6.a, is combined with the North Sea (Subarea 4 and Subdivision 20). There is no survey index available for the whole area as the benchmark meeting in 2014 (ICES WKHAD 2014) concluded that the surveys in the West of Scotland conducted by Scotland and Ireland covered too small a proportion of the overall stock area to be considered as reliable indicators of overall stock dynamics.

Although the assessment states that the survey indices are considered to be sufficiently representative of the whole stock², the AC recommends that survey data should cover the whole area as 1) haddock is widely distributed around the west coast of Scotland and can be caught in most areas within the 200 m depth contour³ and 2) with the relatively limited cod and whiting quotas in recent years, many vessels have tended to concentrate more on the haddock fishery⁴. Scientific surveys could be accompanied by e.g. industry data collected through Fully Documented Fisheries and / or the effect could be evaluated of combining the indices of the North Sea IBTS–Q1 and West of Scotland ScoGFS–Q1.

Celtic Sea

Following an ICES benchmark meeting in February 2018, the assessments for White anglerfish and Black-bellied anglerfish (white anglerfish in Subarea 7 and in divisions 8.a–b and 8.d and black-bellied anglerfish in divisions 7.b–k, 8.a–b, and 8.d) have been updated. Two separate assessments are now conducted as the information availability was different for each stock. The NWWAC requests clarification on how the advice of two separate stocks will be combined into one TAC for anglerfish in area 7 (ANF/07.), and one TAC in area 6 and Union and international waters of 5b; international waters of, 12 and 14 (ANF/56-14).

Plaice in 7.h–k is on the southwestern margins of the species distribution. Plaice in 7.j is mainly caught by Irish vessels close to shore, catches in 7.k are negligible. Division 7.h plaice is considered part of the same stock for assessment purposes but plaice in 7.h is separated from the 7.j plaice by several hundred miles. Currently, there is no survey index available for this stock. A commercial tuning index, based on Irish VMS data linked to logbook landings is used instead. ICES suggest that the annual Irish Beam Trawl Ecosystem Survey (IBES) may act as a possible tuning index for this stock as a number of valid tows occur in the area where the fishery is executed (only two years of data available). The NWWAC reminds the COM of the advice for scientific evaluation of alternative management strategies for marginal bycatch quota species under the Landing Obligation (21st June 2016 link lien enlace). It is recommended that the COM takes this advice into account when evaluating the ICES advice on Revision of the contribution of TACs to fisheries management and stock conservation (TACMAN).

Irish Sea

The NWWAC highlights that due to the upcoming repeal of the Cod Recovery Plan (Council Regulation (EC) No. 1342/2008), and the progressed status of Irish Sea cod stock, fishing effort on cod may increase and put too much pressure on the still recovering stock. The AC would like clarification from the COM on the timing of the repeal.

The Multi-Annual Plans, introduced in the North Sea and being prepared in the Western Waters, will supersede the Cod Recovery Plan for each relevant area. In this regard, the NWWAC would like to

² ICES 2018 Advice on fishing opportunities, catch, and effort Celtic Seas and Greater North Sea Ecoregions Published 29 June 2018 had.27.46a20. 29 June 2018 ([link](#))

³ ICES 2015 Stock Annex for Haddock 6.a ([link](#))

⁴ ICES 2017 Chapter 8 Haddock in Subarea 4, Division 6.a and Subdivision 20 (North Sea, West of Scotland and Skagerrak) in the Report of the Working Group on Assessment of Demersal Stocks in the North Sea and Skagerrak (2017) 26 April–5 May 2017, ICES HQ. ICES CM 2017/ACOM:21. 1248 pp.

consult the COM on the guarantees that were provided in the MAP to keep exploitation at level that restores and maintains the cod stocks above levels which can produce maximum sustainable yield.

Irish catches from ICES rectangles near the boundary with the Celtic Sea (ICES rectangles 33E2 and 33E3) are reallocated into the Celtic Sea as they represent a combination of inaccurate area reporting and catches of cod are considered by ICES to be part of the Celtic Sea stock³. To resolve the uncertainty on stock structure and connectivity between the areas, the NWWAC has included the area in the scientific genetic project that was originally set up for West of Scotland cod (see General).

The zero catch advice for whiting represents a negative future for Irish Sea fisheries and has a significant risk of choking multiple fisheries in the Irish Sea. A combination of management measures has been put in place since 2000 to recover the stock without the expected results. In light of the NWWAC advice on Irish Sea whiting (23 October 2017 [link](#)), the NWWAC emphasise the importance of the outcome of the ICES WG TACMAN in the future management of the stock.

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