

COMMISSION OF THE EUROPEAN COMMUNITIES

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CONSERVATION AND MANAGEMENT OBJECTIVES OF THE COMMON FISHERIES POLICY

(Communication from the Commission to the Council)

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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

Subject: Conservation and Management Objectives of the Common Fisheries Policy

1. At the Council (Fisheries) of 29 October 1979 the Commission indicated that, in preparation for the Council (Fisheries) of 3/4 December 1979, it would prepare proposals containing TACs for 1980, proposals for amendments to its existing draft Regulation on Technical Conservation Measures and such other material in addition to that already before the Council as would facilitate the Council in its debate on the development of the Common Fisheries Policy. The Commission also indicated that it felt that it was the sense of the Council that this debate should begin with these conservation matters as, given the over-exploitation of many of the stocks in Community waters as well as in waters shared by the Community with third countries, conservation is the necessary foundation of fisheries policy.

Choice of TACs

2. Scientific work conducted by the International Council for the Exploration of the Sea and the conclusions drawn from that by the Commission's Scientific and Technical Committee for Fisheries show that at present most fish stocks in Community waters fall into one or other of three categories:

- 1) those which have been so heavily fished that they are not now a commercially viable resource (most herring stocks);
- 2) those which are so heavily fished that they are in danger of becoming commercially non-viable (Manx herring stock, eastern mackerel stock and, if present fishing rates continue much longer, the western mackerel stock);
- 3) those which provide commercially viable catches but are heavily overfished.

3. Very few stocks are under-exploited. Ten stocks are being fished at the level of the maximum sustainable yield but these are in general the smaller ones. For example, it is estimated that the long-term average annual sustainable yield from these stocks, out of a total of 26 stocks for which TACs are based on scientific assessments as listed in Table 1 of the First Report of the Scientific and Technical Committee, is 165,000 tonnes

(proposed TACs for 1980 = 172,160 tonnes). In comparison, subject to restrictions imposed by multi-species biological constraints, the long-term average annual yield from the other 16 stocks could be considerably increased. Thus, calculated on a stock-by-stock basis

- the long-term annual yield from the 5 stocks for which zero TACs are proposed for 1980, because their spawning stock size is at or below a critical level, could be more than one million tonnes;
- the long-term annual yield from the 11 stocks which are listed as over-exploited could be in excess of 1,200,000 tonnes compared with the proposed TACs for 1980 of 910,000 tonnes; most of this increase would derive from five of these stocks.

4. One of the features of heavily exploited stocks is that they contain relatively large numbers of young fish and very few old fish (because so many young fish are caught at an early age). In consequence, the size of the stock and, therefore, of the catches from it depend upon the number of young fish which enter the fishery each year. This number fluctuates from year to year and for some species very markedly, e.g. for North Sea haddock it has varied in the past fifteen years as much as from 63 million to 6,300 million - a factor of 100. This is reflected in the widely fluctuating TACs which are recommended by ICES and have been proposed by the Commission. If the young recruits were allowed to survive to a greater age, with the result that the catches depended upon several year-classes instead of mainly on one or two as at present, good year-classes would balance poor ones and catches could be maintained at a much more stable level. This can be achieved over a few years, depending upon year-class sizes, only by a reduction in the amount of fishing which would result in a higher survival rate of fish. The average annual catch available would be higher from the present over-exploited stocks if such restraint were exercised now. The Commission believes that it is economically desirable to have stable catches from year to year as this allows more rational planning for the catching and marketing sides of the industry and would avoid alternating periods of glut and scarcity.

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5. The Commission has on a number of occasions pointed out that a proper and rational resources management policy, whilst based on the best available scientific advice, should also take account of economic, social, regional and other aspects of the fishing industry; the Commission remains attached to these considerations. However, in the present situation, characterised by stocks at levels which are not commercially viable or which are in danger of becoming so or which are over-exploited, the available scientific advice gives no leeway.

Management Objectives

6. The Commission, therefore, considers that management objectives for stocks wholly within Community waters, as well as for joint stocks which involve negotiation with relevant third countries, should be:

- 1) to take measures which will ensure the continuation of each fish stock as a commercially viable resource;
- 2) to decrease the fishing effort on over-exploited stocks in order to ensure yields which are stable from year to year;
- 3) to ensure highest possible catches from the stocks consistent with objectives (1) and (2).

To meet these objectives, in the circumstances described in paragraphs 2 - 4 preceding, the Commission is satisfied that rational management of the resources leaves it no option but to propose TACs to the Council not greater than those contained in Document

7. The Commission's proposals for zero TACs for certain stocks are intended to meet the first objective. It is essential to ensure that depleted stocks are revived and those which are in danger are not driven to commercial extinction. To avoid the mistakes which have been made in the past it is necessary to err for a time on the side of caution. Both the Atlanto-Scandian and North Sea herring were reduced to their present state because it was insisted that greater catches could be taken from the stocks than the scientific assessment showed. It was agreed that the assessments were imprecise as a consequence of the methods by which the data had to be obtained. While this was true, it would have been equally logical to argue that catch limits lower than the recommended TACs should have been imposed. Similar arguments are already being made now that some of the stocks are beginning to recover. The risk involved in accepting these arguments is that there will be a repetition of the events which led to the stock collapses in the first place.

8. For over-exploited stocks, the Commission's proposed TACs represent a step toward the second objective of stable TACs by reducing fishing effort on these stocks. For fully exploited stocks the TACs proposed are intended to maintain the stocks at a stable yield level.
9. Some technical conservation measures are designed to re-inforce zero TACs, e.g. by-catch regulations concerning herring in sprat catches. Some are designed to meet the third objective. In this category are those to increase the age at which fish start to be caught in the fishery and thus increase average long-term yields, e.g. mesh regulations, closure of areas where small fish predominate.
10. The third objective takes into account the possibility of multi-species management when the scientific basis for this is more firmly established. Nevertheless, even in the present stage of knowledge, the Commission can say that it is not axiomatic that the fishing effort on each stock should be reduced to the level which will attempt to give the MSY for each stock.

Technical Conservation Measures

11. Consistent with this general approach the Commission has drawn very largely on suggestions made by its Scientific and Technical Committee in their First Report in connection with its proposed amendments to the draft Regulation on technical conservation measures. It has not necessarily followed these suggestions in every detail and in some cases has relied on other relevant material.

12. It has adopted the suggestions that:
- the reference to single and double twine be eliminated and the relevant Articles and Annex are consequently amended
 - there be an 80 mm minimum mesh size for direct fishing of hake with consequential changes in by-catch provisions
 - minimum mesh sizes for certain species of shrimp be increased

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- for mackerel: the minimum landing size for Eastern stock mackerel of 30 cm be extended to cover fishing for human consumption; the use of purse-seines and undersized nets be forbidden from 1 March to 15 November each year in part of the Western Approaches
- for herring: the retention of by-catches of herring in the Celtic Sea be prohibited
- for Nephrops: there be a uniform mesh size for the Nephrops fisheries but the introduction of the minimum mesh size of 70 mm in ICES sub-zone VII should be retarded until 1 January 1983. In the meantime the Commission proposes a minimum mesh size of 60 mm. Minimum landing size should be expressed in carapace length but the Commission maintains its proposal for conformity of landing size throughout Community waters
- the use of purse-seines on all protected species be forbidden
- some minimum landing sizes be modified.

13. The Commission also introduces a proposal, which does not figure in the First Report, forbidding the use of trawls, purse-seines and ring-nets during part of the year, comprised between the dates of 1 October and 31 March, in certain herring nursery grounds in bays and lochs on the west coast of Scotland. It also proposes that the date of entry into force of certain measures be changed to about two months after the date of the Council (Fisheries) of 3/4 December 1979, in accordance with the contents of Document COM(79)635 Final of 8 November 1979.

14. The Commission has not taken up the suggestion made in the First Report (i) as to the use of selective shrimp trawls as action is not practical as yet; and (ii) as to how to measure small meshes as this is a new method which needs to be further tested before being considered for a permanent regulation. The Commission also maintains, in order to avoid fraud, its proposal for a maximum by-catch of 50% in the Nephrops fishery.

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15. The Commission wishes to emphasise once again its willingness to reconsider its proposals in the light of new scientific information but also considers that the introduction of necessary proposals should not be held up merely because one or other interest has further scientific questions to ask.

16. In certain cases the Commission has, at this stage, refrained from making technical proposals concerning waters which fall also within the sovereignty or jurisdiction of third countries or are still open sea, e.g. Skagerrak and Kattegat. Consultations with the third countries concerned are necessary in such cases.