



## **Flatfish Working Group Agreed Record of Meeting February 22nd, 2006, Gdynia, Poland**

**Rapporteur: A D Hawkins**

### **Agreed Record for ExCom**

#### **1. Apologies & Welcome**

- 1.1 There were apologies from Flemming Kristensen, Peter Caunter & Barbara Strathern. The Chair of the Flatfish WG Nathalie Steins welcomed Poul Degnbol & Constantin Alexandrou of the Commission to the meeting.

#### **2. Report of the Meeting held in Brussels on 15<sup>th</sup> November 2005**

- 2.1 The record of the meeting was agreed, following an amendment to action point 3 to remove 'non-beam' from the last line.

#### **3. Action Points**

- 3.1 EAPO had been contacted again by Nathalie Steins to ascertain whether the reduction in the exploitation of small fish to be achieved through real-time area closures could be increased by lowering the threshold to 40%. EAPO would be considering this question at its next meeting.
- 3.2 The action point regarding the need for more data to substantiate an exemption of parts of the flatfish fleet from measures aimed at protecting cod is an on-going issue within the Dutch industry and scientific community, particularly in view of the evaluation of the cod recovery programme. The programme by Dutch fishers for monitoring plaice discards was to be extended to include cod. In response to a question on whether the discard programme only included named species Nathalie Steins replied that there was a formal discard programme run by RIVO and a voluntary programme established to enable Dutch fishers to respond to criticisms in relation to the discarding of plaice by beam trawlers. The latter programme would now be extended to include cod.
- 3.3 Wim de Boer said that Dutch fishers had been disappointed with the NSRAC's decision not to support the Dutch beam trawler proposals without additional

comprehensive data on catches and discards for the different classes of vessel. V nets in particular had low cod discard rates. Members of the Working Group observed that any implied criticism had been in relation to the robustness of the data available. RIVO had decided that the data available through the formal programme was not sufficient, even though it complied with the Data Collection Regulation. The WG recognised that the Dutch industry was increasing the level of discard sampling through its own efforts, along lines endorsed by RIVO. The Commission representatives stressed the great benefits to be derived from supplementing observer programmes with data provided by the industry. The next Commission 'Call for Studies' will fund work where scientists and fishers intend to collaborate to make the data collected by fishers reliable and error-free. Chris Darby pointed out that STECF had concerns over the sampling of only plaice and cod when there was also uncertainty over the discarding of whiting in the beam trawl fleet. Gerard van Balsfoort pointed out that fishers had to be persuaded to collect data, step by step. This also had to do with the extra workload that discard sampling entails. If scientists needed data on whiting, then Dutch fishers would consider collecting it. The Dutch government was very pleased that extra studies were being carried out to supplement the official programme. Monitoring cod discards had not been a primary aim in the national programme in previous years but any new data from the industry would be very helpful in indicating trends. Other fishers commented that all fisheries using small mesh nets should come up with data and with ideas for reducing discards if they wished to resist cuts in days-at-sea. There was a real need to close any gaps in the sampling of discards. This question could perhaps be addressed through the revision of the Data Collection Regulation.

- 3.4 There was still concern by the WG over Action Point 5 - the pressure upon vessels to fish closer inshore as a result of limitations on days at sea. This issue would need to be addressed in reviewing the cod recovery plan. Other action points would be considered under other agenda items.

#### **4. Revision of the Plaice Box**

- 4.1 The Stihler report on the review of access boxes had now been published by the Parliament. The Parliament had supported the advice from the NSRAC, which sought a sound evaluation of the Plaice Box. The Chair of the Flatfish WG, Nathalie Steins, had met with the Commission to discuss the evaluation (Document 3.2). The Commission accepted the need for the evaluation and suggested that a scoping study would be valuable. Peter Hopkins of the Commission will look at the report of the Flatfish Focus Group and will investigate possible sources of funding for a scoping study. The Commission had pointed out that there is also a need to evaluate the Plaice Box as part of the review of the Technical Measures Regulation. It is necessary to consider whether any changes should be made to the Plaice Box. Current derogations make policing of the box very difficult. Twin rigging and other non-beamer fisheries >300hp are now allowed within the box and the Commission will need to consider whether all or some of the exemptions should be removed. Nathalie Steins had agreed to discuss this topic further with the Commission on behalf of the WG. Wim de Boer pointed out that anchor seiners and fly-shooters are now able to fish for red mullet and gurnard within the Plaice Box. These are sustainable fisheries.

Although they had started with 80mm mesh nets the mesh had been increased to 100mm. However, the fishery is a clean one which does not catch plaice and fishers would like to return to the original 80mm mesh. Peter Breckling said that the Focus Group had agreed on a compromise position for the evaluation programme and we should stick to that. Twin rigging needed to be evaluated in that programme. Danish fishers supported this position. Christien Absil thought that the exemption for twin rigging should be considered now; we did not need to wait for an evaluation of the whole box.

- 4.2 There was general agreement within the WG that an evaluation of the box should go forward. As part of the evaluation, data which was lacking for the beamer and other fisheries should be collected and the impact of the latter fisheries on the functioning of the Plaice Box should be examined. It was not for the WG itself to run the programme. It had agreed a programme and the scientists should now be left to get on with it. The Commission pointed out that the proposal would have to be considered as a competitive research project, submitted through a formal Call for Proposals. It was suggested that we could, if necessary seek an evaluation of the actual project proposal by ICES. However, others thought that evaluation by ICES was unnecessary and impractical. To pursue the actual research project we really needed to find a consortium of scientists to put it forward through the normal funding routes. The project proposal itself would, however, need to have scientific credibility. Nathalie Steins restated the WG's earlier view that a scoping study was necessary first, to look at the access restrictions, to seek the co-operation of the fishers who would be affected and to resolve any legal issues involved in carrying out the required experiments. The Commission had agreed to look at routes for funding that study and had agreed to come back to her before the end of March. Nathalie would report back to the WG at its next meeting.

## **5. Long-term Flatfish Management Plan**

- 5.1 The NSRAC had already provided advice to the Commission on the management of the plaice and sole fisheries. Some of the recommendations had been accepted. As part of its advice the WG had made suggestions about the procedures to be followed in developing a long-term management plan for these fisheries. However, the Commission had now come up with a concrete plan for managing the fisheries. Indeed, they had implied in their press release that the NSRAC had collaborated in developing that plan. The NSRAC had not been consulted, and fishers' representatives had found it necessary to explain to fishers that they had not been a party to the proposals emerging from the Commission. The NSRAC Secretariat had now written to the Commission suggesting that the wording of the press release had been out of order. The letter had also suggested that the RACs and the Commission needed to have a dialogue on the procedures for developing long-term management plans before discussing a specific plan for the plaice and sole fisheries.
- 5.2 The Commission representatives pointed out that in their view the discussion of broader MSY issues with the RACs should not preclude on-going development within the Commission of specific management plans. Discussions on a long-

term management plan for plaice had started some time ago, and in 2004 it had been agreed with Norway that such a plan would be adopted by 2005. The status of the proposal was that it had gone to the Council of Ministers and would be debated in April. MSY issues would be debated later, in June. Norway had accepted a delay of the plan from 2005 to 2006. Once the plan had been agreed by the Fisheries Council then discussions with the Norwegians could start in November. Any comments from the NSRAC on the plan would have to be received by July to allow evaluation by scientists and further discussion with the Norwegians. The Commission had to seek closure on this issue now.

- 5.3 There was surprise at the speed of the Commission's approach. Members of the WG thought that the proposed plan largely ignored the NSRAC recommendations and that the Commission was simply setting up the RAC as an alibi for its own decisions. They felt that the Commission did not take NSRAC seriously on the issue of long term management for flatfish. The NSRAC was not in a position to give a thorough reply within such short time span on what was meant to be a long-term strategic plan for plaice and sole, particularly since discussions on MSY were still under way. Moreover, the evaluation of the economic impact provided with the plan was a mere travesty of what was required. Although the WG was aware that the plan was to be the subject of negotiation with Norway, and that there would be adverse consequences if the plan was not agreed by November, the WG did not wish to be hurried into an agreement on the plan. The whole issue of preparing long-term plans to meet MSY obligations needed to be resolved first. The NSRAC was essentially in a partnership with the Commission, and a dialogue was needed on the wider issues. It was suggested that the NSRAC Secretariat should write to the Commission seeking a wider discussion on long-term management plans and asking for an assessment of the biological, social and economic impact of the proposed plan for plaice and sole fisheries.
- 5.4 In the meantime, there was a view that the NSRAC should comment on the proposals from the Commission, even though the procedure for consulting the NSRAC had been unsatisfactory. There were good elements to the plan. It provided a starting point for discussion and could be considered as a transitional plan which would eventually lead to a more considered and forward looking long-term plan.
- 5.5 The NSRAC would be holding a Workshop in the following week in Edinburgh which would allow wider issues, and actual procedures for developing management plans to be discussed. However, we would need a small drafting group to meet and prepare a formal response to the Commission's plan.
- 5.6 Wim de Boer pointed out that there were 1400 vessels catching flatfish in the North Sea. It was a very diverse fishery with many different fishermen and fleets involved, not just the beam trawl fleet. The Commission's proposals, if adopted, would wipe out a large percentage of these fishermen, without their having an opportunity to put their point of view. This comment was echoed by a fisheries economist who emphasised that because the plan would place great stress on the industry it would be especially important to carry out a cost benefit analysis.

- 5.7 The ICES ACFM meets in May. It would be possible to ask ICES what the impact of the proposed measures would be upon the fish stocks. An ICES Ad Hoc Working Group on the long-term management of plaice had met last year. Chris Darby would obtain and distribute a copy of the report.
- 5.8 The WG agreed that a drafting group consisting of Michael Andersen, Christien Absil, Pim Visser, John Nicholls, Gerard van Balsfoort, Nathalie Steins, Geert Meun, Nigel Proctor & Xavier Harlay would prepare a response. All members of the WG were invited to send in their comments via Nathalie. The draft response would go directly to the ExCom for approval by written procedure.
- 5.9 A number of immediate comments on the Commission proposal were made:
- Article 15, Special Circumstances, should be deleted (German Fishers)
  - Article 9 (b), weighing of plaice and sole, is impossible to comply with (Ports & Auctions)
  - Article 8, margin of tolerance, comes from the cod recovery plan and experience has shown that the 8% figure cannot be complied with especially on a small vessel (All Fishers).
  - Articles 4 & 5, what happens when recruitment is very low and requires a TAC reduction of >15% (Seas at Risk)?
  - The philosophy is that effort has to be adjusted to meet a particular F. Yet there is great uncertainty in estimating F for plaice and about the relationship between effort reduction and F-reduction. How should the plan handle this uncertainty (Dutch Fishers)?
  - There needs to be clarification of the F estimate. Is it from the human consumption fishery alone or does it include discards (Scientist)?
  - A 10% change in F can be measured; a 5% change cannot (Scientist).
  - Is it assumed that the fisheries and the target F's are linked (Scientist)?

## 6. Letter of support

- 6.1 There had been a request to the NSRAC for support for a project proposal being co-ordinated by RIVO on the impact of climate change on fish stocks. The WG agreed to give their support to the proposal and would forward the request to the ExCom for the Secretariat to prepare an appropriate letter of support.

## 7. Any other business

- 7.1 The attention of the WG was drawn to an ICES Symposium on Fisheries Management Strategies to be held in Galway on 27<sup>th</sup> – 30<sup>th</sup> June 2006. The WG Chair had been asked if she would be willing to organise a session on

experiences with the development of NSRAC's advice on intermediate management for plaice, including WG members from industry and NGO's and scientific experts. Michael Andersen, Christien Absil, Chris Darby and Wim van Densen were willing to participate. The WG endorsed their participation in the session.

- 7.2 Wim de Boer sought changes to the one-net-rule, which he believed was a really terrible imposition upon fishermen, preventing them changing the mesh size during a fishing trip. It was suggested that this could be dealt with under the revision of the Technical Measures Regulation.
- 7.3 The next meeting of the WG will be a joint meeting with the Demersal WG and will take place in Den Helder, the Netherlands, on the 15 June 2006

## 9. Action Points

1. The issue of pressure on vessels to fish closer inshore would be addressed in reviewing the cod recovery plan (3.2)	Drafting Group Established by Demersal WG
2. The Flatfish WG Chair will report on the issue of exemptions to the Plaice Box to the Commission (3.2).	WG Chair
3. The Flatfish WG Chair will discuss further with the Commission the funding of a scoping study of the evaluation proposal for the Plaice Box (4.2)	WG Chair
4. The Secretariat will write to the Commission expressing its concern over the speed with which the long term management plan for plaice and sole fisheries had been prepared and seeking wider discussion of long-term management issues. The letter would also request that the Commission should evaluate more fully the biological, social and economic impact of the proposed plan (5.3).	WG Chair & Executive Secretary
5. A small drafting group will meet to prepare a formal response to the Commission's long-term management plan for the plaice and sole fisheries. The draft response will then be considered by the ExCom through written procedure (5.4; 5.8).	WG Chair & Drafting Group
6. A report of the ICES ad hoc WG on the long-term management of plaice will be circulated to WG members (5.7).	Chris Darby
7. A letter will be sent, supporting a research project proposal being co-ordinated by RIVO on the impact of climate change on fish stocks (6.1).	Executive Secretary
8. The next meeting of the WG will precede the ExCom and will take place in Den Helder, the Netherlands, on the 15 June 2006 (7.3).	WG Chair & Secretariat

## 10. In Attendance

A Hawkins	NSRAC Rapporteur	
B Deas	NFFO DWG Chair	

Karsten Kristensen	European Transport Workers' Federation	
Michael Andersen	Danish Fishermen's Association	
Nigel Proctor	European Angler's Alliance	
Peter Breckling	VDKK	
Poul Degnbol	CEC	
Constantin Alexandrou	European Commission	
Pierre-Georges Dachicourt	CNPMEM	
Michel Goujon	CNPMEM	
Anna Zaradna	DEFRA	
Christine Szot	DEFRA	
Barbara Strathern ***	Scottish Executive	
Bertie Armstrong	Scottish Fishermen's Assoc	
Mike Park	Scottish Fishermen's Assoc	
Arnold Locker	NFFO	
P John E Nichols	Thanet Fishermen's Assoc	
Nathalie Steins	Dutch Fishermen's Organisation (WG Chair)	
Chris Darby	CEFAS	
Iria Soto	MAPA – Spain	
Christine Absil	NSF/Seas at Risk	
Jarek Zielinski	PAOP	
Gerard von Balsfoort	Dutch Fishermen's Organisation	
Pim Visser	EAFPA	
Willem de Boer	Dutch Fishermen's Federation	
Barbara Schoute	Ministry of Agriculture & Fisheries	
Luc Corbisier	Rederscentrale	
Luc van Hoof	RIVO	