**OVERVIEW EXISTING EXEMPTIONS**

The ones with a \* are temporary and in need of supporting information by 1 May 2020

**High survivability exemptions**

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| **Stock** | **Discard Plan 2019** | **NWWAC advice (Choke ID 2019)** |
| **Nephrops 6a** | Survivability exemption for Norway lobster caught within twelve nautical miles of the coast, using otter trawls with a mesh size of 80-110 mm. | Additional survivability studies to cover fisheries outside 12 nautical miles |
| **Nephrops 6 and 7** | Caught in pots, traps or creels. |  |
| **Nephrops 7** | Caught with bottom trawls with a mesh size equal to or larger than 100 mm |  |
| **Nephrops 7** | Caught with bottom trawls with a mesh size of 70-99 mm in combination with highly selective gear options, as set out in Articles 9(2) (TM for Celtic Sea Protection Zone) and 10(2) (TM for Irish Sea) of this Regulation. |  |
| **Sole 7d** | Within six nautical miles of the coast but outside identified nursery areas, catches of below the minimum conservation reference size made using otter trawl gears with a cod end mesh size of 80-99 mm, by vessels:  (a)having a maximum length of 10 meters and a maximum engine power of 221 kW; and  (b) fishing in waters with the depth of 30 meters or less and with tow durations of no more than 1:30 hours. | Monitor effectiveness of selectivity measures introduced  Reconsider similar high survivability exemption for sole in 7e as for sole in 7d, once MS provide information on the fishery catch composition and the related survival rate of the species in the relevant fisheries. |
| **Skates and Rays 6 & 7\*** | High survivability exemption until 2021 for skates and rays species caught with any gear in the North Western Waters. | In line with NWW Roadmap for skates and rays, the programme of data collection, further high survivability experiments and improvements in selectivity should continue. |
| **Plaice 7d-g** | Caught with trammel nets. | Further survivability work should be prioritised to confirm survival rates. |
| **Plaice 7d-g** | Caught with otter trawls. | Further survivability work should be prioritised to confirm survival rates. |
| **Plaice 7a-7k (temporary 7h, j, k)** | Caught by vessels having a maximum engine greater than 221 kW, and using beam trawls fitted with a flip-up rope or benthic release panel.  Data provided by MS to demonstrate high discard survival rates for plaice do not cover all the MS concerned and that in that fishery survivability is affected by many factors and is highly variable. | Further survivability studies in fisheries other than beam trawls should be prioritised with special effort will be made to collect vitality estimates, obtained by observers on-board, and the collation of existing data sources (previous vitality, observer and REM data) for plaice in 7h. |
| **Plaice 7a-7k (temporary 7h, j, k)** | Caught by vessels using beam trawls, having a maximum engine power of 221 kW or a maximum length of 24 meters, which are constructed to fish within 12 nautical miles of the coast and with average tow durations of no more than 1:30 hours.  Data provided by MS to demonstrate high discard survival rates for plaice do not cover all the MS concerned and that in that fishery survivability is affected by many factors and is highly variable. | Further survivability studies in fisheries other than beam trawls should be prioritised with special effort will be made to collect vitality estimates, obtained by observers on-board, and the collation of existing data sources (previous vitality, observer and REM data) for plaice in 7h. |
| **Plaice 7d** | High survivability exemption for plaice caught with Danish seines. | Further survivability work should be prioritised to confirm survival rates. |
| **5b, 6 and 7** | Species caught with pots, traps and creels. |  |

**De minimis exemptions**

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| **Stock** | **Discard Plan 2019** | **NWWAC advice (Choke ID 2019)** |
| **Whiting 7b-k** | Up to a maximum of 5 % of the total annual catches of that species by vessels using bottom trawls and seines with a mesh size equal to or greater than 80 mm, pelagic trawls and beam trawls with a mesh size of 80-119 mm. | Improving selectivity for whiting in fisheries where unwanted catches are highest should remain a priority.  The effectiveness of the selectivity measures introduced in 2019 should be monitored during 2020. |
| **Sole 7d-g** | Up to a maximum of 3 % of the total annual catches of that species by vessels using trammel and gill nets. | Prioritise high survivability work in fisheries in 7f,g;  Monitor effectiveness of selectivity measures introduced. |
| **Sole 7d-g** | Up to a maximum of 3 % of the total annual catches of that species by vessels using beam trawls with a mesh size of 80-119 mm equipped with Flemish panel. | Prioritise high survivability work in fisheries in 7f,g;  Monitor effectiveness of selectivity measures introduced. |
| **Mackerel 6 and 7b-k** | Up to a maximum of 7 % in 2020 of the total annual by-catches of that species, caught in demersal mixed fisheries, by vessels using bottom trawls, seines and beam trawls. |  |
| **Horse Mackerel 6 and 7b-k** | Up to a maximum of 7 % in 2020 of the total annual by-catches of those species, caught in demersal mixed fisheries, by vessels using bottom trawls, seines and beam trawls. |  |
| **Haddock 6a\*** | De minimis exemption for haddock below MCRS caught by vessels using bottom trawls with a mesh size up to 119 mm in the West of Scotland Nephrops fishery.  STECF concluded that the justification for the analysis is based on an analysis of disproportionate cost of handling unwanted catches. STECF notes that the costs seem to be reasonable, however there is no objective means to assess whether they are realistic or can be considered disproportionate. | Accelerate introduction of technical measures and monitor effectiveness of the measures introduced.  Explore spatial/temporal closures. |
| **Haddock 7b-c and 7e-k\*** | Up to a maximum of 5 % in 2020 of the total annual catches of that species by vessels using bottom trawls, seines and beam trawls with a mesh size greater than or equal to 80 mm.  STECF concluded that information provided shows that improvements in selectivity for haddock are difficult to achieve without substantial short-term losses in marketable catches. STECF notes that specific technical measures in the Celtic Sea protection zone are expected to reduce unwanted catches of haddock to a lesser extent, but it is too early to evaluate the possible achievements. | Improving selectivity for haddock in fisheries where unwanted catches are highest should remain a priority.  The effectiveness of the selectivity measures introduced in 2019 should be monitored during 2020. |
| **Sole 7a, 7j and 7k\*** | Up to a maximum of 3 % in 2020 of the total annual catches of that species by vessels using beam trawls with a mesh size of 80-119 mm with increased selectivity (Flemish panel).  Existing exemption but revised by increasing the scope to cover ICES divisions 7a, 7j and 7k. New information supplied is limited to a description of the numbers of Belgian and Irish beam trawls vessels involved in the fishery in 7a, j, k in 2016-2018 and their associated catches. It is not clear whether other Member States have vessels operating in the fishery. The justification for the exemption is the same as the existing de minimis exemption for common sole for beam trawls in the Channel (7d, 7e) and the Celtic Sea (7f, 7g, 7h). It is based on selectivity having improved through the introduction of gear modifications. The de minimis is required to cover residual unwanted catches. It is assumed that the fisheries covered by the existing exemption are the same fisheries and that the selective gear will be as effective at reducing unwanted catches of sole in the areas proposed to be included. However, no information has been provided to this effect. | Prioritise survivability experiments in trawl fisheries in 7h,j,k. |
| **Megrim 7\*** | Megrim below MCRS, up to a maximum of 5 % in 2020 of the total annual catches of those species by vessels using bottom trawls with a mesh size of 70-99 mm and beam trawls with a mesh size of 80-199 mm.  STECF concluded that limited data was provided by the Member States and the evidence that landing unwanted catches has an associated cost is not sufficient to demonstrate that those costs are disproportionate. The STECF notes that improving selectivity in the relevant fisheries should be the priority as it would reduce the costs for handling unwanted catches. | Prioritise improvements in selectivity proposed in fisheries where unwanted catches of megrim below mcrs are highest. Update information on disproportionate costs. |
| **Greater silver smelt 5b and 6\*** | Up to a 0,6 % in 2020 of the total annual catches of that species by vessels using bottom trawls with a mesh size equal to or greater than 100 mm.  Limited data was provided by the Member States and the evidence that landing unwanted catches has an associated cost is not sufficient to demonstrate that those costs are disproportionate. The STECF notes that improving selectivity in the relevant fisheries should be the priority as it would reduce the costs for handling unwanted catches. |  |
| **Boarfish 7b,7c and 7f-k** | Up to a maximum of 0,5 % in 2020 of the total annual catches of that species by vessels using bottom trawls. |  |
| **Demersal mixed fishery 7a** | in the demersal mixed fishery carried out by vessels targeting brown shrimp and using beam trawls with a mesh size equal to or greater than 31 mm:  a combined quantity of fish species below MCRS, which shall not exceed 0,85 % of the total annual catches of plaice and 0,15 % of the total annual catches of whiting in the demersal mixed fisheries. | Improving selectivity for whiting in fisheries where unwanted catches are highest should remain a priority.  The effectiveness of the selectivity measures introduced in 2019 should be monitored during 2020. |