



The definition of “*overfishing*” contained in the communication is welcomed and will be quoted in future. The term is frequently used loosely, implying as the document notes the risk of extinction or collapse.

The NWWRAC also welcomes the recognition and objective description in the document that fish stocks in European waters are improving. We often encounter excessively generalised statements on the demise of fishing, making it difficult to present the more correct picture of genuine effort by the industry to make advances in matters of sustainability.

However, an example in another context of what the industry believes to be an over-generalised, unhelpful statement of alarm may be found in the communication, on the matter of effort. The statement that: “*Recent analysis indicates that there is no evidence that a significant reduction in the overcapacity of the EU fleet has been made*”. This refers to a report referring to the single year of 2009 and does not sit well with the graphs in Annex II, which reveal an effort reduction approaching 40% in the west of Scotland and 60% in the Irish Sea over a more meaningful period. The NWWRAC would much prefer to cooperate on the issues of the day with the Commission and to present these realistically to the public, recognising difficulties and failures when they occur and also taking encouragement from improvement and success in their turn. There should be no place for manipulative distortion or hyperbole.

3. Policy directions: absence of scientific advice and working method for proposing TACs

The most important concern for the NWWRAC is over the absence of scientific advice and the effects this will have on the method for proposing TACs. For avoidance of doubt, the NWWRAC has no desire to resist catch reductions where those are properly justified for conservation reasons. Further, the RAC recognises that only proper stock assessment will lead to appropriate management measures. What does alarm us is the application of an auto-reduction of 25% to all stocks where scientific advice on overfishing (presumably as defined in the communication) is unavailable, indeed without any accompanying mitigation measures in place. The NWWRAC regrets that in this approach the Commission has not considered to take into account the ICES advice based on trends for the stock without population size estimates (as proposed in the book 1 of the ICES advice).

To avoid the worst affects of over-simplified, one-size-fits-all approaches it is necessary to properly recognise the reasons for lack of data. For a number of stocks this will be as a result of the scientific challenges noted in the document, for other less prominent stocks with no formal requirement for data, such data provision is unlikely to commence in the straitened circumstances of most Member States and in other cases the Member States themselves are in default.

Data deficiency is not therefore a simple problem and will require a more intelligent solution. Discussion with Commission personnel has indicated that the rule is meant at least in part to stimulate better behaviour in data production by Member States.



While it may or may not have that affect in the end, it is not the Member States' fisheries administrations that will suffer its consequences but a fishing industry that is already in critical condition. In this context, the NWWWRAC is wondering what will be the role of the STECF, which is not mentioned in the Communication, in the process of the review of advice and TAC proposal.

The NWWWRAC reiterates its will and requests that the Commission, in coordination with the Member States, target and dedicate sufficient funding to overcome data deficiencies with the aim to avoid in future the adoption of blunt measures that will be detrimental for the industry. We believe that an increased funding will help in achieving the aims of recovery and restoration of the stocks based on solid scientific advice underpinned by strong and reliable data.

Again for avoidance of doubt, there will be no pursuit of unsustainable, ecologically damaging fishing to offset socio-economic difficulties, but equally there must be no gratuitous socio-economic damage done by excessively blunt rules.

You will know that the North Western Waters RAC is currently addressing practical solutions to existing data deficiencies. In this particular, a set of proposals for North Western waters is under way and will be made separately from this response. The NWWWRAC appreciates the Commission's recognition of the potential of indicators coming from commercial fisheries. In the work to be carried out, a much greater input from industry is anticipated.

In addressing deficiencies in data, the fact that the current situation has persisted for some time must raise the question if the present data requirements and the modelling to which they input are fit for purpose. The NWWWRAC welcomes that the Commission intends to task the scientific agencies to urgently resolve these problems. We also welcome the exhortation by the Commission of the Member States to deliver the necessary information. Where this is culpable failure rather than scientific difficulty, we in turn exhort the Commission to infract the offending Member States.

4. Discards

The issue of discarding, while not part of the Communication, is nonetheless closely connected with the rules on fishing opportunities. We have already noted that inadequate data leads to incorrect management measures. Where these lead to disparity between regulation and reality, the result will be discarding. There is a further problem, directly connected with catching opportunity, in the overlay of technical conservation measures on TACs and quotas. There is a particularly acute problem in Area VIa caused by inappropriate catch composition rules, particularly in the light of recent biological changes. If not addressed, this will lead to a serious but avoidable increase in discarding. A separate approach will be made by the NWWWRAC on this matter.

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