



Executive Committee Record of Meeting York, October 29th & 30th 2008

Rapporteur: A D Hawkins

Record

1. Welcome, Apologies, Elections & Information on Budgets

- 1.1 The Chair of the ExCom, Hugo Andersson, welcomed participants to the meeting. Apologies had been received from Bartek Kachniarz, Alan Coghill, Elspeth Atwooll MEP, Almudena Gomez, Nicki Holmyard, V Toulomon, John Claude Cueff and Hazel Curtis.
- 1.2 Two nominations had been received for the two Vice-Chairs to the ExCom, Christien Absil and Michael Park. Both were elected unanimously.
- 1.3 The Chair then handed the meeting over to the Executive Secretary to explain why this open meeting of the ExCom had been preceded by a meeting of ExCom members only. Ann Bell explained that the earlier meeting had been convened to discuss a proposal to go forward to the Commission. This suggested that the NSRAC should establish a company limited by guarantee in order to handle income from sources outside the Commission. The proposal would be discussed with the Commission and the outcome of those discussions reported back to the ExCom. A paper explaining the proposal was circulated, together with details of the NSRAC budget up until August 2008, and an additional paper presenting the draft budget for 2009. Time would be allowed for participants to digest these papers before further discussion.

2. Membership of the ExCom

- 2.1 The General Assembly had originally received three nominations for occupancy of the single remaining seat in the one-third constituency of the ExCom. One of those had been withdrawn, while another nominee had failed to attend the General Assembly. We had been left with only one nomination; Luc Corbisier's application on behalf of the Belgian Foundation for Sustainable Fisheries (Stichting voor Duurzame Visserij Ontwikkeling, SDVO). The application was now open for discussion by the ExCom.

- 2.2 Luc Corbisier was asked why he thought his organisation should be part of the 1/3rd 'others' part of the ExCom. He replied that there was no opportunity to gain a seat within the 2/3rd set aside for the fishing industry as all the seats were already filled. There had been a time when Belgian fishers had anticipated gaining 2 seats in the 2/3rd, as some other countries had achieved, but that had not come to pass. However, the Belgian Foundation was concerned with ensuring that fisheries were sustainable and its interests were relevant to the 1/3rd. They had previously applied for a seat on the ExCom both at the Vienna Meeting and at the Aalborg Meeting.
- 2.3 Euan Dunn thought that the Foundation did not fit within the 1/3rd. It was a fishermen's group. There had already been a derogation to allow the North Sea Women's Network to join the 1/3rd and he would not like to see a further derogation. It was important to have the right mix on the ExCom and he would prefer to see a consumer group represented. Emiel Brouckaert supported the application of the Foundation and believed it could contribute on behalf of the 1/3rd. Isabelle Viallon from the Commission mentioned the importance of getting the composition of the ExCom right. The 1/3rd sector was a way of reaching balance with the interests of civil society. She admired Luc's honesty and transparency; but there was a ratio that had to be respected. If the 1/3rd organisations were asked and contested the membership then the answer was clear. In contrast, Danish fishers did not see any problems in admitting the Belgian Foundation to the 1/3rd and other fishers' representatives also thought that the Foundation could contribute to the work of the ExCom. Several other members, however, believed that the Foundation really belonged to the 2/3rd group. The rapporteur drew the ExCom's attention to the NSRAC Rules of Procedure, which made it clear that membership of the ExCom was decided by the General Assembly, not the ExCom. In the past prospective members of the ExCom had been asked for copies of their constitution to enable the General Assembly to determine who they represented. In this case did the Foundation represent only fishermen or did it represent wider membership of civil society? That was really the deciding factor. Further discussion of membership was deferred to the next General Assembly.
- 2.4 An application had been received from CIPS (The global competition anglers organisation) for membership of the General Assembly, but discussion had accidentally been omitted from the earlier meeting, for which the Secretariat apologised. Membership will be confirmed through written procedures.

3. Trial Marine Reserve Sites in the North Sea

- 3.1 Ruth Thurstan, of the University of York, gave a presentation on marine reserves in the North Sea. The presentation was based on a report by Professor Callum Roberts and Leanne Mason, which had been commissioned by the WWF. Ruth reminded members of how the North Sea used to be. Much larger fish were landed than are landed now. Trawling and dredging in the North Sea had caused a massive loss of habitat, with concomitant impacts on a whole variety of other species. Landings of demersal species of fish were in decline and though efforts made by the EU to reduce fishing power and limit landings had contributed to this it was clear that stocks themselves were in decline. Fishery management so far had not delivered sustainability. What was missing was: precautionary targets; real provision for habitat protection and recovery; refuges for vulnerable species and habitats; and resolute enforcement. There was a need for marine reserves which were protected from all extraction and deposit of living and non-living resources and protected from harmful levels of non-consumptive activities. Such reserves would enable the conservation of threatened or vulnerable species and habitats, maintain ecosystem

processes and sustain fisheries – protecting juveniles or adult populations of commercially important species to allow them to grow and reproduce.

- 3.2 Fish inside reserves have the chance to live longer and grow larger – this increases egg production and enhances larval dispersal to fishing grounds outside the reserve. Another way fisheries can benefit is by spill-over – where fish populations in the reserve increase and adult fish start to move out of the reserve into the fishing grounds. A recent study undertook a comprehensive analysis of the effects of marine reserves across the world, and included the findings from 124 reserves spread throughout tropical and temperate regions. There was evidence that dramatic increases in spawning stocks are being seen throughout the world – regardless of latitude. Nearly all the effects in the marine reserves documented in this study were shown to be positive. Bigger fish are important within marine ecosystems because they produce more young. Marine reserves allow individuals of a species to grow bigger than they would typically in an unprotected area. They will then produce many more young than a number of smaller individuals. Overall, reserves in temperate areas had even more positive effects on biomass and density than reserves in the tropics. Can these reserves be effective at a scale appropriate to the North Sea?
- 3.3 There are now a number of examples of large scale, temperate reserves for the protection of fish species. Georges Bank fisheries for cod, haddock and flounder were severely overexploited in the 1970s and 80s, leading to steep declines in landings. In 1994, the New England Fisheries Management Council adopted a recovery plan that included closing three areas to fishing gears that target ground-fish or damage their habitats. In addition to the closures, larger mesh sizes and reduced fishing effort were also stipulated, which together reduced fishing mortality in the ground-fish fishery by about half. This package of measures has led to some dramatic recoveries of populations of several exploited species. The increase in biomass within the closed areas has been significant for scallops, haddock, yellowtail and winter flounder. Monitoring of fishing effort by satellites shows that fishing effort is highest closer to the reserves. This is because highest densities of fish such as haddock and yellowtail flounder occur within the reserve boundaries, and the fish spill over into unprotected areas for fishers to benefit from. Species such as haddock were formerly thought to be highly mobile – yet these closed areas are fostering substantial increase in spawning stocks, whilst benefiting surrounding fisheries through spill-over. Some 73% of the United States haddock catch is now taken within 5km of the closed area boundaries. Closed areas at Iceland have also had positive impacts on commercially exploited species.
- 3.4 Efforts to use spatial management in the North Sea have so far been a great disappointment. The fish within closed boxes were not sufficiently protected from fishing gears, and the boxes were not put in place for long enough. Fishing effort was not reduced but simply displaced to adjacent areas. The box was also only closed for a few months, so any improvements were dissipated as soon as the area was reopened. In their report for the WWF they had search for places to establish a pilot network of marine reserves to test their effectiveness in the North Sea whilst having minimal impact on the fishing industry. Options were explored with the objective of improving the sustainability of fisheries, protecting biodiversity and securing essential ecosystem services. Any experiment must meet certain conditions to produce reliable results. It should represent the full range of environmental conditions in the North Sea, taking into account the different marine habitats and distributed north to south. It should compare experimental marine reserves to environmentally similar references areas – which can still be fished as normal. The reserves must also be large enough to provide adequate refuges from fishing to the species of interest. However closed areas do not need to encompass

the full range of movements of a species to be effective – all species show a range of mobility and while some individuals of a species may travel long distances, others may remain in much smaller areas for most of their adult lives. Pilot areas must be properly enforced and monitored.

- 3.5 Information was brought together, and a cluster analysis performed to determine the similarity of planning units for both habitats and fishing intensity. This analysis came up with five different clusters. Using these data, a number of areas were identified for possible pilot marine reserve sites – each paired, so one of each would be fished and the other closed to fishing. The five pairs are distributed across nearly the full range of latitude in the North Sea. They cover 10% of the area of the UK North Sea Exclusive Economic Zone, although fishing would only be restricted in half that area. The evidence is overwhelmingly positive about the effects of marine reserves on the environment – fish stocks rebound, spawning stocks increase, habitats recover and fisheries do benefit. Evidence from similar places to the North Sea says that marine reserves will work in our waters and they can address some of the most difficult problems caused by exploitation.
- 3.6 In the ensuing discussion it was pointed out by fishers that some of the facts adduced were wrong. In the old days many of the large fish landed at English east coast ports came from Iceland and even further afield. Some of the fish in the first slide had been tuna! The current drop in landings was entirely due to the regulation and to cuts in the fishing fleets. Currently vessels operated under massive restrictions. Moreover it was wrong to say that there was a lack of policing in the North Sea. Control was in fact very rigorous. It was also pointed out that the conclusion that there was a lack of pristine habitats in the North Sea, and that it had once been more diverse, was a political statement rather than a scientific conclusion. More seriously, the analysis only considered fishing effort by UK vessels and yet a firm choice had been made over the location of the sites. It would be necessary to consider the full distribution of fishing effort by all nations before coming to a firm conclusion. Dutch fishers pointed out that the plaice box had effectively been a closed area. There had always been an abundance of juvenile plaice there and the area had been closed to protect them. The scientists behind the closure had expected a great abundance of adult plaice but they now admitted publically that plaice stocks had declined over the 5-7 years following the closure. A German study had shown that the plaice box was now less productive than it had been before. Other pointed out that displacement of effort was a problem with closed areas. In addition, closing particular sites often affected local people and especially those using small boats. Giles Bartlett pointed out that the proposed boxes would be outside the 12 mile limit and not close to the coast. Christien Absil said that the Dutch plaice box had not actually been closed and that other factors had been involved in its lack of success. Geert Meun, however, said that although the box was open to vessels <300 hp they did not fish there because there were no fish.
- 3.7 The discussion concluded with the Chair thanking Ruth for her presentation. Ruth said that she would pass on the points raised during discussion to the authors of the report.

4. Report of the Demersal WG

- 4.1 Barrie Deas reported on the work of the Demersal WG. The year had been a busy one with a great deal of effort put into position papers on a range of subjects. On the important issue of discards it was clear that we needed a more intelligent and flexible approach. Discards could not be handled through TACs and quotas. Over the year

North Sea fishers had taken initiatives on real time area closures, proposals to land all the cod caught, individual vessel cod avoidance plans, and the use of more selective fishing gears.

- 4.2 On the latest non-paper on cod recovery, the WG believed that cod avoidance was critical. There was also the need for much better information on the state of the cod stocks. There had been some movement on the part of the Commission. The margin of tolerance issue had been discussed at particular length because it was so important to fishers, who had been open to unfair prosecution. The Commission had now clarified that the 8% figure applied only to cod. Overall, the WG had done good work. However, progress with developing long term management plans had not been as strong as everyone wished because of resource limitations.
- 4.3 The next meeting of the Demersal WG would be on November 25th in Brussels. Our ambitions for 2009 would include:
- Long-term management plans
 - Cod avoidance
 - Implementation of discards policy
 - Selectivity/Technical Conservation Regulation
 - Control Regulation
 - TACs and Quotas
 - CFP after 2012

5. Report of the Skagerrak and Kattegat WG

- 5.1 During the year the WG had been unable to gain agreement with the Commission on an effort management scheme. The group had discussed the ICES assessments for cod in the Kattegat and had considered measures for the protection of cod. Swedish proposals had come forward for a closed area in the Kattegat but the status of the proposal had been uncertain and fishers were strongly sceptical of the measures suggested. The WG was developing its own plans for the future of those fisheries. Cod protection measures included a strategy for temporal closures of areas where the occurrence of spawning or juvenile cod is high – a real time closure (RTC) system. These proposals have been sent to the NSRAC and the WG hoped to gain the agreement of the ExCom. Other topics had included technical rules in the Skagerrak and Kattegat. Future meetings would consider a new minimum landing size for cod in the Skagerrak, cod recovery plans – especially in the Kattegat – and the proposal for a Natura 2000 area. The most important issue for the WG, however, was to gain approval for its own plans for conservation measures in the Kattegat.
- 5.2 Michael Andersen gave details of the plans. These were built around real time area closures in the Kattegat. Two different closures were envisaged – one that aimed to protect the cod during spawning (in order to increase recruitment) – and one that aimed at protection of cod below the minimum landing size (in order to reduce discards). The combined effect would be an enhanced exploitation of the stock – regardless of whether the fishers agreed or disagreed with the scientists in their assessment of the state of the stocks. A Swedish proposal had come forward for an extended closure but the area proposed was important for both *Nephrops* and sole fisheries. The WG proposal was a better one. Any fishers catching spawning cod would report to a committee which could agree a 6 week closure which would apply to all fishing. It could be re-opened, and then closed for a further 6 weeks provided the closure did not extend beyond April 15th (when spawning would be over). Area

closures for juveniles would be decided in a similar manner but would be for 2 weeks, with no limit on the number of closures. Gears which did not catch cod would be allowed to continue. The closures would be voluntary, but would be issued through the national authorities. Niels Wichmann pointed out that cod were less than 4% of the total catch value in the Kattegat and the fishing sector should be allowed to manage the fisheries properly. We would have one year to see if fishers were able to behave responsibly. The proposal would need to go to the Commission as there would need to be a Council decision through the TACs and quotas regulation. There would still be a TAC. However, the proposal would be an alternative to the current 2.5 day draw down on fishing days for vessels fishing in the early part of the year.

- 5.3 Christien Absil sought clarification whether this proposal was an alternative both to the days at sea provisions and to the Swedish proposal for a closed area. Michael Andersen was not sure about the status of the Swedish proposal, which was for a larger area and a longer period of closure. It would not allow fisheries for *Nephrops* and sole to proceed. Derk Jan Behrends asked how one could judge when an RTC or area closure had been a success. It was agreed that effects on fish populations are difficult to assess. In the Scottish RTC, where there had been 16 closures over the year, self-sampling had to be carried out and reporting had to be done, but monitoring its success was admitted to be difficult. Peter Hopkins, from the Commission, anticipated that the results of the WG proposals would be quite different to those from a permanent closure. In particular the proposal would not reduce fishing mortality on cod. Yet that was the main aim of cod recovery. Giles Bartlett asked whether any technical measures would accompany the proposals. Jan Willem Wijnstroom said the Swedish colleagues had assured him that cod were in a very poor state in the area. He could not give his support to the proposal.
- 5.4 In reply, Niels Wichmann said that this proposal represented a fundamental change in the ways things were done. Active fishermen would be involved in making sure that fisheries management was a success. The opponents of the proposal were finding problems, not seeking solutions. Harald Oestensjoe from Norway observed that RTCs were already in place in Norway, but they also involved the coastguard. It was not sensible to leave it entirely to fishers. Michael Andersen said that the aim of the proposal was not to decrease fishing mortality but to prevent discards and protect spawning stocks. There would be an observer scheme involving the Danish institute. It was agreed that the ExCom would resume discussion of this topic on the following day.

6. Report of the Spatial Planning WG

- 6.1 Euan Dunn, the Chair of the Spatial Planning WG, said that there had been no meeting of the WG since the Edinburgh Conference, but several other meetings had been held on spatial planning issues. In particular, the Commission had held a meeting in September on the offshore Natura 2000 network which had brought us up to date on where the different Member States had got to. With respect to the UK proposals, during December–March the UK will consult on the Dogger Bank proposals. The JNCC for the UK had asked how the NSRAC could be consulted. It would be necessary for the Spatial Planning WG to meet early in the New Year to discuss the proposals. Buffer zones had caused some concern to fishers at the Edinburgh meeting. The Commission has decided it will not be prescriptive about this.
- 6.2 Offshore wind-farms were still an issue. We had made progress in issuing our protocol but still had much to achieve in terms of defining areas of fishing activity.

We do not have enough data to table at the moment, and will need to revisit this subject.

- 6.3 In 2009 the Commission plans to hold regional sea moderation seminars to integrate N2000 sites. These will be important meetings. NSRAC needs to take a view on this and on two other inter-related issues: (a) the UK Round 3 consultation; (b) provision (collection, analysis, publication) of spatial data on fisheries. The SPWG has already addressed (b) with results limited to the CEFAS-led Lot 7 project on data collection between the scientific community and fishermen. We need to re-visit this to see what more the NSRAC can and should do. The next meeting of the WG should take place during January-March to enable a response to be made to the UK consultation.
- 6.4 Fishers commented that the Dogger Bank is a massive area. There are some parts of it which perhaps could be closed for conservation reasons. However, there are applications for aggregate dredging in some of these places, and wind turbines may be planned for other areas. Taken together with the N2000 proposals these would greatly reduce the area available for fishing.

7. Report of the Socio-economic Development Group

- 7.1 The report of the WG was taken as read and there were no points for further discussion. During 2009 the WG will build on the Defra funded research project carried out by the North Sea Women's Network by developing model case studies in the North Sea area using the data-frame approach. Clarification will be sought from DG MARE on the status of the new Data Collection Regulation to determine what qualitative socio-economic data could be collected in future.

8. The REX project

- 8.1 Kai Wieland of DTU Aqua (National Institute of Natural Resources, Technical University of Denmark) gave a presentation on survey results from a Danish collaborative biologist-fishermen project on spatially-explicit management methods (REX) for North Sea cod. The intention had been to follow up by means of surveys the suggestions from fishers that there were areas of the north Eastern North Sea and Skagerrak where there were large numbers of cod. Surveys had been conducted with 3 types of vessel in the North Sea (fly-shooter, trawler and gill-netter) and two in the Skagerrak (gill-netter and trawler).
- 8.2 In the North Sea the fly-shooter had high catches on 'sand' where the fish stomachs were filled with sand-eel. Mainly 'large' (> 60 cm ~ > 2 kg) cod were found; in 2 cases catches were larger than the cod-end could hold. Cod catches at other stations were accompanied by large haddock and hake. Trawlers caught medium size cod which were widely distributed. Large cod were found in high numbers at the border with the Skagerrak. Cod at most stations were caught together with haddock, hake and saithe. Gill netters caught almost no cod below the minimum landing size. More (large) cod were caught at ship wrecks than on other bottom types. For the North Sea there had been an increase in cod density for fly-shooter and gill-netter with time, but no such change was observed for trawling. In contrast to the results of the International survey (IBTS) the commercial catches show a predominance of large cod. The ICES assessment says that IBTS catchability is almost constant for cod age 2 to age 5, but in practice the IBTS catches decline drastically for cod ≥ 40

cm, and are almost zero for cod ≥ 60 cm. In this respect they contrast with commercial catches in the northeastern North Sea.

- 8.3 In the Skagerrak, cod were found at every station although they were not as abundant as in the North Sea. The main distribution of cod was covered well by the two trawlers. In addition some good catches by the gillnetter at ship wrecks. Many of the cod were > 40 cm and there were large numbers of age 1 cod in the trawl catches, indicating promising recruitment.
- 8.4 These new surveys using commercial vessels have shown that they are able to provide supplementary information for cod on abundance of the larger fish, size, geographical distribution and habitat. The results provide justification for the inclusion of fishermen's knowledge in the assessments and for the re-establishment of representative catch per unit effort (CPUE) series from commercial fleets. There is an argument for establishing an international commercial reference fleet covering the entire North Sea, eastern English Channel and Skagerrak. It is evident that the cod co-exists with other commercial species, and that fleets in the areas examined cannot avoid catching cod. They either have to discard the cod or leave the areas. Setting a low TAC for cod is not resolving the problem.
- 8.5 Kai agreed that an important aspect of the project had been the establishment of a team with commercial fishermen, developing mutual trust. Fred Normandale remarked that it was good to meet scientists who could find fish. There were major flaws in the research vessel surveys. Although he appreciated the wish of scientists to use standard survey gears those gears were now being fished from larger, more powerful vessels which could not fish slowly enough for the nets to behave properly. Kai Wieland remarked that the research vessel surveys should not be criticized too strongly. They had been designed to catch herring, and they did catch small cod. The IBTS survey provided good information on recruitment. Fishers were concerned about the findings of the new Danish surveys. Were they being communicated to other scientists? Did the results apply all over the North Sea? Kai remarked that CEFAS scientists were doing similar surveys and the Lot 7 project should help coordinate the results from separate projects. Henrik Sparholt of ICES said that these were very interesting results which could be used to improve the assessments.
- 8.6 Given the abundance of cod which had been demonstrated, and the mixture of cod with other species, fishers were concerned with how discarding could be prevented. Peter Hopkins pointed out that the original cod recovery plan set a target fishing mortality. The level of total removals (which includes discards) was determined which would meet this target. We could not increase the TAC without increasing fishing effort and if cod were recovering the best policy is not to fish them too heavily. We must aim to rebuild the stocks. The Commission wants to limit the TAC and is encouraging fishermen to find ways of reducing discarding.

9. Long Term Management Plans

- 9.1 The report from the Nantes Seminar on long term management plans had been received and its findings were clear. Long term management plans were needed for the key fisheries in the North Sea. Where did we go from here? Barrie Deas pointed out that because of lack of resources the development groups had not been able to meet to take forward the plans. There were essentially two problems: we needed to be able to bring scientists into the planning process, and we needed to hold additional meetings to bring fishers themselves into the planning process. The Commission had an MOU with ICES and would forward questions to ICES but this

was not straightforward. All the RACs had participated in the Nantes meeting, and it had been attended by the Commission but we had not moved further forward. Our own focus group on long term planning, together with the Edinburgh workshop had laid out the problems clearly. We must look at these plans fishery by fishery; dialogue with scientists is a necessary component; the involvement of stakeholders is necessary; the plans must seek progress not a definite destination; and there must be an incremental approach. Only the flatfish fisheries in the North Sea had a long term management plan, and that had resulted in progress.

- 9.2 Barrie suggested that we needed to radically re-think our approach. Perhaps we should concentrate on a particular fishery and give it priority. He suggested the North Sea *Nephrops* fishery. Michael Park agreed; running 5 development groups had proved too difficult. He was prepared to liaise with FRS and other scientific institutes to identify those who could take part and where we should aim to go. The proposal to concentrate on the preparation of a long term management plan for the *Nephrops* fishery was agreed.

10. Discards

- 10.1 Following a focus group meeting in London, two papers had been produced. The first was a draft position paper on the 2009 Fishery for cod in the North Sea and opportunities to reduce discards. The second was a draft response to the Commission's proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures.
- 10.2 Barrie Deas said that there is currently massive discarding of marketable cod in the North Sea. The focus group had considered a series of proposals for reducing this discarding. There was a Dutch proposal to land all the cod caught, to record them carefully to provide precision scientific data, and then to sell all over-quota cod with the vessel receiving 20% of the proceeds and the balance going into a scientific fund to improve knowledge of the cod stocks. Not all Member States were able to implement this proposal. A WWF suggestion that formal by-catch limits could have a role to play was also discussed. Whilst the concept of setting limits to which the industry would be left to adapt to in its own way has some attractions, there was doubt whether by-catch limits could be employed in the current context of North Sea cod without serious economic dislocation.
- 10.3 Instead, a Scottish proposal was the basis for eventual agreement. The Scottish proposal focused on ways to transfer catches from discards to landings, through an increase in the human consumption TAC, balanced by additional measures in the fishery to ensure that total fishing mortality would fall to a greater extent than with a low TAC and associated discards. The elements of this approach would be a substantial increase in the TAC through which cod, currently discarded, could be landed legally. This would be accompanied by additional measures such as a reduction in days at sea, and cod avoidance measures such as real time closures and cod avoidance plans and technical measures, that would make a significant contribution to the reduction of cod mortality. The proposal recognised that the TAC was out of line with the availability of cod leading to discarding. Increasing the TAC by only 15% would not deal with this problem. A larger increase was being sought. It would be incumbent upon the fishing industry and member states, however, to ensure that an increased TAC was accompanied by extensive measures to eliminate discards of marketable cod. A reduction in days-at-sea would not address the problem of discarding to any significant degree as restricting time at sea does not directly affect the level of discarding when the vessels are at sea. The widespread

implementation of “cod avoidance” measures to accompany an increased TAC should, all other things being equal, result in a lower fishing mortality for cod than would be the case if there is a low TAC, high discarding and minimal cod avoidance activities.

10.4 The cod avoidance measures could include:

- Conservation Credits/Real Time Closures to protect aggregations of juvenile and spawning cod
- Individual Vessel Cod Avoidance Plans
- Technical Measures such as the eliminator trawl, which allows effective fishing for haddock and whiting whilst eliminating cod from the catch.

The key to cod avoidance is having confidence that the measures will be effective. On-board observers, on-board sampling, CCTV observations, checks at sea and reference fleets could all play a role. One feature which might be added to these proposals is a ban on the discarding of marketable cod – aimed at preventing hi-grading.

10.5 Hugo Andersson wondered if we would be able to agree a text for transmission to the Commission before the EU/Norway talks. He opened the paper for discussion. One question concerned whether measures like RTCs would be voluntary. It was pointed out that the Scottish scheme was voluntary. However, if vessels did not adhere to it they could lose additional days at sea. It could be made mandatory. There was concern about other fleets which caught cod. Would the measures apply to those fleets catching cod as a by-catch? Barrie Deas said that vessels like beam-trawlers could adopt individual cod avoidance plans or other measures to reduce any discarding of cod. Different measures could be adopted by different fleets within the overall package.

10.6 Ate Oostra pointed out that behavior at sea was the target of the proposal – but that would be difficult to control. Could peer pressure play a role? What guarantees could be given on compliance? Giles Bartlett was concerned whether fishing mortality would be reduced by any of the proposed measures. He also required reassurance that there would be full compliance. Fishers said that they were aware that no guarantees could be given that fishing mortality of cod would reduce but that was the intention of the measures. The current discarding of marketable cod was very serious and had to cease. There were now ways of monitoring fleet behavior and they were prepared to adopt measures which would increase confidence in compliance. It was remarked that in Denmark fishers already had to land what could legally be landed. Would that be the case here? And could days at sea be reduced to ensure a reduction in fishing mortality? Fishers said that the details still needed to be worked out. What they were looking for was a commitment from the Commission and Norway to take steps now to ensure that the discarding of cod was reduced. Some fishers, like the Scots, were willing to see a reduction in days at sea in return for increased TACs but others could not agree on this. Nevertheless, fishers were willing to accept a balanced position. They wished the measures to be effective. In the case of the French they were willing to accept observers on-board to ensure compliance. They were not entirely happy with a ban on hi-grading but were willing to consider it in return for an increased TAC.

10.7 Attention then turned to the task of modifying the paper to make it acceptable to all parties. Points of concern included the level of the increase in the TAC and its conformity with ICES advice; measures for monitoring and penalizing lack of

compliance and free-riding; and the need to ensure that all fleets catching cod were included in the proposal. Following discussions both within and outside the meeting a text was agreed and is attached as Annex I of this report. It was agreed that the text would be circulated at the earliest opportunity and sent to the Commission and Member States. It was also agreed that a press release would be prepared and circulated to all members of the ExCom for approval.

- 10.8 It was agreed that discussion of the draft NSRAC position paper on the Commission's proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures would be held back until the Demersal WG met in Brussels on November 25th.

11. Aberdeenshire Council, Alan Campbell

- 11.1 Hugo Andersson introduced Alan Campbell, the Chief Executive of Aberdeenshire Council. Alan had recently announced his retirement and Hugo wished to thank him on behalf of the NSRAC for the support he and his Council had given. Alan was presented with a card signed by the NSRAC participants and everyone present wished him well for the future.

12. Update from the Commission

- 12.1 Peter Hopkins of the Commission introduced the subject of the policy statement on TACs and quotas. The NSRAC had received the statement in May. The document outlines a strategy for those stocks where long term management plans are not in place. At the last meeting of ACFA there had been a discussion on each of the stocks. The statement had also been discussed at meetings of the Demersal WG. Michael Andersen pointed out that what was missing from the paper were proposals on species which were part of the EU/Norway agreement, although a table within the document did assign a category to each of these stocks. Michael said there was a small mistake for cod. The reduction of 25% applied only to cod in the Kattegat. Particular concern was expressed about the policies for stocks which were not fully exploited. There were lots of reasons for TACs not being taken up. Peter Hopkins replied that the policy reflected an unwillingness to set TACs at totally unrealistic levels. However, each stock could be discussed case by case. Peter concluded with a summary of the decisions of the Council on a range of stocks. The Demersal WG would return to this subject on November 25th.
- 12.2 Isabelle Viallon mentioned two reviews carried out by the Commission; one on ACFA and the other on the functioning of the RACs. The Decision creating the RACs had required a review after three years but it had been delayed by one year until more RACs had been established for a reasonable period. The report provided an overall evaluation of the functioning of the RACs, and was not a scrutiny of the individual RACs. The first part of the report concluded that the framework for the RACs was generally satisfactory, with some improvements to be discussed further. There might need to be some adjustment to the composition rule for the General Assembly, where it was difficult to maintain a precise one third/two thirds ratio. For some RACs it might be necessary to increase the size of the ExCom to 30, or to rotate seats. The definition of the fisheries sector/other interests might need to be revisited. In the second part of the report the input of the RACs to the CFP was considered. It concluded that the RACs had contributed to improved dialogue. The amount of advice, its quality and its timeliness had increased over time. The consultation

process could be further improved. The main conclusion was that action to improve the RACs can be taken without the need to change the original Decision to establish them. Actions would include:

- Proposed guidelines on procedures, based on best practice
- Guidelines on financial management
- An improved consultation process
- Benchmarks to improve the consistency of RAC advice
- Annual debriefing with individual RACs
- Improved RAC visibility
- Encouragement to stakeholder participation

12.3 The first comments from Member States had been received:

- Preference for an independent review
- Analysis had focussed on operational issues
- The report had not addressed financial and budgetary problems
- Guidelines were required on financial contributions from Member States
- An increase to ExCom seats was agreed with the ratios remaining at one third/two thirds
- Council to talk with RACs before Council decisions
- More attention to be paid to RAC opinions
- Concern over projects outside the scope of CFP issues
- Duplication with ACFA
- Documents issued in different languages

12.4 The ACFA evaluation had been carried out by an external consultant. The efficiency and representativeness of ACFA had been queried, together with the respective roles of ACFA and the RACs. The report had concluded with several options: replacing ACFA by a RAC Coordinating Committee; a smaller ACFA; a larger ACFA; or the creation of a Maritime Consultative Group. Niels Wichmann pointed out that it was a waste of effort discussing the same subjects in both ACFA and the RACs. Some things – like aquaculture and market issues – were purely horizontal and were best handled by ACFA. We had to define those topics carefully.

12.5 The Commission was now awaiting comments from the RACs themselves. The topic was on the agenda for the next RAC Coordination Meeting on the 24th November. Ann Bell said that action was needed on the coordination of fees for the different RACs. The RAC Chairs had produced a table setting out the fees to be paid by each Member State to each RAC. Barrie Deas thought that we needed to decide on the best ways of working for the RACs. So far what had been successful was the preparation of well-written papers for the WGs to consider, based on proper analysis of the position. We were not able to do that very often. The quality of advice would be better if the RACs had more resources. Other agreed and asked how we would deal with these issues and respond to the Commission. Hugo Andersson proposed that we should deal with these questions at our next ExCom. A small drafting group would meet beforehand to draft a response. He suggested that Guus Pastoor should chair the drafting group.

13. House of Lords (the upper house of the UK Parliament) Report on ‘The progress of the Common Fisheries Policy’ (CFP).

- 13.1 Lord Sewel, Chair of the Chair of the House of Lords EU Sub-Committee on Agriculture, Environment and Fisheries, thanked the NSRAC for its invitation to attend the ExCom. It was fascinating to see the reality of the RACs trying to formulate a consensus. The prize was enormously worth the effort. The future did not depend on imposition from the top, but with the industry seeking its own solutions to the satisfaction of all interests. The CFP is an area where progress has been glacially slow. His Committee had thought it would be a good idea to report on the CFP in anticipation of the 2012 review. The recurring theme was that all was not well. Evidence had been taken from many people; from fishers, from Member States and from regional administrations. The report looked back and saw the CFP as an area of policy failure. It has not met its objectives and the 2002 reforms have not been successful.
- 13.2 In terms of specific policy proposals the report was very concerned about discards and the need to minimise them – especially for marketable fish. There was a need to move from a primitive approach to one where sanctions remained but were balanced by rewards for those who were complying. He had been very impressed by conservation credits and real time area closures and welcomed these signs of a change in approach. The whole governance of the CFP needed to change. It was an old-fashioned, top-down, excessively intricate and complex policy. Regulations were imposed, fishers got around them and further regulations were imposed. What do you do when faced with that?
- 13.3 We have to look at the extent to which policy can be devolved. Significant decisions need to be taken at the centre, but must be minimal and strategic. Responsibility for delivery and implementation must be pushed down to the regional level. This doesn't mean that the RACs must do it. Some form of regional control of delivery and implementation is required. The European Union was not good at involving consumers. With devolution, robust audit procedures were required. We have an opportunity to change the governance of the CFP. The RACs are making an enormous contribution.
- 13.4 Michael Andersen pointed to the difficulty of involving consumers. Henrik Svenberg said that the Swedes had come to the same conclusions about the CFP. Fred Normandale was pleased to hear the conclusions of the report but warned that the Commission would be reluctant to relinquish any of its powers. Lord Sewel remarked that one of the problems in Scotland was the frustration and alienation caused by the CFP. There was a nihilistic reaction that we must leave the CFP. That was not in the realm of political possibility and was a distraction. We have to accept a CFP but it needs to be changed. Euan Dunn thought that the report was very timely. It was noted that the UK government would respond to the report in 2 weeks time.
- 13.5 Ate Oostra stressed the importance of certification and eco-labelling. Consumers did not want to buy fish from unsustainable fisheries. Lord Sewel said that it was notable that all fisheries ministers thought they would be able to solve the problems of fisheries management, but they all failed - especially when faced with the pantomime of the Fisheries Council. Mike Park thought that long term management plans should be our main objective. They would avoid the need for annual negotiations. Fishers were moving towards change. There would be challenges for fishers and for the governance system.

14. Proposals for management of the Fishery in the Kattegat

- 14.1 Henrik Svenberg said that the Real Time Area Closure (RTC) proposal coming forward from the Skagerrak and Kattegat WG, and described earlier, was aimed at reducing discards, protecting spawners and protecting juveniles while monitoring the success of the new measures. Ate Oostra said that he would support it if there was scope for sanctions from peer pressure and other mechanisms. Euan thought that there were parallels with our discussions on the RACs proposals on discards. However, one of the difficulties with this proposal was that the environmental NGOs had not been involved in preparing it. Much new information was being introduced. He needed more time to look at this proposal together with the proposals coming forward from the Swedish government. We could not agree this proposal today. Michael Andersen remarked that it was a pity that NGOs had not attended the meeting of the WG. He agreed that more time was needed, especially since the Swedish report, which was of unknown status, had only recently come forward. Christien Absil noted that none of the NGOs present were aware of the meeting of the WG. Since this is a recurring issue, she once again requested Michael to inform at least her (as a vice chair) of the WG meetings, so that NGO presence can be arranged.
- 14.2 It was agreed that in future proposals for WG meetings would be sent to all members of the ExCom and the WG meetings would be open to all members, although the RAC could only afford for up to 10 people to attend. It was proposed that approval of the RTC proposal could be considered through written procedures. Others thought that there was also a need to consider the Swedish proposals for a closed area. Some had not yet seen that proposal. Peter Hopkins remarked that the Swedish paper had been seen by the Commission but a position had not yet been taken on it. The RTC proposal would not achieve the same results as a permanently closed area. Michael Andersen pointed out, however, that the social and economic price of the Swedish proposal was too high.
- 14.3 It was agreed that the Swedish proposal would be circulated to ExCom members. Members would have until the 7th November to comment on the proposal from the Skagerrak and Kattegat WG.

15. ICES Benchmarking

- 15.1 Henrik Sparholt from ICES described the ICES Benchmark Workshops proposed for 2009. Under the new advisory system there would be up-date assessment working groups each year, and benchmark workshops every five year for a given stock. The term *benchmark* referred to a critical review to decide on the most appropriate and scientifically defensible methods taking account of biological knowledge, available data, and management needs. A *Benchmark Workshop* would be an intense process for evaluating the current data and methods and proposed improvements. It would include experts from outside of the ICES community to broaden the expertise pool and to enhance credibility. The goal would be consensus agreement. *Update Assessments* would be annual updates using the methods agreed at the benchmark workshop including data from the additional years that have become available since the benchmark. Update assessments should not be conducted indefinitely as situations change. Typically, Benchmark Workshops should be conducted every few (e.g. 3–5) years to keep pace with changing situations. *Data Compilation Workshops* would be part of the benchmark assessment workshops and would be a process to identify datasets to be considered, and to compile data, prior to the actual data compilation workshop. Stakeholders were invited to contribute data and interpretation of data at these workshops. **The data compilation process starts now!** Stakeholders are encouraged to participate actively. Scientists that work for

stakeholders may participate in the same manner as other stakeholders, or they may be nominated by a member country. External experts would be participants in the workshops, and share ownership of the product. Workshops chair would be recruited from the external experts.

- 15.2 The Benchmark Workshops provided an opportunity for enhancing integration and the ecosystem approach. This might be achieved by identifying new scientific knowledge, datasets and/or modelling methods that could be integrated into the benchmark framework for preparing advice. The length of Workshops would depend on the number stocks and complexity of methods to be benchmarked. It would be common for eight days to be required.

A Benchmark Workshop on Flatfish would be held at ICES HQ, Copenhagen, Denmark, on 6–13 February 2009.

A Benchmark Workshop on Roundfish would be held at ICES HQ, Copenhagen, Denmark, on 16–23 January 2009.

A Benchmark Workshop on Short-lived species would be held for 5 days in late March or early April 2009 in Bergen, Norway.

- 15.3 Barrie Deas asked how we would organise ourselves to deal with these meetings. How could we collate and furnish information? This initiative provides us with an opportunity to influence the science, which we should seize. It was agreed that representation from the NSRAC and the provision of additional data would be discussed at the next Demersal WG meeting.

16. NSRAC Budget

- 16.1 The NSRAC Budget for 2009 presented earlier by Ann Bell was agreed.

17. Date of Next ExCom Meeting

- 17.1 The next ExCom will be held in the Parliament Building, Berlin, on the 17th and 18th February 2009.

18. AOCB

- 18.1 Niels Wichmann remarked that we were dealing with many fish stocks and some of them were now in a very positive state. However, the fishing fleets were much reduced as a result of decommissioning schemes and voluntary retirements from the industry. We now needed to examine the current state of the fleets, as we were working with old data. Hugo Andersson agreed that it was important to update our knowledge of the fleets, especially since there were proposals from the Commission for further reductions.
- 18.2 On another subject, we had started ten years ago as the North Sea Commission Fisheries Partnership. That had involved the participation of important scientists in their personal capacity. Today we miss their participation. We had benefitted enormously from discussions with them. At the moment many of the scientists appearing at the RAC were simply defending their position. We needed to move

back to a position where we had a frank exchange of views. Hugo Andersson agreed that we should aim to achieve wider participation from scientists. He would take that on-board.

- 18.3 Niels Wichmann thought that to improve our way of working the WGs should come forward with agreed proposals which the ExCom could then approve. Christien Absil pointed out that this would only be possible if all sectors participated in the WGs. To facilitate this we needed a better web-site, where lots of information could be provided to members. It was agreed that the Secretariat would give priority to improving and updating the web-site, and that it would include a calendar for 2009 setting the dates for meetings.

19. Action Points

1. Further discussion of ExCom membership and the vacant 1/3 rd seat will be deferred to the next General Assembly (2.3).	Secretariat
2. Membership of the General Assembly for CIPS will be confirmed through written procedures (2.4)	Secretariat
3. The next meeting of the Demersal WG will be on November 25th in Brussels (4.3)	Secretariat & Demersal WG Chair
4. During December–March the UK will consult on the proposals for a N2000 site on the Dogger Bank. Details on the consultation are available on the NFFO web-site (6.1).	Members
5. The Spatial Planning WG will discuss N2000 proposals at its next meeting during January-March (6.3). The WG will consider how to make progress in defining areas of fishing activity (6.2, 6.3).	Secretariat & Chair of SPWG
6. The Socio-Economic Development Group will seek clarification from DG MARE on the status of the new Data Collection Regulation to determine what qualitative socio-economic data could be collected in future (7.1).	Secretariat & Chair of SEDG
7. The NSRAC will concentrate on the preparation of a long term management plan for the <i>Nephrops</i> fishery (9.2)	Michael Park
8. The text of a position paper on the 2009 Fishery for cod in the North Sea and opportunities to reduce discards was agreed and will be sent to the Commission (10.7). The text is appended as Annex I to this report.	Secretariat
9. A press release will be drafted, circulated, agreed and sent out to the press on the NSRAC's agreement to proposals to reduce the discarding of cod (10.7).	Secretariat
10. Discussion of the draft NSRAC position paper on the Commission's proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures will take place at the Demersal WG meeting in Brussels on November 25 th (10.8).	Secretariat & Demersal WG Chair
11. The Demersal WG will discuss the Commission's policy statement on TACs & quotas at its meeting on November 25 th (12.1).	Secretariat & Demersal WG Chair
12. A small drafting group will meet before the next ExCom to draft a response to the Commission on its report on the functioning of the RACs. The drafting group will be chaired	Secretariat & Guus Pastoor

by Guus Pastoor (12.5).	
13. In future, all ExCom members will be informed in advance of all WG meetings (14.2).	Secretariat
14. The Swedish government proposal on a closed area in the Kattegat will be circulated to members. Comments on the Real Time Area Closure (RTC) proposal coming forward from the Skagerrak and Kattegat WG must be with the Secretariat by November 7 th (14.3).	Secretariat & Members
15. Representation from the NSRAC and the provision of additional data for the ICES Benchmark WGs will be discussed at the next Demersal WG meeting on November 25 th (15.3).	Secretariat & Demersal WG Chair
16. The next ExCom will be held in the Parliament Building, Berlin, on the 17th and 18th February 2009 (17.1).	Secretariat & Members
17. The NSRAC will seek an update on knowledge of the size and composition of the North Sea fishing fleets (18.1).	ExCom Chair
18. The NSRAC will aim to achieve wider participation from scientists in their personal capacity (18.2)	ExCom Chair
19. The web-site will be improved and updated and will include a calendar for 2009 (18.3).	Secretariat

20. In Attendance

Christien Absil
 Michael Andersen
 Ann Bell (Executive Secretary)
 Willem de Boer
 Hugo Andersson (Chair of ExCom)
 Barrie Deas
 Tony Hawkins (Rapporteur)
 Despina Symons
 Jan Willem Wijnstroom
 Flemming Kristensen
 Patrice Leduc (Chair of General Assembly)
 Michael Park
 Guus Pastoor
 Henrik Svenberg
 Pim Visser
 Luc Corbisier
 Joyce Walker (Secretariat)
 Gordon Lyon (NSRAC Communications Officer)
 Luc Mellaerts
 Fred Normandale
 Mark Dougal
 Derk Jan Berends
 Kai Wieland
 Isabelle Viallon
 Emiel Brouckaert
 Pierre Georges Dachicourt
 Caroline Gamblin
 Antoine le Garrec
 Dominique Thomas
 Giles Bartlett

Euan Dunn
Lothar Fischer
Karsten Kristensen
Niels Wichmann
David Hill
Ate Oostra
Geert Meun
Steve Mackinson
Hideo Kojimoto
Robert Stevenson
James Thain
David Anderson
Bill McKenzie
Bengt-Olof Eliasson
Fredrik Lindberg
Dale Rodmell
Daniel Wintein
Harald Oestensjoe
Ylva Engwall
Helene Syndique
Robert McLean
John McKay
Markus Brill
Elizabeth Bourke
Joanna Lenehan
Elisabeth Vallet
Emily Howgate
Malcolm Morrison

Annex I

The 2009 Fishery for Cod in the North Sea: Opportunities to reduce Discards – a Position Paper prepared by the North Sea Regional Advisory Council

Background

The North Sea cod stock is recovering strongly on the basis of incoming recruitment and significant reductions in fishing mortality¹. The current fisheries management challenge is to ensure that this opportunity to rebuild the spawning stock biomass is not squandered through inadequate measures. This includes a TAC that has recently been set at a level that results in high levels of discards, given current fishing practices.

The consequence of the mismatch between the 2007 and 2008 quotas and cod on the grounds during the course of the year has been widespread discarding of marketable cod². This is not an unexpected or unpredicted situation but it:

- is a waste of a valuable resource estimated at around €30 million
- retards the recovery of the North Sea cod stock, as discarded cod will not contribute to the rebuilding of the spawning stock biomass
- seriously undermines the reputation of the fishing industry, fisheries science and of the Common Fisheries Policy

Against this background, the North Sea RAC, as a matter of urgency, has examined a number of options for avoiding a repetition of cod discarding on this scale, or worse, in 2009.

Options

Dutch Proposal:

A proposal from the Dutch fishing industry was found to have considerable merit but could not easily translate to the conditions found in other member states. This was the idea that vessels should

- land all cod caught
- all cod landed be carefully recorded to provide precision scientific data
- all over-quota cod be sold, with the vessel receiving 20% of the proceeds from the vessel's producer organisation and the balance going into a scientific fund to improve knowledge of the cod stocks

Scottish Proposal:

A Scottish proposal was also considered; it focused on ways to transfer catches from discards to landings, through an increase in the human consumption TAC, balanced by additional measures in the fishery to ensure that total fishing mortality would fall to a greater extent than a low TAC with associated discards. The elements of this approach would be:

- a substantial increase in the TAC through which cod, currently discarded, could be landed legally
- this would be accompanied by additional measures such as a reduction in days at sea, and cod avoidance measures such as real time closures and cod avoidance plans and technical measures, that would make a significant contribution to the reduction of cod mortality.

The central idea in the Scottish proposal – a trade off between a substantial increase in the TAC and the extension and deepening of cod avoidance strategies – was regarded as the way forward but there was no support for using a reduction in days-at-sea as currency in the trade off for a range of operational and economic reasons.

WWF By-catch Limits:

A WWF suggestion that formal by-catch limits could have a role to play was also discussed. Whilst the concept of setting limits to which the industry would be left to adapt to in its own way has some attractions, there was doubt whether by-catch limits could be employed in the current context of North Sea cod without serious economic dislocation.

The Way Forward

Taking all of the above considerations into account, the NSRAC believes that the following features should govern the management of the North Sea cod fishery in 2009:

- recognition that the TAC for cod in 2008 has been out of line with the availability of marketable fish on the fishing grounds, resulting in widespread discarding
- all parties³ should be committed to eliminating the discarding of marketable cod in 2009
- on the basis of ICES projections, discarding of cod will be at a higher level in 2009 than this year, if a similar TAC setting rule (15% increase) is applied because the stock is recovering at a faster rate.
- if a TAC for North Sea cod is set for 2009 at the highest level consistent with ICES projections, the NSRAC could consider a prohibition on the discarding of marketable cod. (Denmark already applies such a measure)
- If the TAC for North Sea cod is set towards the upper range of ICES projections for catches in 2009, it will be incumbent upon the fishing industry and member states to ensure the establishment of extensive accompanying measures to reduce or eliminate discards of marketable cod
- a reduction in days-at-sea would not directly address the problem of discarding to any significant degree as restricting time at sea does not constrain the level of discarding when the vessels are at sea
- the widespread implementation of “cod avoidance” measures to accompany an increased TAC should, all other things being equal, result in a lower fishing mortality for cod than would be the case if there is a low TAC, high discarding and minimal cod avoidance activities.

Cod Avoidance

The intensification of cod avoidance activity in 2009, would build on the start made on cod avoidance in 2008. This includes:

- Conservation Credits/Real Time Closures to protect aggregations of juvenile and spawning cod: the successful real time closure programme introduced for the Scottish, English and Danish demersal fleets during 2008 which has secured demonstrable operational changes in line with the objectives of cod recovery
- Individual Vessel Cod Avoidance Plans: A pilot project in the English fleet testing the efficacy of cod avoidance plans in ensuring that vessels operate to restrict catches of cod to their quota allocations, through spatial, temporal and gear adaptations.
- Technical Measures such as the eliminator trawl, which allows effective fishing for haddock and whiting whilst eliminating cod from the catch, and semi-pelagic fishing that similarly has very low discard rates
- Equivalent measures in fisheries in which cod is a by-catch

Validation and Monitoring

The validity of cod avoidance measures rests to a high degree on the extent to which they can be monitored and evaluated. To address this question the NSRAC supports the following:

- on-board observers, subject to availability and cost
- the voluntary use of on-board CC TV cameras that show promise in demonstrating compliance
- on-board self-sampling
- the use of reference fleets to check the performance of larger groups of vessels
- checks on landing patterns from landings declarations

Buy-in/ Peer Group Pressure

We recognise that the approach outlined in this paper, if adopted, would represent a step change in the way that our fisheries are managed and would involve the fishing industry in a central and active role. To facilitate this approach the members of the RAC will continue in their efforts to encourage the fullest possible involvement and support at port and vessel level through port and local fishermen's associations. Fishermen should engage in the monitoring of compliance and in counter-acting socially and environmentally unacceptable behaviour.

Effective co-management schemes and strengthened liaison arrangements with control bodies could be part of the way in which peer-group pressure could be used to reinforce observance of cod avoidance and discards reduction.

Evaluation

Central to the new approach are robust auditing arrangements. To monitor the progress of cod avoidance measures, participating vessels/organisations should provide regular reports on fishing target species, by-catch species and levels of discards.

Contingency

We are convinced that a substantial increase in the TAC for cod, accompanied by the extensive deployment of cod avoidance measures will deliver:

- a dramatic reduction in discards
- a commitment from the member states and the fishing industry to cod avoidance and discard reduction measures on very significant scale
- a reduction in fishing mortality on the basis of the survival of cod that would otherwise have been discarded

We recognise that the successful implementation of the approach outlined above is contingent on the various fleets and the member states meeting their obligations to implement effective cod avoidance measures. In the event of a failure to deliver, and evidence of continuing high levels of discarding, we would acknowledge the necessity to rapidly apply secondary restrictions.

¹ICES ACOM May 2008

²ICES North Sea and Skagerrak Demersal WG report May 2008

³EU, Norway, member states and their respective fishing industries