



To the European Commission

Response to the EC draft "Towards eradication of discards in the Baltic Sea"

Presented at the BALTFISH meeting in Helsinki 18 November 2010

1. INTRODUCTION

This is a joint response to the Commission's draft "*Towards eradication of discards in the Baltic Sea*" from Coalition Clean Baltic (CCB), the Fisheries Secretariat (FISH), WWF, Our Earth Foundation and the Swedish Angler's Association.

CCB, WWF, FISH, Our Earth Foundation and the Swedish Angler's Association welcome the Commission initiative on a strategy for a future eradication of cod discards in the Baltic Sea, as discarding is a highly wasteful practice which stands in the way of sustainable use of our public resources. We strongly support the initiative to employ the full range of measures to reduce bycatch and discarding, including fully documented fisheries and a future discard ban.

2. THE ISSUE: COD DISCARDS IN THE BALTIC SEA

We appreciate the overview provided by the Commission, giving estimates for discarding of fish from the two Baltic cod stocks, as well as painting a general picture of the status of the stocks. However, we think it would be particularly helpful in a paper on this issue to not only use weight (tonnes) when doing so, as it does not really bring across the size of the problem.

Allow us illustrate this through the following example: if the average undersized cod weighs about 0.5 kg, the poor selectivity in trawls means that around 1.8 million unwanted fish are caught in subdivisions 22–24 (900 tonnes) and around 6.6 million fish in subdivisions 25–32 (3,300 tonnes).

This remains a problem for the stocks independent of whether we discard the fish or land it, as a large amount of juveniles are caught that will never enter the spawning stock. We would therefore like to emphasize that the problem needs to be solved at sea, through improved selectivity or a shift to more selective gear types. It is of utmost importance that future legal elements will support such a change, and not attempt to solve the problem solely through a discard ban.

Finally, we want to point out that anecdotal numbers for current discarding vary greatly, and that it is quite possible that the estimates provided in the paper are much lower than the reality.

3. SOLUTION: DISCARD MANAGEMENT IN THE BALTIC SEA

We welcome the FAO work and the attempt by the Commission to prioritize different solutions and necessary actions. It cannot be stressed enough that discarding originates in poor selectivity, predominantly in trawls, and that the first solution "not to be caught" should be the primary aim of any new policy.

4. SOLUTION 1: AVOID CATCHING UNWANTED COD

4.1. Fisheries closures

Should the closed areas be evaluated and reviewed?

YES, a review is needed of the current seasonal closures, in both space (geographical areas covered) and time (start and length of closure), to ensure that spawning areas and spawning times are optimally covered. It is most sensible to do so as part of the somewhat delayed review of the multi-annual plan for cod in the Baltic Sea (COM(2006)411). STECF recently concluded that the seasonal closures seem to match spawning time for the eastern Baltic cod but not the Western stock¹. However, there is nothing in the STECF report about how well the closed areas and spawning areas are matched spatially.

In the Commission draft paper, there is no mention of whether the closures are well respected or not. Whatever management measures are taken to reduce bycatch and discarding, proper control and enforcement will be important.

We would also like to emphasize that marine spatial planning (MSP) is a tool that ought to be much more widely used, as well as integrated with fisheries management to a much greater extent. Other protected areas should be considered together with the seasonal closures, including new areas closed to trawling (the Öresund area can be used as a reference). There is also a need to look beyond cod to flatfish, sea trout and salmon. A number of separate stocks for the different species of flatfish in the Baltic Sea have now been identified, and this knowledge must be considered in the assessment of existing and new protected/closed areas.

4.2. "Moving on" provisions

Should "moving on" provisions be introduced?

YES. As the technology onboard ships improve and communication becomes faster and more direct, we feel that this could be an important part of the solution. Immediate reporting of catches and the proportion of undersized fish, as well as quick management responses are needed in order for such measures to work. Lessons should be learnt from other areas where moving on provisions are already in place, such as the North Sea.

When "moving on" measures (real-time spatial closures) are adopted, it is essential that they apply to all fisheries catching cod.

Should the effort regime be revived?

This question is strangely phrased, as there is presently an effort regime in place, although it has not been applied each year under the current management plan. Effort restrictions will have a direct effect

¹Scientific, Technical and Economic Committee for Fisheries (STECF) (2010). Report of the Sub Group on Management Objectives and Strategies (SGMOS 10-06), Part e: Evaluation of multi-annual plan for Baltic cod. Vigo, 18–22 October, Pg 154. Available online at: http://stecf.jrc.ec.europa.eu/c/document_library/get_file?uuid=3ee1f2f3-79b8-4e71-bdae-f9c00ec3efcc&groupId=1416

on discards, as a result of less fishing. It is also one of the tools mentioned by the FAO in the draft international guidelines².

The current effort restrictions may need to be reviewed, to ensure that the fishing mortality targets are met. An important part of this review is the ongoing Commission report on overcapacities across the EU. Also, even if fishing mortality is deemed to be on target, there is still a need to handle the constant technological creep of an estimated 3–5% per year increased vessel efficiency.

5. SOLUTION 2: REDUCE FISHING MORTALITY OF UNWANTED COD

5.1. Gear selectivity

What was the effect of the increase in mesh size entering into force in 2010?

Should mesh size be increased further?

We support a continuous improvement of gear, in line with best available technology. There is also a need to further develop alternative gear types, primarily non-trawling alternatives. For example, traps or “pots” for catching cod in the Baltic Sea (successful trials have been performed by the Swedish Board of Fisheries) are more widely used as they do not only make it possible to release undersized fish relatively unharmed but also saves the fish from being eaten or damaged by seals.

We do not know the exact results of the latest change in mesh size, but the current situation, with a growing Eastern cod stock, underlines the problems of BACOMA and T90. According to both fishermen and different studies, selectivity drops rapidly in the BACOMA when catches are high, because the cod end fills up and the selection windows become blocked. Both fishermen and scientists claim that T90 shows a better selectivity under such circumstances than BACOMA and we feel that this must be investigated carefully.

Further increases in mesh size in trawls will perhaps improve the selectivity but studies show that the effectiveness varies in different areas. In the end, one must consider whether it is worth it making adjustments to trawls rather than shifting to other gear types. Average “soak time” or time with gear in the water also have a direct effect on selectivity.

5.2. Exploration of new selectivity measures

Should selectivity, other than by mesh size, be explored further?

We support the idea of setting clear targets for selectivity (e.g. allowed % of fish <38cm) and other requirements for low impact on the marine environment giving access to the fishermen that can meet these targets. This means that a certain percentage of undersized fish to be caught and sold would be allowed and counted off the TAC. As this percentage of undersized fish is filled the fishery would have to be closed, or operators would have to shift to fishing methods that can demonstrate a zero bycatch of undersized individuals. One benefit of this idea is that the size of boat and perhaps also type of gear used is not the prime focus from a management perspective but rather the effect of the gear, or selectivity of the gear.

²FAO (2009). Report of the Expert Consultation on *International guidelines for bycatch management and reduction of discards*. Rome, 30 Nov–3 Dec. FAO Report Pg 17, point 53.

6. SOLUTION 3: ELIMINATE COD DISCARDS IN THE BALTIC SEA

6.1. Reduction of minimum landing size

Should the MLS be reviewed?

Yes, but we do not support a reduction of the minimum landing size (MLS), as this would create incentives to catch more juvenile fish. Current discard practices that are the result of incompatible technical rules on MLS and mesh sizes should be looked at with priority, as these are relatively easy to rectify. In order to deliver a discard ban, the MLS will have to be withdrawn and the Commission's suggestion is to replace this with a minimum marketing size (MMS). We see sense in this, especially if enforced effectively, as it will avoid new markets opening up for undersized fish. MMS need to be at least the same as the current MLS. However, any revision should respect biological constraints to avoid opening up new markets for undersized fish and still provide a disincentive for the capture of undersized fish.

6.2. Fully documented fisheries

Should CCTV become a compulsory control measure or should it be used on reference vessels in order to monitor discard avoidance measures?

We support the idea of CCTV as a control measure on all vessels. So far, projects have shown that its usage can be both effective and positive. However, we don't see CCTV as a solution to minimising the problem of catching undersized fish. This problem should primarily be addressed through improved selectivity. CCTV cameras can then be used as a measure in order to ensure compliance by the industry. Compulsory VMS can be a complimentary measure, as one would also be able to document where fishing takes place, which would *inter alia* have the advantage of providing scientists with improved data.

While supportive of fully documented fisheries, we feel more divided about the idea that extra quota should be provided under such a scheme. Whether this is appropriate depends on whether the stock is well managed and management targets have already been reached, such as MSY by 2015 as well as more ambitious long-term targets.

6.3. Discard ban

What would be the cost of a discard ban?

We do not know what the financial consequences of a discard ban would be – it would depend on whether it becomes a strong incentive to avoid catching unwanted fish altogether and thereby avoid landing it against quota.

However, we support the principle of a discard ban, as it would move the focus of management measures from landings to catches and provide much better estimates of fishing mortality. The ultimate purpose of a discard ban must be to avoid unnecessary biomass removal from the sea – and not to provide opportunities for new markets for undersized fish.

7. CONCLUSIONS: THE WAY FORWARD IN THE BALTIC SEA

We welcome the approach suggested by the Commission, focusing on sector responsibility and being part of the solution. As stated earlier, we are also supportive of the emphasis on reducing unwanted catch in the first place, rather than trying to resolve the issue primarily through a discard ban.

The proposed time schedule and the options listed are generally good. On 2011 e) It would be helpful if this investigation of bycatch data in pelagic fisheries also included other species than cod, such as salmon, as there are studies (American and Russian Alaska pollock fisheries) suggesting that salmon are caught in large pelagic or semi-pelagic trawls, sometimes in large numbers. Since 2009 represented an all time high for the pelagic fishery in the Baltic Sea and we have witnessed alarming reductions in returning salmon spawners in 2010, a possible connection must be examined further.

8. POSSIBLE ASSISTANCE UNDER THE EUROPEAN FISHERIES FUND

The Common Fisheries Policy (CFP) must ensure that public aid supports the recovery of fish stocks, facilitates the transition towards sustainable fisheries and provides value to society. We believe public funds should be used for public good, such as research, improved control and enforcement, the cooperation between fishermen and scientists, as well as greater stakeholder involvement. All aid which contributes to maintaining or even increasing overcapacities, in particular all aid for the modernisation of vessels, should be stopped.

Modernisation aid promotes excessive fishing capacity, as modernisation enhances the fishing capacity of a vessel, and based on earlier expenditure of public funds we can deduct that an increase in capacity in the larger segments of the sector is supported through public funding while smaller vessels are removed from the fleet altogether. Even providing aid for gear replacements can be considered aid that maintains overcapacity, as it contributes to lowering the overall costs of fishing. We are therefore of the opinion that public aid for gear replacement should be allowed only during a transitional period facilitating the move towards the use of more selective fishing gear. In a longer perspective we are of the opinion that this should be financed by private rather than public investments.