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DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

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M. Hugo Andersson
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Subject: Review of Cod Recovery Plan

Dear M. Andersson,

Thank you for sending me the NSRAC's response to the Commission's non-paper on cod recovery. As you know, the Commission will shortly present its proposals concerning the revision of the cod recovery regulation. The NSRAC's comments have been carefully considered, and I will take this opportunity to explain our conclusions.

General approach

I agree that the main purpose of the measures should be to make sure that the fishing mortality on cod stays at a low level. We interpret a "low level" as being at least the fishing mortality rate of 0.4 as agreed with Norway. As the current fishing mortality is estimated as above this level, some transitional provisions are needed. We think these should be adapted according to the state of the stock: the smaller the spawning biomass, the more urgently should fishing mortality be reduced.

The key to success is in choosing the right management instruments to achieve this. Appropriate TACs are essential, but fishing effort management has its place too in discouraging over-quota catches and discards.

I agree that it will be important to focus the measures to reduce fishing mortality on those fleets that are mostly responsible for cod catches, and I can accept your preference for further moves towards "decoupling" cod fisheries from other activities.

The NSRAC rightly recognises the need to reduce fishing so that the 2005 and 2006 year-classes can be protected. You also proposed measures concerning closures at short notice

("real-time" closures), an observer pilot project and individual cod avoidance plans. These matters were discussed in the December Council, and the measures adopted will continue in the new cod recovery plan so long as a scientific evaluation shows a positive result. The commitment to reduce cod discarding to 10% of catches will be treated in the same way.

Regionalisation

A regional approach has been discussed in the Edinburgh cod symposium and subsequently in the RACs. While I can see the possible benefits to this approach, a practical solution is needed and the experience of the discussions in 2007 has been that neither the RACs, the Commission, nor the national administrations dispose of sufficient resources to engage in detailed local management matters concerning cod recovery. The approach I prefer is that the overall fishing opportunities, in terms of TAC and fishing effort levels, should be established in Community legislation. I think that more flexibility can be provided to Member States to manage fishing effort according to local priorities so that effort that is likely to catch cod can be reduced more. We have made some initial steps in that direction in the decisions concerning fishing opportunities for 2008, and we will be able to do more by moving to a "KW-days" effort management system. Furthermore, a regional approach to managing technical measures is being proposed by the Commission whereby technical measures would be adopted under separate Regulations for separate areas.

Data, knowledge and research

I agree that we should have a good knowledge of the state of the stocks in order to implement rebuilding measures. There are serious problems in this area and these are directly linked to inaccurate catch reporting and unknown sources of fish mortality. ICES has made much progress in providing assessments and advice despite these data problems in the North Sea. In other areas, it is very clear that the stocks are still at extremely low levels and are still exploited with a fishing mortality that is too high for stock recovery to be likely. In these situations it is incumbent upon the fishing industry and national authorities to make sure that catches are reported correctly and that biological samples from the catches are made available. Meanwhile, the lack of very precise estimates of stock size should not stand in the way of improving conservation measures for these highly depleted stocks.

Mixed fisheries and the exploitation of other species

In the longer term, rational and sustainable exploitation of the fish stocks will be improved by bringing stocks under long-term management measures and in line with the 2002 Johannesburg objectives concerning sustainable development. In the North Sea, substantial progress has already been made. Long-term plans for plaice and sole, haddock and saithe are already delivering benefits for the fishing industry. Exploiting these stocks at moderate fishing mortality rates will have additional benefits in moderating by-catches of cod, and I am keen that the approach of exploiting all fish stocks at a safe, moderate fishing mortality rate should be extended. There is no value in encouraging fishermen to divert fishing away from cod if that results in overfishing another resource.

Effort reduction

It is important that we share the same view of current fishing practices and effort levels. There has been an in-depth discussion about the recent STECF analyses of fishing effort data, and it seems clear that while effort has decreased very substantially using some gear types and some Member States, in others the reductions have been less and some sectors have even increased their deployed effort. The global totals of effort across Member States and gear types that we have been discussing are still believed to be broadly accurate although fishermen in various sectors may have experienced a different trend locally.

Perverse incentives: more days for smaller meshes

This matter has come up several times in our correspondence. More days are available for vessels fishing with 80mm gear and targeting Nephrops in particular. The NSRAC has advised against increasing the mesh size in this fishery to 100mm because of concerns that some Nephrops might escape in some circumstances. STECF has advised that the catches of cod in these fisheries are relatively small, so that cod conservation is best improved by reducing the fishing effort in those fisheries actually targeting cod and using mesh sizes of 120mm. I note the NSRAC does not accept this advice, but nor does it accept the idea of widespread reductions in fishing effort.

You will be aware of the new provisions permitting the allocation of additional days for vessels undertaking to avoid cod catches. These provisions entail additional complexities in the management system, which has been at the request of Member States.

Effort Management

I take note of the NSRAC's comments concerning effort management. A new system will be proposed for 2009 that addresses many of the shortcomings that you refer to and will allow greater flexibility for Member States to allocate effort across different categories of fishing gear. We shall need to have a detailed discussion on this topic on the basis of a new Commission proposal.

More selective fishing gear

I agree that more selective fishing gear can be used to reduce discarding. However, I should remind the NSRAC that the introduction of gear that has proven effective in reducing discards of whiting and of cod was rejected in RAC advice for 2008. I hope that the RAC can be more forthcoming during 2008 and once the results of additional sea-trials become known.

New approaches

I welcome the NSRAC's approach to accepting more responsibility for identifying measures that will reduce cod mortality. The "real-time" closure project, the observer programme and the cod avoidance plan initiatives were all built into the effort management system for 2008 as pilot measures. If they prove effective, I will support their introduction in the effort management system on a long-term basis. I will be looking to STECF to advise on the results of these measures.

Conclusion

The Commission's proposal for the review of the recovery plan is being prepared and should be published before the end of March. I will not promise that all of the NSRAC's expectations will be met, but many of the issues and problems you raise will be addressed. We will continue a dialogue on this topic, of course.

Some difficult choices will have to be made. It is unavoidable that providing more protection for cod will mean that some fishermen, at some times, in some areas and using some fishing methods, will have to fish less. Although I understand the NSRAC's difficulties, I appreciate the RAC's willingness to participate in the discussions that lead to these difficult decisions being taken.

Yours sincerely



Fokion Fotiadis