



Significant Progress Made on the Danish Mackerel Dispute Otherwise, Festive Cheer in Scant Supply at Fisheries Council

Almost 12 months after the Trade and Cooperation Agreement (TCA) is signed the fishing industry is still stalled by the BREXIT fallout. Incredibly the same scenario is being played out again when it comes to agreeing annual TAC and Quota for the coming year, almost exactly as happened in December 2020.

The lead into this year's negotiations was further complicated by Ireland's challenge regarding Danish claims for access to mackerel quota in Norwegian waters. Denmark had fished a quota in Areas 4a and 2a Norwegian waters in 2021 based on previous agreements pre-BREXIT which are no longer in place. The Council and the Commission statement, both at the October Fisheries Council and reaffirmed at the December Council, acknowledges the need to assess all elements relevant for the methodology applied, including the historical background, to this particular 2021 TAC. If there is no current EU agreement with Norway, and consequently no transfer of

quota as previously set down in the 10-year and Annual agreements with Norway, then there cannot be a TAC. The roadmap to establish the facts are clearly set out in the Council and Commission statement on December 14.

The TAC and Quota for the following year is normally decided at the December Fisheries Council. However, the majority of stocks of importance to Ireland are also subject to the EU/UK bi-lateral negotiations which are still ongoing. Under the terms of the TCA, agreement on these stocks must be reached by December 10 and if not, both parties must make additional effort to reach agreement by

PROVISIONAL IRISH FISH QUOTAS January 1-March 31, 2022

PELAGIC QUOTAS (PROVISIONAL and FINAL)

SPECIES	ICES AREA	% of Year	IRL Quota
Mackerel	6, 7, 8, 5b, 2a, 12, 14	100%	54,992
Horse mackerel	2-4-6-7-8-5b, 12, 14	70%	12,293
Horse mackerel	4b, 4c, 7d	25%	79
Blue whiting	1-8, 12, 14	100%	26,465
Herring	1, 2	100%	2,169
Herring	5b, 6b, 6aN	25%	118
Herring	6aS, 7b, 7c	25%	309
Herring	7a	25%	156
Herring	7g, 7h, 7j, 7k	25%	188
Northern albacore	Atlantic Ocean	100%	3,174
Greater silver smelt	3a, 4	25%	1
Greater silver smelt	5, 6, 7	25%	66
Boarfish	6, 7, 8	30%	3,970

AREA VI WHITEFISH STOCKS (PROVISIONAL QUOTAS 2022)

SPECIES	ICES AREA	% of Year	Provisional Quota 2022
Cod	6a, 5b	25%	55
Cod	6b, 5b	25%	4
Megrim	5b, 6, 12, 14	25%	147
Anglerfish	6, 5b, 12, 14	25%	137
Haddock	5b, 6a	25%	163
Haddock	6b	25%	139
Whiting	6, 5b, 12, 14	25%	73
Plaice	6, 5b, 12, 14	25%	63
Pollack	6, 5b, 12, 14	25%	7
Saithe	6, 5b, 12, 14	25%	119
Common sole	6, 5b, 12, 14	25%	12
Norway lobster	6, 5b	25%	51



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December 20. In the event on no agreement by this latter deadline then both parties must set provisional, autonomous quotas in accordance with ICES Advice. The EU/UK negotiations had not reached agreement by December 10, thus the Fisheries Council had to set provisional TACs based on the 2021 TAC and Quota from January 1 to March 31, 2022.

For mackerel, blue whiting and Atlanto Scandia herring the Council set TACs and quotas at 100 per cent. Horse Mackerel was set at 70 per cent in western area. Most disappointing is Boarfish, set at 30 per cent, which is completely inadequate. Whitefish species in Area 7 are almost all held at 25 per cent with a few exceptions: Porcupine *Nephrops* at 55 per cent; whiting in 7a and 7b-k are respectively at 40 per cent and 85 per cent; and undulate ray 7de at 60 per cent. In this Area only two species, Plaice and Sole in 7 bc, are set at 100 per cent as these are autonomous EU TACs.

It is important to remember that any allocation e.g. 25 per cent for Q1, does not imply that the allocation constitutes a quarter of the total annual allocation (i.e. 100t in Q1 does not mean the total for the year is 400t.) Hague Preferences uplift was applied where appropriate, but it is necessary to ensure that it will hold fast for further allocations in 2022 and going forward for future years.

Deepwater stocks, which are only assessed every two years, are at 100 per cent of quota. They will be due for assessment again next year. There has been a steady decline in quota for these stocks in recent years and Ireland does not target them. Their value is largely as being available for “swaps” for other species.

The Fisheries Council this year has now concluded. Once again an event where none of the industry representatives were able to attend in person. The task facing the Irish delegation led by Minister McConalogue and his senior Department of the Marine officials was as difficult as could be imagined but they appear to have achieved as good an outcome as possible for the Irish fishing industry. Our very sincere thanks to Minister McConalogue and his team, BIM, the Marine Institute and to all the officials for their efforts before and during this Council and for fully engaging with the industry in addressing its concerns.

AREA VII WHITEFISH STOCKS

(FINAL and PROVISIONAL)

SPECIES	ICES AREA	% of Year	IRL Quota
Cod	7a	25%	26
Cod	7b, 7c, 7e-k, 8, 9, 10	25%	106
Megrim	7	25%	705
Anglerfish	7	25%	689
Haddock	7b-k, 8, 9, 10	25%	729
Haddock	7a	25%	325
Whiting	7a	40%	110
Whiting	7b-k	85%	3,328
Plaice	7a	25%	267
Plaice	7b, 7c	100%	19
Plaice	7f, 7g	25%	60
Plaice	7h, 7j, 7k	40%	14
Pollack	7	25%	168
Saithe	7, 8, 9, 10Nor S 62° N	25%	374
Small-eyed Ray	7f, 7g	25%	3
Common sole	7a	25%	26
Common sole	7b, 7c	100%	19
Common sole	7f, 7g	25%	10
Common sole	7h, 7j, 7k	25%	31
Norway lobster	7	25%	1,504
Norway lobster	FU16	55%	657

AREA VI, VII & OTHER WHITEFISH STOCKS

(FINAL and PROVISIONAL)

SPECIES	ICES AREA	% of Year	IRL Quota
Cod	1, 2	100%	290
Hake	6, 7, 5b, 12, 14	25%	748
Redfish	5, 12, 14 (shallow)	25%	0
Ling	6, 7, 8, 9, 10, 12, 14	25%	323
Blue Ling	2, 4	25%	1
Blue Ling	5b, 6, 7	25%	8
Tusk	5, 6, 7	25%	60
Greenland halibut	2a, 4, 5b, 6	25%	7
Skates and rays	6a, 6b, 7a-c, 7e-k	25%	300
Undulate Ray	7d, 7e	60%	15
Picked dogfish	1, 5, 6, 7, 8, 12, 14	25%	12

DEEPWATER STOCKS

(FINAL QUOTAS)

SPECIES	ICES AREA	% of Year	IRL Quota
Black scabbardfish	5, 6, 7, 12	100%	55
Roundnose grenadier	5b, 6, 7	100%	150
Roundnose grenadier	8, 9, 10, 12, 14	100%	2
Alfonsinos	3, 4, 5, 6, 7, 8, 9, 10, 12, 14	100%	7
Red seabream	6, 7, 8	100%	3

Task Force Delivers Final Report

The Task Force (TF) set up by Minister McConalogue in February 2021 produced its final report in early October. The TF recommended 17 different schemes that should be implemented as a matter of urgency at an estimated cost of €423m to try to ameliorate some of the losses under TCA and utilising the Brexit Adjustment Reserve Fund (BAR). One of the 17 schemes is a recommendation on a voluntary permanent cessation (decommissioning) scheme of whitefish vessels.

KFO has carried out a comprehensive analysis both in volume (tonnes) and value (€) of the Brexit fallout and its serious negative consequences for Ireland which will continue to mount up until 2025. This analysis has been recently confirmed as correct by the Commission's own Scientific Technical and Economic Committee on Fisheries (STECF). Both analyses show very clearly the disproportionate cost Ireland has to carry in the transfers of quota to the UK under the TCA which amounts to approximately 40 per cent of the entire cost to the EU of the quota transfers to the UK when you take into account the real

uptakes (catches) of the quotas transferred by the Members States.

The TF set out in detail 13 targeted actions on Burden Sharing in its report covering pelagic and demersal quotas, including specific challenges arising and how the actions may be progressed. The TF recommends that all options to alleviate the loss of quota share be pursued at every available opportunity and treated as a matter of urgency. This should involve a whole of Government approach supported by a lobbying exercise by industry and Government at all EU levels. The KFO continues to devote considerable

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2022 To Be Super Year for Oceans

2022 is already identified as “Super Year for Oceans” due to the number and importance of the events planned, all of which are likely to have significant impacts on ocean users, and from a fishing industry perspective, particularly fishing activities.

The most prominent of these events are:

- Convention on Biological Diversity, January 2022
- One Ocean Summit, February 2022
- Our Oceans Conference, February 2022
- Marine Biological Diversity of Areas Beyond National Jurisdiction, February 2022
- Convention on Biological Diversity, COP 15, April/May 2022
- United Nations Ocean Conference on Sustainable Goals, May 2022
- International Marine Protected Areas Conference, September 2022
- Convention on International Trade in Endangered Species, 2022
- COP 27, November 2022

The additional threat of WTO actions regarding marine fuel subsidies provides a worrying and overarching backdrop.

While the fishing industry may remember 2022 for **new regulations on ocean processes, biodiversity and climate change**, it should also be the year when the fishing industry becomes more proactive and engaged with what is happening at a global level and ensuring decision-making reflects the importance of fishing at all levels of food production. It is vitally important that the fishing industry is recognised at all levels of society as a major contributor to food security and, in addition, a major player in driving the restoration of biodiversity and ecosystems. A successful, long-term fishing industry is as dependent on a healthy thriving environment as any **Marine Protected Area (MPA)** but may have to work harder to have its contribution recognised. There is no reason why a well-managed MPA cannot support the suitable, reasonably regulated, harvesting of its produce and other assets.

Creating large tracts of Marine Protected Areas, with a target of 30 per cent of the world's oceans, is not a viable option for the planet. It could merely transfer activity in marine environments to land-based areas which could

very well create even more critical environmental crises and possibly serious social unrest. A useful compromise is the **OECM Area (Other Effective Conservation Measures)** which can achieve many of the MPA objectives but enable continued commercial activities which in many cases can enable continued existence of local maritime communities.

The most immediate environmental threat to the entire planet is **climate change**. While the land-based effects of climate change are very evident with extreme weather events, the effects in the marine environment may be more subtle and undetected until a significant change has occurred. In either sphere the ultimate cause is heating of the planet due to excessive greenhouse gases. Carbon is the basis of greenhouse gases (carbon dioxide and methane) and has been identified as being the root cause of global warming. Reduction of carbon-based fuels and their replacement with non-carbon alternatives is considered to be the best option in off-setting climate change. Electricity generated from renewable sources – wind, waves and sea currents where available – is rapidly being developed as a feasible alternative, though there are limitations. Manufacturing, heavy goods transport and marine traffic need more robust sources of energy. The use of electricity generated by an Offshore Energy system to convert seawater into hydrogen to fuel large fishing vessels will be a feasible option in the near future. Killybegs Fishermens Organisation is interested in exploring such options in the interests of the industry going forward as the Killybegs-based fleet will need to convert to non-carbon energy in the next decade.

In advance of the conversion to a non-carbon economy, all production processes need to be aware of their Carbon Footprint (CF). KFO, in conjunction with the INTERREG project *Neptunus* is working to have complete carbon profiles calculated for its member vessels and ultimately Product Environmental Footprint (PEF). Much of the data has been compiled and is currently being processed. In early 2022, KFO will extend this exercise to include its whitefish and vivier crabber sectors.

time and effort to this key priority and sees the outcome of the Fisheries Council on December 12-13 (see page one) as a step in the right direction on the EU burden sharing issue.

The introduction of a voluntary permanent cessation scheme to permanently remove vessels from the Irish fleet register and help restore balance between fleet capacity and available quota post-TCA was discussed at length by the TF. A general consensus emerged amongst the membership of the Task Force that such a scheme is required, in combination with the short-term support measures, longer term onshore initiatives and actions relating to burden sharing.

The TF considered voluntary permanent cessation will help to restore balance between fleet capacity and available quotas, therefore ensuring the profitability of vessels remaining. The TF recommended that the proposed restructuring programme involving the elements detailed including appropriate payments to crew should be

developed into fully costed schemes as a matter of urgency, noting that to avail of BAR funding, permanent cessation must be completed by the end of 2022.

The Task Force recommended that a package of tax measures similar to the 2008 permanent cessation scheme is put in place. The Task Force also recommended that the five-year preclusion for crew re-entering the sector following the receipt of support that is included under the EMFAF should be omitted from the scheme if at all possible. Additionally, The Task Force acknowledged that the full impact of the quota transfers under the TCA will not be seen until 2022. In 2021 decreases in demersal quota under the TCA have largely been offset by quota carryovers from 2020. This, in combination with the fact that the full effects of a voluntary decommissioning scheme will not be seen immediately, the Task Force recommended the need to extend the temporary cessation scheme into 2022.

Urgent Need for Q1 Spawning Samples from the Northwest Herring

Over the past seven years significant progress has been made towards the development of the necessary data to enable the reopening of the Northwest herring fishery. It is now possible to genetically distinguish the 6aS (Northwest) herring from the 6aN autumn spawning herring. This has enabled the catches of herring on the Malin Shelf Herring Acoustic Survey (MSHAS) to be split into their population of origin, which has enabled separate survey indices to be developed for these two populations. As expected, the results have shown that the 6aS herring are distributed north and south of the 56° line of latitude during the survey period and comprise a significant proportion of the biomass of herring recorded during the survey. Therefore, this line, which is the current delineating line for assessment purposes between the two stocks, is not appropriate for separating the stocks and should be replaced with genetic identification in future data collection. It is on this basis that the stocks are currently undergoing a benchmark assessment process within ICES, with the aim of developing separate assessments and consequently separate management for the stocks. This process will be completed in February 2022, after which it is hoped that a realistic separate TAC will be able to be set for the Northwest herring.

Whilst the genetic identification approaches have enabled the splitting of the 6aS and 6aN autumn spawning herring they have also raised another issue, which needs to be resolved urgently. Genetic analyses have confirmed that there is another population of herring on the west coast of Scotland, namely the 6aN spring spawning herring. These herring spawn in February and March in the Minch, and analyses of MSHAS samples has shown that they also form a component of the mixed catches during the survey period, particularly west of the Hebrides. These herring can be easily and confidently separated from the 6aN autumn spawning herring using the existing genetic approach, however the situation is more complicated with separating them from the 6aS herring.

As previously reported in the KFO newsletter the genetic results to date have indicated that the 6aS herring do not comprise a single spawning group and are quite a genetically diverse population. The bulk of the 6aS herring spawn in winter (November and December) and these have been well sampled over the course of the project. These fish can be confidently genetically distinguished from both the 6aN autumn and the 6aN spring spawning herring. However, the other group of herring in 6aS spawn in Quarter One from January to at least March. The distribution and abundance of this second group is unclear as they have not been effectively targeted or sampled in the monitoring fishery up to now. To date only January spawning samples have been collected and these likely contain herring from the two spawning groups and as such do not give a clear genetic signal.

The issue is that these later spawning 6aS fish currently cannot be accurately distinguished from the 6aN spring spawning herring. This is largely due to the lack of samples, particularly in February and March in 6aS. The result of this is that during the genetic assignment analyses herring from these populations must be combined into a mixed group that cannot be split to a lower level. When the data from the MSHAS is being analysed this mixed group is assigned a biomass that then does not become part of the 6aS or the 6aN assessments, even though evidence suggests it primarily comprises late spawning 6aS fish. In some of the survey years, this group may represent up to a third of all fish observed during the survey, so it constitutes a significant amount of biomass that is potentially being lost to the 6aS stock.

In order to resolve this, spawning samples from February and March in 6aS are urgently required. To this end the NW Herring Stakeholder group met at the start of December to discuss the options of ensuring the required samples were collected during the Quarter One monitoring fishery. The ideal genetic samples need to be collected on the spawning grounds, which in recent years have been north of Dunfanaghy and southwest of Arranmore, in both February and March. These are obviously difficult areas to fish at that time of year, so a number of different options were discussed and agreed and a proposal sent to the Department for consideration. It is hoped that the right provisions will be made in the allocation of quota for next year's Q1 monitoring fishery to enable collection of these essential samples.

Editorial



by Sean O'Donoghue

CHIEF EXECUTIVE, KFO



A year ago I hoped once the final Brexit negotiations were completed we would not return to setting provisional TACs and quotas for the first three months of the year. Unfortunately, that did not come about because here we are again with the December Fisheries Council setting provisional three monthly quotas.

The Commission's proposals regarding fishing opportunities in 2022 are made against a completely different backdrop due to the Trade and Cooperation Agreement (TCA) which came into effect on January 1, 2021. The end result is Irish fishermen are facing 2022 no better off than in 2021, with only three months of their year planned out (pages one and two.)

The Council and the Commission statements on the Danish mackerel in area 4a and Norwegian waters of 2a both at the October Fisheries Council and reaffirmed at the December Council are very welcome and acknowledge the need to assess all elements relevant for the methodology applied, including the historical background, to this particular 2021 TAC. I am confident that when all the facts are fully examined rather than the rhetoric, it will be shown that the incorrect methodology had been used by the Commission in setting the Danish mackerel quota in 4a and Norwegians waters of 2a for 2021.

As a consequence of the TCA, the bilateral consultations with the UK have become a key step towards setting Fishing Opportunities for the 75 shared fish stocks, whose majority (55 stocks) are of interest to us. We urge the Minister and the Commission to plan to ensure that stakeholder engagement and advice is central to all future management and governance structures being developed as the new relationship between the EU and UK takes concrete form. In our view, the December Fisheries Council will no longer have the same impact as heretofore. The TCA has established the end of January

each year to set the roadmap for the bilateral negotiations for the following year. It is imperative that this TCA requirement is complied with and that the bilateral negotiations start in September.

In response to the chaos caused by BREXIT, the EU Commission launched the BREXIT Adjustment Reserve (BAR) fund to help alleviate some of the hardship caused by the BREXIT upheaval. Our government set up a Task Force (TF) to firstly establish the extent of the damage and then set about repairing the damage. We included the KFO's analysis of the negative Brexit impact, both from financial and volume of fish losses, and pointed out the completely disproportionate effect on the Irish fishing industry. Our analysis was subsequently confirmed by the STECF which shows that Ireland is carrying 40 per cent of the burden in quotas (catches) transferred to the UK relative to other Member States. The TF set out in detail 13 targeted actions on Burden Sharing in its report covering pelagic and demersal quotas, including specific challenges arising and how the actions may be progressed. We must continue to demand that all of these are actively pursued and the outcome of the December Fisheries Council is a glimmer of hope in that regard.

Unfortunately, the Council did not address the massive mackerel over-fishing by Norway and the Faroe Islands during 2021 which is jeopardising the sustainable management of the stock. However, Minister McConalogue did reiterate his supportive position on this issue at Council, calling for a range of appropriate measures against Norway and the Faroes, if they continue to set inflated, unilateral mackerel quotas. This reckless and irresponsible behaviour must be stopped.

As I have said many times, if it were not for BREXIT, we would be very involved

nationally and internationally with the various global climate change issues. 2022 is being dubbed "Year of the Oceans" due to the number of high-level international meetings planned and the spin-off measures which will be generated. KFO is very aware of the possible threats surrounding calls for removal of fuel subsidies, rigidly imposed Marine Protected Areas, more regulation of types of gear and many more demands from the eNGO sector. However, the fishing industry is very resilient and already examining the identified threats for silver linings – Offshore Renewable Energy is rapidly expanding and becoming more versatile and could well provide a new avenue of exploration and expansion for the Killybegs fishing industry.

We are still awaiting confirmation regarding the National Control Plan for weighing fish, currently being discussed at EU level. At the time of writing, we have no confirmation that permits for weighing fish in authorised premises will be available on January 1, 2022 which is of critical importance to our industry.

COVID continues to be a serious problem for us. The obvious interruptions to supply chains, crew health, travel restrictions all add an extra layer of work to everything we do. One of the impacts is the complete lack of personal face-to-face communication, which has led to yet another year when industry must take a back seat while important negotiations are taking place.

Finally, on behalf of all the KFO staff, I would like to wish all our members a very happy and healthy Christmas and prosperous fishing in 2022. I look forward to working with you to address both the challenges and opportunities in the coming year.

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