

European Association of Fish Producers Organisations
Association Européenne des Organisations de Producteurs dans le Secteur de la Pêche



EAPO / AEOP
H. Baelskaai 25 – 8400 OOSTENDE (Belgium)
☎ +32 59 32 18 76 Fax: +32 59 32 28 40
e-mail: info@eapo.com

**EAPO POSITION PAPER ON THE COMMISSION PROPOSALS FOR
TAC & QUOTA 2013**

In the Commission's Proposal COM(2012/608 Final) containing the proposals in relation to fishing opportunities for certain fish stocks, significant reductions for a number of key stocks from an EAPO point of view are proposed. If the proposed reductions go ahead there will be significant adverse consequences from both a stock status and socio economic point of view. In addition, we are firmly of the view that for most of the proposed reductions regulatory discards will increase as there is a considerable abundance of mature stock which cannot be avoided using selective gear types. This seems to be manifestly at odds with the Commission's on-going commitment to reducing/eliminating discards. Finally, for a number of cases involving so called "data limited stocks", when giving advice ICES uses the average catches for the last five years which takes no account of the differential up-take of quota between some Member States and therefore, where catches have been reduced due to a decreased effort in the fishery, this is interpreted to mean there is a reduction in biomass when this is often not the case.

EAPO recognises that when the state of the stock requires it, there must be reductions in the fishing opportunities for particular stocks. However it is our contention that a number of the reductions proposed are both unjustifiable and unacceptable.

Effort

The year on year reduction in the days at sea allocation in the areas subject to the Cod recovery and/or the Sole and Plaice management plan is recognized by many to lead to a unnecessary hampering of the fleets' flexibility to perform sustainable fisheries, without having a positive effect on the objectives of the plans. For the past number of years as part of the Cod Recovery Regulation there has been a year on year reduction in the days at sea allocation in the relevant areas. Clearly the positive benefit of this measure to the conservation of the Cod stock is doubtful in some areas and not existing in others. EAPO therefor calls on the Council to find a way to implement the required freeze.

Megrim VI

The Commission proposal outlines a decrease in the area VI Megrim TAC of 40%.

The proposal is based on the STECF suggestion that TAC should be allocated to management areas based on observed abundance and, such management gives a 53% increase in area IV but results in a 40% reduction in the West of Scotland. The proposal will result in a cut in real terms to the catching opportunity for the West of Scotland fleet and will provide real management problems unless the reduction is reduced and a flexibility provision of 25% is introduced with the measure. The estimated relative abundance of the species between the areas is based on surveys over three years (2009-2011) and it is questioned whether this time series is sufficient to provide a real insight into the actual distribution of the stock. ICES recommend a 10% reduction in TAC for the northern shelf stock. It is recommended that, rather than apply the STECF proposal, this reduction is applied to both the North Sea and the West Coast TACs. It is also proposed that a 25% flexibility provision should accompany the measure.

Haddock VI

The Commission proposal suggests a 48% decrease in the TAC for VIa haddock.

The proposal is based on the ICES advice which follows the MSY framework and, although effort is at an acceptable level, the biomass is still below MSY $B_{trigger}$. The large reduction relative to 2012 is due to a revision in recruitment estimates, an upward revision in F and a downward revision of SSB from the 2011 advice. ICES initially gave advice on this stock in June of 2012 for landings of not more than 9,300 tonnes which represented an increase. However, we are aware that revised advice issued in September that landings should be no more than 3,100 (we believe due to an error on ICES part) which is considerably different to that contained in the June advice. The management plan has been assessed by STECF and is considered precautionary. Although the plan has not been adopted due to co-decision, it is suggested that the plan is followed in this case. This would result in a 25% reduction in the TAC and would provide some element of alleviation from the problems caused by such dramatic variations of quota from one year to the next.

This highlights the issues with ICES advice and the reason why Industry has issues with confidence in relation to same.

Cod VIa

The NWWRAC is currently working on a new proposal as to how to rebuild the Cod stock in Area VIa and has forwarded its initial proposals to the Commission as to how to make operational a new approach to Cod Management in the area. The proposal suggests that rather than banning cod fishing in Area VIa, which given the mixed nature of the fisheries in that area will only lead to increased discards, that an operational TAC (landings plus discards) should be set for Cod based on a transitional fishing mortality over three years to reach the reach the fishing mortality in the cod management plan. Compliance with this TAC would be subject to strict monitoring and verification including full documentation.

Hake

ICES advice for this stock is given on the basis of MSY transition and is for landings of no more than 45,400 tonnes. ICES notes that it was unable to carry out an assessment during 2012 as it was not possible to include Spanish commercial data in the assessment which increase the uncertainty factor in the assessment. Nevertheless, ICES advises that the spawning stock biomass has been increasing since 1998 and was estimated to be at a record high in 2011. While fishing mortality is above MSY it has been decreasing over the last number of years. However, the Commission's proposal is for a quota of 20,800 tonnes (a 33% reduction) which is the purported quota required to reach MSY by 2013 which is at odds with the Commission's previous commitment to reaching MSY by 2015. The ICES advise should be followed once the reduction in relation to the uncertainty introduced due to the absence of Spanish data has been removed from the assessment.

Sole VIIa

Commission Proposal: Decrease TAC by 80%.

The scientific analysis for this stock concludes that there was an extremely low recruitment the last 7 years.

It is EAPO's view that a TAC reduction by 80% is not an acceptable management tool. The effort of the targeted sole fishery has decreased by two thirds the last decade and it is established that the CPUE is improving. EAPO therefore supports the view that the stock situation requires further analysis of a non-fishery related impact. The Irish Sea sole fishery is continuing the preparatory work on a sole VIIa recovery and management plan, which would include regional and/or temporary voluntary closures, capping of effort, further analysis of technical selectivity measures, self-sampling and on board scientific monitoring.

Based on the above EAPO requests that a maximum TAC reduction of 20%.

Sole VIIfg

Commission Proposal: Increase TAC by 4%.

This stock is at MSY level and the proposal follows the scientific advice, also taking into account that the take-up is underutilized. The main targeted sole fishery is introducing additional selectivity measures for unwanted by-catches in this fishery. Taking into account the above, EAPO is convinced that a higher TAC increase will allow a sustainable fishery.

Sole VIIhjk

Commission Proposal: Cut TAC by 20%

This is not a targeted fishery and the TAC covers by-catch only. Consequently a TAC cut will only result in an increase in discards, to which EAPO is opposed, and will have no effect on fishing mortality.

Consequently EAPO requests a rollover on this stock.

Plaice VIIde

Commission Proposal: Increase TAC 6% .

EAPO would like clarification from the Commission on how an increase of 6% was arrived at and indeed would like to raise the conflicting proposal on page 6 of the Commission's proposal '*Plaice in the Channel can be raised by 18%*'. In addition it is our reading that the ICES advice suggests a 26% increase in this TAC following MSY transition.

Plaice VIIfg

Commission Proposal: Cut TAC by 19%.

This is a data limited stock for which science estimates F to be too high, whilst the biomass is doing very well. The scientific advice therefore is to reduce the TAC by 2%.

This is a by-catch stock, to a large extent of a fishery for which a TAC increase is proposed (sole VIIfg). A TAC reduction for plaice VIIfg (biomass doing well) will subsequently lead to more discarding. EAPO therefore supports the view that a TAC increase will not lead to an F increase and requests to at least apply a rollover for 2013.

Plaice VIIhjk

Commission Proposal: Cut TAC 35%.

This is not a targeted fishery and the TAC covers by-catch only. Consequently a TAC cut will only result in an increase in discards, to which EAPO is opposed, and will have no effect on fishing mortality.

Consequently EAPO requests a rollover on this stock.

Haddock VII b-k

Commission Proposal: Cut TAC by 55%.

Latest ICES Advice

Spawning stock biomass shows increasing trend over the time series and is ten times above MSY trigger according to latest ICES scientific advice. In addition, in relation to this stock ICES notes that TAC is an inappropriate management method and a restrictive TAC will contribute to discards. Fishing mortality remains above MSY although shows a declining trend over the time series with some fluctuations. Recruitment of the 2009 year class was exceptionally good and catches have increased since 2010. It also highlights discards as a serious problem for this stock and notes and recommends to be implemented the NWWRAC proposal in relation to the Square Mesh Panels.

ICES has failed to include in its discard estimates was that a number of Member States either made the use of SMP mandatory early in 2012 (for example France), as of October 2012 (for example Belgium) or incentivised their use (for example Ireland) and the consequential reduction in discards for this stock. We are aware revised figures in relation to the level of discards have been submitted by the Irish Marine Institute and this should result in an increase to the 9,500 figure recommended in

the ICES advise. In relation to the Commission's proposal for 7,500 tonnes on the basis of achieving MSY in 2013 we would point out that this is in direct contradiction to their previously stated position of achieving MSY by 2015 and we are at a loss as to why the Commission have now decided to make a proposal for a TAC for this species based on achieving MSY by 2013.

EAPO Position

A reduction in the TAC of this scale will only increase discards at a level equivalent to the scale of reduction. Therefore EAPO finds that a TAC reduction will do nothing to reduce catches of haddock and only increase unnecessary discards. Measures such as the recently implemented EU regulation to improve selectivity in the Celtic Sea (VIIIfg) should be assessed and developed in collaboration with the NWW RAC. The ICES Advice should be revised in light of the reduced level of discards in the fishery during 2012 and the Commission's Proposal should be in line with the ICES advice on MSY transition basis.

Based on the above EAPO recommends that as haddock is prone to very large pulse recruitments the TAC setting should follow the pattern of these recruitments. At a minimum a roll over TAC accompanied by a Council Declaration to investigate, develop and implement measures to improve selectivity could offer a more appropriate way forward.

Nephrops VII

ICES originally gave advice in relation to Nephrops in Area VII in June 2012 broken down by individual functional unit. However, we are aware that the ICES Nephrops Working Group issued up-dated advice on the 15th of November in relation to a number of functional unit areas in particular the Porcupine Bank on the basis of an UWTV which indicate the stock size is considerably higher than previously thought and the revised advice is for landings in the region of 1,800t. The Commission have issued an amendment to its original proposal which while still includes a special condition limiting the quota to be taken from this area the amount has been increased to 1,800 tonnes. EAPO recommends that the restriction be removed, a recommendation which is justified on the basis the 10 year average landings are in fact 1,500 tonnes and the recommended amount for the restriction is 1,800 some 300 tonnes more. In addition, we believe given that the revised advice indicates recruitment to be high and exploitation medium that the seasonal closure which the Commission proposes in Article 11 should be of a reduced duration from the 1st May to 31st of May.

Monk VII

ICES advised landings of not more than 24,800 tonnes on the basis of its approach to data limited stocks. However, this is another stock where the Commercial landings data for the Spanish fleet could not be included and the uncertainty in relation to the assessment was increased significantly as a result leading to ICES's proposed reduction. There are particular issues with the assessment in relation to ageing. An alternative approach to the assessment was submitted through the NWWRAC to the Irish, Spanish and French Marine Institutes to revisit the assessment to see if it was possible to utilise this alternative assessment model for this species. The results of this request are still awaited but we believe it is unfair that the reduction proceed in the magnitude specified given that a significant contributing factor is the lack of Spanish data.

Skates and Rays

For the Western Waters attention is drawn to the ICES advice which does not include TAC advice as ICES concludes this is not the most appropriate means of protecting these stocks and recommends to put forward a suite of conservation measures including closures of spawning/nursery grounds to protect the spawning component. The Irish fishing Industry through the NWWRAC is in the process of putting forward a proposal on voluntary closures for these stocks.

In general terms and also for the North Sea it can be established that most ray and skate landings are for species for which scientific analysis shows that the stock is doing well. Although it is also accepted that the majority of discarded rays and skates survive, the lower TAC as proposed by the Commission will not particularly protect the species for which science recommends precaution. For EAPO all of the above indicates that a rollover of the TAC is the best decision.

Porbeagle and Spurdog

EAPO questions whether a zero TAC is an adequate or useful management approach to rebuilding spurdog stocks, given that its principal effect since its introduction in 2010 has been to substitute *discards* for *landings*.

We advance an alternative approach, consistent with which if implemented would:

- Maintain disincentives for a targeted fishery on spurdog.
- Reduce incidental discards of spurdog.
- Strengthen the understanding of, and evidence base for, spurdog interaction with various types of fishing gear such as in mixed demersal trawl and gillnet fisheries.
- Provide the basis for a more effective approach to reducing discard mortality on spurdog through avoidance strategies and increased selectivity.

The following refers specifically to the case of spurdog in the Northeast Atlantic and similar arguments hold for porbeagle.

We accept and recognise ICES observations that spurdog is a widely distributed but slow-maturing species which is particularly vulnerable to exploitation. We further acknowledge that:

- The SSB and recruitment for spurdog have declined substantially over the past decades and are currently the lowest observed whilst exploitation is estimated to be below the MSY exploitation ratio of 0.029.
- Spurdog is no longer a target species but is caught in a wide range of mixed demersal trawl fisheries and gillnet fisheries as by-catch.
- There are no total estimates of discards although it is believed that these will have increased since 2010.
- There are concerns over the quality of historic catch data (including total catch and length composition of landings). Trends in survey data are also uncertain. Discard mortality since

the introduction of a zero TAC is unknown and the survivorship of discarded spurdog varies considerably depending on a number of factors; e.g. time on deck, catching method and size of catch.

ICES suggests in its 2012 advice that this stock requires a rebuilding plan which should incorporate:

- Biomass targets.
- Rebuilding targets.
- Enhanced data collection schemes in the form of science-industry collaboration.

EAPO Proposal

Against this background, we propose that:

- At the earliest possible opportunity, steps should be taken for the design of a rebuilding plan for spurdog involving collaboration between fisheries scientists, fisheries managers and fishing industry representatives.
- The elements of a rebuilding plan could include:
 - Provision and collation of enhanced data on the basis of science–industry collaborations; i.e. partnerships.
 - The replacement of a zero TAC by a by-catch provision for spurdog.
 - Maintenance of measures which would ensure no return of a *targeted* spurdog fishery.
 - Identification of future management measures that could reduce by-catches of spurdog, whilst avoiding discards.

Nephrops VIIIab FU 23-24

The spawning stock biomass of the Bay of Biscay Nephrops VIIIab has clearly improved over the recent period (19% in 2010-11 compared to 2007-09 average) but also more broadly over the last decade (+9% average for 2002-11 compared to 1992-2001).

This reflects the increased management arrangements put in place for over 10 years :

1. Increased selectivity intraspecific and inter-specific - increased mesh 55 to 70mm in 2000, SMP for hake is compulsory since 2004, selective device for lobster is compulsory since 2008, increased size of landing to 9 cm (rate survival of lobsters released below this size assessed by Ifremer is between 50 and 70%)
2. Management of the fishery by license giving access to this resource; in 2004, initially set at 250 licenses, the quota was reduced to 230 licenses, less than 220 of them are active today.
3. Overall reduction in fishing effort (management via license) measured on the ICES WGHMM tuning fleet at 33% between 2001 and 2011

Reference levels of MSY are not precisely known for this stock, but we note that the mortality rate, calculated as the total number of individuals collected in the fishery (removals¹ = landings + mortality in discards) related to the number of individuals in the total biomass² is only 16% since 2010 and goes down significantly since the beginning of the decade (23% in average 2001-03).

Regulations and management measures already in place have significantly improved the stock situation and simulation led by WGHMM at F_{SQ} (Status Quo) provides a further increase in total biomass³.

Under these conditions, it is required to maintain the status quo on the TAC in 2013.

Pollack VIII abde and Whiting VIII

Reminder of recital 14 of Regulation (EU) N° 43/2012 of 17th January 2012: "Since there is no scientific evidence that the TAC areas for pollack correspond to distinct biological stocks and the distribution of this species is continuous from the north of the British Isles to the south of the Iberian Peninsula, it is appropriate, in order to guarantee full use of the fishing opportunities, to allow the implementation of a flexible arrangement between some of the TAC areas".

This provision has been implemented for the stock IX-X allowing of which up to 5 % may be fished in EU waters of VIIIc

The same application is requested for area VIIb-k of which up to 5% may be fished in EU waters of VIIIab.

The same analysis and the same reasoning must be applied to the stock of whiting in area VIIb-k of which up to 5% may be fished in EU waters of VIIIab.

Sole VIII ab

The biomass level for this stock is the highest since 1998, including a sharp increase since 3 years.

A multi-year approach with a fixed TAC improves the visibility of all stakeholders and allows measures to stabilize the operational management. Aware, however, that the level of TAC since 2011 at 4250 tonnes may not allow to meet MSY objectives fast enough, it is desirable to reduce slightly the level of fixed multi-year TAC for 2013 and subsequent years.

In 2011, the study of the STECF reviewing the management plan⁴, prepared a scenario with a fixed TAC of 4100 tonnes, which is consistent with a reduction in fishing mortality at F_{MSY} in 2015.

In continuation of the work of STECF for the revision of the management plan, it is requested that a TAC of 4100 tonnes is established on the period 2013-2015, to ensure the achievement MSY in 2015.

¹ ICES WGHMM REPORT 2012 Table 10.6. - Age composition of the Removals

² ICES WGHMM REPORT 2012 - Table 10.13. Estimates of stocks number at age

³ ICES WGHMM REPORT 2012 Table 10.16 - Catch predictions with management option table

⁴ Impact Assessment of Bay of Biscay sole (STECF-□11-□01)

Blue whiting

EAPO is following the recommendation of the Pelagic RAC for this stock which says the following:

The Pelagic RAC advises to follow the currently adopted management plan for blue whiting and to set the TAC for 2013 to 643,000 tons accordingly.

Furthermore the Pelagic RAC strongly recommends a swift evaluation by ICES of its recently developed new harvest control rule submitted to the European Commission on 12 June 2012.

Additionally the Pelagic RAC would like to draw the Commission's attention to the fact that Russian catches in 2011 have exceeded what was considered sustainable by other Coastal States. Although Russia never agreed to the NEAFC management plan for blue whiting, the Pelagic RAC considers it indispensable that Russia will commit to a common management plan in the future.

Capelin

EAPO recommends that the European Commission, having a vested interest in the management of the capelin stock through the EU-Greenland agreement, influences the TAC setting process to become an open and transparent one.

The capelin stock is assessed by ICES and jointly managed by Greenland, Iceland and Norway. The management is a two-step process: a minimum required spawning stock biomass at 400,000 t shall be estimated to be available for spawning by the end of the fishing season (March). If this requirement is fulfilled an initial quota is set based on acoustic measurements of young fish. This initial quota is set as 2/3 of the expected final quota. The basis for the final quota is a survey of adult capelin in the fishing season. The ICES catch advice is provided in June based on acoustic measurements of young fish in the winter, earlier in the year. However, weather conditions are often preventing surveys in wintertime and therefore estimates from acoustic surveys in autumn (the year before) are used. The ICES catch advice in June is according to the management plan an initial TAC that is effective from beginning of the fishing year, e.g. approx. July 1 the same year. Based on surveys of adult fish in the summer later in the year a final TAC is calculated. This final TAC is not calculated or evaluated by ICES but autonomously estimated by Iceland.

EAPO believes that the present practice that Iceland is autonomously assessing and releasing the final TAC is not appropriate nor up to date. Analyses, assumptions and indeed the entire process is not transparent to other parties, a practice that ICES normally aims for and has a high priority in its advisory process. Likewise, information on possible new surveys is neither provided by Iceland and clients of the advice have therefore no possibility to follow the process of the final advice. The entire assessment and advisory process for both initial and final TAC setting should therefore be conducted by ICES in order to ensure the necessary transparency. As the present management of the capelin resource in East Greenland, Iceland and Jan Mayen is trilateral by Greenland, Iceland and Norway, these nations are responsible for any changes in the procedure and it is their initiative to make the process open for the ICES community.

Influence could be executed through the annual bilateral consultations with Greenland and Norway.

EU-Norway bilateral talks

Balance of exchange of fishing opportunities

EAPO does not support the cross-sectoral subsidizing of fisheries and the transfers of blue whiting or any other pelagic species to Norway in 2013.

It is to be understood that the directed blue whiting fishery by EU vessels is prosecuted with the purpose of human consumption. Hardly any blue whiting is being caught for fish meal production. This almost 100% switch to human consumption fishery of blue whiting has taken place in only a few years and is irreversible.

Norway on the other hand still is fishing part of its blue whiting quota for industrial purposes. Overall fishing opportunities will decrease in 2013 for the EU pelagic fleet, therefore, it's important to retain the EU share of the blue whiting stock for utilization by the pelagic fleet.

The access for Norway to catch blue whiting in EU waters is being prolonged on an annual basis. NPWG requests the Commission to ensure that Norway pays for any (annual) renewal of its access arrangements to fish blue whiting in Community waters. The payment by Norway should accrue to the benefit of the Community pelagic fleet.

Horse mackerel: North Sea stock

EAPO has noted with incredulity the new approach developed by ICES for giving quantitative advice on data-limited stocks, such as NS horse mackerel. By applying this approach ICES advises a TAC for 2013 of 25,500 t, which is the outcome of the 2009-2011 landing average minus a 'precautionary buffer of 20%'. EAPO judges this approach as totally arbitrary and is not an appropriate way of dealing with this stock. While wholeheartedly disagreeing with the ICES advice NPWG can support the pragmatic way forward which was arrived at in the Pelagic RAC. The Pelagic RAC recommendation reads as follows:

The Pelagic RAC's foremost objective regarding this stock is the development of a long-term management plan which will guarantee the sustainable exploitation of this stock. Therefore the Pelagic RAC will do whatever is in its capacities to facilitate the development of such a plan.

In the current absence of a management plan, however, the Pelagic RAC advises a gradual reduction of the TAC in the coming three years which provides a compromise between the ICES advice and a TAC considered appropriate by most stakeholders. This gradual reduction is calculated by taking the difference between the TAC for 2012 and the ICES advice for 2013 and dividing this number by three:

- TAC 2012: 44,180 tons
- ICES advice 2013: 25,500 tons
- $(44,180 - 25,500)/3$: 6,230 tons

Each year the TAC shall be reduced by 6,230 tons which will result in the following TACs:

- 2013: 37,950 t
- 2014: 31,720 t

- 2015: 25,500 t

Should a management plan be developed and evaluated as being precautionary by ICES before 2015, the management plan will supersede the recommendation set out above.

Horse mackerel: western stock

Under the framework of the Pelagic RAC the membership of EAPO's Northern Pelagic Working Group has put a lot of effort and time in developing, together with ICES scientists, a Long Term Management plan for this stock. Since the plan was developed and recommended to the European Commission, Council and Parliament 2007 it has regrettably been the subject of political debate on the issue which European institution is politically responsible for LTM plans and HCR's under the Lisbon Treaty.

ICES based its advice up until 2010 on the management plan. This changed for 2011 and subsequent years as Norway objected to the management plan for no apparent scientific reason other than it was not involved in the formulation of the plan. The Commission has correctly based its proposal for TAC settings for this stock on the LTM. This was fully in line with the position of the NPWG: even when TACS based on MSY were higher than TACs based on the LTM the industry has chosen to support a TAC based on the LTM plan.

The basic position of the NPWG therefore is to stick to the application of the LTM plan for setting the 2013 TAC (183,000 t), even though the flawed ICES advice based on MSY recommends a lower TAC level for 2013.

Nevertheless, despite the abovementioned and to honour the discussion that took place in the Pelagic RAC for this stock, EAPO can support the Pelagic RAC recommendation which says:

The Pelagic RAC advises as an interim measure to preliminarily follow the long-term management plan for this stock and to set the TAC for 2013 to 183,000 tons accordingly. However, this recommendation is subject to an immediate evaluation by ICES of the existing plan particularly the issue stated in the advice that the plan is only precautionary in the short term. In the event that ICES concludes based on this evaluation of the plan that the TAC advised for 2013 under the plan should be significantly revised the PRAC is recommending an in year adjustment to the TAC for 2013.

This being said, EAPO is very committed to the LTM Plan which it helped develop and is also very confident that the ICES evaluation of the existing TLM plan will confirm that the current LTM Plan is precautionary not only in the short but also in the long term. The evaluation work done in November 2011 in Dublin in the framework of the ICES workshop WKWHMMP strongly indicates in that direction.

Mackerel (combined North East Atlantic stock)

EAPO's position is set out in its NPWG paper dated 27 August 2012, sent to the EC prior to the high level Coastal States meeting of 3 September in London.

Now both this high level meeting and the Coastal States meeting of 22-24 October have failed to reach an agreement the EU and Norway now have to decide on 2 issues:

- the imposition of effective sanctions to both Iceland and the Faroe Islands,
- agreeing on a TAC for 2013 and the allocation of the shares for EU and Norway.

On the issue of the sanctions EAPO has made it very clear from the beginning that sanctions against Iceland and Faroe Islands must be meaningful to deter both nations from overfishing the mackerel stock. Limiting trade related measures to mackerel or mackerel related products will not have the desired effect. EAPO urges the Commission to use all available options, including whitefish and fishmeal restrictions, to ensure that the legislation resolves the mackerel overfishing issue both swiftly and effectively.

At this point in time it is still unknown to the EU industry what sanction proposal the EC is currently preparing – in scope and in timing.

On the issue of a new bilateral arrangement between EU and Norway on the 2013 mackerel TAC and the allocation of shares to EU and Norway NPWG's position is as follows:

- The TAC should be set at a level in conformity with the ICES advice upper boundary level of the F range of the management plan; i.e. 542,000 t (F=0.22).
- The allocation to EU and Norway should be based on 90% of this TAC to be allocated to EU and Norway in conformity with the 10-year mackerel agreement which is in operation.

In addition to the above key issues EAPO is very concerned that the ICES scientific advice is significantly underestimating the mackerel stock size. In this regard the EAPO is requesting that the EC will actively engage with the stakeholders and scientists during 2013 to address this issue.

Silversmelt (Argentines)

EAPO has noted with incredulity the new approach developed by ICES for giving quantitative advice on data-limited stocks, such as argentines.

ICES indicates that the abundance of argentines has increased by an estimated 10%, which would according to the ICES advice would imply a 10% increase in relation to last year's catch. However under the new approach adopted by ICES it is proposing a reduction of 20% as a precautionary buffer.

The EC has followed this advice by proposing a 12% reduction for the 2013 TAC of argentines.

Over the last number of years the Council has repeatedly reduced the TAC for argentines in reaction to consistent reduction proposals by the Commission. The time has come to halt these reduction which are not based on science and are purely of an arbitrary nature.

In this respect it is confusing, to say the least, that this year the Faroese argentine fishery, which is targeting the same argentine stock as the EU vessels, has been certified under the Marine Stewardship Council.

EAPO opposes the ICES approach as a very arbitrary one and therefore also opposes the Commission proposal for a 12% TAC reduction. Instead NPWG proposes a rollover of the 2012 TAC into 2013.

(EAPO - 17 December 2012)