



NWWRAC POSITION ON INTERIM MEASURES IN RELATION TO THE IMPROVEMENT OF THE IMPLEMENTATION OF THE COD MANAGEMENT PLAN EC REGULATION 1342/2008

April 2012

1. Background

The North Western Waters RAC (NWWRAC) thanks the European Commission for organising a workshop on the 20th of March to discuss potential improvements on the implementation of the cod management plan currently in force.

The NWWRAC has been actively involved in the cod plan assessment process since the outset in 2011. A NWWRAC position paper was proposed in June 2011¹.

A NWWRAC focus group on this subject met in Dublin on the 22nd of March 2012 and decided to propose a series of legal modifications, which are detailed below. This document was distributed among the members of the West of Scotland (WG1), Channel (WG3) and Irish Sea (WG4) Working Groups, and was subsequently approved by the Executive Committee in accordance with NWWRAC rules of procedure.

2. Proposals for short term legal modifications

In this document, the NWWRAC wishes to draw to the attention of the European Commission the measures that would be desirable in the short term to improve the implementation of the management plan, while waiting for an overall review. These priority measures relate essentially to five articles of the cod plan and are presented hereafter.

Article 9:

This article proposes an automatic TAC reduction of 25%, where the STECF recommends that cod captures be reduced to the lowest level possible, even where more appropriate alternative measures could be envisaged. The NWWRAC considers that this is an arbitrary proposal and that it does not take into consideration the state and specificities of the different cod stocks in the areas of implementation of the plan.

Therefore, the NWWRAC considers that the proposed obligation of an automatic TAC reduction is not appropriate and that it would be desirable to have it removed. This would be a straightforward solution, given that it was generally agreed by most participants involved in the workshop held the 20th of March 2012.

¹ Direct link:

http://www.nwwrac.org/admin/publication/upload/NWWRAC_Position_Paper_Review_CRP_130611_EN.pdf

NWWRAC advice on the intermediate measures in relation to the improvement of the implementation of the cod management plan (Reg. 1342/2008) - April 2012



Nevertheless, the implementation of this article has in practice led to many differences of interpretation. Without bringing into question the statement of the ministers at last December's Council meeting about the interpretation of exemptions, the RAC considers that the use of this article needs to be clarified, in relation to some points for which the "proof" of the application must actually be expressed in terms of reduction of fishing mortality, and needs to be simplified, particularly in relation to article 13 (c).

The RAC points out that the interest of article 13 (a) is debatable (considering the possibility of exemption offered in article 11 (b)). Therefore, this article could be removed.

Finally, the NWWRAC reminds one that article 13 (d) must remain coherent with Regulation (EC) n°579/2011 that establishes interim technical measures.

Article 17:

The NWWRAC thinks that the rigidity of the effort system is one of the penalising elements of the implementation of the Cod Plan, as well as the wide definition of effort groups that includes gears that has a diverse impact on cod. Article 17 allows for exchanges between effort groups but actually penalises the transfer of effort from TR2 gear to TR1 gear, considering that the latter has a higher impact on cod.

The NWWRAC thinks that a vessel wishing to increase voluntarily mesh size with a view to improving selectivity and reducing discards, should not be systematically penalised in terms of effort transfers.

The NWWRAC thinks that a complete review of the Cod Plan is necessary, but given the legal and procedural constraints and deadlines, wishes that the above proposed measures be rapidly implemented.

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Dissenting Opinion: The organisations members of the NWWRAC representing the Spanish industrial trawl fleet -OPPAO-ANASOL-Puerto de Celeiro-, are of the opinion that those fishing vessels operating in the area that have a documented low impact on cod catches should be exempt from the application of the plan as it stands or as modified by the above suggested measures.

NWWRAC advice on the intermediate measures in relation to the improvement of the implementation of the cod management plan (Reg. 1342/2008) - April 2012