



Demersal Working Group Record of Meeting The Mothers' Union, Tufton Street, London 26th May 2010

Rapporteur: Tony Hawkins

Final

1. Welcome, Apologies & Agenda

- 1.1 Barrie Deas welcomed participants to the Demersal WG and especially Douglas Beare from IMARES, Tom Peatman from MRAC, John Casey from STECF & Keri Torney from DEFRA, all of whom would be making presentations, and Peter Hopkins from the Commission. Other participants introduced themselves.
- 1.2 Apologies had been received from Willem de Boer, Peter Breckling, Stephen Ritchie, Euan Dunn, Fred Normandale, Robert Stevenson, Charline Gaudin, Dominique Thomas, Emiel Brouckaert and Derk Jan Berends.
- 1.3 The agenda for the meeting was agreed.

2. Report & Matters Arising

- 2.1 The report of the previous meeting, in Ostend in February was accepted as an accurate record. There were no matters arising which were not already on the agenda.
- 2.2 Action points from the previous meeting were considered. The issue over the lack of northern representation within DG Mare will be raised at the next ExCom. The Nephrops LTMP Development Group had met and the plan would be discussed later. The flatfish management plan was on the agenda for this meeting and would be the subject of a presentation from MRAG. The Control Group were to have been contacted about the new Omega meter but we were not sure what progress had been made with this. A Focus Group had met in Brussels to consider a draft paper on the impact of the cod recovery plan, and a new draft was now available for further discussion. There had not yet been an opportunity to comment to the Commission on the issue of the implications of EU/Norway negotiations for reform of the CFP. On MSY, representatives from the NSRAC had attended the ICES

meeting in Copenhagen on the 22-26th March and had delivered the RAC's main points. We had now received the Communication on TACs & Quotas which was heavily influenced by MSY. We had received no direct feedback on progress with the new Control Regulation. Information had been circulated on the proposed workshops and conference on CFP Reform, and members had attended. A letter had been sent to the Commission by the NWWRAC on rectifying data deficiencies and we needed to check whether this had been followed up by a letter from the NSRAC. A Focus Group had met in Brussels to look at the problems of reducing discarding in those fisheries where the quotas are not keeping pace with catching opportunities and a paper was available for further discussion. Some comments on the Deep Sea Access non-paper had been circulated but no-one had responded. A very good document had come out of the NWWRAC and it had been intended that the NSRAC give it our strong support. In the event this had not happened and the NSRAC had missed an opportunity.

3. Relations with STECF

- 3.1 Barrie Deas introduced John Casey, the Chair of the Scientific, Technical and Economic Committee for Fisheries. There was increasing scope for interaction between the NSRAC and STECF and John had been invited to tell us about the role of STECF and asked to consider how the NSRAC might collaborate more closely with it.
- 3.2 John explained that STECF was established under the Basic Regulation (2371/2002). It was to be consulted at regular intervals on matters pertaining to the conservation and management of living aquatic resources, including biological, economic, environmental social and technical considerations. The Commission had to take into account the advice from the STECF when presenting proposals on fisheries management under this Regulation.
- 3.3 The mandate for STECF had been further set out in a Commission Decision (2005/630). The Commission was able to request advice in the form of opinions from the STECF. In addition, the STECF could, on its own initiative, provide opinions to the Commission. Several other requirements were specified. STECF had to draw up an annual report on:
 - i. The situation as regards fishery resources relevant to the European Community;
 - ii. The developments in fishing activities, with reference to biological, ecological, technical and economic factors.
 - iii. other economic factors affecting fisheries.
- 3.4 Meetings of the STECF and its working groups had to be approved and convened by the Commission. The Commission itself could participate in meetings of the STECF and of its working groups and could also invite experts who were not members of STECF to participate. STECF is therefore essentially a Commission advisory body. Members of the STECF and external experts are not able to divulge any information acquired as a result of the work either of the STECF or of the working groups. If STECF is informed by the Commission that the opinion requested is of a confidential nature, only members of the STECF and

Commission representative can be present at that working group. However, the latter is very rare.

- 3.5 Members of the STECF are appointed and external experts are invited in their personal capacities. They may not delegate their responsibilities to others. They must act independently of Member States or stakeholders. They are required to make a declaration of commitment to act in the public interest. At each meeting they have to declare any specific interest which might be considered prejudicial to their independence in relation to specific items on the agenda.
- 3.5 There are standing requests for the STECF to:
- Review stocks of Community interest
 - Review National programmes under the Data Collection Framework
 - Review Member States technical reports
 - Review any Surveys carried out
 - Review reports from Member States on achieving a balance between capacity and fishing opportunities
 - Establish the effort management database which is used by the Commission to produce an effort management programme
- 3.6 On management plans, STECF is asked by the Commission to carry out impact assessments and evaluations and to assist with the development of the plans. Two meetings are to be held on this in the near future; a scoping meeting in June 2010, and an analytical meeting in autumn 2010. Currently, most management plans consist only of harvest control rules and any proposals for effort regulation. However, long term management plans should be much wider in scope. They should be drawn up in consultation with stakeholders, and they should include provisions for monitoring progress – by setting performance measures.
- 3.7 The Commission decides on the STECF agenda. If a RAC or Member State wishes to have a topic considered by STECF it must send a request or proposal to the Commission. The Commission then decides on its priority and whether to ask STECF for advice. Any requests need to be submitted to STECF at least 2 weeks before the appropriate meeting (ideally 4 weeks). At present there is no formal mechanism to have STECF represented at RAC meetings – although this may be looked at by Commission in reconstituting STECF later in 2010. Currently, participation in RAC and other meetings by STECF members is purely voluntary and must be funded either by the RAC or the home state.
- 3.8 The NSRAC needed to consider how to proceed in terms of achieving better communication with STECF. The level of service depends on what the RACs want from scientists and other specialists. Some steps have already been taken to promote collaboration. The STECF chair provides a calendar of meetings to the RAC's secretariats (and is already available on the STECF website). There is the possibility of a periodic (4-6 week) update on issues STECF is being asked to deal with. RACs can request participation of individual members at RAC WG meetings although there is no formal STECF representation in RAC meetings at present. The RACs cannot ask directly for work to be done by STECF – but the RACs could

make requests to the Commission for scientific work to be done by STECF or to be done by others and then reviewed by STECF.

- 3.9 In discussion it was suggested that the work of STECF is not truly independent, as it is closely attuned to the Commission's priorities and requests. John Casey replied that he tried to ensure that the advice provided was as independent as it could be. Several participants raised the issue of requests from fleet segments to gain exemption from effort restrictions under the cod recovery plan, on the grounds that these vessels did not catch cod. Quite strong cases had been rejected, presumably as a result of advice from STECF. John Casey said that the wording from the Commission relating to exemptions referred to catches, not landings, and for some fleets information on actual catches had not been provided. It was argued that for the French saithe fishery full information had been provided, including discards. John re-emphasised that the Commission's request for evaluation was very specific. Any fleet had to show that actual catches included less than 1.5% cod. Peter Hopkins said that the difficulty often revolved around the definition of the fleet, and the vessels which fitted into the defined fleet category. It was agreed that we had to learn from this process. We could emphasise to the Commission the need to specify any request clearly and precisely, so that fleet segments knew what was required from them in terms of evidence. These problems illustrated how useful it would be to have STECF represented at RAC meetings, so that the exact nature of any problems over advice could be discussed and made plain.
- 3.10 Concern was expressed, as on previous occasions, over the gap in perception between fishers and scientists. Perhaps STECF could contribute to closing that gap? It was especially important that experts giving advice within STECF should be fully aware of circumstances in the fisheries and within particular fleets. They also needed to take fishers' information on the stocks into account. STECF sometimes tempered its advice by saying that there was a lack of data, but perhaps those data could be provided. The industry needed to be told what data were missing so that they could assist in providing it. Antoine Le Garrec emphasised that STECF does not take account of the "know how" of fishermen. This is especially important when considering topics like exemption. Decisions by STECF could have huge consequence for the profitability and turnover of fishermen. They should be obliged to interview fishermen or to listen to them. Hazel Curtis (a member of STECF) remarked that one of the problems relating to economic data was that submission of financial information by vessel businesses is mostly voluntary. Fishers in most Member States are not legally obliged to provide financial information about their businesses. Most Member States do fulfil most of the economic data requirements, although only around 6 out of 22 MS submitted the required data on time this year.
- 3.11 RAC representatives attending some STECF meetings had been registered as observers, while at others they had attended as experts. In both cases, industry contributors have made useful and welcome contributions to working groups. There was also some confusion on the part of the RACs over which meetings were important and which were not. We had to communicate better so that the RACs could decide where their input would be most valuable. There was appreciation and support for John's proposal to improve communication with the RACs.

- 3.12 Giles Bartlett asked how important performance targets and indicators were for long term management plans. John replied that you had to be able to measure progress. What do people want the plan to achieve and what information did you need to determine whether you had achieved it. If we looked at the existing management plans they did not have clear objectives and it was difficult therefore to evaluate progress.
- 3.13 Eamon Mangan remarked that Member States had only just been informed of several key meetings involving STECF, stakeholders and Member States. Rapid developments were taking place with respect to management plans which representatives could not keep up with.
- 3.14 In concluding the discussion it was agreed that the RACs and STECF should cooperate more closely along the lines which had been suggested by John Casey. It would be especially important to ensure that any requests for advice from STECF were formulated at an early stage for transmission to STECF through a request to the Commission.

4. Cod recovery

- 4.1 A Focus group had met on April 7th in Brussels, attended by Chris Darby and the Commission and had built upon earlier discussions in Ostend. Contributions had emphasised that the cod recovery had been adversely affected by discarding of cod and that the cod recovery plan was failing to deal with this problem. There had been support for a “land more and discard less” adjustment to the recovery plan. A paper had since been developed by the rapporteur and the intention was to send this to the Commission, STECF and the ICES WG on North Sea Demersal Species. First, however, Michael Park had been invited to develop the idea of landing more and discarding less.
- 4.2 Michael pointed out that currently, under the TAC system, the amount of fish which fleets can land to market is precisely stipulated. This has resulted in complex and detailed supporting legislation to avoid overexploitation. It is illegal to retain fish onboard for which there is no entitlement – this is what promotes discarding.
- 4.3 Most of our fisheries take a mix of species. The negative aspects of managing mixed fisheries through single species allocations are only too apparent. Special management measures (Recovery Plans, TAC constraints, catch composition regulations) are unable to deal with discards and may even create discarding. They are also unable to cater for a scenario where quotas are based on catches rather than landings. Yet there are considerable advantages in moving to a system where the whole catch is landed. Pilot initiatives are required to achieve this, in exchange for derogation from controls on effort.
- 4.4 A system of catch quotas, where fishing opportunities are allocated in terms of removals rather than landings can:
- Deliver a regime that reduces discards and waste
 - Promote greater selectivity, as an economic driver

- Reduce catches of unwanted species by removing input controls (currently a negative influence)
- Deliver confidence to both managers and society
- Provide a greater breadth and depth of stock information
- Achieve greater economic resilience for the fleets
- Remove technical creep issues
- Promote best practice

4.5 There are a number of prerequisites for catch quotas to be effective. They can only work with stocks where ICES provides catch predictions (obvious candidates are the cod, haddock, whiting, saithe, plaice). They require robust reporting and transparency – including cessation of fishing activities where catch limits are reached. They also require greater flexibility in terms of exchanges between species.

4.6 To take such a proposal forward requires formal acceptance of the principle of catch quotas. Candidate species would need to be chosen, and the level of quota allocation to be retained by the Commission agreed. Currently, pilots were being sought only within the North Sea.

4.7 Fishing is a business. Currently resilience is very low and unable to withstand shocks. Allowing vessels to land their catch can provide the required resilience. Looking at an example vessel from North east Scotland, a catch quota allocation of 85% would yield an additional:

- cod - 40 tonnes
- plaice – 8 tonnes
- haddock – 57 tonnes
- whiting – 16 tonnes
- saithe - 19 tonnes

This would lead to an increase in income of £150,691 (an 18% increase in turnover). Profitability is increased disproportionately due to reduced quota leasing costs (currently £90,000 per annum) and reduced fuel costs due to shorter fishing trips.

4.8 Further points of detail would need to be considered. Member States would need to forward a plan on how they would deliver robust reporting, accountability and transparency (Remote Electronic Monitoring would feature heavily). There would need to be agreement within Member States to withhold various levels of species to enable a degree of flexibility. Flexibility between species would need to be delivered on an agreed scale of exchange based on recent average values (not vulnerability or abundance). That flexibility comes at a cost, and should only cater for exceptional circumstances.

4.9 Arnold Locker thought that there was a place for catch quotas and also for the introduction of TV cameras on board. However, his big concern was with whiting and saithe, where TACs were very low for some fleets, but abundance was very high. Large catches of both species were inevitable unless exceptionally effective selection could be introduced. Barrie Deas thought that these proposals from

Michael Park were quite radical, but had broad application. He invited Keri Torney from Defra to comment.

4.10 Keri described the possibilities of catch quota pilots employing Remote Electronic Monitoring (REM) aimed at reducing discards. The term 'discard' means any type of organic matter of animal origin which is caught by fishing gear and thrown back into the sea, either living or dead. So, a discard can be any targeted, commercial marine species or any other marine animals which are not caught deliberately, but are incidental catches in a fishery. Discarding is:

- a waste of natural resources
- detrimental to fish stocks
- a potential loss of income for fishermen
- disruptive to marine ecosystems
- ethically undesirable

4.11 Discarding occurs for a number of different reasons. Catches can be over quota; fish can be below the minimum landing size (MLS); high grading can take place, where fishermen discard fish based on how much they are worth; and there is non-target by-catch, where animals may be discarded either because they have no market, are inedible or are a protected marine species. From those fisheries that are scientifically sampled, it is estimated that 18% of quota species are discarded. However levels of discarding by the UK fleet decreased year on year between 2002 and 2008. Defra is currently undertaking further analysis of discards in the UK. This should allow us to calculate realistic discard reduction targets for English fisheries and inform some analysis on the economic impacts of discards.

4.12 There have been a number of initiatives taken to reduce discards. Selective fishing gears have rarely been taken up by fishermen in the past. However, a recent trial (Project 50%) used social marketing techniques to encourage the uptake of selective fishing gears. The project reduced discards by an average of 51%. A high-grading ban was introduced in the North Sea and Eastern Channel in 2009. It is difficult to enforce at sea and it has been hard to gauge how compliant fishermen are to this regulation. The UK has implemented a number of Spawning and Real Time area Closures (RTC's) to protect undersize / juvenile cod. This has been achieved through the Scottish Conservation Credits Scheme and English/Northern Irish equivalents.

4.13 A catch-quota scheme is a different way to manage fishing. It is a quota that accounts for the mortality of all fish caught, rather than just fish landed at port. Fishers will get more quota and will be expected to maximise the value of their catches by using their professional knowledge and skills. When transferring from traditional landings quota to a catch-quota, the quota is increased to include the estimated mortality in a fishery (e.g. landings mortality plus estimated discard mortality or all the fish killed). Fishers can land more fish while eliminating discards, but overall stock mortality does not increase.

4.14 Pilot projects will allow us to assess the ability of a catch-quota system to reduce discards, reduce stock mortality, and see if the system encourages fishermen to fish more selectively. They will also allow us to assess the ability of REM

technology to verify a catch-quota system and provide improved scientific data. They will provide useful evidence on whether the system is a suitable option to pursue for CFP reform in 2012.

4.15 Under a catch quota system:

- All catches count against quota and cannot be discarded (undersize fish count against quota but may be discarded).
- Catches are verified at sea by either camera systems or observers.
- Once the quota is reached, fishing must stop
- As discards are eliminated, additional quota can be caught, without increasing overall mortality
- There are incentives for more selective fishing.
- Fishers have responsibility for managing how, when and where they fish to maximise their profits
- Useful scientific data is provided

4.16 A North Sea pilot will operate from May to December 2010, on North Sea cod. England currently has 5 vessels in the scheme, and Scotland 25. Denmark is also running a scheme. The UK obtained an additional 5% (653 tonnes) of cod quota to facilitate the scheme. Each vessel is getting up to 30% more quota. The trial aims to see if the system reduces discards and mortality and if the REM technology is feasible. Interim results will be available in October 2010, in time to inform decisions on what is to be done next year. Defra has also approached the Commission and STECF to discuss a discard reduction trial with a catch-quota element for sole in the mixed fisheries of the South West.

4.17 Michael Andersen said that there were good things about catch quotas. They would draw attention to the mismatch between the scientific assessments and actual stock sizes by showing what was being caught on the fishing grounds. However, the introduction of cameras was opposed by some fishers. These initiatives should proceed cautiously. Antoine Le Garrec agreed. TACs were out of key with the real position. However, even catch quotas could not deal with a problem of very high abundance and low quotas. Leslie Tait was concerned that the Commission would not accept these proposals fully. He was also concerned that the science lagged behind conditions on the fishing grounds, meaning that quotas for some species like whiting and megrim did not reflect their actual abundance. In addition, a species like the cod was dominating the system of management, although it formed only a small proportion of the catch. Caroline Gamblin said that French vessels haven't discussed such schemes yet but share the reservations made by Michael Anderson in particular on the possible mismatch between science and the state of the stock and its implications. A global quota system operated in France which made implementation more difficult. Antoine Le Garrec thought that a system of catch quotas could have an impact on relative stability if some Member States implemented it and others did not. Furthermore, catch quotas could also have an impact on markets, and for some species could lead to a substantial increase of TACs & Quotas. Fishers were also reluctant to remove MLS for some species: for example for species which have a high survival rate or to avoid high fishing pressure on high value small fish. Pim Visser was concerned that once the cod quota had been taken the whole fishery had to shut

down – even though quotas were still open for other species like sole. We had also been warned previously that the Commission would need to show exceptional bravery to accept such proposals. Arnold Locker thought that it would be possible to apply such schemes to cod but they could not be applied to all species. Moreover, once the lowest common denominator species was caught the fishery had to close. Jane Sandell was not entirely happy with the idea of transferring quota from one species to another. The quota management system is there for a reason and it should not be interfered with.

- 4.18 Michael Park defended catch quota schemes. It had been said that these proposals interfere with relative stability. They do not. The fish which are landed would otherwise be killed. There is a problem with species like whiting which are more abundant than the TACs suggest. There might also be a problem if regime shift occurred. If catch-quotas were adopted many of the regulations which forced discarding might be removed. It would be difficult to deal with species like whiting, but more information would be acquired with time as the lack of data on whiting was addressed.
- 4.19 There was some concern over the use to which the fish which would otherwise be discarded would be put. They could not go into the human food chain. However, with catch-quotas there were stronger incentives not to catch fish which would count against quotas but not bring in any income. Giles Bartlett pointed out that such schemes had originally been proposed by the WWF through its concept of 'by-catch quotas'.
- 4.20 Peter Hopkins was enthusiastic about catch-quotas. There were difficulties but there are also difficulties with the current way of operating, with heavy discarding of some species. The effort management system had been introduced to reduce discards but it had its own problems. If catch-quotas worked then effort controls and technical measures might no longer be needed. We should not emphasise the difficulties and should try to develop this initiative further in the context of CFP reform. Barrie Deas concluded that these modest pilot projects could lead to major changes to the management regime. Problems could be foreseen but they might be overcome. There was a trade-off, in that more monitoring was required. However, it was possible to adopt an incremental step-wise approach.
- 4.21 Antony Viera from CRPMEM gave a presentation on the SELECCAB project aimed at improving the selectivity of artisanal trawlers working in the North Sea to limit catches of cod. This programme had begun on the 22nd of September 2009 over a period of one year. It was implemented by the Regional Fisheries Committee of Nord-Pas-de-Calais/Picardie (located in Boulogne), in cooperation with professionals and Ifremer. The project related to the instruction from the Commission that vessels apply technical changes to their fishing gears deployed which allow for a reduction in cod-by-catches and the obligation in some circumstances to deploy large mesh trawls. There were two phases to the project:
- testing a large mesh trawl which corresponded to the description established by the Commission in the TAC and Quota regulation which was supposed not to catch any cod,
 - proposing an alternative choice like a selective grid

- 4.22 The large mesh trawl had caught 45% less fish than the reference trawl. There had been a similar distribution between the commercial catch and discards for both trawls. There had been a reduction in the catches of cod. In terms of escape of three significant species, this was significant for all range of sizes for the whiting; significant for cod > 19 cm; and significant for plaice > 34 cm. There was an immediate operating loss. The catch of the reference trawl was valued at 21,582 Euros and that of the large mesh trawl at 11,104 Euros. The conclusion was that the large mesh trawl was effective at reducing cod catches but it also reduced the catch other commercial species.
- 4.23 Previous experiments with grids had resulted in lots of whiting becoming jammed between the bars of the grid. Two new designs were being tested. One was a mixed grid to allow small size whiting and big size cod to escape. The other consisted of two successive grids one for cod and one for whiting. A square mesh panel was placed in front of the grid for whiting to avoid jamming of whiting. Initial tests had shown that thanks to the square mesh panel there were no whiting jamming between the bars of the grid. But some flat fish and squid escaped. Trials at sea have shown that the trawl with the mixed grid seems to catch smaller whiting and plaice while bigger fish escape. It is difficult to draw any conclusions about cod) because too few fish were caught. The escape hole will be modified for succeeding trials to try the "poche à cailloux" system (loosely translated as 'pebble bag'). Further tests are being carried out in June and July.
- 4.23 There was support for projects like this which are devised and carried out by the industry itself. There was a limit to what could be achieved with trials led by scientists, and reluctance on the part of industry to try selective gears presented to them. Industry has to be involved in trials for selective gears to be successfully adopted. In the SW English work described at the last meeting the procedure had been to talk to fishers and then let them decide the best way to develop more selective gears. It was acknowledged that there were particular difficulties devising gears which did not catch cod. Eamon Mangan asked what the link was between more selective gears and catch-quotas. Keri replied that catch-quotas gave incentives to fishers to reduce the proportion of the catch which could not be sold. Fishers had incentives to make gears more selective.
- 4.24 The meeting went on to consider the paper on cod recovery produced by the rapporteur following the April Focus group meeting in Brussels. It was agreed that the paper reflected what was said at the meeting. It was agreed that it should be sent to the Commission, the Parliament, STECF and ICES immediately. Pim Visser, however, wished to insert a modification on the comments from the Netherlands which he would draft and send on to Tony Hawkins.

5. Dealing with the discarding of whiting and other species

- 5.1 A Focus Group had met in Brussels on April 7th to look at the problems of reducing discarding in those fisheries where the quotas are not keeping pace with catching opportunities. A draft paper had been prepared by the rapporteur, and was presented to the meeting.

- 5.2 Participants stressed the ongoing problems with whiting. They appeared to be especially abundant in western and northern waters of the North Sea, where fishers did not have quota for catching this species, but were catching large quantities and having to discard them. Peter Hopkins said that the Commission had asked ICES to look closely at the whiting assessments. The Commission will also be seeking advice on what should be agreed within a long term management plan for whiting. Barrie Deas pointed out that this was the same old problem of verifying that a species was being caught but discarded.
- 5.3 It was agreed that the paper represented what had been agreed at the Focus Group meeting although Michael Andersen wished to clarify the position on uptake of the whiting TAC by the Danish fleet. Following receipt of those comments the revised document would be presented for approval by the ExCom before forwarding to the Commission.

6. The Long Term Management Plan for *Nephrops*

- 6.1 Following a meeting of the Development Group the draft LTMP for *Nephrops* had been revised. In particular it had been shortened to make it suitable for presentation at meetings with the industry. It was considered important to involve fishers in the preparation and compilation of the plan. Much of the preparatory work had been useful and would be retained for future use but had been removed from the latest version.
- 6.2 The intention is now to take the draft plan to meetings with fishers and to seek their help in preparing clear and agreed objectives and instruments. It is essentially a basic version for further discussion. Michael Andersen thought that some of the options for managing *Nephrops* at the functional unit level were a bit naive and unlikely to be accepted, but others thought that we should include all options at this stage, even though some of them might be rejected.
- 6.3 Giles Bartlett was concerned on behalf of the NGOs that a large part of the environmental material contained in an earlier draft had now been removed. The NGOs were concerned that the consultation would simply rubber stamp the current plan. The rapporteur explained that the plan was not yet a firm plan. Many of the main objectives and options for management had still to be discussed and agreed. It was by no means a final plan for adoption. There would be scope for reintroducing additional environmental and economic material later, once it was clear what *Nephrops* fishermen thought about the proposals. Michael Andersen said that we were essentially saying to fishers 'these are the ideas we have. What do you want to have included?' Jane Sandell said that we did need clear objectives and indicators but we could not define firm targets and consider monitoring until the objectives had been agreed. The economic targets will have to be very broad. Some groups in Scotland already had some objectives lined up for discussion.
- 6.4 Giles Bartlett thought that the market aspects of the plan may not be adequately represented by the document. Keri Torney pointed out that a market research project had just been carried out by Defra on *Nephrops*. The results should be available soon. Barrie Deas thought we should now adopt the plan as it stands, or

even slim it down further before presenting it to the industry. We needed to keep its presentation simple. A view was expressed by several people that the plan was best presented in small round-table workshops rather than a theatre style presentation. It was agreed that meetings to discuss the plan would now go ahead at several coastal locations, perhaps starting in the week beginning June 14th.

7. Flatfish Management Plan

- 7.1 Pim Visser spoke about the Commission's procedures for taking forward the management plan for plaice and sole. It is mandatory to review the plan after three years. STECF has been discussing the plan and MRAG has carried out an economic appraisal which has initially concentrated on fact-finding. North Sea plaice has undoubtedly recovered, but no-one knows whether this has been a consequence of the management plan, or due to the other major changes which have taken place in the North Sea. The biomass target for the plan had already been attained at its beginning, and has now been greatly exceeded. The NSRAC had been asked to engage in discussions with STECF regarding the impact assessments. A meeting would take place in Copenhagen in the week beginning June 7th. Pim would attend for part of the meeting and a French representative would attend for another part. There is an email from John Simmonds, who is conducting the meeting, asking the NSRAC to register through the STECF website. Plaice and sole are due to be discussed on the 9th and 10th June.
- 7.2 Tom Peatman of MRAG gave a presentation on socio-economic aspects of the management plan for plaice and sole. A report from MRAG assesses the impacts of North Sea fishery long-term management scenarios in environmental, economic and social terms. A bio-economic model provides output for environmental impacts and economic and quantitative social impacts. The social impact assessment is supplemented by qualitative analysis and additional data collection and includes impacts at community level. Essentially the study builds on an evaluation by STECF of the impacts of the management plan to-date. Baseline information is provided in an STECF report (SGMOS 09-02). Dependencies have been determined through available literature and consultation (e.g. experts at STECF).
- 7.3 Economic performance of the fleet in 2008 had severely deteriorated, most probably through increased fuel costs and reduced fish prices. The fish price was likely to result in worsened performance in 2009 even with increased TACs. The uptake of the quota for plaice had been high, and the uptake of sole increased significantly in 2008. The highest dependent processing employment was in the Netherlands, with significant employment also in France and Denmark.
- 7.4 MRAG had been asked to look at several management scenarios for the model:
- Option 1 – the status quo scenario
 - LTMP remains unchanged
 - Option 1 provides comparison against which performance of other management options can be determined
 - Option 2 - Option 1 but with:

- F_{target} for plaice reduced from 0.3 to 0.17
 - If $B < B_{\text{pa}}$, lower TAC constraint removed
 - If $B < B_{\text{lim}}$, $F = 0.7 * F_{\text{target}}$
 - F_{target} reached by 2015
- Option 3 - Option 1 but with:
 - 100mm min mesh size in sole beam trawl fishery to reduce plaice discards

Variations in critical assumptions (e.g. parameter values, relationships between variables) had been considered to capture the sensitivity of model results to the assumptions. The environmental impacts had been assessed for conformity with sustainable environmental management objectives. The economic impacts had been assessed in terms of the performance of fleet segments and the processing sector in terms of the value added. Social impacts had been assessed in terms of fleet and onshore (processing and upstream) employment and a qualitative examination of impacts at community level had been made for dependent regions.

- 7.5 The modelling work was still in progress. Projections had shown that plaice catches under option 2 were higher than under option 1 after 2020 due to an increase in spawning stock biomass (SSB). Option 3 had not yet been finalised. In terms of economic impacts, increased SSB leads to increased catch per unit effort. The reduction in effort related costs per unit catch gives an increase in economic performance. Highly dependent segments benefit more than medium/low dependent segments. Under Option 2, fleet performance is worse than under Option 1 for 2010 and 2015 as the plaice TAC will be lower. Recovery in catches results in improved performance compared to option 1 by 2020. Segments dependent on plaice are more heavily impacted. There is little impact on fleets with low dependencies. In terms of social impacts, employment is reduced due to the reduction in effort required to obtain the catch. There are higher reductions for Option 2 through a combination of decreased plaice catch and increasing SSB. The crew wage is increased. Significant numbers of UK and German vessels are owned by Netherlands companies and significant quantities of the UK and German catch are landed in the Netherlands for processing. Modelling is continuing on processing and upstream employment and community level social impacts.
- 7.6 To summarise the results so far, increases in stock SSB (and catch) will lead to increased economic performance in fleet segments for Options 1 and 2 (and 3). Significant impacts will only be experienced by medium and high dependency fleets. Option 2 results in a decrease in economic performance in 2015, leading to long-term (2020+) improvements.
- 7.7 Pim Visser asked who had suggested the three different options and was told it had been the Commission. Several participants queried the veracity of the models and suggested that it was not possible to look this far into the future without losing touch with reality. Option 3 was not a positive scenario. It would be satisfactory for plaice but no sole would be caught! Peter Hopkins said that this scenario had been introduced because of the great pressure to reduce the discarding of plaice. It was agreed that the NSRAC would need to continue to engage in this exercise with Pim Visser as the linkman.

8. Evaluation of the Plaice Box

- 8.1 Doug Beare of IMARES gave a presentation on the revision of the plaice box. The history of the box was that the ICES WG had noted a change in the exploitation pattern towards catching smaller fish. It had estimated that closing an area to protect juvenile plaice would increase yield from the fishery. The borders of the box originally proposed were changed and accepted by EU ministers in 1988 with the support of fishers. The box was closed in quarters 2 & 3 in 1989-93, and from 1994 had been closed all the year round. Vessels with less than 221kW were allowed to fish within the box as were certain other vessels provided the plaice by-catch was less than 5% of the total.
- 8.2 Contrary to expectations both recruitment and spawning stock biomass for plaice had fallen after introduction of the box. The total Dutch landings of plaice from the North Sea were 84kt (1989), 50kt (1994) and 20kt in 2008. This reduction resulted in a loss of credibility for management and scientific advice. What happened was that the distribution of juvenile plaice changed. There was also a decrease in growth rate. The area inside the box seems to have become more important to shellfisheries.
- 8.3 The purpose of the current study was to quantify the role of the plaice box in conservation of plaice and other marine organisms; to create a database (logbooks, discards, surveys, VMS, benthos, T&S, nutrients); to propose modifications of the box and associated derogations; and to evaluate the likely impact of those modifications. The study also set out to identify future data requirements.
- 8.4 The conclusion had been that the plaice box is really an extension of the 12nm zone; from which >221kW vessels have been banned since the mid 1970s. That zone is a cornerstone of the CFP. The study therefore tried to compare data inside and outside the plaice box to data inside and outside the 12nm zone; essentially using the 12nm area as a control. The rationale was that the management regime (and presumably effort) would not have changed so radically. The results showed that the plaice box follows a natural border between benthic habitat types. There were no significant spatial differences found to be associated with the box. The overall trends were similar in all areas. Polychaete worms had fallen markedly since the mid 1990s by a factor of 8 to 10 times. Benthic biomass had fallen both inside and outside the plaice box. Changes in the diet and overall food supply for plaice were likely to be related to eutrophication, pollution and climate change within the coastal zone.

- 8.5 To summarise, the decline inside the plaice box was predominantly due to a decline in the dominant flatfish species plaice, dab and sole which was not matched by an increase in total fish abundance outside the plaice box. The trends had begun before the box was established. The plaice box had failed in its original objective. In spite of the decline in the densities of demersal fish, the structure of the fish assemblages inside the box did not change significantly because the main species, particularly plaice and dab, remained dominant. The area may have been affected by the well established upward trend in temperature in the area, but might also be associated with a fall in nutrient input from rivers like the Rhine and Elbe. These changes may be ubiquitous and unrelated to the impact of the fisheries. There is now less food in the coastal zone for plaice.
- 8.6 The study has gone on to consider future management scenarios for the plaice box. Given the original objective of the box to reduce discarding of undersized plaice, re-opening of the plaice box is expected to lead to a small (<5%) increase in plaice discard numbers and decrease in yield and spawning stock biomass (<5%). Extending the box to encompass one extra line of rectangles along the continental coast of the Netherlands would encompass 93%, 70% and 54% of age 0, 1, and 2 plaice respectively and would likely result in a moderate reduction in plaice discards (<10%) and moderate increase yield per recruit and SSB (about 10%). Nevertheless any effects will be impossible to detect because of the variability in natural recruitment which we cannot measure accurately. Any change in management will impact the fleets differentially. Extending the box will benefit the exempted fleets, while re-opening of the box will benefit the fleet of large vessels and harm the exempted fleets. The shrimp fleet will only be marginally affected by a change in the box since they operate mainly within the 12 nm zone.

9. TACs & Quotas

- 9.1 The Commission draws up a report on fishing opportunities every year to explain to fishers and industry what common rules will be used to set the quotas. Peter Hopkins introduced the Communication from the Commission released on 17th May, which was entitled 'Consultation on Fishing Opportunities for 2011'. He pointed out that the rules for setting TACs had been modified, as set out in Annexe III. The current aim was to set TACs corresponding to the fishing mortality that would deliver the highest yield in the long term and to meet maximum sustainable yield by 2015. A new rule had been introduced for Category 3 stocks – those outside safe biological limits – which now involved a 30% change in fishing mortality. New provisional rules had also been introduced for stocks whose state is not known precisely (Categories 6, 7, 8 & 9). The Commission was requesting a response by the 1st June, before discussions with Council took place. Eamon Mangan remarked, however, that Member States had asked for discussion of this document to be delayed until the 29th June.
- 9.2 RAC participants thought that the report had improved this year. Michael Andersen did not like the sentence in the introduction which stated 'the precautionary approach must apply: absence of evidence is not evidence of sustainability'. He thought that this gave the Commission carte blanche to cut TACs simply because there was no information available. Peter Hopkins averred

that the precautionary approach was a fundamental feature, enshrined in the basic regulation. If there is no evidence that a stock is sustainable you should not fish it.

9.3 Various points were made regarding the policy statement:

- For Category 2 stocks, which were overexploited compared to maximum sustainable yield but inside safe biological limits, the restriction on the change in TAC had now become 25% rather than the former 15%. This also applied to Category 10 stocks where STECF advises a zero catch or a reduction to the lowest possible level or similar advice. The change from 15 to 25 % is perhaps too large.
- For Category 11 stocks, where there is no STECF advice, or the state of the stock is not known precisely, France would like to retain the previous position which allowed for rollover.
- More generally, it was thought that the aim of achieving F_{MSY} by 2015 could be achieved more gradually. The report specified that 'for stocks for which no long-term plans have yet been proposed, it would be appropriate to move towards MSY by reducing fishing mortality in equal steps from the 2011 fishing year until the 2014 fishing year to F_{MSY} , and exploiting stocks at F_{MSY} in 2015 and thereafter. Starting in 2011, this means four equal steps'. Rather than specify that it should be done in 4 equal steps it was thought that it would be better to retain some flexibility. A transition period is required.
- Where management was impeded through lack of data steps should be taken to seek that data. An initiative is needed on this as suggested by the NWWRAC. (Peter Hopkins was asked to follow up whether there had been any progress within the Commission in addressing the points raised by the NWWRAC).
- It was noted that in section 8 the report was proposing that social and economic factors can only be addressed in the development of long-term plans, not in the context of annual advice. This does not seem sensible.
- Last year there had been a whole page on discarding. This year the report contained only 2 lines – yet discards are seen by the NSRAC as being a major problem.
- It was noted with approval that in the context of a more regional approach to implementing the CFP, the Commission would like to consult interested parties on devolving the management of Total Allowable Catches (TACs) that concern only one Member State to that Member State, subject to long-term commitments on reporting requirements and good management practice.
- In the paper, it is stated: "Decisions concerning fishing effort related to deep-sea species in the Northeast Atlantic will be based on the 2009 NEAFC recommendation in this respect, which concerns the years 2010,

2011 and 2012 and states that the effort deployed shall not exceed 65% of the highest level put into deep-sea fishing in previous years for the relevant species.” Whereas, it should say “shall not exceed 65% of the average annual fishing effort deployed by the vessels of the Member State concerned in 2003”.

- There is confusion between landings and catches throughout the text of the report.
- It is disappointing to see that in the context of cod and flatfish effort allocations for 2011 will follow the plans as in force. It is apparent that cod recovery is taking place and that effort restrictions are now causing great damage to the fleets.

9.4 There was general and widespread concern over the cutting of TACs year on year for stocks for which the information was poor. Ling and megrim appeared to be quite abundant and yet their TACs were progressively being cut. What information could fishers feed to STECF to convince them that stocks of these species were increasing? It was suggested that in these circumstances fishers might write to the Commission seeking re-evaluation of the scientific advice through the collection of additional data.

9.5 It was agreed that the rapporteur should produce a draft response to the policy statement on behalf of the NSRAC. To assist him, participants would send in their specific comments on the text. It would not be possible to respond by the 1st June, but we should aim to get comments to the rapporteur immediately.

10. The Omega Gauge

10.1 The Commission had remained intransigent over the flawed introduction of the new Omega gauge, and had refused to change its course. It had been agreed that the NSRAC would raise its concerns through the Control Group. That remained a priority.

11. CFP Reform

11.1 We were now approaching the end of the stakeholder engagement phase on CFP reform and would soon be entering the internal deliberation phase within the Commission. However, there had been concern expressed by some of those who had attended the major conference in La Coruña. There had been a perception that the conclusions drawn by Commission representatives had not reflected accurately the discussions during the conference.

11.3 The main themes of reform had been well discussed at the conference. There had been emphasis on regionalisation and the need for a differentiated approach for the different regional seas. There had been discussion of the different forms that regional management might take and the degree of responsibility that could be transferred to stakeholders. There had been praise for the role played by the

RACs. However, there had been concern following remarks by one Commission representative that the role of the RACs might be diminished, despite their success.

- 11.4 It was noted that there had now been changes to the Commission staff dealing with CFP reform. A hope was expressed that the debate might now be opened up a little, rather than confined within the Commission. It was hoped that some of the conclusions expressed by the Commission would now be withdrawn.
- 11.5 Following the La Coruña conference concerns on the part of some of those attending over the attitude of some Commission representatives had resulted in the rapporteur being asked to draft a short note, summarising the views of the NSRAC on CFP reform, perhaps for inclusion with a letter from the retiring Chair of the ExCom to the Commissioner. That draft had been made available for discussion. There had been some unhappiness about the mention within the document of Regional Management Bodies, as some representatives were not happy with the NSRAC endorsing the introduction of a new layer of bureaucracy. The key point is that we wish to move to a more regional form of governance. We are not yet agreeing the details of how this is to be done.
- 11.6 It was agreed that a revised draft of the short document on governance would be presented to the ExCom in June for further discussion.

12. The Control Regulation

- 12.1 There is still some disarray within the Commission over the Control Regulation. The Commission has still not published any draft rules. It seems that this initiative has run into the CFP reform process. We could write to the Commission asking for an update. The NSRAC had said from the outset that the proposed regulation was a botched job. The NSRAC needs to know whether there will be further opportunities for stakeholder participation. It is noted that an expert group is being established to discuss the regulation. It was agreed that Michael Andersen would provide text for a request to the Commission.

13. Technical Conservation Regulation

- 13.1 This was now being considered as part of the CFP reform proposals. There is to be a seminar on selectivity in Brussels on the 21st June and the NSRAC has been invited to participate. Giles Bartlett and Barrie Deas volunteered to attend for the NSRAC.

14. The FISUMANI project

- 14.1 A proposal for this research project has been submitted under the 7th Framework Programme by a consortium supported by the NSRAC. The project brings together natural scientists, economists and other social scientists, environmental

NGOs and the fishing industry to develop and apply results-based management (RBM) through six case studies. Two of those case studies were in the North Sea:

- The mixed fishery for whitefish
- The *Nephrops* fishery

Initial evaluation of the project had now taken place. However a decision has not yet been taken on whether the proposal will be funded. Other projects supported by the NSRAC were in a similar position.

15. Any Other Business

17.1 The date of the next meeting of the Demersal Working Group will be decided at the Boulogne meeting of the ExCom.

16. Action Points

1. To check on progress made in contacting the Control Group over the unsatisfactory introduction of the Omega net gauge (2.2). It was again agreed that the NSRAC would raise its concerns through the Control Group as a priority (10.1).	Secretariat,
2. The DWG had previously recommended to the ExCom that the NSRAC should write to the Commission expressing agreement with an initiative being taken by the NWWRAC on rectifying data deficiencies. This was an important initiative which should be followed up (2.2). Peter Hopkins was asked to report on whether there had been any progress within the Commission in addressing the points raised by the NWWRAC (9.3).	Secretariat, Peter Hopkins
3. The NSRAC and STECF should cooperate more closely. The STECF will provide a calendar of meetings to the Secretariat and will periodically update the NSRAC on issues STECF is being asked to deal with. Participation of STECF members at RAC meetings is possible but must be arranged with individuals. It will be especially important to ensure that any requests for advice from STECF are formulated at an early stage for transmission to STECF through a request to the Commission. (3.8).	Secretariat Members STECF
4. It was agreed that the paper on cod recovery prepared following the Focus Group meeting on this subject will now be sent to the Commission, the Parliament, STECF and ICES following a small modification which Pim Visser will draft. (4.24).	Pim Visser Rapporteur Secretariat
5. It was agreed that the paper on the discarding of whiting and other species where the quotas are not keeping pace with catching opportunities will be revised following clarification from Michael Andersen and presented for approval by the ExCom before forwarding to the Commission (5.1).	Michael Andersen Rapporteur Secretariat

6. It was agreed that meetings to discuss the Nephrops LTMP would now go ahead at several coastal locations, perhaps starting in the week beginning June 14 th . The outcomes would be reported back to the Nephrops LTMP Development Group (6.4).	Michael Park
7. The NSRAC will need to continue to engage with STECF over discussions of the LTMP for plaice and sole (7.7).	Pim Visser Secretariat
8. It was agreed that the rapporteur will produce a draft response to the policy statement on TACs and Quotas on behalf of the NSRAC. To assist him, participants will send in their specific comments immediately (9.5).	Members Rapporteur
9. It was agreed that a revised draft of the short document on governance under a reformed CFP would be presented to the ExCom for further discussion (11.6).	Rapporteur
10. It was agreed that Michael Andersen would provide text for a request to the Commission regarding progress with the Control Regulation. Will there be any opportunity for stakeholder representation on the expert group which is to be established? (12.1)	Michael Andersen, Secretariat
11. Giles Bartlett and Barrie Deas will represent the NSRAC at a seminar on selectivity in Brussels on the 21 st June (13.1).	Giles Bartlett, Barrie Deas
12. The date of the next meeting of the DWG will be decided at the next ExCom meeting	Members to note

17. Participants

Barrie Deas	Chair
Tony Hawkins	Rapporteur
Luc Corbisier	SDVO
Jane Sandell	SFO Ltd
Caroline Gamblin	CNPMEM
Antoine le Garrec	UAPF/Euronor
Peter Hopkins	DG Mare
Mike Park	SFF
Leslie Tait	SFF
Giles Bartlett	WWF
Pim Visser	EAFPA
Piotr Stachowiak	CFCA
Eamon Mangan	French Ministry of Fisheries
Svend-Erik Andersen	Danish Fishermen's Association
Michael Andersen	Danish Fishermen's Association
Ole Lundberg Larsen	Danish Fishermen's Association
Hazel Curtis	Member of STECF
Doug Beare	IMARES
Keri Torney	DEFRA
John Casey	Chair of STECF
Antony Viera	French scientist
Arnold Locker	NFFO

Fredrik Lindberg

Swedish Fishermen's Association