



## North Sea Cod: Advice for 2014

### TACs for North Sea Cod 2014

TAC decisions always involve striking a balance between the benefits of landed fish (food, jobs, revenue) and safe out-take limits, which ensure that these benefits will be available at least at the same level (and preferably higher levels) in future years. Some TAC decisions involve a relatively straightforward trade-off between these two objectives. The decision on the TAC for North Sea cod is not amongst these. As it is a shared stock, the EU and Norway make the decision on the TAC for North Sea cod jointly, within the context of the EU Norway annual reciprocal agreement. Agreement involves a number of complex and interacting considerations.

Past decisions on the TAC for North Sea cod have given rise to very high levels of discarding of mature cod. Subsequent TAC decisions have mitigated this perverse outcome by encouraging the emergence of measures and behaviour by fishers that have, according to ICES and STECF, contributed to the significant reduction in fishing mortality (F) observed in recent years.

The NSRAC is concerned to maintain these positive trends in reducing F, rebuilding Spawning Stock Biomass (SSB) and reducing discarding that has recently taken place within the North Sea.

Against this background, the NSRAC considers that the following principles should apply to the TAC decision for the 2014 TAC for North Sea cod. The decision should:

1. Be based on the *best available science*
2. Follow the *EU/Norway Management Plan*, unless new information demonstrably offers a superior option
3. Maintain progress towards *sustainability* and reaching maximum sustainable yield (MSY)
4. Be consistent with progress towards the *elimination of discards*
5. Be consistent with *convergence* with CFP reform and in particular, the EU landings obligation which will apply to North Sea Cod from January 2016

6. As far as the available scientific advice will allow, take into *account mixed fishery and multi-species interactions*
7. As far as possible *avoid foreseeable perverse outcomes*

## **Following the Management Plan**

Having set a management plan there is obvious logic to following it until a formal pre-planned review takes place. However, experience with both the EU Norway Management Plan for North Sea cod (essentially a set of harvest control rules) and the EU Long Term Management Plan for cod have shown the importance of allowing a degree of flexibility; to allow for changing circumstances and permit new information to be taken into account.

A Joint EU/Norway Special Request was put to ICES in October 2013 on TAC setting options for the North Sea. The request recognises that the reduction in cod TAC called for by the Long-term Management Plan is likely to increase discard rates rather than decrease total catches. The EU and Norway have therefore stated their intention to revise the cod plan to allow more flexibility in setting the TAC under such circumstances.

ICES has been asked to evaluate different options for the recovery of the cod stock, taking into account the falling fishing mortality, the reduced but still significant discards, and biomass rebuilding. According to ICES, the TAC based rule of the newly proposed harvest control rule (HCR) has the potential of leading to low Fs, but is associated with discarding problems. ICES considers that this can, to a lesser extent occur with the current HCR and a 20% TAC constraint.

The NSRAC takes the view that given ICES calculations, the recent increase in cod abundance has to be reflected in the setting of the TAC in order to avoid an increase in discarding.

According to ICES, the cod stock is now slightly above  $B_{lim}$  and it continues to grow. In order to reduce discards, a TAC could therefore be set above that stipulated by the plan (on the basis that the LTMP has moved into the management phase). However, this TAC should be based on a fishing mortality that is below the current level and that will lead to a further increase of the stock.

NSRAC members have calculated that an increase in the TAC by 10% will be based on a fishing mortality of 0.26 and will result in an increase in SSB of at least 37%. The use of "at least" is the result of ICES' model assumption that discards are a fixed percentage of the catch. The ICES estimate of discarded volumes in the ICES "Outlook Table" is the result of a linear projection of the calculated discard proportion. This means that when landings in the table are set higher, then discards will automatically also increase with the same percentage. However the relationship is likely to be the opposite; the amount of the catch that is discarded could decrease when the TAC is set higher as long as no direct targetting of the fish occurs. The NSRAC is therefore of a view that a rollover of the existing TAC offers a more workable solution. There is also a view that an increase of 10% would provide for more economic sustainability and this is a view that the environmental NGOs would not oppose as long as there were clear assurances from the fishery that overall removals are not increased

and current cod avoidance practice is maintained or increased. An increase in the TAC by 10% should result in a lower fishing mortality than the 0.26 indicated above due to a consequential reduction in discards.

It is evident that the TAC in 2015 would be higher if the TAC for 2014 was set according to the management plan. Fishers believe, however, that with the transition to management that is no longer based on a population in crisis it should be possible to move towards the development of longer term plans, not just to operate from year to year.

## **Discard Initiatives**

It is important that initiatives by fishers themselves to reduce discarding (cod avoidance as well as selective gear) should continue in 2014. However, such initiatives are currently in danger of faltering, as there are no incentives to encourage fishers to continue with them. Additional funding through the EMFF is needed to aid the transition to sustainable fishing practices and the implementation of the landings obligation.

## **Effort Control**

Unlike TAC decisions, decisions on effort restrictions in relation to North Sea cod (and other cod fisheries within the Cod Recovery Zone) are exclusively under EU jurisdiction. The dispute between the Council on the one side and European Parliament on the other over the exclusive competence of the Council of Ministers to set TACs and effort levels has delayed the adoption of the amended EU Cod Management Plan, leaving the EU fishing industry exposed to further annual effort reductions. Unless a solution to this jurisdictional dispute is found quickly, the Commission will be likely to follow its legal advice and propose effort reductions in line with the un-amended and obsolete EU Cod Management Plan.

The NSRAC notes, however, that the effort restrictions contained within the EU Cod Management Plan are to remain in place only until the long-term phase of the plan is reached. The current state of the cod stock in the North Sea, which is improving year on year, suggests that this stage may have already been reached. Indeed, according to the latest ICES assessment (June 2013), ICES now considers the plan to have moved into its "long-term phase", implying that the effort provisions have been superseded by recent improvements in the stock.

In December of 2012, the Council of Ministers unanimously took the decision to depart from the provisions of the EU Cod Management Plan and apply a freeze on further effort reductions in the North Sea.

Notwithstanding the jostling for legal position amongst the European institutions, the North Sea RAC observes that:

- F on NS cod has continued to fall
- SSB has continued to rebuild

- STECF in its evaluation of the EU Cod Management Plan concluded that there was no evidence of a linear relationship between reductions in fishing effort and reductions in fishing mortality of cod
- The Council took the decision last year to apply an effort freeze on the basis of similar trends in mortality and biomass
- ICES has confirmed that we are entering a Long Term Management Phase for cod.

The NSRAC concludes therefore that a rational and pragmatic solution needs to be found. The Council should again apply a freeze on effort reductions for 2014.