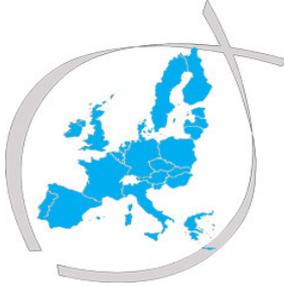


European Association of Fish Producers Organisations
Association Européenne des Organisations de Producteurs dans le secteur de la pêche



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Attention of M. REINHARD Priebe

Obj: Celtic Sea Cod Management Plan

Ostende, 28th of may 2009

Mister Priebe,

The EAPO after having learned about the draft Council Presidency compromise regarding the cod long term management plan, wishes to communicate its opinion on the text to the European Commission.

Its adoption at the June Council of Ministers will lead to the putting in place of a management plan in two stages; the first becoming applicable as of January 2010 will mainly address the TAC setting rules and the associated control measures; the second coming in place at the same time as the reform of the rule on fishing effort in the Western Waters, will lead to fishing effort restrictions in the area where the stock is, but also in the rest of ICES area VII where there is no cod.

As such, principally the draft looks entirely like the one that has been unanimously rejected by the Ministers of Fisheries last November which was to the satisfaction of the industry involved with the stock. Accordingly, we can legitimately be surprised about the nature of the proposal.

The EAPO wishes to point out its will to work towards the objectives set by the Johannesburg summit. It is in this sense that its members have asked, on their own initiative and without restrictions, the putting in place of the Trevoise Box which, since 2005, protects the spawning stock of cod in the relevant spawning location.

ICES, even admitting not being able to evaluate precisely the effects of this closed protection area, thinks that 'the displacement of fishing activities outside of the spawning area, must lead to a reduction of fishing mortality of the cod stock. The closure has led to a reduction of the fishing effort of the French gadoid fleet' (ICES Advice 2008, book 5, p. 54).

When fine-tuning this proposal, the members of EAPO concerned, have established a close cooperation with the relevant national scientific institutes, still lasting today. As such, important improvements are seen in the data collection needed to improve the knowledge on the stock, like the self-sampling organised by the French industry in cooperation with IFREMER [self-sampling of cod in the Celtic Sea by French Trawlers. Robert Bellail and al. Working document Workshop of Fishers Sampling of Catches (WKSC), ICES 2008], cooperation between CEFAS and the British industry and between the Irish fishermen and the Marine Institute (Report of benchmark and data compilation Workshop for roundfish, January 16-23/2009 ICES).

The EAPO members are accordingly well placed to express their opinion on the envisaged management measures for the cod stock in the area VIIb,c,e-k. We do realize that in a strict formal sense, neither the Council Presidency nor the European Commission had to submit their draft to the stakeholders. But taking into account the regularly expressed wish of the Commission to maintain a dialogue and taking into account the industry commitment to improve the state of the stock, we would have appreciated the organisation of a workshop with the Commission, the scientists and representatives of the NWWRAC in attendance.

Not having had the opportunity to confront the Commission with our ideas, the EAPO members have no alternative but to comment on the draft proposal.

- Rules for setting the TAC :
 - The objective of the Plan is to maintain the fishing mortality at 'F max', at 0.37. The EAPO notes that this is more ambitious than the one set for the fishermen in other European areas where there is cod: F 0.40, in other words, largely above F max: F max North Sea = 0.20; F max West of Scotland = 0.19. With equal proportions, if the target fishing mortality given to the Celtic Sea fishermen would be at a comparable difference with F max as in the other areas , we would be close to target.

The draft foresees to assign fishing mortality reduction levels and as such different TACs according to the estimated biomass levels: - 25 % when the biomass is evaluated to be below the limit threshold, - 15 % if it is situated below the precautionary level. EAPO, as well as all the participants of the Cod Symposium in Edinburgh in March 2007 and the European Commission itself (Next steps in Fisheries Management in relation to Cod Recovery, P. 8, Brussels May 2007), finds that reference biomass levels should not be part of the management plan.

This is phrased in the above mentioned 'Non Paper' as follows: 'The Cod Symposium and STECF have established that cod recovery is possible when fishing mortality reduces, but it is not possible to specify an exact target biomass level due to the changing environmental conditions. The right approach would be to reduce the fishing mortality and to let the stock recover to a level taking into account the actual environmental conditions. In order to take into account this opinion, the new cod recovery plan should not contain specific targets for biomass levels.' (EC May 2007 in Next in Fisheries Management in relation to Cod Recovery).

The EAPO, just as the Commission in 2007, finds that instead of setting the fishing mortality reduction level based on biomass reference levels, the plan should set successive fishing mortality reductions aiming to reach the fishing mortality level in time to achieve the targets as set by the Johannesburg summit.

- Framing the effort:

- The EAPO points out that fishing effort in the area of the Celtic Sea where there is cod, has constantly reduced since 9 years (ICES WGSSDS report 2007, P. 183 – WD2, WD3, WD4). Accordingly we find that the effort framing measures as planned by the Commission and the Council Presidency are not useful and disproportionate. Furthermore the EAPO notes that the putting in place of such measures in the current cod recovery areas, heavily penalizes all the fleets, including the ones not targeting cod. **The EAPO strongly opposes to the putting in place of a fishing effort framing regime, which has never proven any efficiency (REG 423/2004 et 1348/2008).**
- The EAPO accordingly asks that all references to the ultimate putting in place of a system with a fishing effort framing modelled on the existing cod recovery plan, are removed from the regulation installing a cod management plan in the Celtic Sea (items 5 and 7).

- Control Measures:

One of the control measures that would be put in place by the draft regulation, if it is adopted - the one with the reduction of the margin of tolerance from 20 to 8 %, for the logbook entries of the weight of cod in the hold – is considered by EAPO not to be useful. We wish to point out that where this rule is put in place (hake, cod, sole), it causes great difficulties for the industry. The EAPO thinks that eventually this change should be considered after consultation concerning the reform of the control regulation.

* * *

Since November 2008 the EAPO works on a Celtic Sea Cod management Plan aiming to reach the objective of a sustainable exploitation of the stock within

the required deadline. This work is based on the advice of the scientists with whom we have not stopped working since 2003.

This almost completed draft will contain :

- a chapter fishing mortality control with associated TAC calculation rules,
- a chapter fishing capacity control, restricted to the zones where there is cod,
- a chapter technical measures, containing items which have an impact on the protection of the areas with concentrations of spawning adults and of juveniles,
- a chapter control.

As from the start of our reflections on the methods for cod management in the Celtic Sea, our objective is to obtain an optimum effect sticking to the set targets, but avoiding to not usefully penalize the fisheries not having an impact on the stock.

This draft will be completed before the end of the month September, which is within the deadline mentioned in the decision by the Commission and the Council during the November 2008 meeting of the Council of Ministers, to put in place a long term management plan for Celtic Sea cod.

Yours Sincerely,

J. PICHON

A handwritten signature in black ink, consisting of a large, stylized loop followed by a vertical stroke and a horizontal line at the bottom.