

Fishing industry's legislative proposal on discards in the context of the CFP reform

Amsterdam, 5 October 2012



Association des
Organisations Nationales
d'Entreprises de Pêche de l'UE

Association Européenne des
Organisations de Producteurs dans
le secteur de la pêche

Context (i)

- Proposal is supported by the entire EU fishing industry organized in the 3 European fishermen organizations:
 - Europêche (private ship-owners and fishermen)
 - EAPO (European Association of fish producer organizations)
 - Cogeca-Pêche (ship-owners and fishermen organized in cooperatives in the fishing sector)

Context (i)

Discards definition

Discards is a complex and multi-faceted issue

Types of discards

- Mixed Fisheries discards
- Juvenile discards
- Over quota discards
- Unwanted species discards
- High grading discards
- Slipping discards
- **Live returns**

Fish Affected by Fishing Gear



A simple solution

such as a Ban on Discards
(obligation to land all catches)

will not solve this complex issue

Legal Solution
Within C...

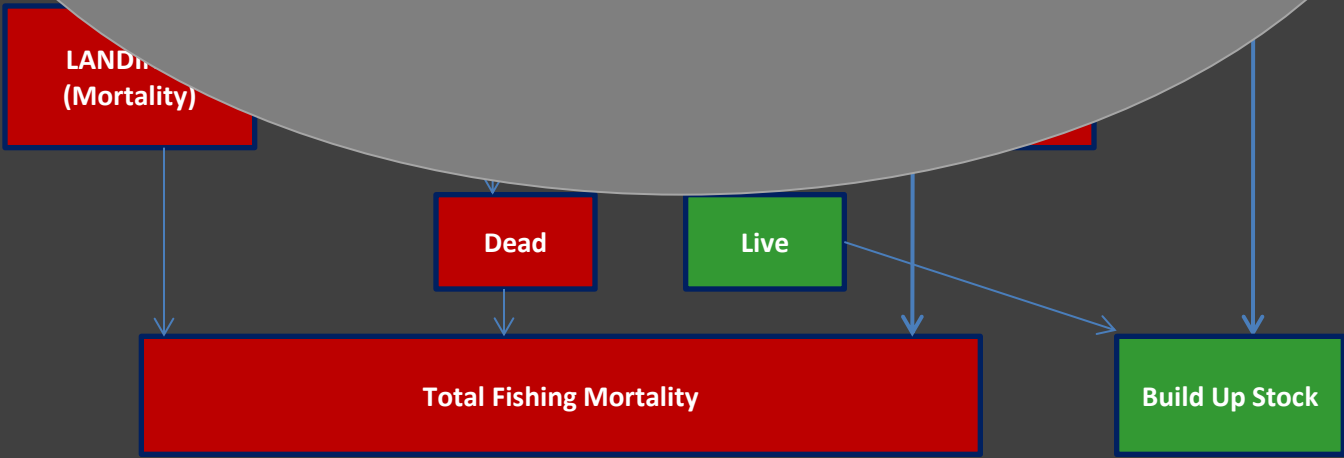
LANDING
(Mortality)

Dead

Live

Total Fishing Mortality

Build Up Stock



Context (ii)

Why flawed solution?

- Simplistic, symbolic policy making
- Ignores complex nature of problem
- 100% mortality without stock benefit
- Creates storage problems at sea & ashore
- Creates major marketing problems for fishermen / PO's
- Control & enforcement difficulties
- Huge financial implications for industry

Context (iii)

- Discards was and still is predominantly debated in the political arena, in the media and by NGO's, but fisheries science nor fishing industry have hardly been involved or listened to.
- An absolute discards ban not needed for scientific reasons.
- An absolute discards ban does not automatically lead tot better fisheries management
(→ Fishing mortality will increase)
- The investments and efforts by the industry to reduce discards disregarded.
- For a substantial part discarding is the consequence of the current set of CFP regulations.

Context (iv)

- EU fisheries is defined by the mixed character of it: many fisheries are mixed fisheries.
- A certain level of unwanted by-catch and discarding is unavoidable. Just like in almost any other economic activity on land and at sea.
- Industry opposes an absolute discards ban and favours
 - an approach of by-catch avoidance and minimization of discards by a range of incentives.
 - A targeted use of the discards ban in pre-defined situations

Legislative proposal by the industry

- Revise Article 15 of the EC reform proposal, and introduce a new Article 15bis.
- Industry proposal is based on 2 principles:

Principle 1: use of discards ban

(revised art. 15)

- Discards ban is part of the approach, but..
 - not as an overall and absolute discards ban..
 - but as a tool in the context of fisheries management..
 - and with the aim to prevent stocks being in danger
- Discards ban is used as a targeted management tool for the situation where a stock is in danger of impaired recruitment

Specifics revised art. 15

- Applies to all catches of stocks subject to catch limits in Union waters
- Discards ban will be applied for stocks when $SSB < B_{lim}$ for 3 consecutive years
- Where B_{lim} is not defined: 3 years below 10 years SSB average
- For stocks where no SSB estimate exists other parameters shall be used
- When SSB is above B_{lim} for 3 consecutive years discards ban will be lifted (of when no B_{lim} exists above 10 years SSB average)
- A de minimis level will be defined case by case (part of MP) but not lower than 5%
- MS shall produce discards atlas before 1 Jan 2015 for their fisheries of the stocks subject of catch limits → outcome is reference discards levels. Based on objective and representative data that are collected and analysed under supervision of ICES
- Strict monitoring on discards ban with fully documented fishing / processing

Principle 2: discards reduction

(new article 15bis)

- For stocks that are not in danger and for which a discards ban is therefore not in operation
- Approach per fishery and/or stock
- Discards reduction objectives must be part of the Management Plans for each fishery/stock
- Setting a de-minimus level in MP (but not less than 10%)
- Same time-path for achieving reduction objectives (1 January 2019)
- If no agreement on Management Plan + discards reduction before 1 January 2016 → a predetermined reduction objective of 50% will be applied.
- If the reduction objective is not met in time (1 January 2019) → a discards ban will be put in place for that fishery/stock.
- TAC setting will taken into account discards reduction without jeopardising MSY based management

Responsibilities: member states

- Collect objective discards data per fishery/species
- Produce a discards atlas with discards levels per fishery/species for reference purposes
- Collaborate in and be responsible for the setting up of Management Plans incl. discards reduction objectives

Responsibilities: science

- Verify that the discards data are collected and analysed with the same methodology
- Verify that the discards atlases are based on objective and representative data

Responsibilities: European Commission

- Scrutiny and supervise the entire process of developing Management Plans
- Will be empowered to adopt delegated acts for achieving development of Management Plans with discards reduction objectives
- Initiate proposals for (amending) regulation that inhibit or prevent achieving the discards reduction objectives

Responsibilities: fishing industry

- Deliver the discards reduction per fishery/species