The North Sea Regional Advisory Council

NSRAC

Demersal Working Group
Record of Meeting
July 30th, 2008, Schiphol, the Netherlands

Rapporteur: Tony Hawkins **Draft for Approval**

1. Welcome, Apologies & Matters Arising

1.1 Barrie Deas began the meeting by welcoming participants to the Demersal WG. He especially welcomed the Commission representatives, scientists, and representatives from Member States as well as a number of other observers.

1.2 Apologies had been received from Ann Bell and Hansen Black.

1.3 The report of the previous meeting in Vigo was approved. There were several matters arising.

.1.4 Pim Visser raised the issue of the 8% margin of tolerance on weighings of fish discussed in Gothenburg. There was a need to address this matter urgently as inspectors in some Member States were taking action on discrepancies between estimated and weighed fish. Fishers were being harassed unnecessarily. The allowed margin of tolerance was too small. Large fines were being levied and fishing time was being lost. Barrie Deas said that enforcement officers were not entirely happy with the position either. Independent experts had fared no better than fishermen in estimating the weight of catches. The 8% margin applied only to species under recovery plans and this had been confirmed in a letter from Commissioner Borg, but this had been forgotten in some cases. It was agreed that the Secretariat would write to both the Commission and the Control Agency expressing dismay that this issue had still not been dealt with satisfactorily and that there was still a lack of consistency across both the regulations and the way the rule is implemented in the Member States.

1.5 There was also the issue of the lack of a level playing field for conversion factors. The Secretariat had already been asked to raise this matter with the Commission. Harm Koster from the Control Agency had pointed out in Vigo that achieving harmonised conversion was a problem with some Member States who thought that the factors had been taken into account when relative stability was established. The Commission would like to see common conversion factors. It was agreed that

a letter should be sent to the Commission and the Control Agency asking that this matter be resolved.

1.6 The Secretariat had been asked in Gothenburg to investigate the possibility of producing a sustainability initiative booklet, perhaps involving sponsors or third parties. The Chair would seek an update from the Secretariat on this initiative.

1.7 The Norwegians had been invited to attend this meeting of the Demersal Working Group to provide information on their reference fleets and how they operated. They had not been able to attend. However, Norway will be sending representatives to the September meeting on Long Term Management Plans and it might be possible to raise the subject there.

1.8 Following the Vigo meeting a new position paper had been drafted in response to the Commission's non-paper on discards. The paper had been forwarded to members of the ExCom for comment and had then been sent to the Commission. During discussion of this subject Willem de Boer had proposed that discarded fish could be landed and sold, and the proceeds used to fund research. He had now produced a paper enlarging on this proposal. The paper suggested that cod landed as by-catch should be landed and recorded. The catch covered by quota should then be sold in the normal way. Other marketable catch components would be handed to the PO which would subsequently sell it, with the vessel receiving 20% of the proceeds. The balance would then go into a research fund. Unmarketable fish would be destroyed. The advantages would be that total removals would be recorded, and catch data improved. It would also promote stronger collaboration between fishers and scientists and alleviate the distress experienced by fishermen having to dump marketable fish. The latter problem was growing because of the increasing abundance of marketable cod.

1.9 Other fishers expressed their support for this proposal. Increases in the TAC for cod were not keeping up with increased abundance. ICES was now making allowance for marketable fish being discarded as a result of the lack of quota. Something had to be done! Other fishers agreed to the principle of breaking the mould and using discards in a more productive way but were concerned about the details of the Dutch proposal. There was concern about the impact on markets of selling additional fish. The eNGOs also gave their general support for landing discards; at the very least it would improve knowledge of catches. However, they were concerned that the selling of discards would have an effect upon plans to avoid catching cod. Scientists reminded the Working Group that it was not new for ICES to forecast discards. The forecast was now made explicit to encourage fishers to reduce discards. However, they did not want the prophecies to become self-fulfilling. They would welcome any steps to improve knowledge of total removals.

1.10 Fishers maintained that currently it was extremely difficult to avoid catching cod because of the discrepancy between the quotas and the increase in abundance. They accepted that any new measures put in place must not increase fishing effort or fishing mortality upon cod. Michael Park suggested that it might be possible to trade effort for fish. A mechanism was needed which would give fishers a range of options. Perhaps a small group should meet to develop those options and propose ways of aligning fishing opportunities with the state of the resource.

Perhaps total removals could be allocated to Member States on the basis of Relative Stability for them to manage in an appropriate way? Various options could be tested using reference fleets within Member States. Hugo Andersson agreed and suggested that it would be worthwhile to get information from Norway on how they handled fish which would otherwise have been discarded. There the fish are sold to the oil and meal industry and the proceeds go into a research fund.

1.11 Willem de Boer said that workshops in Bergen and Copenhagen had already considered the measures adopted in Norway. However, Norway did not face the same problems as the EU fleets. Norway had 300,000 tonnes of cod to catch and it did not matter where they caught them. Only 180,000 tonnes were landed so they had in effect a free fishery. European vessels fishing the same waters had only 20,000 tonnes to share between them. Moreover, 1.1 Million tonnes of cod were being imported into Europe and this was what determined the price of cod. Selling discards would not affect the price.

1.12 Barrie Deas summed up by saying that dealing with this issue which related to two important policy areas for the RAC – cod recovery and discards - was a priority for the NSRAC. We needed to develop a series of different options. We would set up a small focus group, which would include scientists, to develop these emerging proposals for managing discards. As the budget of the RAC was limited we might have to meet at our own cost. It was suggested that the different participants should submit their proposals before the meeting of the focus group. We were essentially looking for ways of converting discards for human consumption in a way which would respect the fish stocks. At the same time we needed to get a more coherent message across from the industry to the public on discards.

2. ICES Advice for 2009

2.1 ICES advice on the state of stocks had been issued on 27th June, without sufficient time for full consideration at the Vigo Working Group. Chris Darby (a member of the Advisory Drafting Group on the North Sea) therefore gave a full presentation on the advice with the help of slides prepared by Martin Pastoors (vice-chair of the ICES Advisory Committee). Chris began by pointing out that there was now one advisory committee instead of three, providing an opportunity for integrating different aspects of advice. At the request of EC and Norway, ICES had operated on a new timescale, so that 70% of the fisheries advice had been released before the summer. This had meant high work pressure on the expert groups and advisory process but gave stakeholders more time for consultation.

2.2 The cod stock in the North Sea was increasing in abundance and although Spawning Stock Biomass (SSB) was still below B_{lim} it was increasing. Haddock were in a good state with SSB well above B_{pa}. Saithe and plaice were heading in the right direction with SSB above B_{pa} and the SSB for sole and Norway pout were also increasing. Fishing mortality (F) was declining for cod, as it was for all stocks. However, recruitment of young fish in recent years had been below average for most stocks, with saithe an exception. Haddock had been sustained by one very large year class. *Nephrops* stocks appeared to be stable or increasing but with some exceptions. The landings information on *Nephrops* had improved and a new approach to advice had been adopted. There was a need to review the use of

UWTV surveys for advice. Advice on sharks and rays was based on survey indicators (sometimes CPUE). Some species were severely depleted (angel shark); some species were depleted (common skate, undulate ray); while others seemed to be increasing (thornback ray).

2.3 Looking at cod in more detail, the cod assessment was age based, with 2 surveys, and landings and discards data. Under-reporting had been prevalent from 2002-5 but the assessment was now accepted as an analytical assessment. Unallocated removals had been negligible compared to landings and discards. The advice was presented as landings + discards. The 2005 year class of cod was stronger (but still below the long term average average). There has been higher survival of recent year classes through a reduction in fishing mortality. The SSB signal was very consistent but although the stock is rising it is still below B_{lim}. It should be above B_{lim} by the end of the year. Discarding had increased in 2007 and was at similar level as the landings. Last year the advice had been that the North Sea cod stock could be rebuilt to B_{pa} with a fishing mortality of less than 0.13. That corresponded to total removals (landings, discards, and unaccounted removals) of 22,000 t. This year ICES has concluded that the stock could not be rebuilt to B_{pa} at the start of 2010 even with a zero catch. ICES therefore recommended that fisheries for cod be closed until an initial recovery of the cod SSB has been proven. However, under the EU recovery plan there was room for an increase in TAC of 15%, provided cod avoidance is followed. This implied a TAC in 2009 of less than 29,100 t.

2.4 For North Sea haddock, the strong 1999 year class had dominated the stock in recent years. The fish had been slow growing. The 2005 year class was above average. There was an agreed management plan which had been provisionally accepted as precautionary by ICES. The SSB was still high and F was below B_{pa}. Following the agreed management plan led to a TAC of 44,700 t in 2009 (including the industrial by-catch).

2.5 There have been problems in assessing the North Sea whiting stock. There were discrepancies between historical survey data and catches (prior to 1990) and the assessment has only used data from 1990 onwards. Recruitment in the last 6 years has been very low and the TAC for this stock was not being taken. As a result of the very low recruitment ICES could not recommend any fishing mortality above an F_{max} of 0.19. This would lead to catches of less than 11,000 t with human consumption landings of less than 5,900 t.

2.6 Saithe had been a success story. Landings had remained fairly constant. The F was low (below F_{pa}) and the SSB was increasing (above B_{pa}). There had been some overestimation of stock size and recruitment was difficult to estimate. Weight at age was still declining. The advice was to manage in accordance with the Precautionary Approach with an F of 0.3 and landings in 2009 of 139,000 t.

2.7 For plaice, an EU management plan was agreed in 2007. There were high discard rates and year classes since 2003 had been low. ICES had evaluated the management plan but the review was still not complete. The plan had been accepted provisionally and advice given in accordance with it. Fishing mortality in 2009 through applying the management plan was expected to give benefits in

terms of long-term yield and low risk to the stock compared to the application of F_{pa}. ICES had advised that landings should be limited to 55,500 t.

2.8 For sole, ICES had accepted that the agreed management plan could be provisionally accepted as precautionary. However, additional evaluations of the management plan were necessary to take into account the retrospective bias of the assessment and the nature of recruitment to arrive at conclusions on the precautionary nature of the plan in the long term. F was declining and SSB increasing. From the provisional management plan ICES had advised landings of 14,000 t in 2009.

2.9 Advice on plaice in the eastern Channel had been rolled over, as had advice for plaice in the Skagerrak and Kattegat. For Norway pout, in 2007 ICES had evaluated three types of long-term management strategies and had provided advice for all of these without recommending any particular one.

2.10 Nephrops landings had increased in all areas, and the only area in which there might be a problem was the Farne Deeps where effort had been increasing but the stock had declined. Underwater TV surveys had presented fishery-independent indicators of abundance. However, ICES had criticised the way these data had been raised to absolute levels and had suggested that they be used instead to indicate trends. ICES advice was that, given the apparent stability of the stocks, current levels of exploitation and effort appeared to be sustainable. It recommended that effort and catches should not be increased above the recent average values (for 2006–2007).

2.11 With sharks and rays there was concern over high fishing mortalities. The state of individual species varied: although dogfish and smooth hound were increasing some rays were declining.

2.12 Chris Darby was thanked for presenting the advice.

3. Policy Statement from the European Commission on Fishing Opportunities for 2009

3.1 Decisions from the Commission on North Sea stocks would be revealed in October. The Commission's policy statement had already been issued, however, and required comment. Concern was expressed about the the negative approach being taken and use of broad generalisations that were quite misleading in relation to the North Sea along with selective examples that were equally misleading. The statement began by declaring that *conservation policy is not delivering sustainability. Most demersal stocks have declined and are not sustainable, being exploited outside safe biological limits. Overfishing had led to a situation where the fish stocks in EU waters contributed much less to the European economy and to the food supply than they did in the past. The demersal stocks in the North Sea now only produced one fifth of what was harvested from them 25 years ago. Despite substantial efforts, there were no significant signs of stock recovery nor of reductions in overfishing since 2003.* Barrie opined that this picture was not an accurate or fair picture of the North Sea. We had just heard how many stocks in the North Sea were now improving. To say, as the document did, that *68% of the*

stocks were at a high risk of depletion was simply misleading. There was no mention of what fishers had achieved in recent years.

3.2 Peter Hopkins agreed that the picture in the North Sea was one of improvement but pointed out that elsewhere stocks were in a poor state. The statement that there were no significant signs of stock recovery did not apply in the North Sea. The policy statement was commenting on the overall state of stocks in community waters. Some participants thought that the document should recognise what had been achieved in the North Sea, where there had been a large reduction in fishing pressure. There was an implication in the document that measures had not been successful whereas in the North Sea it was evident that measures had worked.

3.3 Pim Visser thought that the Commission deserved some credit for emphasising profitability in paragraph 5, but he was disappointed that the document concentrated entirely on the effects of high fuel costs on profitability.

3.4 Annex II of the document set out the rules for setting TACs. Some thought that the term guidelines should be used instead of rules. As rules they were too emphatic and suggested a rigidity that was incompatible with the document's status as a discussion paper. Peter Hopkins from DG Mare said that they were actually the rules which the Commission would follow in formulating its proposals based on ICES advice. There would subsequently be scope for discussing the actual proposals, however, when they went to the Fisheries Council.

3.5 Under the Precautionary Approach reference levels had been used for guidance. Now, the Commission was moving to Maximum Sustainable Yield (MSY). Fred Normandale pointed out that this was unsatisfactory. In a mixed fishery not every stock could be fished to MSY. He feared that the Commission would take the most vulnerable stock and insist that it was fished to MSY, with stricter regulation of all the other stocks. Peter Hopkins agreed that MSY was a moving target and that the F appropriate to MSY would need to be continually reviewed. There would have to be flexibility. There might be some conflict in seeking MSY for all stocks. The new approach was essentially using the theoretical concept of MSY to decide in practice in which direction fisheries ought to move.

3.6 Barrie Deas said that many TACs would be set by EU/Norway management plans involving strong negotiations with Norway. Was it sensible to telegraph the EU's intentions and principles ahead of the negotiations? These rules could handicap the EU negotiator.

3.7 There was also concern over stocks whose state was not known precisely and especially over stocks which were under-utilised. The Commission formula based on recent catches was not always appropriate. TACs might be undershot for a variety of reasons and in some cases it would not be sensible to reduce the TACs. Michael Andersen said that TACs should be set from knowledge of the sustainability of the fisheries and based on the productivity of the stocks. TACs should not be automatically reduced for under-exploited species.

3.8 There was discussion of when and where a wider margin of increase or decrease in TAC should be used (more than 15%). Some thought the change could be larger in some circumstances – for example where a stock was recovering rapidly.

Others thought it was better to stick to the 15% figure. Chris Darby pointed out that where wider margins were proposed in the table it was only where there were no long term management plans. Where a management plan was in place the TAC must be set by following the relevant plan. Peter Hopkins said that a change of more than 15% was considered necessary where the stocks were declining especially rapidly. That was the case with west of Scotland cod. The aim was to eventually bring all stocks under long term management plans, and he confirmed that the rules would only apply where such plans were absent.

3.9 It was agreed that the Secretariat would now write to the Commission welcoming the policy statement as a sign that front-loading was taking place. The improved clarity was desirable, but NSRAC members thought the statement was unduly pessimistic with respect to stocks in the North Sea. We would then list the points of concern raised in the discussion. The letter would be circulated to the ExCom members for their written approval. Any comments would be taken into account, and the letter would then be sent to the Commission.

4. Technical Conservation Regulations

4.1 The NSRAC would have to comment on the proposals coming forward from the Commission to revise the Technical Conservation Regulations. François Thierry from DG Mare said that the new regulations were intended to promote simplification, clarification, harmonisation and regionalisation. There had been pressure from the Council and the Parliament for clarification of the regulations. Now there were two sets of regulations. The Council regulation was generally applicable everywhere. It was to be supplemented by Commission regulations for specific measures in defined areas. Whereas the Council regulation would take more than a year to implement any change, the Commission regulations were more flexible and might be changed on a shorter time scale. Some people had thought that Commission regulations would be inflexible and difficult to revise. This was not so. There would be consultation with Member States and amendments could be considered by the Management Committee (ie Member State officials).

4.2 The Council regulation was now on the table. Comment was being sought from the RACs and from Member States. The Commission regulations were currently in the form of non-papers for different regions. The RACs would have until the end of 2009 to respond and some RACs had already set up focus groups to consider the non-paper applicable to their area.

4.3 The Council regulation set out a series of definitions and general rules. One of these was the one net rule. Other rules were concerned with setting minimum landing sizes, defining the requirements of towed and other fishing gears, the range of mesh sizes applicable in different fisheries, and the prohibition of certain destructive practices. The regulation also tried to set out a legal framework for implementation by Member States of real time area closures. In dealing with minimum landing sizes the list of species had been greatly reduced. The initial idea had been to set no minimum landing sizes but after discussion MLS had been retained for the main target species. An obligation to change fishing area was linked with the MLS for target species. The regulation also sought to harmonise

mesh size in the *Nephrops* fisheries, and set a minimum mesh size of 120mm for fisheries aimed at cod, haddock and saithe. Some flexibility had been introduced over by-catch rates over the course of a fishing trip. The Council could now accept this new structure for technical conservation regulations or it could reject or amend it.

4.4 Fishers welcome the broad principles behind the new proposals. Simplification and a strong regional focus had been important RAC themes. They could live with the proposed separation between a Council regulation and more local Commission regulations. They understood, however, that the procedure for adopting this approach might be affected by any delay in implementing the Lisbon Treaty. They had particular problems with a number of specifics:

- The one net rule. Fishers had to retain the ability to carry 'nets not in working order' to provide flexibility on long trips to distant waters. Dutch fishers said they could not live with a one net rule. It was unworkable.

- Other fishers understood why the list of MLSs had been reduced but were puzzled why some species had been included and others excluded. Why were haddock and saithe left off the list?

- Under Article 10 clarification was needed of 'quantity of undersized fish'. What species were to be included in estimating the 10% by-catch? Dutch fishers believed that by-catch could not be reduced below 10% in the sole fishery.

- More flexibility was also required in setting the distance of movement. Why 10 nautical miles? For small vessels this was too great a distance.

- For gill nets, under Articles 8 & 9, fishers did not understand why immersion time was specified. Why was it set at 24 hours for gill nets?

- Particular concern was expressed by the French over the increase of mesh size to 120mm in the saithe fishery. There were no discards in this fishery and no cod were caught. Fishers did not want to lose marketable saithe.

- Scottish fishers were concerned that the introduction of Commission regulations might give too much power to the Management Committee.

- There was also concern that species which formerly were not regulated would now be regulated. Before, a vessel could carry gear for catching squid alongside other gears. This would now fall foul of the one net rule.

4.5 François Thierry explained the reasoning behind some of these Articles. Norway had set an MLS for targeted species for determining when vessels should move to a new fishing area. That had prompted the list of species to be subjected to an MLS. Article 5 establishing a one net rule had also been based on Norwegian measures. The immersion time specified for gill nets was not intended to limit effort but was based on a need to avoid the discarding of fish – although it was pointed out by Derk Jan Berends that soak time was normally 12 hrs and that there were no additional discards if the nets were left for longer. Derk believed that a

general rule, with a derogation under Article 9, might not be the best way. A fishery by fishery approach was required for gill nets.

4.6 François explained that the move to 120mm for cod/haddock/saithe was prompted by a wish to come into line with Norway and to take advantage of the current abundance of saithe to introduce it – when there would be minimal impact upon landings. The 10% by-catch (by weight) introduced in Article 10 was not intended to ban beam trawls. Careful reading of the text would show that the 10% figure applied only to listed species. On the involvement of the Management Committee, he believed that this provided a route for faster revision of the Commission regulations.

4.7 Dealing with the Commission regulations on specific technical measures for the North Sea, Michael Andersen referred to the Table on page 7 which listed applicable mesh sizes and asked what would prevent him fishing for plaice with a 60mm mesh net? François replied that he could only fish for plaice with this mesh if he was targeting *Pandalus* and had more than 50% of *Pandalus* in his catch. He would also be obliged to use a separator grid.

4.8 Barrie Deas considered how the NSRAC should deal with these proposals for changes to the technical conservation regulations. In summarising the debate so far he suggested that:

- We should comment on the principle of two kinds of regulation; a framework regulation and then regional variants.
- We should welcome the move to simplification, clarification, harmonisation and the regional focus now adopted.
- Consolidation of the regulations had been necessary, as had coherence with other parts of the Common Fisheries Policy.
- The NSRAC shared the Commission's objectives of reducing catches of juveniles, reducing discards and protecting ecosystems.
- We were not happy with the timetable of gaining approval by the end of the year – that was a fantasy agenda. The Parliament would not reply until January and there was unlikely to be a decision during 2008.
- These changes needed full stakeholder involvement and consultation. At this stage, however, we should deal with the major issues rather than the details.
- It was evident that the catch composition approach adopted in the past by the Commission was not compatible with a reduction in discards. The Commission was now seeking an alternative to regulating catch composition.
- The number of species to be subjected to MLS was being reduced but a debate was needed on how many species were to be included. Setting an MLS generally led to discarding.

- The wish for a one net rule might be neat and tidy but fishers had to earn a living and needed sometimes to carry additional nets.

- The rules for real time closures needed to be flexible.

- The simplification of mesh sizes would bring benefits but in practice there were concerns.

- The devolution of responsibility to the management Committee also needed further discussion.

- We had been promised economic impact assessment of these new regulations but the analysis carried out had been very superficial. The one net rule, for example, could have a major impact upon livelihoods.

4.10 So, while we welcomed these changes in principle we were able to identify areas of concern. Budgets allowing, the NSRAC should hold a focus group meeting to work up a text during September/October – before the next ExCom. François Thierry was willing to work with the NSRAC to clarify issues. He wanted to work with the RACs to produce a definitive text. Michael Andersen approved this approach but pointed out that there would be national difference on some issues. We should not be tied down to reaching consensus, although our comments would be more influential if we were able to reach a common view..

5. Whiting

5.1 Last year, the EU had agreed during negotiations with Norway to introduce discard reduction measures as an alternative to a large reduction in the whiting TAC. During 2008, the Community would be identifying measures aimed at reducing discards of whiting in the North Sea by more than 30%. Once identified, the Community would trial these measures before introducing them into Community legislation. The Community would report the results of these trials to Norway prior to the annual consultations on the fisheries arrangements between the Community and Norway for 2009. The UK and France, with assistance from Denmark, had taken the lead and were aiming to produce the results of the trials and experiments available to the Commission no later than 31 August 2008.

5.2 Sophie Leonardi from CRPMEM gave a presentation on the results of the French SELECMER project. The study had been coordinated by a steering committee of fishermen (CRPMEM Nord-pas-de-Calais/Picardie, Haute-Normandie and Basse-Normandie, OP CME, From Nord and Copeport), Maritime Affairs and Ifremer. In phase 1, trials of square mesh windows had been carried out. Phase 2, which would follow, would examine the use of selectivity grids. Initially, the tests had looked at the selective system proposed by the EC: a 120mm square mesh window located 6 m from the cod-line. Later, a different position of the window had been tested, with it placed at the top of the extension. No conclusions could be drawn on the impact of the window position. There had been large variability in the results from one trawl haul to the other, and results had also differed in the two areas studied. Overall, the 30% reduction in whiting discards was not achieved.

The 120mm window allowed the escape of all sizes of whiting, with considerable commercial losses of other species (red mullet, cod, etc.). Additional work would now be carried out with a new position for the 120mm window. Phase 2 of the project would then begin and would consider the design and testing of a selectivity grid. In discussion it was agreed that although these results were not encouraging the trials had needed to be carried out to confirm that these solutions proposed by the EU were not effective.

5.3 Andrew Revill of CEFAS then gave a presentation on the work carried out in England. His study had concluded that gear-based technical measures had already successfully reduced whiting discards since they were introduced in 2002 (especially for fish < 20 cm). There was now a need to reduce whiting discards further (especially fish 20-27 cm). A variety of gear modifications had been tested and proved able to reduce whiting discards. However, there had been concern about the loss of commercial catches with some of them. A gear with a secondary square mesh panel in the top panel of the net had received most industry support in England. It produced a 52% reduction in discards with negligible impact upon commercial catches. However, the cutaway trawl and its variant the twin crown cutaway trawl had been favoured by some skippers in the under 10m English sector. The work done by CEFAS had been reported in peer-reviewed scientific journals.

5.4 Michael Park asked why the trawl with the additional square mesh panel had been preferred over a trawl with a narrow twine (Dyneema) square mesh panel. Andy was not sure. Perhaps the Dyneema twine was liable to stretch. However, he thought the main reason might be that fishermen themselves had suggested the trawl with the secondary square mesh panel. Michael Park thought that the position of the panel might be critical. There was general agreement that it was difficult to be specific about square mesh panels. Their position often had to be matched to the particular fishery.

5.5 Dave Reid from FRS reported on progress in Scotland on identifying measures to reduce whiting discards. The trials had been carried out in the 80mm prawn fishery, with square mesh panels of differing mesh size placed in different positions. A 110mm panel placed in the taper part of the net had achieved little. A 120mm panel placed further down the taper had achieved a 30% reduction in whiting discards with as loss of around 25% of the commercial catch. A 110mm panel placed on the extension had also been effective. It was evident that reductions in whiting discards could be achieved but with a loss of some commercial landings.

5.6 Michael Park pointed out that only in Scotland had measures been introduced over the past year aimed at discard reduction. Fred Normandale said that in England they had run out of whiting quota and all whiting were now being discarded – and these were large whiting. In his view this whole issue was a negotiating ploy by Norway. There were good numbers of large whiting off the northeast coast of England, but fishermen were not allowed to catch them. Willem de Boer reminded the meeting that 20 years ago scientists had pointed out that whiting was a pest species. It preyed on other, more important commercial species. We were now being asked to protect it! It would be better to have a free whiting fishery. Chris Darby commented that the data were now indicating declining whiting stocks.

Denmark and Norway were not catching their quotas. However, he agreed that there had been large catches of large whiting off the north east coast. There were regional differences. Fishing mortality on whiting was in fact quite low (around 0.24). The problem was a lack of recruitment. Barrie Deas asked whether the TACs could be re-arranged to suit the spatial distribution of whiting. Chris said they could, but Dave Reid said that this would only be true if they were part of the same population. Pim Visser drew attention to the economic dimension. Whiting is a low value fish which is eating high value fish. Why were we trying to conserve it? Simon West pointed out that there was a clear commitment by the EU to reduce whiting discards. There was a commitment to test measures and report back. That had almost been completed. However, what did we do now? It was evident that different measures worked under different circumstances. How could that be presented?

5.7 Michael Park said that the 70-90mm mesh sector was yielding the highest discards. If that sector had got its act together there would not be a problem. The Scottish fleet had addressed this issue and taken action – part of the committment had therefore been dealt with and this would need to be pointed out to the Commission and Norway.

5.8 In summarising the debate Barrie Deas suggested that:

- We should now produce a short paper against the background of the ICES advice, drawing attention to the measures already adopted (120mm square mesh panels in the 70-90mm fishery).

- We needed to analyse the benefits of adopting those measures in terms of discard reduction. The trials done in other fisheries could also be reported.

- However, TAC driven discarding persisted and a spatially based strategy for dealing with it was now needed.

- We could express concern that recovery of whiting at any cost may not be the best strategy, although there was the green view that the place of whiting in the wider ecosystem needed to be protected. Christien Absil said that the eNGOs had wider concerns. Discards of whiting were still taking place in a number of fisheries, including the beam trawl fishery. There were measures which could be taken to reduce discards but they had not been taken up in all fisheries.

5.9 Michael Park thought we should drag this issue away from the EU Norway negotiations and consider it under the general requirement for reducing discards.

5.10 Barrie Deas suggested that we would need to produce a draft position paper on this issue, which took account of the work which had been carried out. Perhaps a group of scientists could bring all the results together.

6. Improvements to the stock assessments

6.1 It now appears that ICES will be arranging separate benchmark working groups on gadoids and flatfish. The meetings have also be postponed until January 2009. It is not clear whether all gadoids will be dealt with at the gadoid working group. The intended format is to first have a data workshop, at which the industry would be invited to provide data, followed by a benchmark meeting. It is not yet clear whether observers will be able to stay for the benchmark discussions.

6.2 Barrie Deas thought these meetings would be important to the NSRAC. We should have an opportunity to shape the agenda. We first needed to prepare a paper which considered how the input from the industry might be helpful to the assessments and addressing the problem of quality assurance of all the data used in the assessments. The first step in that was for those engaged in data collection to forward papers to the Secretariat, outlining the work being done by the industry or by science/industry partnerships.

7. Any other business

7.1 A meeting is being organised by the RACs on long term management planning. It will take place on Thursday the 11th and Friday the 12th of September in Nantes. The meeting will consider how the RACs should prepare their advice, and how they should engage with stakeholders. Both the Commission and ICES scientists will be participating. Barrie Deas will present a paper on behalf of the RACs which will draw on discussions at the Edinburgh workshop.

7.2 Derk Jan Berends wondered when the gill net group should meet again to produce a management plan for this fishery. There were also static gear aspects of the technical conservation regulations to be discussed. It was agreed that such a meeting would be held back to back with the next Demersal working group.

8. Next Meeting

8.1 The date of the next meeting of the Demersal WG would need to be discussed with the Secretariat. The Chair hoped to hold two meetings before the end of the year..

9. Action Points

1. A further letter will be written to both the Commission and the Control Agency expressing dismay that the issue of the 8% margin of tolerance had still not been dealt with satisfactorily, and that the rule was being applied with differing vigour in different Member States (1.4).	Secretariat
2. A letter will be written to the Commission for information on the current position with respect to a level playing field for conversion factors (1.5 & 12.1 of Gothenburg report).	Secretariat
3. The Secretariat had been asked to investigate the	Chair of DWG

	possibility of producing a sustainability initiative booklet, perhaps involving sponsors or third. The chair will investigate progress with this initiative (1.6).	& Secretariat
4.	A small focus group, which will include scientists, will meet to develop proposals for landing and recording discards in a way which will maximise the use of fish for human consumption without increasing effort or fishing mortality. Participants may have to attend at their own expense (1.12).	Chair of DWG & Secretariat
5.	A letter will be prepared and sent to the Commission welcoming the Policy Statement on Fishing Opportunities for 2009 but deploring the pessimistic comments on the state of resources (3.9).	Secretariat
6.	The NSRAC will hold a focus group meeting to work up a text on the Technical Conservation Regulation proposals coming from the Commission. The meeting should be held during September/October – before the next ExCom (4.10)	Chair of DWG & Secretariat
7.	The NSRAC will need to produce a draft position paper on the issue of whiting discards (5.9).	Chair of DWG & Rapporteur to discuss
8.	The NSRAC will need to prepare a paper for the ICES benchmark meetings which considers how the input from the industry might be helpful to the assessments and how the problem of quality assurance might be addressed. The first step is for those engaged in data collection to forward papers to the Secretariat, outlining the work being done by the industry or by science/industry partnerships.	Members & Secretariat
9.	A meeting organised by the RACs on long term management planning will take place on the 11th and 12th of September in Nantes (7.1).	Members to note
10.	A meeting of the gill net group will be held back to back with the next Demersal working group (7.2).	Secretariat
11.	The date of the next meeting of the Demersal WG has still to be set (6.2).	Secretariat

8. In Attendance

Barrie Deas (Chair)	NFFO
Tony Hawkins	Rapporteur
Edwin van Helmond	IMARES
Michael Andersen	Danmarks Fiskeriforening
Fleming Kristensen	Danmarks Fiskeriforening
Fred Normandale	NFFO
Michael Park	Scottish Fishermen's Federation
Emiel Brouckaert	Redercentrale
Geert Meun	Dutch Fisheries Organisation

Willem de Boer	Dutch Fisheries Organisation
Peter Breckling	DFV
Pim Visser	EAFPA
Francois Thierry	European Commission, DG Mare
Peter Hopkins	European Commission, DG Mare
Antoine Le Garrec	UAFF/Euromar
Andy Revill	CEFAS
David Reid	FRS
Chris Darby	CEFAS
Katriona Gillespie	UK-Scottish Government MD
Karen Dijkstra	Department of Fisheries - NL
Hugo Andersson	ExCom Chair
Simon West	UK-DEFRA
Christine Absil	Seas at Risk
Mariche Verweij	University of Wageningen
John Anderson	Seafish
Giles Bartlett	WWF-UK
Bruno Dachicourt	CFTC
Caroline Gamblin	CNPMEM
Delphine Roncin	CRPMEM
Sophie Leonardi	CRPMEM
Douglas Beveridge	SFP
Derk Jan Berends	Dutch Fisheries Organisation