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Cc: DG MARE

Zoetermeer, 1 April 2022

**NSAC Advice Ref. 06-2122**  
**NSAC Advice to the Scheveningen Group on the Discard Plan 2023**

*This advice paper was approved with consensus by the NSAC Executive Committee via fast-track written procedure on 30 March 2022.*

## 1 Background

The NSAC Landing Obligation Focus Group has worked with the 2023 Discard Plan to identify possible choke risks and applicable mitigation measures in the North Sea demersal fisheries, and to tackle the issues pertaining to exemptions applied in directed fisheries. In so doing, the focus group considered the latest information provided by the Scheveningen Group of North Sea Member States, STECF, as well as the relevant information and data from our members. In this paper we will provide you with the most recent information on the North Sea demersal fisheries, recommendations on exemptions, and attempt to comment on the issues related to derogations in directed fisheries. We will do this bearing in mind the difficulties imposed by the Covid-19 pandemic in collection and provision of scientific data.

## 2 Advice

It is to the NSAC's understanding that the 2023 Discard Plan is to remain roughly within the framework of 2022 Discard Plan with possible additional underpinning as requested by the STECF<sup>1</sup>. We note and support that the existing exemptions are upheld on the basis of sufficient data.

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<sup>1</sup> Scientific, Technical and Economic Committee for Fisheries (STECF) Evaluation of Joint Recommendations on the Landing Obligation and on the Technical Measures Regulation (STECF-20-04):

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Nevertheless, we would like to draw attention to and acknowledge the difficulties in obtaining additional data requested by the STECF due to the ongoing Covid-19 pandemics. In the NSAC, we are concerned about the uncertainty that STECF is causing by not giving advice but merely setting question marks even when the matters in question have been observed/noted before. We find it important that a pragmatic approach will be taken in those cases where additional scientific underpinning of exemptions cannot be (entirely) provided due to the sanitary crisis, and that all existing exemptions remain in place until this problem is resolved.

Generally, the NSAC would like to see an extension of all the derogations which are in place in 2022. The pandemic has left the past couple of years rather tumultuous, also when it comes to collection of data from the fishery. The recent development in the conflict between Russia and Ukraine and the consequential stop for all working group meetings in ICES has further complicated the scientific support and evaluation of the data. We therefore ask for a pragmatic approach to the continuation of existing measures.

The NSAC would only like to request one further derogation. In addition to the existing exemption concerning a *de minimis* on sprat, sandeel, Norway pout and blue whiting of all species under the Landing Obligation caught in the demersal mixed fisheries with trawls in ICES division 3a and ICES subarea 4, catches of Northern pink shrimp (*Pandalus borealis*) should be included. For all five species, targeted fishing is normally done with mesh sizes between 8 and 70 mm. Under normal circumstances, mesh sizes above 70 mm will not retain catches of the species, and as such, increased selectivity cannot be achieved to avoid catches. The existence of unwanted catches of the species does occur only when selectivity is restricted by catches of target species. Furthermore, the amount of catch for all 5 species is low.

Finally, and with regard to the EU-UK relationship and parallel legislation drafting on both sides, we would like to raise awareness on the need for conformity of regulations for EU and UK waters. Considering the many shared stocks in the North Sea we find it important that any regulations proposed are mutually aligned, so as to uphold the highest ecological and socio-economic sustainability standards in exploitation of marine resources and to ensure level playing field for all North Sea users.

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<https://stecf.jrc.ec.europa.eu/documents/43805/2874177/STECF+21-05+-+Ev+JRs+LO+and+TM+Reg.pdf/caa87b65-ea4a-491a-8e59-4111e01e1c1d>

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