

The North Sea Advisory Council



North Sea Advisory Council Response to the Commission Communication on 2015 Fishing Opportunities

(Approved at NSAC Executive Committee meeting 23/09/2014)

Introduction

The North Sea AC welcomes publication of the Commission's Communication on Fishing Opportunities in 2015. This advance notice of the general principles that the Commission intends to follow in its proposal allows an opportunity for comment and evaluation by stakeholders and specifically the ACs.

Although the NSAC makes great efforts and generally achieves a high degree of success in basing its advice on consensus positions, approaches to setting TACs are generally widely different between the eNGOs and the fishing sector.

Given time constraints, and the distance between the positions, we have opted this year to present the view of our members as stated without trying to forge a consensus position. The Commission will at least be made aware to the issues that the parties raise.

Management Plans

NSAC supports the development and implementation of long term management plans as a means of providing both stability and steady progress to sustainable and high yields fisheries. In the case of North Sea cod it is widely acknowledged (and shared by STECF) that the current Cod Management Plan was not fit for purpose and it would have been replaced by a mixed fishery plan for the demersal fisheries had not the inter-institutional dispute between the EP and the Council intervened. It would be incomprehensible if the TAC for cod was set in line with a discredited plan, especially as the result could be the return of large scale discards of mature cod.

The NSAC furthermore welcome the intention of the EC to look at fishing effort limitation in addition to TAC and to propose simplification, if relevant, especially in the context of the introduction of landing obligation.

Obligation to land all catches

NSAC will be submitting further advice on the implementation of the landings obligation, including TAC uplift in due course. At this stage we can say that our view is that quota uplift should be the maximum consistent with no increase in fishing mortality. Given the patchiness of data estimate it is likely that it will be necessary to prepare to make rapid adjustments to some TACS during the first years of the landings obligations to address this lacuna in information and to avoid the potential negative aspects of choke stocks.

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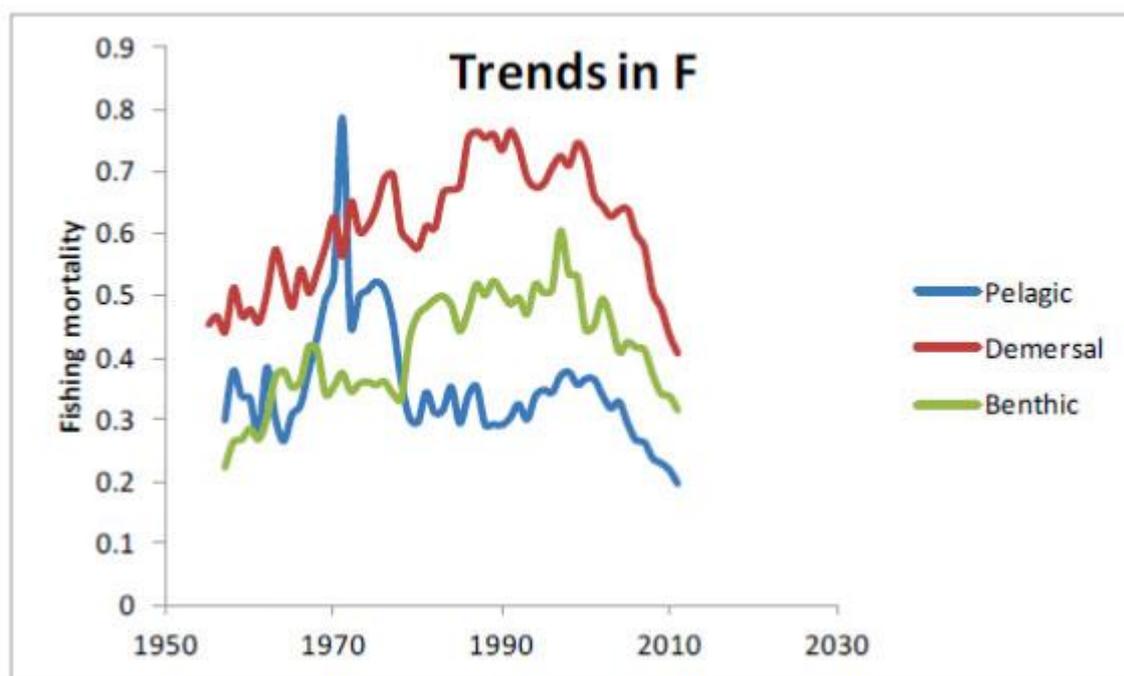


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View from the Fishing Sector

General Trends

The fishing sector draws attention to the general trends in European fisheries, which are part of a broader trend within North East Atlantic Fisheries. There has been a general and very significant reduction in fishing mortality since the year 2000 (Fig.1). Stocks have responded to this reduction in fishing pressure in a variety of ways; some dramatically, some depending on recruitment and the dynamics of the fishery less obviously. The Commission has been slow in acknowledging these positive developments in past Communications and so it is refreshing that whatever short term fluctuations are in play, this broad picture is appreciated by the Commission. It is encouraging that ICES science and the perceptions and experience of the fishing sector are closely aligned. This has not always been the case in the past.



Ref.

MSY Ranges

It is encouraging too that the Commission, reflecting the inter-institutional task force report on management by multiannual plans, recognizes that in mixed, multi-species fisheries MSY should be understood in terms of a range of fishing mortalities and based on the best available scientific advice. Some of the worst examples within the CFP of discarding of mature marketable fish have occurred because of a *one-dimensional* approach to setting TACs. The Council of Ministers has a responsibility to take into account social and economic aspects of the level at which TACs are set but also mixed fishery dimensions. TACs set in relation to a range are based on an appreciation of both biological and economic realities, which is why the NSAC advocated this approach as far back as 2006. The Commission should not therefore be unduly influenced by commentators who draw spurious conclusions about the distance between one interpretation of ICES advice and final TAC decisions. It seems to us that the broad conclusions arrived at by the Task-Force provide a good guide

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for setting TACS within multi-annual management plans and for stocks that have not yet been included in a plan.

In relation to B_{MSY} it is worth recalling ICES view that:

" B_{MSY} is a notional value around which stock size fluctuates when $F=F_{MSY}$. Recent stock size trends may not be informative about B_{MSY} (e.g., when F has exceeded F_{MSY} for many years or when current ecosystem conditions and spatial stock structure are, or could be, substantially different from those in the past). B_{MSY} strongly depends on the interactions between the fish stock and the environment it lives in, including biological interactions between different species".

ICES 2014 Advice.

Last the fishing representatives of the NSAC underlines the new objective of the CFP to achieve MSY by 2015 if possible and no later than 2020. Hence the Commission should consider the opportunity to allow a delay in reaching the MSY objective, for stocks, where drastic reductions in TAC will lead to increased discarding and will jeopardize the economic and social sustainability of the fleets, as soon as such a proposal is published.

Data Limited Stocks

We acknowledge and appreciate the progress made by ICES in providing a quantitative and qualitative approach to data limited stocks. Reducing the number of stocks in the data limited category is important but it should be acknowledged that for financial, practicality and other reasons it may never be possible to have the level of knowledge necessary for a full analytical assessment on all stocks. This is why the ICES proxies are invaluable even if we don't necessarily agree with every aspect. All the data available should be used to set the TAC for data limited stocks on a case by case basis.

What is important in both data rich and data poor stocks is that TACs should be set within the context of *sustainable exploitation*. Sustainable exploitation is not compatible with an *over-precautionary* approach advocated by those who take a purist view. In the final analysis, fisheries managers must make a judgment call based on the best information available to them at the time.

Recreational fishing

Often recreational fishing mortality is not factored into the stock assessments. Quote from article in "ICES Insight No 51", Sept 2014¹:

"Despite recreational sea fishing catches being significant, they have been the 'forgotten catch' in Europe because the mortality from such fishing is not factored into most stock assessments. This is a particular problem for fish species that are important for both recreational and commercial fishing, and could lead to bias in stock estimates and a failure of stocks to respond as expected to management measures"... "Recent surveys in Europe show that recreational sea fishing has a high economic value. In addition to addressing conservation goals, future co-management of European fish stocks for recreational and commercial purposes should consider how to maximize the economic and social values of the different fisheries. New methods are required to address this."

We agree with the authors that there is clearly a need to factor into the stock assessment the

¹ <http://ipaper.ipapercms.dk/ICESPublications/ICESInsight/ICESInsight51/>



recreational fishing mortality as well as finding new methods to maximize the economic and social values of the different fisheries. In this regard the NS AC advised in March 2012²:

“..The NSRAC foresees further development in EU legislation explicitly or implicitly aimed at affecting recreational fisheries. Of particular concern is the increase of data requirements under the Data Collection Regulation as it is unclear how recreational catches shall be dealt with in future. One question is whether recreational catches shall be counted against national quotas. The NSRAC urges that the revised CFP defines recreational fishing and makes it clear that recreational catches should not be entered into the quota system but should be incorporated the stock assessment.”

The Economic Situation for the Fishing Industry

The Commission uses data from 2008 to 2011 to describe the economic performance of the fishing industry. This use of outdated data is absolutely misleading and gives the incorrect impression of a positive development in the net profit of the fishing sector in recent years. Unfortunately, the trend is the opposite – given especially constantly decreasing prices for economically important fish, the fishing industry around the North Sea has been under heavy economic pressure in recent years.

It is in everyone’s interest that only the most recent data is used to illustrate the economic state of play for the fisheries sector.

Views from the NGOs

The Commission highlights that fishing opportunities must be set according to Article 2.2 of the CFP, with the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing MSY. It is key that the Commission provides Member States with guidelines (for example in its TAC and quota proposals) on what is needed to achieve these targets and that TAC and quota decisions are monitored closely, in order to guarantee that agreements made will not jeopardise the conservation objectives set in the CFP.

Some doubt lies with the Commission’s statement about the state of the fish stocks and the reduction of overfishing in European Atlantic waters, the North Sea and the Baltic. According to the scientific advice figures provided in the Communication for these regions, the number of overfished stocks has increased from 2013 to 2014 (39% and 41% respectively, i.e. 3 more stocks in 2014). At the same time the number of stocks within safe biological limits has decreased from 59% in 2013 to 55% in 2014. In the same timeframe the number of stocks with unknown status due to data deficiencies has increased by 6 to a total of 47 stocks. To add to these observations, the number of stocks for which fishing should be stopped according to scientific advice has increased by 4 in the past 2 years. Simultaneously, the percentage excess of TAC over scientific advice has increased by 6% since 2013 and by 24% from the lowest (in the last decade) 11% excess achieved in 2012. This trend needs to be reversed in light of the CFP goal to achieve sustainable fisheries.

² www.nsrac.org/wp-content/uploads/2012/03/NSRAC-1112-5-2012-03-13-CFP-Position-Paper-FINAL.pdf



The Commission's Communication lacks information about the state of fish populations in relation to biomass levels capable of producing MSY. Such information is a precondition to evaluating progress towards the CFP objective to restore and maintain populations of fish stocks above levels producing the MSY.

The Commission has stated its intention to propose TACs in line with MSY advice and only to accept delays beyond 2015, but not later than 2020, when evidence is provided that the social and economic sustainability of the fishing fleets involved is seriously jeopardized. However, it is essential that the Commission clarifies who must provide what evidence in such requests, by when, and by whom it is validated. Furthermore any request to delay the 2015 MSY deadline should include clear indication of how fishing mortality will be progressively and incrementally reduced (in line with Article 2.2 of the CFP) to achieve the MSY objective as soon as possible - and this information must be made publicly available.

In order to apply the precautionary approach in a systematic, predefined and transparent manner for stocks where full scientific advice is not available, the Commission must provide further information on how it defines such an application. When applying the precautionary approach it is important to reduce fishing mortality and not only fishing opportunities.

ICES advice on catch limits must be a precondition for any uplift in quota to reflect the introduction of landing obligations. Uplifts should be limited in scope to ensure that the total take-out will not prejudice the MSY objective of the CFP.

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