



## Fisheries Council Agree to Discard Ban

**The Fisheries Council meeting in Luxemburg on June 12 reached an agreement on a general approach to the proposals on the Common Fisheries Policy (CFP). Part of this agreement covers the obligation to land all catches: a discard ban by another name.**

The key points of the Council's agreed approach to discards are highlighted below, but it should be noted that the dates are still to be agreed, as are the defined fisheries in North Western Waters:

All catches subject to catch limits in the fisheries and geographical areas listed below shall be brought and retained on board the fishing vessels, recorded, landed, and counted against the quotas where applicable, except when used as live bait, in accordance with the following timeframe:

At the latest from January 1, 2014:

- small pelagic fisheries i.e. fisheries for mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, sardine, sprat;
- large pelagic fisheries i.e. fisheries for bluefin tuna, swordfish, albacore tuna, bigeye tuna, other billfish;
- fisheries for industrial purposes i.e. fisheries for capelin, sandeel and Norway pout; and
- salmon in the Baltic Sea.

At the latest from January 1, 2015 for species in defined fisheries listed below:

North Western waters

- fisheries for cod, haddock, whiting, saithe;
- fisheries for Norway lobster;
- fisheries for common sole and plaice;
- fisheries for hake; and
- other fisheries to be further analysed.

At the latest from January 1, 2018:

All other species in the following fisheries in Union waters of the Northern Atlantic.

Minister Coveney supported this approach, despite a realistic and workable approach put forward by both the Irish and European industries. Both industries consider the Council's approach to be flawed and are convinced that an obligation to land all catches has a greater impact on the environment and the sustainability of stocks than a minimised quantity of discards. A landing obligation will remove all organisms from the habitat to the detriment of stock sustainability and is the wrong approach. Putting in place avoidance and minimisation measures in specific time frames on a fishery by fishery basis, supported by a range of incentives, will have a real and meaningful effect on discarding rates and stock sustainability. It is only after putting in place all the necessary measures relating to avoidance and minimisation over specific time frames that the usefulness of an obligation to land all catches should be established.

Although the Council of Ministers have agreed the general approach outlined above this has yet to go through a co-decision procedure which means that the Parliament has yet to vote on the proposals. The KFO is hopeful that the Parliament will adopt a more realistic and effective approach to avoiding discards along the lines proposed by the industry. It is more than likely it will be during the Irish the Presidency at the start of next year that a compromise will be reached between the Trialogue -- Parliament, Council and Commission. Let's hope common sense prevails.

## ICES ISSUES ADVICE FOR DEMERASL AND HERRING STOCKS FOR 2013

On June 29 ICES released its advice on stocks that were assessed in the first half of the year. This advice covers most of the stocks of Irish interest, with the exception of mackerel, boarfish, horse mackerel, Atlanto-Scandian herring, blue whiting, and spurdog, for which advice will issue in the end of September. The albacore tuna advice will be available after the ICCCAT meeting in November.

There is a very significant difference in the advice this year compared to last year, with ICES adopting six different data scenarios in giving its advice (see article page two.) These range from Category One - precise assessment, to Category Six - landings negligible in comparison to discards or part of stock complexes and caught primarily as by-catch in targeted fisheries. As a result, where scientific advice is unavailable and uncertainty is greater, it uses a more cautious approach in accordance with the precautionary principle. Hence the advice this year is showing some dramatic reductions even though the stock status has not changed over the year and in certain cases has improved. Furthermore, the magnitude of the reduction used, for example the 20 per cent reduction used as a precautionary buffer to cover the unavailability of scientific advice and uncertainty, is purely arbitrary. It seems that some of the ICES advice is applying a similar approach to the Commission's discredited approach last year of an arbitrary 25 per cent reduction in data-poor situations.

The ICES advice should not be mistaken as the Commission's proposals for TACs and quotas for 2013, which are likely to be published during September.

### Zero-catch-advice

ICES is giving zero catch advice for seven stocks: cod VIa; whiting VIa; haddock VIb; herring VIa south VIIbc or rebuilding plan; cod VIIa; whiting VIIa, and sole VIIa.

### Advice to reduce catches

There are 17 stocks where ICES is recommending a reduction in catches for 2013 compared to its advice for this year. In certain cases when compared with the TAC for this year the reductions are between 35 and 70 per cent, for example haddock b-k, (43 per cent) pollock b-k (70 per cent) and monkfish VII b-k (35 per cent). The 17 stocks where reductions are recommended are: cod VIb; haddock VIa; monkfish VI (decrease catches by 20 per cent); pollock VI; haddock VII b-k; pollock VII; plaice VII fg; plaice VII bc; plaice VII hjk; sole VII bc; sole VII hjk; megrim VII b-k; monkfish VII; hake VI and VII; herring Celtic Sea; haddock VIIa and plaice VIIa.

(Continued on page two.)

**Advice to increase catches**

There are seven stocks where ICES is recommending an increase for next year however the increases are small of the order of less than five per cent in most cases. The seven stocks are megrim VI (now split into two areas); nephrops VI; herring VIa north; cod VII e-k; whiting VII e-k; sole VII fg, and nephrops VII (ICES gives advice on a functional unit basis for nephrops rather than for all of area VII which the TAC applies to.)

**No Advice**

There are three stocks where ICES gives no advice for 2013: plaice VI; sole VI and saithe VII.

**KFO AGM**

The KFO held its Annual General Meeting on June 1, 2012 in Bruach na Mara. After the AGM the Board met to elect a Chairman and co-opt Directors onto the Board.

The new Board of Directors is as follows;

- Martin Howley, Chairman
- Cathal Boyle, Vice Chairman
- Jens Bach
- Tony Byrne
- Michael Cavanagh
- Pauric Conneely
- Ciaran Doherty
- Hugh McBride
- Eamonn McHugh Jnr

**Revised Northwest Herring Re-building Plan Submitted to PRAC**

In 2011, the KFO, FIF and the Pelagic RAC agreed on a re-building plan for NW herring. The plan was sent to the European Commission and was evaluated by STECF.

The plan did not meet with favour from STECF. In response, the KFO in conjunction with FIF colleagues, submitted a revised plan to the PRAC. It is hoped it will meet with their approval and be submitted for scientific evaluation. All of the concerns expressed by STECF are addressed and covered in the revised re-building plan as shown below.

**Revised Northwest Herring Re-building Plan**

1. Every effort shall be made to keep SSB above 76,000t (SSB consistent with unacceptable risk of recruitment impairment).
2. For 2013 and subsequent years the TAC shall be set based fishing mortalities, as follows:
  - (a)  $SSB > Bpa, F = F0.1$
  - (b)  $SSB < Bpa F = SSB * ( F0.1 / Bpa )$
3. If an assessment is available, but is considered by ICES to be less reliable, then the TAC settings in Section Two shall apply, but the TAC shall be down-weighted by a factor (G\*) (see explanation below) based on the level of uncertainty.
4. If ICES considers that SSB is at risk of being below 76,000t, the TAC shall be based on ICES advice, and set at a lower level than provided for in Section Two (b).
5. In order to provide for separate management of this stock, relative to that in VIaN, every effort shall be made to disaggregate abundance-at-age data in Division VIa.

6. In order to avoid by-catches and unaccounted mortality of this stock, and in light of the problem of disaggregating stock-specific data, it is necessary to establish an interim temporary exclusion zone. In anticipation of results of the analyses being conducted by ICES, and until better information on stock mixing is available, a temporary exclusion zone prohibiting herring fishing shall be established that lies between 56°N and 57°30N, in Sub-Division VIaN.

The less information that is available, the lower the TAC becomes. This is in line with international best practice, and the best way to avoid lower TACs is to achieve better scientific information.

It is well known that the NW stock moves north of the 56°N line to feed. However, catches north of the line are highly likely to contain NW Irish herring, especially outside spawning time. It is in the interests of all parties that the VIaN herring fishery is not taking an unaccounted by-catch of NW Irish herring.

Rebuilding the NW Irish stock requires precautionary action, and part of that action needs to take place in VIaN. The plan proposes an interim temporary exclusion zone in VIaN, between 56°N and 57°30N. In order to incentivise clean catches of VIaN herring, without mixtures of VIaS fish, this exclusion zone will operate until better information on the extent of mixing is available. Special provisions for the transition zone are in line with the precautionary approach i.e. where there is less information, more conservative management actions are required.

**ICES Introduces New Rules To Deal With Data-Poor Stocks**

Providing quantitative advice for those stocks which have been identified as "data poor" has always been notoriously difficult and there has been a concerted effort in the recent past by ICES to develop a methodology to deal with what are now described as "data limited" stocks. ICES provides advice for more than 200 stocks and estimates that at least 122 of these stocks are "data limited" to some extent or other, but acknowledges there is considerable variation in the quality of data available within this cache of stocks. Following a series of workshops, review groups and its Advisory Committee (ACOM), ICES categorised the stocks according to the data and analyses available. This categorisation of stocks is intended to reflect the decreasing availability of data, i.e. from good to bad, and thus the conclusions on the fishing pressure and state of the stock are likely to be less certain as one goes down the categories.

There are six categories in all:

- Category 1 - precise assessment - full analytical assessments and forecasts. These species do not fall within DLS remit;
- Category 2 – assessment not precise - quantitative assessments and forecasts

which for a variety of reasons are merely indicative of trends in fishing mortality, recruitment and biomass;

- Category 3 - assessment limited to survey data with considerations for perceived overfishing, low stock size and mixed-stock fisheries;
- Category 4 – assessment based on catch data only - adjust status quo catch based on expert judgement approximations to MSY exploitation;
- Category 5 – data poor, meaning no data for assessment – apply precautionary approach; and
- Category 6 – landings negligible in comparison to discards or part of stock complexes and caught primarily as by-catch in targeted fisheries.

Each category is accompanied by a specific implementation methodology which becomes increasingly more stringent as one progresses down the categories.

A crucial and worrying development is the stated intention of the European Commission in its Communication to the Council on Fishing Opportunities for 2013 to base fishing opportunities on a stronger commitment to ICES advice. The Commission's approach in 2012 can be summed up as:

- a) long-term management plans for TACs and effort limits will be adhered to;
- b) TAC's agreed with third countries will be implemented;
- c) ICES advice according to the MSY framework will be in use by 2015;
- d) indicative advice based on qualitative evaluations – even if incomplete – will be used as a basis for TAC decisions; and
- e) take a precautionary approach where there is no advice.

If the methodologies attached to the ICES DLS categories are applied to the Commission's TACs and quotas proposals for 2013, which is more than likely given their communication on fishing opportunities for next year, it will lead to drastic reductions and not for clear-cut conservation aims. The trigger levels in many instances are quite arbitrary and already we see the result of these in ICES advice for next year (see article page one.)

As a consequence, a precautionary approach framework implies that exploitation rates advised for stocks below the Data Rich stocks (Category 1) will be more conservative than FMSY.

Most pelagic stocks now have a long-term management plan covering them. The exception is the NW herring, though this may change if the proposed re-building plan goes through (see article above.) Advantages of such plans include:

- taking the horse trading out of quota setting each year;
- agreeing a way of setting the TAC based on best scientific information;
- other management measures may be added; and
- accreditation bodies prefer that there is a plan in place.

In the case of the boarfish fishery, there is no plan, and a TAC has only been in operation for two years. It is in everybody's interest that a plan be developed. It is hoped that a plan submitted by the KFO and the Danish Pelagic Producer Organisation (DPPO), will be agreed by the Pelagic RAC at its forthcoming meeting in July.

Given the uncertainty about stock status and the recent nature of the fishery, a cautious development of the boarfish fishery is warranted. The United Nations Food and Agriculture Organisation (UN FAO) gives guidelines on how new and developing fisheries should be dealt with. The boarfish fishery has generally followed the guidelines.

In May of this year, the KFO and DPPO, assisted by scientists from Ireland (MI) and Denmark (DTU Aqua), developed a draft boarfish management plan for submission to the Pelagic RAC in July. The plan is as follows:

1. Reliable estimates of SSB and F: Set TAC as is done for mackerel, blue whiting, etc.
2. Less reliable estimates of SSB and F: Set TAC as above, but downweight it by a precautionary factor based on the uncertainty in the stock assessment.
3. Only F estimates available:
  - F > F target: Reference TAC (66 per cent of 2008-2010 catches);

F > F target: Linear reduction in F to 0 at F limit.

downweight it by a precautionary factor based on the uncertainty in the stock estimation of F.

4. Only trends from trawl survey abundance available:

- Catch rate > target: reference TAC
- Catch rate < target: reduce reference TAC to zero at zero catch rate

downweight it by a precautionary factor of 25 per cent.

5. If only acoustic survey available: TAC = biomass estimate \*13 per cent\* downweighting factor that is proportional to the uncertainty in the acoustic estimate of biomass.

4. If no information is available, then the TAC shall be set at 33,000t (interim management plan).

5. If stock is in danger of collapse: ICES advice over-rides all of the above provisions.

6. Closed seasons, closed areas and moving-on procedures shall apply as follows:

i A closed season shall operate from March 15 to August 31. This is because it is known that herring and mackerel are present in these areas and may be caught with boarfish.

ii A closed area shall be implemented inside 12 miles south of 52o30 from February 12 to October 31, in order to prevent catches of Celtic Sea herring, known to form aggregations in this region at these times.

iii If catches of other species covered by TAC, amount to more than five per cent of the total catch by day by ICES statistical rectangle, then all fishing must cease in that rectangle for five consecutive days.

Considerable work is being done on a stock assessment of this species. If this work comes to fruition then Article One applies, and there is no need for precautionary down weighting of the TAC. The KFO wishes to recognise the tremendous work done by Maurice Clarke ,MI, in assisting in the development of this plan.

2012 is rapidly becoming a year that will be remembered as one when the normal pattern of crustacean fisheries, particularly brown crab, never really got going. Here in the north-west weather has been very influential – nothing new there, you may say – but the persistent spell of easterly and south-easterly wind since early spring has not only kept the fleet tied up, it would also appear to have kept crab out of pots. Landings have been exceptionally low; some months have only hit 50 per cent for the same period in previous years and, overall, landings for the first half of 2012 are 30 per cent down on those for 2011. Normally a reduction in landings of this magnitude would be reflected in significantly higher prices and yes, prices have remained buoyant past the Easter peak and well into the usual early summer dip, but not proportionately with the lower quantities of crustaceans in the marketplace.

Crab fishermen are also beginning to view their industry in an increasingly analytical manner. Rising costs, increasing regulatory demands and unpredictable market conditions all focus attention on "the bottom line" and more and more skippers and vessel owners are making the decision to tie-up for those times of year when they know they cannot make a profit. This, in itself, is not a bad strategy but to have maximum positive impact needs to be done in a co-ordinated manner. Once again we are aware of the benefits if all the pros and cons were available and could be weighed up when making decisions as to fish or stay in port.

## 2012 Boarfish Acoustic Survey Gets Underway

In 2011 the KFO took the important step of initiating the boarfish acoustic survey series. Last year's industry-funded survey was the first specific boarfish acoustic survey and took place aboard the MFV Felucca during July. Not only did the survey provide

important insights into the spawning biology and behaviour of boarfish, but it also enabled the collection of samples, which were used for the determination of a specific target strength for boarfish. This allowed the first reliable acoustic estimate of the SSB of boarfish to be calculated, which was 432,882tonnes.

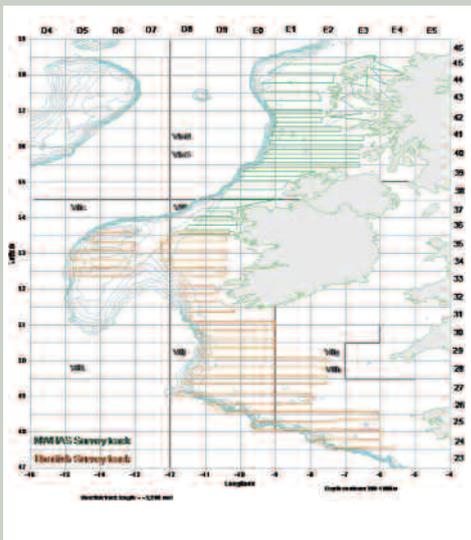
The importance of conducting the survey annually and establishing a reliable time series for boarfish was realised and it was decided by the Department that the 2012 survey would be funded by a quota allocation. A tender was put out in June and the successful applicant was the MFV Father McKee.

This year's survey left Killybegs on July 9 and similarly to last year, the survey will link up with the Celtic Explorer off the west coast. This will allow the extension of the Malin Shelf Herring Acoustic Survey to the south, which will result in continuous coverage from

approx. 58.5°N to 47.5°N. The combined survey transects will be over 4,500 nmi and cover an area of approx. 90,000 nmi<sup>2</sup>. The new specific boarfish target strength will be applied to the data collected and the results will be presented at ICES WGWIDE in August.

In addition to the standard biological and abundance data, additional samples will be collected for a future study on the feeding behaviour of boarfish. This study should yield valuable insights into the behaviour of boarfish and may go some way to explaining the distribution pattern of the species.

Though only in its second year, the boarfish acoustic survey and associated projects have significantly advanced the knowledge and understanding of this species. This should ensure that the best possible data is available for use in the assessment and the sustainable future of the fishery can be secured.



# Editorial

by Sean O'Donoghue

CHIEF EXECUTIVE, KFO



It was welcome news on June 27 that the European Parliament and the Danish Presidency reached a comprehensive agreement on sanction measures to be imposed on countries or territories engaged in unsustainable fishing practices. The key driver behind this regulation is the reckless and irresponsible actions of Faros and Iceland in pursuing an unrestrained mackerel fishery since 2008, with total disregard for responsible management and scientific advice. Both Iceland and Faros have massively increased their catches of mackerel in recent years with Icelandic catches going from 363tonnes in 2005, to just under 147,000tonnes in 2011. Likewise the Faros have increased their mackerel catches from 27,830tonnes in 2009, to 150,000tonnes in 2011. The combined effect of these catches amount to almost 46 per cent of the scientifically advised catch opportunities for 2011. Again in 2012 Iceland and Faros have set huge autonomous quotas of approx. 300,000tonnes.

I have to recognise the key role played by MEP Pat 'the Cope' Gallagher in brokering the deal between the Parliament and Council. I doubt very much if it would have happened without his intervention. The next step in the process -- which I do not envisage will be a problem -- is the publication of the legal instrument after it has been voted on in the Council and European Parliament. The

instrument should be in place in advance of the Coastal States meeting on mackerel in the Autumn and I am confident that it will have the desired effect on Iceland and Faros in future negotiations and hopefully it will be the catalyst to reaching an acceptable agreement for 2013.

Unfortunately the Council of Fisheries Ministers meeting in Luxembourg on June 12 (see article page one) decided to go ahead with the obligation to land all catches, which is a discards ban by another name. This is a flawed approach that will do nothing for stock sustainability. The Irish and European industry has put forward a workable and effective solution to the problem through avoidance and minimisation of discards supported by a range of incentives. Implementing these measures on a fishery by fishery basis in a specified time frame will deliver real stock sustainably. Minister Coveney has decided to support a discard ban contrary to the expressed view of the Irish industry. This is regrettable particularly as other parts of his original proposal as regards avoidance and minimisation are the right approach, however he has put "the cart before the horse" in seeking a discard ban in the first place.

Discarding at sea or dumping on land as advocated by an obligation to land all catches are both equally unacceptable and will not solve the discards issue. The Council does not have the final say on the issue as co-decision applies with the EP. One can only hope that common sense will prevail in the end in the final compromise between the Triologue -- Parliament, Council and Commission.

ICES has issued its advice for demersal and herring stocks for 2013 on June 29 (see article page one.) There is a very significant difference in the advice this year compared to last year with six different scenarios used covering data poor stocks (see article page two). The advice ranges from full analytical assessment, to a situation where very little data is available. The result of this change in methodology is that most of the demersal stocks of interest to Ireland are showing very large reductions compared to advice issued last year. The justification for most of these reductions is highly questionable as the stock status has not changed over the last twelve months and in certain cases a bizarre outcome is shown where even though the stock size is increasing and fishing mortality reducing, ends up with the ICES advice showing a reduction. In addition for certain stocks the advice is based on average landings without any consideration for uptake by the individual Member States. This is a return to the "use it or lose it" rule under another guise that was rejected by Council of Fisheries Ministers. This advice will make for very difficult end of year discussions, with the Commission's proposals expected in September more than likely to reflect the ICES advice. The final decision on the 2013 TACs and quotas will be taken at the December Fisheries Council.

The Pelagic RAC has made great strides in developing a new innovative long-term management plan for blue whiting. This plan takes into account that blue whiting goes through periods of high, medium and low recruitments but avoids the massive fluctuations that has happened over the last number of years while at the same time ensuring that the stock is fished sustainably. It also provides for taking advantage of increased catches when the stock size is large. The plan is now submitted to ICES for evaluation and it is hoped that it will be endorsed by ICES and subsequently accepted and implemented by the Coastal States.

## Important Dates July, August & September 2012

DATE	MEETINGS	VENUE
July 10	PELRAC – Executive Committee	Amsterdam
July 10	PELRAC – NPWG	Amsterdam
July 11	PELRAC – WG1, WGII	Amsterdam
July 12	Industry/Science Partnership	Galway
July 13	NWWWRAC – Effort Meeting with Commission	Brussels
July 16	Fisheries Council	Brussels
July 24	Whitefish Quota Management Meeting	Dublin
July 30	FIF meeting SFPA	Dublin
August 4	Blessing of the Fleet	Killybegs
August 21-27	ICES Working Groupon Widely Distributed Stocks	Lowestoft, UK
September 10	FIF meeting MSO	Dublin
September 12-14	ICES Advice Drafting Group Widely Distributed Stocks	Copenhagen
September 24-25	Fisheries Council	Brussels
September 26	NWWWRAC – General Assembly & EXCOM	Dublin
September 27	NWWWRAC – Focus Group/Horizontal Working Group	Dublin
September 28	EAPO AGM	Amsterdam
September 28	Release ICES Advice Widely Distributed Stocks	Copenhagen

Head Office: Killybegs Fishermen's Organisation Ltd.,  
 Bruach na Mara, St. Catherine's Road, Killybegs, Co. Donegal.  
 Tel: (074) 9731 089, (074) 9731 305, Fax: (074) 9731 577,  
 Email: kfo@kfo.ie Website: www.kfo.ie  
 Dublin Office Tel: (01) 825 8846, Fax: (01) 825 8847