



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

Director-General

Brussels, 23.07.2007 D 8336
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Mr Reine J. Johansson
Baltic Sea RAC
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Subject: Consultation on 'A policy to reduce unwanted by-catches and eliminate discards in European fisheries' (COM (2006) 136)

Dear Mr Johansson,

I would like to thank all those who participated in this consultation for their valuable contribution.

Since this Communication is on a horizontal policy with specific and differing effects on regions, all RACs and ACFA were consulted. The Commission will now examine carefully all proposals and suggestions put forward by the stakeholders.

I would like to inform you about the main results of the consultations and provide you with a copy of all the opinions received from RACs and ACFA for the information of your members. The main results of the consultation can be summarised as follows:

- There is general agreement on or even strong support for the objective to reduce discards, while recognising that the new discard policy constitutes a major change to the CFP ("most revolutionary Communication in recent years" – NSRAC)
- The fishing industry is able and willing to play an active part in the assessment of the problem in each fishery, in the search for solutions and in the implementation of discard reduction policies and of discard mitigation, for example through cooperation with scientists and by contributing their practical knowledge and information,
- The approach should be gradual and fishery by fishery, on the basis of sound scientific analysis and including impact assessments, involving scientists, managers and stakeholders,
- Work on and research into the improvement of selectivity of fishing gear and pilot projects must continue and should be (co-) funded by the EFF

- Some welcomed in particular the suggested change from a 'micromanagement' approach to a 'result-based' management, which is an incentive for the fishing industry to come up with solutions
- All agree that several problems have to be tackled, such as space needed on board for keeping unwanted catch, how to deal with landings of non-marketable fish, possible consequences on markets, the need for some flexibility in the quota system, implications for relative stability, feasibility in a Community context of real-time closures, observer schemes and costly control and enforcement regimes to make a ban work, the lack of trust amongst fishermen, question of compensation for handling unwanted catches and of (financial or other) incentives etc.
- Some were more critical on the fact that the Commission advocates an 'outright discard ban' instead of a reduction / mitigation strategy and on the fact that 'moral' judgements were brought into the debate by tagging discarding as 'unethical'.

There are some concrete proposals of particular interest:

- Recommendation to highlight and share best practice by Member States and the fishing industry and to organise a seminar on that (PELRAC)
- Recommendation to describe and to document fleet practices similar to what is required in established quality labels (like MSC), which could result in a Code of Practice (PELRAC)
- Proposal to establish regional working groups (fishermen, market/processors, scientists, managers) to develop discard reduction strategies including the design of observer programmes (NWWRAC)
- Recommendation to involve scientists in control and enforcement action (ACFA).

The full text of the opinions received is enclosed in the annexes.

The Commission services have started to work on the next phases to propose the implementation of the new discard policy. The issues and questions dealt with by the opinions as well as the suggestions made will be an integral part of this work, as will be the Council conclusions of June 2007 and the opinion of the European Parliament which is under consideration and will probably be voted in November 2007. The Commission intends to come forward with first legislative proposals during 2008.


Foklon Fotiadis

Enclosures : Opinions of the PELRAC, BSRAC, NWWRAC, SWWRAC, NSRAC and ACFA

Cc: Management Committee, MM. Degnbol, Lamplmair, Papaioannou, Hagström, Spagnolli, Pena Castellot, Ms Ruiz Monroy, Garcia Ferrer, Frère



Director General
Mr. Fokion Fotiadis
D.G. Fisheries and Maritime Affairs
Rue de la Loi 200
B-1049 Brussels
Belgium

Date: 31 May 2007

Subject: Consultation on the Commission's Communication on discards

Dear Mr. Fotiadis,

Thank you for consulting the Baltic Sea RAC (BS RAC) on the Commission's Communication on discards.

The BS RAC has only had little time for discussions on the Communication and the questions put forward by the Commission. Therefore, at this time the BS RAC only have a few rather general comments.

As you are probably aware, four major fisheries are conducted in the Baltic: cod, herring, sprat and salmon. These fisheries have very different levels and patterns of discards and will have to be dealt with separately – as we believe is the intention of the Commission.

Compared with many other EU fisheries, the Baltic fisheries have very low levels of discards (1.4 %¹), with an average discard rate of 7 % in the cod trawl fishery and 5 % in the salmon and cod gillnet fisheries. As few other species are caught, current discards primarily contain specimen of the target species that are below the legal minimum landing size. It is the opinion of the BS RAC that these discards can be dealt with appropriately, if not fully, via technical measures.

For your information, the BS RAC will explore ways to further reduce the discard levels in the cod fishery in cooperation with ICES. A meeting is scheduled to discuss the selectivity of the BACOMA window and the T 90 trawl, and any possible alterations to improve selectivity.

We look forward to a continued discussion on possible ways to reduce any discards, as well as any relevant monitoring and control measures, in the Baltic fisheries. We consider that close cooperation between management authorities, the industry and other relevant stakeholders is a prerequisite for a positive resolution of these issues.

Yours sincerely,

Reine J. Johansson
Chairman of the BS RAC

¹ Commission staff working document accompanying the Communication on a Policy to reduce unwanted by-catches and eliminate discards in European fisheries (SEC(2007)380)

The North Sea Regional Advisory Council



NSRAC

NORTH SEA REGIONAL ADVISORY COUNCIL RESPONSE TO THE COMMISSION COMMUNICATION ON REDUCING UNWANTED BY-CATCHES AND ELIMINATING DISCARDS IN EUROPEAN FISHERIES:

The problem

1. The problem this Commission communication seeks to address is that European fishing vessels discard (ie dump over the side of the boat, usually dead) large volumes of edible fish and some other marine species, a huge waste of a natural resource, and with impacts on biodiversity. Estimates prepared for the Commission by STECF of levels of discarding in EU waters indicate that these can be considerable.
2. Discarding arises from a mixture of market and regulatory reasons (these are set out in Annex A).

Commission proposals

3. The Commission's extravagant language in describing the undoubted problem of discards as unethical has been unhelpful and is at variance with the more gradual and pragmatic approach advocated in the body of the paper itself. It is important to recognise that the fishing industry's reputation can be seriously damaged by such statements in ways that take much time to rebuild.
4. The ideas set out in the Commission Communication centre around a proposal to ban the practice of discarding, introducing a ban gradually over a number of years, fishery by fishery, and accompanied by other changes to the regulatory system to facilitate compliance with it. The main thrust of the Commission's argument is that while there are further changes that could be made to technical regulation of fishing gear to improve its selectivity, the results from previous incremental improvements of this sort have been limited, and that what is needed is a change in the whole approach from one which specifies permitted technologies in often minute detail to one which specifies the required outcome (ie no discarding) and leaves it to the industry to develop technical solutions that will enable them to achieve that. This would change the balance of incentives so that fishermen would have a direct interest in employing their ingenuity to find ways of minimising discarding, rather than to find ways of circumventing the current raft of technical regulation.
5. This would represent a huge change in both philosophical approach and practice compared to the way the CFP regulates the fishing industry at present.

A large number of associated changes in current regulations would be necessary to make it possible. For example:

- Minimum Landing Sizes (MLSs) would need to be abolished.
- So-called 'catch composition rules' which, for example, specify that in certain fisheries cod may not represent more than 5% of the catch, and which like MLSs, can often only be complied with by discarding, would also have to be abolished.
- The way the EU operates catch limits through quotas would also have to change fundamentally. With a discard ban under which vessels would be required to land their entire catch, there would need to be a system which allowed vessels to acquire quota retrospectively as happens in other jurisdictions which ban discarding. This happens to some extent at present through Producer Organisations (Pos) but would be needed to a far greater extent with a discard ban in place. TACs – currently a misnomer as they are a control on landings, not catches – would become genuine limits on catches.
- There would need to be outlets available for the disposal of non-marketable fish landed.

It will be recognised that an outright ban without accompanying measures, at its most extreme, would mean vessels carrying the totality of its catch back to port with inevitably adverse safety and health implications.

It is in recognition of these major consequential changes that the Commission is proposing a gradual approach to applying a discard ban.

6. The Commission puts significant weight on the need to simultaneously introduce into the CFP regulatory system the concept of 'real time closures' of fishing grounds in cases where fishing vessels encounter large aggregations of juvenile fish. This is a recognition of the fact that the best way of making a discard ban a practical proposition is to avoid fishing vessels catching significant numbers of undersized fish in the first place. Given that the main driver for discarding is catches of fish of no or low market value, a requirement to incur the costs of keeping, storing, landing and disposing of such material for no economic return – possibly at the expense of marketable fish commanding a good price – would, with the current composition of catches, place a huge burden on member state enforcement authorities, because it would be a requirement completely at odds with the economic incentives on fishermen to maximise the value of catches and time spent at sea. So while such a system would in theory create a desirable shift in incentives on fishermen to avoid catches of undersized and juvenile fish (because these would count against their quotas), this would only operate if full compliance with it was achieved, and in practice the risk would be that the most powerful incentive created would be for non-compliance.

7. Finally, the Commission notes that high levels of discarding are a symptom of high fishing pressure which has produced stocks with high proportions of small fish, and that part of the answer is a move to lower overall levels of fishing. This is consistent with the Commission's long term plans to move to management plans for each stock based on the objective of maximum sustainable yield (MSY), consistent with the EU's international commitments. So the proposal to ban

discarding progressively, fishery by fishery, as individual management plans are adopted, is logical in that context.

Discussion

Experience with discard bans elsewhere

8. A limited number of countries already operate discard bans, including in Europe, Iceland and Norway. Annex B sets out a summary of the mechanisms in place to support the discard bans in these countries. Iceland is the only country in Europe that appears to have all the regulatory and market mechanisms in place to operate a full discard ban successfully. It should be noted that Iceland's waters contain significantly less mixed fisheries than those of the EU, depending mainly on only four or five key species.

9. The example of Norway is interesting. While it has a complete discard ban on paper, it does not appear to have all the necessary mechanisms in place to deal with the consequences of such a ban (e.g. approved outlets for landed non-marketable fish), and anecdotal evidenced from EU fishermen who fish in Norwegian waters, is that although enforcement by the Norwegian Coastguard Service is generally among the most severe in Europe, its enforcement of the discard ban is at best partial. Nonetheless, the threat of enforcement action is always there and levels of discarding in Norwegian waters is generally lower than in the EU. There seems to be an unwritten understanding between the authorities and the Norwegian industry that they will not be pursued for discarding small quantities, but if vessels are flagrantly flouting the ban, they will be dealt with severely. The Communication seems to have been strongly influenced by the Norwegian example.

Assessment

10. This is probably the most revolutionary Communication to have emerged from DG Fish in recent years. Over the years the CFP has developed a regulatory regime that involves excessive micro-management of almost every fishing activity in a way that is complex and burdensome for businesses and for member state administrations, without always having been notable effective. This Communication represents an attempt to break out of this mould and to regulate for outcomes rather than attempting to regulate the detail of technologies and processes.

11. It is also a radical departure in the sense that it explicitly acknowledges the economic incentives on fishermen to discard and seeks to set a policy framework that aligns those economic incentives with the desired management objective. This may not sound particularly radical. But DG Fish has over the years tended to combine an exclusive focus in biological advice regardless of the practical and economic consequences with an unwillingness to face up to the fact that subsidising new fishing capacity was creating powerful economic forces driving the need to catch more fish which was in turn undermining their stock conservation policies. The 2002 CFP reform ended the subsidising of new capacity in 2004, but we are still living with the effects for the previous policy. Against this background, the attempt in this Communication to focus on the

economic incentives for discarding and on re-settling the management systems to change the incentives, is a wholly new approach.

12. The Commission has not proposed a discard ban lightly. It is evident from the Communication and from the accompanying impact analysis that the Commission have worked through the implications that arise from a discard ban in some detail. They do not claim that it is a complete answer to the problem, but acknowledge the importance of accompanying practical measures to help fishing vessels avoid unwanted by-catches in the first place and of the need to examine the specific situation of each fishery. They also acknowledge that experience in other jurisdictions cannot necessarily be transplanted easily into the EU context. Acknowledging these caveats, their central conclusion is that overall options involving a discard ban are likely to be more effective than options which do not.

13. The combination of regulating for outcomes, concern to get economic incentives right and sensitivity to the practical constraints, is encouraging. This approach is well aligned with the need for better regulation, CFP simplification and an ecosystem approach.

14. All of that said, the key issue the Communication probably does not do justice to, is the control and enforcement implications of a discard ban although the problem is acknowledged¹, it is not given a prominence which suggests the Commission have fully appreciated the seriousness of the challenge. Given the nature of many EU fisheries, it is clear that at the point at which any discard ban is introduced, it is likely to have an immediate and severe impact on the profitability of fishing and may significantly increase the price of certain species where the by-catch is high. The compensating gains from better survival of the juvenile fish and healthier stocks would only be felt gradually over time. This suggests that in practice, any ban will depend heavily on draconian enforcement if it is to be effective.

15. It is acknowledged that there has been a dramatic improvement in the level of compliance under the impact of cod recovery measures. However the level of enforcement that would be required at sea across the EU to make a discard ban effective, would imply a further stepping up of enforcement activity beyond what any member state could deliver today. There is a danger that the Commission have relied too heavily on the Norwegian experience. Impressive as that experience is, the sort of informal understanding between the authorities and the industry there referred to in paragraph 9 above which underpins it, would not readily translate into a multi-national jurisdiction like the EU, which depends heavily on the letter of the Community law to determine what is enforced.

¹ "Discard bans are much easier to apply and enforce in clean fisheries – which result in much less by-catch of other commercial species – than in mixed/multi species fisheries, which are very common in EU waters." (Impact Assessment, section 6.4)

16. The introduction of a discard ban may have implications for biodiversity since, in the short term at least, it will result in the removal from the sea of material which is currently a food source for larger fish, mammals and birds. Any adverse effects should be reduced as the fishing industry adjusts to practices to minimise the number of unmarketable and small fish taken. There should also be benefits for biodiversity to the extent that a ban drives significant development or more selective gear.

Conclusions

1. Overall it is not clear that the Commission's conclusion that options involving a discard ban are likely to be more effective than options which do not is justified by the evidence. It is possible that a dramatic reduction in levels of discarding could be achieved through some of the other measures proposed in the Communication, such as real time closures and the application of long term management plans in which discard reduction is an integral part, without the real enforcement problems a ban would bring. It may be that the Commission's real objective is to secure agreement to some of those measures.

2. Against the background outlined above the NSRAC:

- shares the Commission's desire to reduce discards;
- welcomes the Commission's intention to align incentives with the reduction of discards;
- emphasises that although much can be learned from the experience of other countries because of the complexity of EU fisheries in the North Sea it will not be possible or desirable to slavishly follow the approaches more or less successfully applied elsewhere;
- sees the development of fishery by fishery long term management plans as the probable vehicle for implementing fishery by fishery reduction of discards;
- stresses that an outright ban on discards would require a massive and unrealistic enforcement level;
- highlights the need to avoid perverse incentives such as creating a market for small fish.

As we move from this discussion on the principles of a discard ban and discard reduction to the implementation of specific policies the most immediate priorities must be to find an effective means of engagement between the RACs, the Commission, Member States and scientists on a fishery by fishery basis.

ANNEX A

Some of the main factors giving rise to discarding are:

- i. *No or low market value of certain species* – e.g. in a recent scientific study of discarding, the top 10 species discarded included boarfish and dragonet for which there is little or no commercial outlet. This is something that can change over time: another heavily discarded species is gurnard which is now steadily building a market, and 40 years ago monkfish was routinely regarded as unmarketable and discarded but is now one of the most valuable marine fisheries.
- ii. *Small fish not commercially worthwhile or below regulatory minimum landing sizes (MLSs)* – for most fish species small individuals command lower prices as well as having higher handling costs and may therefore not be worth retaining commercially. In addition EU Common Fisheries Policy legislation sets regulatory MLSs for many of the main commercial species (but not all) in order to discourage targeting of immature fish for stock conservation reasons.
- iii. Linked to (ii), *poor selectivity of regulatory minimum mesh sizes* – CFP legislation sets minimum mesh sizes (ie regulates the size of the holes in the nets) for most of the main fisheries in EU waters, which are set to try and avoid catches of fish below minimum landing sizes, however the highly mixed nature of fisheries in most European waters makes it impossible to get this right for all species simultaneously. For example, the minimum mesh size generally used if fisheries targeting sole is 80mm, which is effective for catching sole above MLS of 24 cm, but which also tends to catch immature plaice and cod below the MLSs of 27cm and 35cm respectively for these larger bodied species.
- iv. *Quota limits on landings* – fishermen will sometimes discard otherwise marketable fish because they have reached their quota limit for that species. Again this is a consequence of mixed fisheries, in that fish of the species for which quota is exhausted will probably continue to be caught while fishing for other species for which quota is still available. There have been cases where this phenomenon has resulted in high levels of discarding of particular species when a successful recruitment results in big increases in catchability of the species, without a corresponding increase in the Total allowable Catches (e.g. North Sea haddock in 2001 and monkfish in the south west in 2003-04). But apart from cases such as these, which have produced peaks in discarding, fishermen will generally plan their fishing operations to use their quota allocations as efficiently as possible and evidence from our research programme suggest that market reasons rather than quota limits are the main cause of discarding.
- v. Finally, *'highgrading'* – fishermen will sometimes discard marketable fish which is both above the MLS and within quota, a practice which results from a combination of market reasons and quota limits. This arises with species such as cod for which quota limits are highly restrictive and for which there is a premium price for larger fish, creating an incentive for

fishermen to discard marketable fish but lower price bracket fish in order to use their limited quota to land fish commanding the highest price.

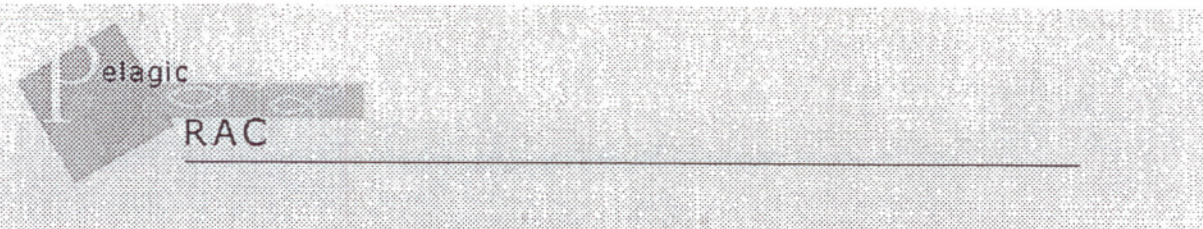
Hugo Andersson

Hugo Andersson
Chair of NSRAC

ANNEX B

Mechanisms associated with operation of discard bans in Iceland and Norway

	Iceland	Norway
1. Management system which limits catches by TAC, species by species	√	√
2. Flexible TAC system: (a) Vessels able to acquire quota post-landing for over quota species caught, (b) and able to count catches of one species against quota for another	√ √	√ x
3. Facility for disposal of some non-marketable landed catches to fisheries research establishment	√	x
4. Management system includes real time closures to protect aggregations of juvenile fish	√	√
5. Effective enforcement	√	?



European Commission
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c/o Mr. Mr Fokion Fotiadis
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Date: 16 July 2007
Our reference: PRAC07.18/IH
Subject: Pelagic RAC response to Discards Consultation

Dear Mr. Fotiadis,

The Executive Committee of the Pelagic RAC has considered the Commission's consultation on discards and would like to put forward the following initial answers and suggestions to the questions you posed:

Question 1: What could be the role of the sector in reducing unwanted by-catches in a new discard policy?

The sector strongly supports the reduction of discards and can play a role in reducing unwanted discards.

Question 2: Could the industry contribute to the identification and control of temporary area closures?

Experience teaches us that temporary area closures often lead to permanent closures. This is an area of concern that could be addressed by using the term "real-time" closures rather than "temporary" closures. It is essential that real-time closures have a defined time period and that fisheries are also reopened real time. It must be noted, however, that it is difficult to effect real-time closures for migrating pelagic stocks.

The concept of real-time closures must be considered in the context of what can realistically be achieved within the Community system. Real-time closures need to be dealt with in an efficient manner. If prompt action is required, it is doubtful whether at present the appropriate mechanisms are in place within the Commission to allow this to happen.

Question 3: Could the industry contribute to active development of more selective technologies and practices?

Yes, however the technologies are species dependent and the specifics will have to be defined. It is not possible to provide detailed examples at this time, however the Pelagic RAC will give this subject further consideration and revert with specific examples at a later stage.

Question 4: How can the initiative of the industry to improve selectivity and to apply practices which avoids unwanted by-catch best be encouraged?

First of all, it should be noted that the industry has already developed and adopted several technical solutions to avoid unwanted by-catch, such as sonar. What is now required, is support to develop new technologies.

Projects aimed at improving selectivity and avoiding unwanted by-catch should be supported by EU structural funds, including covering fuel costs. Well-defined projects should also be provided with 'scientific quota' to compensate for missed fishing opportunities.

It is also important to realise that complete elimination of discards may be unfeasible. Hence, measures should also focus on market solutions, i.e. to find commercial outlets for bycatch.

There are many ongoing projects within the Community, including work on more fuel efficient fishing gears, and the Commission should consider putting in place a mechanism to draw together the various initiatives to help spread knowledge and share best-practice, for example organising a seminar on the subject.

Fleet practices can be of importance in relation to the accreditation of, for example, the MSC label, and this could also play a role in the application of best practice. In order to achieve certification of fisheries, fleets need to document their practices and procedures. These Codes of Practice are publicly available.

The flexibility to bank or borrow 10% of catches from one year to the next for all stocks would also contribute to a reduction in discards. This is a facility that the Pelagic RAC has supported for some time to assist in this purpose.

Question 5: How could a monitoring system which enables information exchange in the fleet on areas with risk of high unwanted by-catch and management of real time closures best be implemented?

The pelagic fleets already communicate well with one another on an informal basis when fishing on the grounds. A culture of trust and openness is required if fishermen are to be expected to pass information from the grounds on a more formal basis to the fisheries managers. For instance, fishermen need to feel confident that if an area is closed it will be re-opened again later.

Observer programmes may also be an important tool; however they must be well-defined and not overly-burdensome. The use or application of more advanced techniques and technologies, such as automatic image analysis, will also be considered.



The EU Data Directive should be utilised more fully to obtain information on the levels of by-catch and discards in various fisheries.

Question 6: How to deal with landings of unwanted by-catch?

It is unrealistic for the Commission to expect to be able to eliminate discards completely. Obviously, in some instances it is reasonable for catches to be used for fish meal.

In general, it is felt that this question is too broad. The question should be re-defined to state the different types of by-catch in pelagic fisheries and how these could be dealt with in a more specific manner.

Question 7: What are the fisheries where the problem of unwanted by-catch is most substantial and where a new approach through a specific regulation may have most potential to reduce them?

There is a need to distinguish between by-catch and discards as in some fisheries there are by-catches which are landed and accounted for.

The subject of discards is highly complex and multi-faceted. There is a need for more precise descriptions of terms used by the Commission. For example, what is meant by "most substantial?" Once the subject is better defined, the RAC can reflect on what fisheries pose a particular problem.

The matter of communication of this exercise is crucially important and should be the subject of detailed discussion between the Commission and the RACs. General debates on this topic could give out a very negative message. In addition, there are concerns that the Commission is making a moral issue out of what is really a technical issue.

In addition to the answers above, the Pelagic RAC wishes to make it clear that a discard ban alone will not achieve the objective as it would require that all fish are brought ashore. In order to encourage the fishermen to land their entire catch it is important that a compensation scheme is set up. A discard ban needs to be precisely formulated, well defined, and needs to be carried out within an appropriate framework.

Yours sincerely,

Ingvild Harkes
PELAGIC RAC



CONSEIL CONSULTATIF
RÉGIONAL POUR
**LES EAUX OCCIDENTALES
SEPTENTRIONALES**

**NORTH WESTERN
WATERS**
REGIONAL ADVISORY
COUNCIL

CONSEJO CONSULTIVO
REGIONAL PARA
**LAS AGUAS
NOROCCIDENTALES**

North Western Waters Regional Advisory Council

OPINION

**In response to Commission's consultation on reducing unwanted catches and
eliminating discards in European fisheries**

8th of June 2007

Discards can be an issue in all fisheries to varying degrees. The fishing industry itself is vital in the process of development and implementation of any strategies to mitigate discards. It is widely recognized that while eliminating all discards immediately is an unrealistic objective, the primary aim must be to reduce and **minimise** discards to lowest possible levels.

The reason for discarding can generally be separated into the following two main categories:

- Regulatory discards – i.e. over quota, no quota allocation in a mixed fishery, catch composition requirements, below minimum landing sizes, etc.
- Non-Marketable discards –i.e. species that do not have market value at present or for which there is no market demand.

Regardless of the category it is agreed by the NWWRAC that discarding is a wasteful misuse of both commercial and non-commercial resources and it is believed that the best way to tackle this misuse is to assess the problem on a fishery-by-fishery level.

As different fisheries have different levels, types and potential measures to address discards, there is a need for accurate and robust assessments of discards in each fishery. These assessments must be carried out in a collaborative manner including scientists and fishermen to identify the reason for discarding in that particular fishery and potential management measures.

Regional working groups including fishermen, market/processors, scientists, gear technologists and managers should be established, on the bases of these assessments, to develop discard reduction strategies for fisheries. These groups should consider all possibilities including regulatory rationalization, development and implementation of technical conservation measures, development and use of selective fishing gear, spatial/temporal management, developing new markets, and any other possible discard mitigation strategies. The development of observer programmes and adequate enforcement of the existing regulation should also be considered by these groups, as these are key tools in reducing discarding.

It is recommended that a fishery with recognized and significant discard rate be selected as a candidate fishery to begin the process of discard mitigation strategies as described above.

The above must also be accompanied by a thorough assessment of the economic, environmental and practical impacts of any such strategies.

The involvement of fishermen is essential and their 'buy in' to any discard mitigation strategy is essential without it the process will be liable to fail.

The RACs would seem to be well positioned to co-ordinate the working groups and the Commission must engage with the RACs in a genuine and serious way for this to be successful.



Synthèse des avis émis par le CCR.S

Lorient, le 20 juin 2007

En ce qui concerne les rejets (COM 2007-136 et SEC 2007-381 du 28.03.2007)

Au sein des différents groupes de travail, le CCR.S a examiné les communications de la Commission. De nombreuses convergences de point de vue sont apparues et le CCR.S peut apporter les éléments suivants à la Commission Européenne.

Le CCR.S reconnaît que la réduction des rejets est un objectif important de la gestion des pêches. Les pêcheurs n'ont eux-mêmes aucun intérêt en termes économique et sociaux (notamment pénibilité du travail de tri) de générer des rejets.

Après avoir identifié les différents problèmes logistiques (capacité des cales, traitement des déchets, ...), techniques (place à bord, glaçage, tri, infrastructures de traitement des rejets à terre...) et commerciaux, (inadéquation aux demandes des organisations de consommateurs, risques de perturbation des marchés, ...) le CCR.S s'oppose à l'obligation de conserver à bord et de débarquer la totalité des captures. Le CCR.S Sud a mis l'accent sur :

- La nécessité que les professionnels participent activement aux initiatives de réduction des rejets, en mettant en œuvre tous les moyens permettant d'améliorer la sélectivité des engins de pêche. A cet égard, le CCR.S pense important de favoriser la mise en œuvre de projets pilotes (comme la continuation des travaux d'amélioration de la sélectivité menés par les professionnels sur la pêcherie de Langoustine du Golfe de Gascogne) qui, outre la diminution considérable des rejets qu'ils permettent, constituent une démarche pédagogique permettant aux pêcheurs de s'approprier les enjeux de la gestion de la ressource.
- La nécessité que ces initiatives s'inscrivent dans des démarches progressives où les étapes se succèdent de façon espacée afin de laisser le temps aux professionnels de s'adapter aux évolutions.
- Les différences des problématiques selon les pêcheries concernées, qui impliquent de réaliser des analyses scientifiques précises, notamment quant à l'importance des rejets, à leur impact sur l'écosystème exploité et à la variabilité des taux de survie selon les espèces et les profondeurs.
- L'attachement des pêcheurs – valorisation de la ressource, satisfaction des consommateurs – au maintien des tailles biologiques, qui devraient être unifiées avec les tailles de commercialisation et partiellement révisées.

Dans l'attente des informations qu'apportera le voyage d'études organisé par la Commission, il n'a pas paru possible au CCR.S de formuler un avis sur la fermeture des zones de pêche en temps réel, compte tenu notamment de l'insuffisance des données scientifiques pêcherie par pêcherie et du fait que, dans la zone de compétence du CCR.S, la plupart des pêcheries sont multispécifiques.



En ce qui concerne le Règlement « Mesures Techniques » (Règlement (CE) n°850/98)

Le CCR.S défend la pertinence du règlement 850/98, qui pourrait être encore amélioré. Ce règlement est accepté par le secteur des pêches et est bien adapté à la diversité et aux spécificités des activités de pêche qui caractérise la zone géographique recouverte par le CCR.S.

Le CCR.S sud émet l'avis que la taille commerciale doit s'ajuster sur la taille biologique. Cette dernière est la seule qui doit figurer dans le règlement.

En ce qui concerne l'ICCAT

Le CCR.S demande à la Commission Européenne d'adopter le plan de récupération du Thon rouge adopté par les parties prenantes de l'ICCAT, en novembre 2006, à Dubrovnik.

Le CCR.S insiste pour que l'ICCAT devienne réglementaire à la fois la pêche professionnelle et la pêche récréative.

En ce qui concerne les espèces profondes

Le CCR.S rappelle à la Commission l'inclusion abusive de certaines espèces d'eaux profondes dans les annexes du Règlement 2347/2002.

En ce qui concerne la Subdivision Insulaire

Quand il y aura lieu, les propositions émanant de la Subdivision Insulaire feront l'objet d'un traitement différencié de la part du CCR.S.

En ce qui concerne l'anchois (*Engraulis encrasicolus*)

Le CCR.S demande à la Commission qu'elle fasse parvenir, dans le plus bref délai, le rapport du Comité Scientifique des campagnes Pelgas, Bioman et Rastrillo.

En ce qui concerne l'anguille (*Anquilla anquilla*)

Le CCR.S pense que, afin que la mesure de repeuplement soit bénéfique au stock, il est nécessaire que le taux d'anguilles destinées au repeuplement soit décidé par chaque Etat membre qui pratique la pêche de ces individus.

En ce qui concerne la palourde (*Ruditapes philippinarum*)

Le CCR.S demande à la Commission qu'elle propose au Conseil de retirer la Palourde Japonaise de l'Annexe au Règlement 850/98, laissant ainsi à chaque Etat Membre le soin d'en fixer la taille.