



**Cod Recovery Focus Group
Nobel House, London
8th April 2011**

Rapporteur: Tony Hawkins

Draft

1. Introduction and apologies

- 1.1 Barrie Deas welcomed participants to the meeting, which had been convened to prepare a response to the planned review of the Cod Recovery Plan. The agenda was agreed.
- 1.2 Several members of the NSRAC had attended the ICES/STECF Joint Scoping Meeting in Copenhagen on February 28th to March 4th that had set out terms for the review of management plans, including the Cod Recovery Plan. The evaluation would be backward looking, and would examine how management plans had performed to date. The next meeting of the ICES/STECF WG will take place in Hamburg on June 20-24th and we would have the opportunity to prepare a position paper for that meeting.
- 1.3 The Copenhagen meeting had been remarkable for the opportunities given to stakeholders to participate fully. We had been invited to prepare text to be included as an annexe to their report, and we would need to consider how to deal with that. We had also been invited to suggest an area of research to illuminate an area of our choice. We could put forward a proposal by Monday 11th April. In the time available before the June meeting we could not hope to carry out any analytical research. But we would be able to draw information together to present to the WG.

2 Commissioning research

- 2.1 Information likely to be missing from the STECF analysis was how fishing fleets had reacted to the Cod Recovery Plan and to the reductions in effort in particular. STECF would be carrying out some analysis of economic and social impact, and some Member States would be supplying economic and social analyses indicating the impact of the plan. However, those analyses might not be sufficiently detailed to yield the information that the NSRAC might wish to draw to the attention of the WG. We had mentioned in our previous position paper on cod recovery, submitted one year ago, that there would be a need to collect economic information to enable full

evaluation of the plan. It was now evident that the ICES/STECF WG would be carrying out an economic analysis. They had listed the information they wished to consider. However, they would be taking a global approach, whereas we might wish to draw their attention to problems for specific sectors of the fleet by presenting a series of case studies.

- 2.2 It was pointed out that there had been major effects of the Cod Recovery Plan on some fleet sectors. Some vessels were approaching bankruptcy. Other vessels had targeted other fisheries, while some were still largely dependent on catching cod and haddock. Smaller vessels, in particular, were finding it difficult to cope. The effort management system had reduced fishing opportunities for many fishers, and had also increased their costs. It was not just fishing for cod that had been affected, the days at sea restrictions had also limited fishing for monkfish and other species for which there had been quota available. We could provide a whole series of illustrations of how the plan had affected vessels. However, should we concentrate on providing information for individual vessels in our case studies or should we look at particular regions within each Member State?
- 2.3 It was suggested that we should concentrate on particular vessels, representing different sectors, rather than adopting a regional approach. We should look at three scenarios:
1. What has happened as a result of the Cod Recovery Plan?
 2. What might happen if the plan continues in place in its present form?
 3. How might management be better handled?

Such an approach would illuminate what is happening in terms of impact upon the behaviour of fishers and fishing companies in response to the plan.

- 2.4 A sum of €5,000 allocated by STECF for the collection of data by stakeholders would allow 15 days of time for a researcher. This was quite short, and the person concerned would only be able to collate existing data. Telephone interviews with fishers might take place to collect information to an agreed template. We would require information on how specific vessels had responded to the plan, whether as a result of restrictive TACs or effort controls.
- 2.5 Several participants said that we also needed to demonstrate the advantages of doing things differently. Could we demonstrate the advantages to be gained by the fleet from landing the cod that are currently discarded? From a policy perspective this was important.
- 2.6 We would need to choose a scientist acceptable to STECF to do the analysis, and it would need to be someone able to see the wider perspective rather than just assemble the data. Some assistance in collating data might be provided by the fisheries research institutes and by Member States but we would need to present the data from a NSRAC perspective. It was pointed out that ICES/STECF had already thought of collecting similar information. However, scientists were not in the best position for

collecting information on fishers' responses to the Cod Recovery Plan, or problems with enforcement and other aspects of its impact.

- 2.7 Michael Park suggested that only UK fleets were suffering under effort controls. There was no way that only 15% of the fleet could achieve the required reduction in fishing mortality through effort controls. Michael Andersen said that this statement was not entirely true. Many Danish vessels had the same number of days as before because of overall fleet adjustments. In addition to adopting an ITQ system many Danish vessels had been decommissioned. It was pointed out that in the Netherlands the total number of days at sea had been reduced; individual vessels had days to spare because of earlier decommissioning schemes but since 2008 effort has been reduced by a further 10% which has had to be borne by the remaining vessels. Michael Park added that because of these differences between countries that fishing mortality was continuing at the earlier high rate.
- 2.8 It was emphasised that in the time available there was a limit to the amount of information we would be able to assemble. Perhaps we should try to provide information from 5 vessels from each Member State? The data we provided might not be fully representative but it would illuminate the picture for scientists, who were often unaware of the complexities and diversity within the management regime. We would need to submit a proposal by the Monday deadline. We could not nominate a specific individual scientist by then but could assure STECF that we would appoint a named scientist with appropriate experience and an ability to present the overall picture. Michael Andersen thought we should consider as many vessels as possible and not limit ourselves to 5 per Member State. Caroline Gamblin thought we should not confine ourselves to North Sea vessels but include some examples from North West Waters. The Cod Recovery Plan affected many Member States.
- 2.9 It was agreed that we would present information from as many vessels as we could. We would describe the experience of each vessel under the Cod Recovery Plan and how fishers and fishing business had responded. We might include such things as the extra costs of buying additional days, and the impact of having to change fishing gears to pursue new fisheries. We must stress things that fishers had been forced to do as a result of the Cod Recovery Plan rather than stress that different Member States had implemented the plan inappropriately. The Commission would always welcome an opportunity to blame Member States.
- 2.10 We should be aiming to colour in the picture for STECF. However, we should not aim simply to present a series of stories, we should present information which illustrated the decisions that fishing businesses had been forced to take under the Cod Recovery Plan. Giles Bartlett thought that we should look at regions rather than vessels. Barrie Deas saw no reason why regional difference should not emerge from the analysis, but our data collection would have to focus on individual vessels. We could filter out any unsatisfactory examples. Eamon Mangan emphasised that scientists had said they required illustrations of impact. We could choose representative vessels for analysis and present a fisherman's perspective. Chris Darby said that we should definitely try to take up this offer of financial support. The NSRAC analysis would bring scientists up to date on what had happened as a result of implementation of the Cod Recovery Plan. It would help scientists to perform their retrospective analysis of impact. And the

information presented could also suggest, as a second stage, what might happen in the future. Barrie Deas said that we could illustrate the evolution of responses to the management measures, which would add understanding to the statistical analysis.

- 2.11 It was agreed that the NSRAC would submit a short proposal to the ICES/STECF by Monday 11th April. We would aim to select a minimum of 5 vessels from each Member State; more if possible. They would be taken from different sectors to illustrate a diversity of responses. The results would only be indicative but would enable scientists to gain a clearer appreciation of the impacts of the plan. As the proposal was simply a request to STECF, and as it needed to be prepared to meet a deadline, it should not at this stage be referred to the NSRAC Executive Committee. We would inform the NWWRAC of our initiative and invite them to participate if they wished. If our proposal were accepted by STECF we would need to appoint a suitable scientist (several names were suggested). We would have to put things in train immediately to meet the deadline of 20th June for presenting the information.

3. Preparation of a Position Paper.

- 3.1 Tony Hawkins introduced the previous Position Paper on cod recovery, which had been submitted a year earlier. Michael Andersen said it was a good paper. It was still valid and it made interesting reading. Lori Evans of the Commission had responded that the weakness of the plan was that the Commission had allowed fishers to take initiatives which would earn them additional days at sea. She believed that allowing these initiatives had resulted in a rise in fishing mortality for cod.
- 3.2 Michael Park said that we would need to revise the document to answer the latest proposals for a discard ban. Caroline Gamblin added that we also needed to update it, and to emphasise the fundamental problems with the design of the Cod Recovery Plan. We should mix it with discussion of a discard ban. Our paper was intended as an annexe to the ICES/STECF analysis. Giles Bartlett disagreed – we should mention the proposed discard ban.
- 3.3 Barrie Deas suggested that the document should have five headings:
1. Design of the Cod Recovery Plan
 2. Implementation of the plan
 3. TAC setting and discards
 4. Fishers' responses to the plan
 5. Cod avoidance.
- 3.4 Michael Andersen thought we should include examples of initiatives taken by fishers to reduce discarding. This could be inserted under cod avoidance. He asked what had happened to the Demersal WG initiative to produce a paper showing a series of examples of successful initiatives? Barrie Deas pointed out that this was a separate initiative; it would lead to a document to be submitted to the Stakeholder Meeting with

Mrs Damanaki on May 3rd. The Secretariat was compiling examples and was still seeking material from members of the NSRAC.

- 3.5 Several participants pointed out that the recovery plan had created discards through the very way it had been designed and implemented. Moreover, the link between the recovery plan, TACs, and the Technical Conservation Measures regulation had also caused discards. If you fish a small mesh net then you are not allowed to have more than 20% cod on board – that forced fishers to discard and was an unworkable regulation.
- 3.6 Louise Cunningham pointed out that effort and quota are not readily related to one another. It is difficult to match one to the other. Also, quotas were not matched to fishing opportunities and that was causing discarding. ICES say that half the cod fishing mortality can be attributed to discards. Leslie Tait confirmed that the plan had increased discards. The TAC had been set too low for the available stocks. With effort restrictions fishers go out to catch what they can and inevitably the result is high grading – catch composition rules make it impossible to retain the fish. Fred Normandale suggested that this could easily be corrected by providing a longer period to get the catch composition right. The short-term nature of the current rules meant that fishers were forced to dump fish to comply. There was a particular problem over mesh size. The Cod Recovery Plan uses mesh size as a means of defining different fleet sectors. That meant that some vessels could not increase their mesh size to promote cod recovery.

4. Design of the Cod Recovery Plan

- 4.1 It was emphasised that the Cod Recovery Plan had not been designed as a coherent plan. There had been no consultation with scientists, no impact assessment, and no consultation with stakeholders before it had been introduced. This lack of planning had led to unforeseen consequences. The effort reductions were bolted on without anticipating what the effects might be. The opinion of the RACs would be critical to the success of any future plan. This was the second plan that had failed and the Commission would have to learn from that experience. The NSRAC Cod Symposium had raised all the issues, and pointed to the pitfalls. It had emphasised the need for incentives to achieve cod avoidance, but the plan itself had not encouraged that approach. The first plan had been based on a target biomass. It had been realised that this was inappropriate and the plan had then moved to a target fishing mortality – which the NSRAC had originally suggested. However, effort controls had then been added in, although these could not be matched to the TACs. There had also been an attempt to reduce F too quickly, at the insistence of Norway, and that had forced discarding. Overall, assumptions had been made on what effort controls could achieve in terms of reducing F, and those assumptions had been wrong.

5. Implementation of the plan

- 5.1 In terms of implementation of the plan, there had been different approaches by different Member States. Contrary to claims by the Commission the plan had not been easy to implement and it had not proved to be a simple regime for reducing fishing mortality. The plan had shifted responsibility from the Commission to Member States, and had placed a heavy burden on administrators and the fishing industry. Very complex issues had arisen and had led to confusion. Dividing up effort between different vessels within the fleet had proved problematical. The development of a market for days had added complications. It had proved extraordinarily difficult to gain exemptions from the plan for vessels that did not catch cod under Article 11. Moreover, it had proved difficult to award additional days at sea to those engaging in cod avoidance under Article 13. In distributing days at sea to reward fishermen it had been necessary to rob Peter to pay Paul. Management had turned into a mad numbers game. Barrie Deas thought that the plan was completely divorced from the target of reducing cod mortality. We had ended up with a set of arcane and twisted rules.
- 5.2 Eamon Mangan said that the inability to obtain exemption under Article 11 was a particular problem for the French. The saithe fleet forms 90% of the TR1 sector and did not catch cod, but it needed to have a high observer status to gain exemption. Proposals had to be referred to STECF and there were many obstacles put in the way of gaining exemption. If effort controls are to be continued then there must be an exemption regime that works.

6. TAC setting and discards

- 6.1 It was pointed out that effort had never been in balance with TACs. ICES assumed a 1:1 relationship between effort and TACs. Yet the heavy discarding that was occurring indicated that there were increased fishing opportunities that were not being matched by the TACs. ICES assumed a given availability of cod. If cod availability exceeded that then discarding was inevitable. Fishing mortality was not following the trajectory proposed in the plan. The TAC had been reduced by more than anticipated. We now have to get fishing mortality down through cod avoidance and should provide extra effort for that. However, even if we solved the problems for cod the plan was also creating problems for fisheries on other species, regardless of whether they caught cod.
- 6.2 Michael Park thought it was important to control removals rather than landings. Geert Meun agreed. Removals were higher than landings. If one could be converted to the other then fishermen could pay their bills. Landing the quantities of fish now being dumped would make the fisheries viable. We had to change the plan.
- 6.3 In relation to TAC setting we could describe what had happened as a result of implementation of the plan. Implementation errors had led to a mismatch between reduction in fishing mortality and TACs. Effort controls had been introduced to fill the gap but had caused problems of their own. A different approach was required to TAC setting to deliver the required reduction in F, through cod avoidance measures, rights based management and real time closures. Responsibility for reducing F now lies with

fishing vessels. They should be provided with a quota related to their total removals. Responsibility must be given to individual vessels. Michael Andersen agreed and pointed out that TACs related to catches not landings. Currently, the TAC has not moved to reflect changes in the cod stock. We needed to have an accurate estimate of catches to provide good stock assessments. Chris Darby pointed out that TACs were set with discards in mind. The problem was that discards were increasing.

- 6.4 Eamon Mangan said that there were additional problems for those fisheries that did not target whitefish. Here the problem was insufficient effort to catch species for which vessels had sufficient quota.
- 6.5 The removals of fish must match the target fishing mortality. There must be a link with cod avoidance, linked to incentives. F has been coming down, but not as fast as hoped. Once a certain value of F has been reached then effort controls should be abandoned.
- 6.6 Barrie Deas came forward with his suggestion. TACs should be set in the normal way but with decoupling of effort reduction. There should also be scope for cod avoidance initiatives and access to discards. The TACs would need to be recalibrated to reflect the true state of the stocks. As part of the process of instilling confidence in cod avoidance measures taken by fishers it would be necessary to prove that cod avoidance works – the Commission has always been sceptical of fishers' measures.
- 6.7 We also have to persuade the Commission and ICES that there is not a linear relationship between fishing effort and fishing mortality, and that effort reductions are a very indirect and inferior tool for achieving reductions in F . Fishing behaviour changes in response to the imposition of both effort limitation and restrictive TACs. In some circumstances it can lead to high grading.
- 6.8 Caroline Gamblin did not think that strong emphasis should be placed on catch-quotas. They were not applicable in all fisheries. Not all fisheries were discarding cod. There were also concerns about changes that might result to Relative Stability.

7. Cod avoidance

- 7.1 A number of fisheries, for example the saithe fishery, do not catch cod – the solution is to grant them exemption from the Cod Recovery Plan. Currently, vessels experience the same effort reductions regardless of whether they catch cod. Other vessels have taken steps to avoid catching cod, and could demonstrate this, and they should be rewarded by being granted additional days at sea
- 7.2 Giles Bartlett thought that one of the current problems was that the cod assessments were out of date – there was a time gap between cod appearing in the fishery and then being recognised by the assessments. Chris Darby said that it is not possible to speed up the assessments. Currently the assessments were very dependent on estimates of recruitment. This was because of the low stock size for cod. The stock is very dependent on annual recruitment and that has to be estimated. If the stock were larger and more stable then this problem would diminish.

- 7.3 A previous paper on cod avoidance had drawn attention to how fishers could reduce their capture of cod. We were now collecting examples of what could be done to avoid cod and should give examples of this.

8. Fishers' response to the plan

- 8.1 The Commission had largely ignored our previous paper on the Cod Recovery Plan and its impact upon fishers. Their reply had missed the point. How could we gain better traction with the Commission? Louise Cunningham pointed out that we had to consider Norway too. The Commission is greatly influenced by what Norway wants. Harvest control rules need to be amended at the end of the year and Norway will be seeking a discard ban and further implementation of real time closures. Michael Andersen said that Norway is very keen on catch-quotas – provided they are based on the current TACs. It was suggested that Member States might approach the Commission collectively, rather than separately to gain additional traction. The Commission normally gets different arguments from different quarters. If we could all agree then our arguments would gain strength. It was noted that we have to influence STECF/ICES; the Commission itself, Norway, and increasingly the European Parliament. With respect to the Commission, they were short of able people. Communicating with Directors was not the way forward. We have to work with staff from the Commission through our actual meetings. We have to encourage them to engage with us at our meetings. With respect to the Parliament, who are the key players on the Fisheries Committee that we need to engage with? They had only rarely attended NSRAC meetings. Perhaps if they will not come to us we should go to them. It was agreed that we needed to remind them of their commitment to attend RAC meetings, but tell them we were prepared to come and see them.

9. The way forward

- 9.1 Michael Andersen thought our key objective should be to pause effort reductions and then get rid of effort controls entirely. If cod avoidance measures helped with that then he approved of them.
- 9.2 It was agreed that the rapporteur would produce an initial draft position paper, based on discussions today. However, it would need full involvement of all participants to ensure that the paper fully reflected all the views expressed. Comments and additions would be required.
- 9.3 The rapporteur would write immediately to John Simmonds and John Casey, seeking access to €5,000 set aside for data gathering by stakeholders and presenting our proposals for information gathering. Chris Darby would contact John Casey to alert him to a paper being on its way. For that project, each industry representative should identify 5 or more vessels to illustrate the impact of the Cod Recovery Plan through a telephone or other survey.

- 9.4 Examples of discard reduction should continue to be forwarded to the Secretariat for compilation in a report to be submitted to the Commissioner at the Stakeholder Meeting on the 3rd May.
- 9.5 The next Demersal WG takes place in London on the 5th May in London, with an 11 am start.

10. Attendance

Forename	Surname	Organisation
Sarah	Adcock	Defra - UK
Michael	Andersen	Danish Fishermen's Association
Giles	Bartlett	WWF
Louise	Cunningham	Scottish Government
Chris	Darby	CEFAS
Barrie	Deas	NFFO (Chairman)
Paula	Den Hartog	Stichting van de Nederlandse Visserij
Caroline	Gamblin	CNPNEM
Tony	Hawkins	NSRAC – Rapporteur
Eamon	Mangan	France – Member State
Geert	Meun	Dutch Fisheries organisation
Fred	Normandale	NFFO
Mike	Park	SFF
Leslie	Tait	SFF
Kenn	Skau Fischer	Danish Fishermen's Association