

MINUTES

NWWRAC focus group

Review of cod recovery plan

The Coach House, Dublin Castle

Thursday, October 27th, 2011

15.00-17.30

Chairman: Sean O'Donoghue

Rapporteur: Caroline Gamblin

1. Welcome

- Opening remarks by the Chair

The chairman of the focus group, Sean O'Donoghue, welcomed all the participants to the meeting. The full list of participants and represented organisations can be viewed in Annex 1.

The chairman specified that it was a focus working group and that usually attendance is limited to ten or so members to facilitate discussions.

A first meeting of this focus group was arranged in May 2011 and enabled the drafting of a NWWRAC position paper that was presented at the ICES-STEFC joint meeting in relation to the assessment of the cod plan.

- Agenda:

The agenda was adopted without any modification or addendum.

- Minutes of the previous meeting (Dublin, 30th of May 2011):

The minutes were adopted without comment.

2. Update on the assessment process of Regulation (EC) n°1342/2008

The assessment of the cod plan was been carried out by the STECF and the ICES, and the final report is available¹.

On September 7th, the European Commission organised a seminar to appraise this assessment with representatives of the North Western Waters and the North Sea RACs.

The next event is a STECF/ICES meeting (“*scoping meeting*”) from November 28th to December 2nd². The terms of reference for this have just been specified by the European commission (EC). A review of the plan will require time and is unlikely before 2014.

Norman Graham (STECF) presented the conclusions of the assessment carried out according to article 34 of Regulation (EC) n°1342/2008. He used and updated the presentation made on October 7th by John Simmonds, Chairman of the EWG of STECF, at the Commission seminar in Brussels³.

Thus, STECF noted that cod fishing mortality (F) decreased before the implementation of the plan and that the subsequent decrease was smaller. The objectives were not reached in terms of F. As a whole, it is very unlikely that the Fmsy will be reached by 2015.

The lack of data made it impossible to work out the aspects of the plan which made the targets impossible to achieve. It is equally difficult to foresee what might happen should the plan continue to be applied as it is.

STECF believe that the guarantee of better management plan effectiveness depends on it being accepted by the industry, however, this condition has not been met in this instance.

Yet, STECF note positive points in the implementation of the plan regarding gear selectivity or cod avoidance (interesting use of article 13c), particularly in the North Sea. But STECF believe that this is insufficient and that the rules for controlling the correct implementation of these articles are too complicated and restrictive.

In relation to the socio-economic assessment of the plan, it was not possible, due to the lack of data, to determine the impact of the plan on the economic performance of the fleet.

In its report, STECF pointed out that it would be interesting to have full documentation of total catch (i.e.: not only landings, but also discards).

¹ <https://stecf.jrc.ec.europa.eu/reports/management-plans> - EWG 11-07 - Evaluation of NSKTWoSIS cod

² STECF EWG 11-07 website (in English): <https://stecf.jrc.ec.europa.eu/web/stecf/ewg15>

³ Dr. Graham’s presentation is available on the NWWRAC website:
http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=522&language=Francais

It would also be interesting to consider the use of catch quotas (landings and discards) and likewise to think about new TAC calculation rules (that do not depend on annual F estimates and also for stocks for which there are no quantitative assessments of the stock (West of Scotland, Irish Sea)).

Following this presentation, the EC presented their point of view. The possibilities for the future of the cod plan are, as a minimum option, the maintaining of the existing plan, and, as a maximum option, a change of approach to make this plan a 'mixed species' management tool. The EC asked STECF to consider the assessment of the various options resulting from the scoping exercise.

The members of the NWWRAC asked the EC about the possibility of implementing transitional modifying measures, particularly in regard to the effort regime. The EC answered that the Commission cannot decide on the suspension of the implementation of a plan in force. Only the Parliament and the Council of Ministers can take a decision on amending or repealing such an act. The Commission noted that the plan offers the possibility of obtaining regime effort exemptions, where catches of cod are less than 1.5%. The EC also indicated that it was not possible to use the emergency measures provision, which can only be used in the case of a serious threat and when justified by the status of stock conservation.

For the members of the NWWRAC, the circumstances are somewhat unusual considering that it would have been possible to rapidly produce a modification to the plan before implementing the co-decision. Given the conclusions of the STECF assessment, it should be possible to modify certain provisions of the plan through legislation, between now and 2014. The priority is to be able to avoid programmed reductions in fishing effort that threaten professional activities.

The EC stated that there has not been the reduction in fishing effort that would enable delivery of the plan. According to the EC, fishing effort is demonstrated by the report to not be particularly restrictive due to the variety of interpretations and applications of article 13 by the member States. They are aware of the statements of fishing professionals in relation to the economic impact of fishing effort reductions but this economic impact is not easily identified and overall figures are offset by changing fishing practices. The fishing effort graphs compiled by the STECF for this report provide overall effort levels and are inconsistent with the reductions as mentioned by fishing professionals in respect of their local fleets. They stated that more selectivity may be a partial solution for vessels that are encountering difficulties due to the effort reductions of the plan.

The members of the NWWRAC deplore that here is a gulf between the visions of the EC and the NWWRAC. They highlighted the current consensus in relation to the fact that the set objectives cannot be achieved with the plan. They reminded people that the STECF report concluded that a 1:1 proportional relationship did not exist between effort and fishing mortality. In addition, there are examples of fleets that fish little cod such as anglerfish or saithe that are impacted by the plan. They reminded people that the selective grid system could not be a solution for everyone and that a regionalised fleet approach is required. It could be interesting to make a list of the difficulties that will result the retention of the existing provisions of the plan, should it continue to be applied in an identical manner while awaiting its review.

The members of the NWWRAC indicated that it would be difficult to report the position of the EC to fishermen on the ground.

In respect of the area of Western Scotland, the chair reminded people that one should not forget that there was a significant natural cause of mortality and that, even if one applied all possible technical measures to not fish cod, there is no guarantee that there would be a decrease in total mortality.

The EC again highlighted that the objective was not to spend so much time on discussions in relation to intermediary measures and that a more long term review of the cod plan should be worked on.

The WWF representative made a rapid summary of the conclusions from the meeting on the 7th of October, highlighting that all the participants (scientists, representatives of fishermen and NGOs) at the meeting agreed that the plan did not deliver on its objectives. The general concern, at that stage, was already the question of knowing what to do while awaiting the implementation of the new cod plan considering that it is difficult to see how maintaining the existing plan without modifications could be justified from both an environmental and an economic point of view.

STECF rapidly presented the terms of reference for the next STECF/ICES meeting. These terms of reference are very detailed and will be communicated by the secretariat following the meeting, given that all the members of the NWWRAC were not aware of them. The CE requested that the STECF/ICES update available data, fleets, interaction between species, and look at the possible management options for modifying the plan by taking these elements into consideration and by having a multi-species approach.

The members of the NWWRAC asked if it would be possible to modify the terms of reference. STECF indicated that they were produced by the EC, and that this was already a revised version. It was proposed that STECF work on forecasts to assess the impact of maintaining effort reductions. One should also work on a more realistic time-frame than 2014-2015.

The French administration representative indicated that it was a shame that the terms of reference include directions proposed by the EC within the reform framework, knowing that one cannot predict the decisions that will be taken by the European Parliament and the Council of Ministers. The members of the NWWRAC also indicated that the thinking within STECF should provide food for thought in relation to reform and not the other way around.

3. Open discussion: Preparation of NWWRAC recommendations in relation to the examination of cod stock management measures

The chairman of the working group deplored that there was little time to develop this item on the agenda. He indicated that most of the points raised in the NWWRAC position paper, from the month of June, were still valid and that this could serve as a basis for the work of the Edinburgh meeting.

He reminded people that the situation in area VIa was special as a certain inconsistency is introduced by the catch composition measures that exist in addition to the cod plan. He reminded people of the necessity of implementing emergency measures to protect the strong recruitment of haddock.

The EC indicated that it had noted the problem in relation to the catch composition rule but the review of this goes hand in hand with the implementation of selectivity measures in particular for TR2 nephrops gear. The increase in haddock biomass justifies the withdrawal of this species from the catch composition list (to authorise targeted fishing), but that the members of the Commission still had to accept the implementation of this emergency measure.

4. Summary of actions and conclusions:

4.1. Transitional modifying measures of the cod plan

The majority of the discussions related to the possibility of implementing intermediary measures to modify the cod plan, while awaiting a possible review. The members of the NWWRAC were in agreement on the necessity of finding a solution in relation to effort reduction measures in particular. Three options for study were proposed:

- 1) Conservation emergency measures (for an initial period of 6 months that could be extended for an single additional period of 6 months);
- 2) Legal emergency measures (this had been used during the fuel crisis which was before the implementation of the Lisbon Treaty. However, they may be similar provisions);
- 3) The drafting of a joint declaration by the European Parliament and Council of Ministers at the next meeting of the Council of Fisheries Ministers in December.

4.2. STECF meeting in Edinburgh (November 28th – December 2nd)

It was decided that the members of the NWWRAC attending this meeting should refer to the previous NWWRAC position paper, published in June 2011. It was proposed to see, with the STECF, if it is possible to include certain points to the terms of reference, such as the issue of economic data, the link with CFP reform or the need to have a more realistic time-frame.

4.3. Final conclusions and closing of the meeting:

The NWWRAC chairman deplored that the usual focus group working conditions weren't complied with in relation to the number of participants. He wishes that this point be taken into consideration at the next meeting of the working group in order to ensure the effectiveness of the discussions.

The chairman closed the meeting and thanked all participants.

The meeting ended at 5.45 pm.



Annex I. List of participants

NWWRAC Focus Group Review of Cod Recovery Plan

Chairman

Sean O'Donoghue

Rapporteur

Caroline Gamblin

Members of the Focus Group

Bertie Armstrong	Daniel Lefèvre
Emiel Brouckaert	Alan McCulla
Barrie Deas	Lorcan O'Cinnéide
Luc Corbisier	Mike Park
Hugo González	Jacques Pichon
Mireille Thom	

NWWRAC members – Focus Group Observers

Jacques Bigot	Bruno Dachicourt	Jesús A. Lourido García
Richard Brouzes	John Daly	Kevin McDonnell
Kara Brydson	José Manuel Fernández Beltrán	Eibhlin O'Sullivan
Alan Coghill	Cécile Fouquet	Paul Trebilcock
Debbie Crockard	Raphaël Gallemund	John Woodlock
John Crudden	Sam Lambourn	André LeBerre
Réné-Pierre Chever		

Secretariat

Conor Nolan Alexandre Rodríguez Joanna McGrath



Observers

María Fuensanta Candela (DG MARE)
Edward Fahy (Journalist)
Robert Griffin (DG MARE)
Norman Graham (STECF)
Eamon Mangan (DPMEM – French Ministry for
Agriculture)
Sabela Pérez Máiz (DG MARE)
Pieter-Jan Schon (AFBINI/ICES)
William Stewart (CFCA)
Héctor Villa (MARM Spain)