



NSAC Advice Ref. 08-1920

NSAC Advice on the North Sea cod management

This advice was approved with consensus by the NSAC Executive Committee on the 16 April 2020 via a fast-track written procedure.

Foreword

This paper has been finalised at a time when the world faces a deep health and economic crisis due to the COVID-19 pandemic. Like most areas of business, the seafood sector both onshore and offshore faces a period of immense economic stress and uncertainty. We are aware that a number of fishing fleets have ceased or considerably decreased operations due to lost markets, shortage of crew and broken supply lines. As a result, levels of effort in the North Sea will reduce markedly, especially in those areas where cod are to be found. The extent to which it will reduce activity and for how long is yet unknown, but the net result may likely be a significant contribution to the recovery of cod. The Commission has a responsibility under the CFP to take account of social and economic aspects of those that operate in the fisheries sector whilst maintaining a commitment to sustainable harvesting. We would urge the Commission to take account of the impacts of this *force majeure* prior to establishing any further remedial measures. Understanding the implications of change will be crucial in establishing a balanced approach.

Background

The conclusion of the EU-Norway bilateral fisheries negotiations delivered a TAC for cod in the North Sea, Eastern English Channel and Skagerrak of 17,679 tonnes, a year-on-year reduction of 50%. This represents a significant reduction in the TAC but is below the 60% cut



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advised by ICES. This leads to an allocation of 14,718 tonnes to the North Sea; 2,103 tonnes to the Skagerrak and 858 tonnes to the Eastern Channel.

The delegations agreed that in addition to the reduction in TAC, additional measures would be required to reduce unwanted catches and discards and to lower fishing pressure. As part of that strategy the delegations agreed to introduce a network of seasonal closures to protect spawners. These were introduced from 1st January 2020 and last in the main for three months.

The delegations agreed to introduce a second phase of remedial measures and establish a working group of experts. This group was tasked with defining the technical aspects of the second phase and producing a report for the delegations by 1st February 2020. The focus of that work was to be:

- Real time closures for the protection of cod;
- Seasonal closures for the protection of juveniles;
- Access conditions to “restricted areas” of high abundance of cod of all ages;
- Gear related technical measures to reduce catches of cod

It is our understanding that a series of meetings have now taken place and a draft report has been produced. It is also our understanding that the Commission continues to work with EU Member States to determine a preferred approach, but it is not clear how the UK will be consulted in this process.

At the end of last year, a cross industry group from the catching sector produced a paper - *Industry proposal for an adaptive approach to North Sea cod recovery* – which argued for a longer time frame to rebuild the stock. This paper laid out the industry position on North Sea cod recovery.

Underpinning rationale

The NSAC Landing Obligation Focus Group agreed on 25 February 2020 to visit the industry paper and identify elements that both industry and Other Interest Group members could agree on.

The NSAC notes that the current SSB short-term forecast for the stock in 2020 is 83301 t, compared to B_{lim} of 107000 t and MSY $B_{trigger}$ and B_{pa} of 150000. The NSAC recognises that a



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return of the stock from below B_{lim} to above B_{pa} and $MSY B_{trigger}$ by 2021 seems unlikely in light of the current forecast and the agreed TAC level, and that the necessary stock growth for a rapid recovery will require recruitment from incoming year classes in addition to the individuals already present in the stock.

Whilst there is consensus in the NSAC that a programme of supporting measures from 2020 onwards should be adopted, there are different views regarding the type of measures to be included and the timeframe within which they should be implemented. There is however agreement that any such measures should limit cod catches in the mixed demersal fishery whilst maintaining the overall economic viability of the fleets. We provide further details below.

The NSAC takes note of the CFP and relevant Multi Annual Plan¹ and the responsibility on the Commission to put in place remedial measures to ensure a rapid return of the stock to levels above those capable of delivering MSY . Furthermore, the NSAC highlights the importance of maintaining the stock above a level capable of supporting MSY once it has recovered. The NSAC acknowledges also that a lack of at sea monitoring may raise questions regarding compliance with the Landing Obligation.

In providing its recommendations the NSAC has taken account of both the seriousness of the situation as well as the legal requirement and responsibility on the Commission to act. We note that Norway is to establish areas to protect juvenile cod. The fishing industry representatives recommend a similar approach by the Commission whilst the OIG members of the NSAC stress that measures should be taken to protect all areas of high cod abundances, not just juveniles.

Cod is one of a large number of species caught in a complex mixed fishery. The objective of applying remedial measures is not to stop vessels catching cod, because this may be unavoidable. Measures should ensure that bycatches of cod are reduced to a level that they fall within the opportunities afforded through the Total Allowable Catch .

The industry members of the NSAC are opposed to certain technical measures which are critiqued as part of the aforementioned industry paper, on the basis that these were expected to disproportionately interfere with the catches of other species such as haddock, whiting, anglerfish and hake. The OIG members of the NSAC are of the view that technical measures

¹ REGULATION (EU) 2018/973 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 July 2018



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such as gear modifications should not be ruled out categorically, since a combination of different approaches is likely to be needed to deliver the necessary stock recovery. However, the OIG welcome the support outlined in the industry paper for suitably designed precautionary areas, as well as the introduction of a move-on provision to protect juveniles not covered by current legislation.

The NSAC would encourage the Commission to take into account a number of crucial factors regarding the design and introduction of remedial measures:

- Measures should be quantifiable and enforceable, and their implementation and effectiveness monitored over time;
- Actions should be set to a clear timeline to allow for logical review;
- The design and implementation of measures should be closely coordinated with the relevant fleet sectors;
- An appropriate methodology is agreed that is based on the best available scientific knowledge of biology, habitat, depth, substrate, and historic catch data, as well as taking account of fishers' knowledge;
- Measures should strike a balance between their impact on vessels with low levels of fishing activity on cod and the protection of the cod stock;
- The more targeted the area, the lower the risk of unintended consequences or impacts on fisheries that catch few cod, and the easier they will be to enforce. Full account is taken of the socio-economic impacts, and the vulnerability of island communities.
- To ensure that remedial measures contribute to the recovery of the cod stock it will be important that the authorities monitor their implementation and effectiveness on a regular basis; this will inform potential adjustments.

The NSAC would support area closures to protect juvenile cod as allowing these fish to reach a reproductive age will aid the rebuilding of the stock. The fishing industry representatives support this approach noting that a current lack of robust monitoring at sea limits the efficacy of most other remedial measures. The OIG would encourage the Commission and Member States to make proposals to improve monitoring at sea to improve the efficacy of other measures that would protect all cod and reduce bycatches.



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