

ANNEX 2: RECOMMENDATIONS FOR A COUNCIL REGULATION FIXING FOR 2013 AND 2014 THE FISHING OPPORTUNITIES FOR EU FISHING VESSELS FOR CERTAIN DEEP-SEA FISH STOCKS (COM(2012)579)

In the following weeks, the Council working groups will discuss the new bi-annual deep sea fish stock quotas based on the Commission proposal COM(2012)579 released on 9 October 2012, with the aim to get an agreement at the Fisheries Council in November.

There are numerous problems with the management of deep sea fisheries, including the sustainability of deep sea fish stocks (both target and bycatch species) and the ecosystem impacts of deep sea fisheries in the Northeast Atlantic. While the issue of managing these fisheries to prevent significant adverse impacts to vulnerable marine ecosystems is addressed in another Commission proposal – a revised regulation of the deep sea access regime (COM(2012)371), the issue of the sustainability of deep-sea fish stocks is central to the 2013 and 2014 TACs and quotas decisions, which is the focus of this briefing.

The case for the precautionary approach in deep sea fisheries

Deep sea species tend to be slow growing, late maturing and have low reproductive capacity, which makes them particularly vulnerable to overfishing. This makes the serious lack of scientific information on the deep sea stocks in the Northeast Atlantic all the more problematic. This urgently needs to be addressed as it is a major impediment to managing these fisheries sustainably.

In the mixed fishery on deep sea species carried out by bottom trawls, bycatch rates are high, resulting in broad adverse impacts on whole communities of deep sea species¹. The Commission proposal comprises TACs for only 24 deep sea species, including 17 deep sea shark species, while the proposal for a revised access regime for deep sea fisheries includes 54 species. So for many of the (bycatch) species that are caught in large quantities in mixed deep sea fisheries no TAC is proposed, leaving them unmanaged and unregulated. Unfortunately, the limited number of species managed by TACs has also encouraged misreporting of the species in the catches to avoid counting them against the quotas.

Given the large number of deep sea species taken in these fisheries, single species TACs and quotas for some – but not all – species caught in these fisheries are not adequate for managing them.

While we welcome the fact that ICES is developing methods to make best use of the available information and aims to give advice based on proxies for MSY reference points, we want to emphasise that given the lack of full stock assessments, and given the inadequacy of single species TACs and quota for mixed deep sea fisheries, this advice should be applied in a precautionary way.

¹ICES 2008. Report of the ICES Working Group on the Biology and Assessment of Deep-Sea Fisheries Resources (WGDEEP). 3–10 March 2008, ICES, Copenhagen, Denmark. ICES CM 2008/ACOM: 14. 531 pp. Pages 70–71.

The management of marine deep sea species has been elaborated in the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas², and the EU is committed to the UN Fish Stock Agreement and the UN General Assembly resolution 64/72 of 2009 (paragraphs 119 and 120) and resolution 66/68 (paragraph 122) of 2011, requiring a more cautious regulation of deep sea fisheries when information is uncertain, unreliable or inadequate.

Full compliance with the precautionary approach under these international commitments would require a temporary closure of the fishery unless or until sufficient information is available to allow for the adoption and implementation of measures that ensure the long-term sustainability of these stocks.

It is crucial that the EU lives up to its international commitments and applies the precautionary approach when setting TACs for deep sea species, taking into account that the scientific advice is based on limited data and a single stock approach, while bycatch levels are high and catches contain a wide range of deep sea species, particularly in the bottom trawl fisheries.

Given the problems outlined above, managing mixed fisheries on vulnerable deep sea species by setting TACs and quotas for some, but not all, must be considered deeply inadequate. Furthermore, recognising the impact of these fisheries on vulnerable marine ecosystems, a fundamental overhaul of their management is necessary. Many NGOs therefore welcomed the Commission proposal for a revised regulation of the deep sea access regime (COM(2012)371), and it is crucial that the aim of the Commission to ensure sustainable exploitation of deep sea stocks and to put an end to destructive fishing practices in the deep sea is fully supported in the coming months.

Bycatch quota

For several species, the proposal argues that TACs should be maintained to “avoid creating an obligation to discard”. Such “bycatch quotas” are intended to cover the catch of a particular species in fisheries targeting other species, but are set too low to allow for fisheries specifically targeting that species. While we understand the logic behind setting a bycatch quota, we maintain that the focus should be on avoiding bycatch through technical measures, including a phase-out of deep sea bottom trawling and bottom set gillnets, other gear adaptations, and (real-time) closures. A bycatch quota will reduce the discarding of the species for which that quota is set, but will do nothing for all the other bycatch species that will still be caught and discarded.

It is therefore imperative to use the opportunity of the review of the access regime for deep sea fisheries for the adoption of measures that will minimise future levels of bycatch in deep sea fisheries.

Comments on specific species

In general, we support the Commission proposal where it follows scientific advice, but want to highlight in the following paragraphs several stocks where we have concerns.

²FAO, 2009. International Guidelines for the Management of Deep-Sea Fisheries in the High Seas. 73 pp.

Deep sea sharks

The current proposal does not include TACs for deep sea sharks, since the Commission expects new scientific advice to be provided by ICES. In its advice to NEAFC³, ICES reports that most of the shark species are considered “data limited⁴”. The reported catches, if data are available, are probably underestimated because a number of species have been reported in generic categories, making it impossible to disaggregate these data into species-specific categories.

Regarding the stock status, of the 17 species evaluated by ICES, 14 species lack sufficient data for a full assessment. Of the remaining three species, two (Leafscale gulper shark and Portuguese dogfish) have fallen below any candidate reference points, while Kitefin shark is depleted and below any candidate biomass reference point. This information clearly indicates that the zero TACs for deep sea sharks have to be maintained. Moreover, sharks continue to be caught as bycatch in other targeted deep sea fisheries and the high bycatch levels need to be addressed urgently. The revision of the access regime must provide for measures to minimise bycatch.

We recommend that a zero TAC for both targeted fisheries and bycatch of deep sea shark species is maintained.

Red (blackspot) seabream

For red (blackspot) seabream in area VI, VII and VIII, ICES advises no targeted fisheries. ICES states that in these areas red seabream is depleted, with no recent indication of recovery, and also highlights the importance of introducing measures to reduce bycatch. ICES WGDEEP⁵ reported this year that recent catches of red (blackspot) seabream are almost all bycatch in the longline and otter trawl fisheries.

As stated earlier, it is our view that the focus should be on bycatch reduction measures. The bycatch TACs proposed by the Commission of 172 tonnes in 2013 and 138 tonnes in 2014 are very high, considering the depletion of red seabream.

In line with ICES advice, we recommend a zero TAC for directed fisheries of red seabream in area VI, VII and VIII, and the urgent adoption of measures to minimise bycatch.

Roundnose grenadier

For area III, ICES advises that no fishing for roundnose grenadier should be allowed, while the Commission proposes a 20 % reduction of the TAC to 680 tonnes in 2013 and 544 tonnes in 2014. Since catches have been restricted to one ICES rectangle only, this fishery displays typical patterns of a ‘boom-and bust’ fishery, with a peak in landings in 2006 and virtually no landings since 2007.

For areas V, VI and VII, we welcome that ICES has found ways to conduct assessments using available data. The data available for these deep sea stocks consists mainly of comparably short time series, as well as information on landing per unit effort (LPUE).

³ICES 2012. NEAFC Special request on the catch and status of deep-water sharks in the Northeast Atlantic. <http://www.ices.dk/committe/acom/comwork/report/2012/Special%20Requests/NEAFC%20Deepwater%20sharks.pdf>

⁴ICES defines “data limited” stocks as stocks that do not have population estimates from which catch options can be derived using the existing MSY framework. http://www.ices.dk/committe/acom/comwork/report/2012/2012/General_context_of_ICES_advice_2012.pdf

⁵ICES 2012. Report of the Working Group on the Biology and Assessment of Deep-sea Fisheries Resources (WGDEEP), 28 March–5 April, Copenhagen, Denmark. ICES CM 2012/ACOM: 17. 929 pp.

We are concerned about the proposed increase in TAC from 2 546 tonnes in 2012 to 4 500 tonnes, since this 77 % increase is based on limited data. Moreover, an increase in the targeted fisheries for roundnose grenadier will inevitably result in an increase of bycatch of black scabbard, blue ling and many other deep sea species that are not regulated by TACs. A precautionary, gradual increase combined with close monitoring of stock status indicators would be more appropriate.

We strongly recommend a zero TAC for roundnose grenadier in area III, and a precautionary, more moderate increase in TACs in areas V, VI and VII. The proposed increase in TAC to 4 500 tonnes is too large, considering the limited data on which the advice is based and the high levels of bycatch in the fishery.

Alfonsinos

The Commission proposes a gradual reduction for alfonsinos in all areas, reaching the TAC suggested by ICES (280 tonnes) only in the second year of the bi-annual management period, with a TAC of 305 tonnes in 2013.

As this is a species that aggregates at seamounts, ICES also advises that any exploitation of new aggregations should be prohibited. Past experience shows that exploitation of deep sea fish aggregations at seamounts can result in a very quick depletion of the stock and even wipe out complete populations.

We recommend an immediate reduction of the TAC for alfonsinos to the level proposed by ICES of 280 tonnes and a prohibition of any exploitation of new aggregations.

Blue ling

For blue ling in areas II–IV, ICES advises no targeted fishery and an additional reduction of bycatch of this species. The Commission proposes to maintain TACs at a low level of 44 tonnes and 36 tonnes respectively for 2013 and 2014. In its advice, ICES specifically mentions the maintenance and expansion of closed areas to protect spawning aggregations.

We recommend that the targeted fishery for blue ling in areas II–IV is closed, and that closed areas to protect spawning aggregations are maintained and expanded.