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COMMENTS ON THE PROPOSAL FOR A COUNCIL REGULATION (COM (2006) 411 FINAL) ESTABLISHING A MULTI-ANNUAL PLAN FOR THE COD STOCKS IN THE BALTIC SEA AND THE FISHERIES EXPLOITING THOSE STOCKS- A JOINT SUBMISSION TO THE BSRAC DEMERSAL WORKING GROUP.

Introduction

The Baltic cod stocks are in decline, in particular the eastern stock is now at a historic low, showing no signs of recovery and may be threatened with collapse. Our organisations feel that overall, this proposal does not take sufficient account of the precarious position of the cod stocks in the Eastern Baltic. It is lacking in clear long-term targets, a time frame for implementation, as well as appropriate support to the sector for this period of change. We call for a program with clear long-term goals, harder short-term measures and a good transition management which provides support to the industry in the undoubted period of reduced fishing opportunity and income.

We are strongly of the view that whatever plan is adopted it is doomed to failure if it is not effectively implemented. The Commission has undertaken evaluations of how Member States apply fundamental control, monitoring and surveillance requirements and show that there are significant shortfalls in their ability or willingness to effectively apply them. It is for this reason that we consider that the Commission or the Community Fisheries Control Agency (CFCA) must tightly monitor how the Member States perform on an annual basis for at least the first three years following the adoption of the plan. This process must be transparent to ensure that all stakeholders are aware of the likely success, or otherwise of the plan.

In-line with the decision at the Demersal Working Group meeting held in Warsaw on 23rd January the following comments focus on the proposed Council Regulation (COM(2006)411 and do not aim to significantly alter the principles of reducing fishing mortality and fishing effort. We make recommendations that we consider reflect the urgent need to provide a sound basis for the recovery of the cod stocks to sustainable levels that support a fishing industry in all EU Baltic Member States and reflect a healthier marine environment. However, because we are concerned that the proposed plan will not be sufficient in achieving this we will continue to look at alternative ways of ensuring the recovery of the stocks and hope to present these to the Demersal Working Group at a later date.

Name of the proposal/Legal basis

According to EC regulation 2371/2002, stocks outside safe biological limits must have a recovery plan. As the eastern cod stocks in the Baltic Sea is currently outside safe biological limits a multi-annual **recovery** plan shall be put in place, including all of the elements specified in Article 5 (2371/2002). We appreciate that the Commission have chosen not to follow the “recovery plan” model because the proposed plan is intended to manage both cod stocks in the Baltic. However, with the western stock being at or very close to Bpa we do not think that this should invalidate the need for a specific recovery plan for the eastern stock.

Article 4

It is unclear to us what the long-term objective of the proposed plan really is. We are of the view that the plan must have recovery as the main objective. We call for a clear long-term objective which describes either a percentage increase or a stock biomass figure as a target along with a time frame for reaching it.

We appreciate the reasoning for using fishing mortality as a target, however, in theory the target F can also be reached for a depleted stock with a low SSB level. We consider that using a target stock level and a target fishing mortality is more appropriate.

We consider that the text under the heading, “objectives and targets”, needs to be amended to read, “The plan shall ensure the sustainable exploitation of the cod stocks concerned, gradually reducing and maintaining the fishing mortality rates at levels no **higher** than...”

Article 6

- 1) With the eastern stock is threatened with collapse our organisations consider the 10 % reduction of cod mortality a very modest ambition and believe that further reductions are needed to reach a sustainable fishery. We recommend a minimum 20 % reduction.
- 2) Furthermore, in accordance with this proposed increased reduction in fishing mortality, the reduction or increase in TAC would need to be set at least 20% in paragraphs 2 and 3.

If no sign of recovery of the eastern stock is detected by 2010 by ICES, the fishery shall be closed for a minimum of one year.

Article 8

- 1) We understand that some members of the fishing industry are concerned that these closures do not take place at the time of year that would give maximum benefit to the cod stocks. We would like the Commission to confirm the proposed closures will likely give the maximum benefit.
- 3) With regard to our comments on the target fishing mortality levels under Article 6. We recommend that if the target fishing mortality was not reached by the first 3 year review the additional measures shall be taken so to realise the target F reduction by year 4 of the plan.
- 4) We consider that this paragraph is overly complicated and should be removed.

5) Evaluations conducted by the Commission have confirmed that some Member States are not able to undertake a number of fundamental control, monitoring and surveillance activities. Therefore we recommend that the Commission and/or the Community Fisheries Control Agency (CFCA) annually monitor at least within the first 3 years of the plans adoption, paragraphs 2 and 3.

6) We understand that some fishing with bottom-set lines is carried out and should be included in the list of gears.

Article 9

This article is inconsistent with the objectives of the multi-annual plan. We recommend that if the opportunity is given to allocate additional fishing days, they should be used as an incentive to use more selective gear.

Article 10

In accordance with our comments on Article 8, the closure of these areas should correspond to the spawning areas and seasons for the two stocks. We understand that some fishermen do not believe that this is the case and we recommend that the Commission confirm their reasoning for these closed areas.

Chapter V

Given the concerns there are with regard to the Member States ability to conduct fundamental monitoring, inspection and surveillance we strongly recommend that either this chapter begins with an Article that states that the Commission and/or the CFCA will monitor and ensure that Member States undertake the requirements of this Chapter for at least the first three years of the plans adoption, or, that a paragraph to this effect is appended to each of the Articles.

Article 12

2) We recommend that VMS shall be installed on all vessels ≥ 10 metres. Funding for this should be made available through the European Fisheries Fund (EFF).

Article 13

1. We recommend that there is a derogation that all vessels with VMS (including vessels ≥ 10 metres) should use electronic logbooks.

Article 16

We recommend that the margin of tolerance be increased to 10 %.

Article 17

1) We understand from the fishing industry that cod can be caught in areas 25 – 32 and that this should be included within Area B.

2) We understand from the fishing industry and for reasons of safety, i.e. a vessel may avoid entering a harbour in bad weather if required to land <100 kgs of cod. We recommend that this be increased to 300 kgs.

Article 20

We consider greater flexibility can be afforded with this article and recommend that it is increase to 300 kgs.

Article 21

We recommend that the analysis of the benchmarks shall be presented annually to the Baltic Sea RAC.

Article 25

2) We recommend that the time period within which benchmarks are revised should be stated and consider that this should be bi-annually.

4) We recommend that the Commission should convene a meeting with the Baltic Sea RAC following its annual evaluation of compliance with the Committee for Fisheries and Aquaculture.

Article 27

2) We recommend that a review of the real fishing mortality after three years shall be carried out, if the target fishing mortality is not reached, additional measures shall be taken so to realise the target mortality in year 4 of the plan.

Article 28

We consider that this Article is redundant – see comments on articles 27 (2) and 8 (3).