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REPORT

on a Community Action Plan to reduce discards of fish
COM (2002) 656 – 2003/2036(INI)

Committee on Fisheries

Rapporteur: Niels Busk

CONTENTS

	Page
PROCEDURAL PAGE	4
MOTION FOR A RESOLUTION	5
EXPLANATORY STATEMENT	8

PROCEDURAL PAGE

By letter of 26 November 2002 the Commission forwarded to Parliament its communication on a Community Action Plan to reduce discards of fish (COM (2002) 656), which was sent for information to the Committee on Fisheries and the Committee on the Environment, Public Health and Consumer Policy.

At the sitting of 13 March 2003 the President of Parliament announced that the Committee on Fisheries had been authorised to draw up an own-initiative report on this subject, pursuant to Rule 47(2) and Rule 163 of the Rules of Procedure, and that the Committee on the Environment, Public Health and Consumer Policy had been asked to deliver an opinion.

The Committee on Fisheries had appointed Niels Busk rapporteur at its meeting of 23 January 2003.

It considered the draft report at its meetings of 18 March, 22 April and 19 May 2003.

At the last meeting it adopted the motion for a resolution by 20 votes to 0, with 1 abstention.

The following were present for the vote: Struan Stevenson, chairman; Rosa Miguélez Ramos, Brigitte Langenhagen and Hugues Martin, vice-chairmen; Niels Busk, rapporteur; Elspeth Attwooll, Arlindo Cunha, Nigel Paul Farage, Ian Stewart Hudghton, Salvador Jové Peres, Heinz Kindermann, Carlos Lage, Vincenzo Lavarra, Giorgio Lisi, Ioannis Marinos, Patricia McKenna, Seán Ó Neachtain, Manuel Pérez Álvarez, Bernard Poignant, Catherine Stihler and Daniel Varela Suanzes-Carpegna.

The Committee on the Environment, Public Health and Consumer Policy decided on 19 March 2003 not to deliver an opinion.

The report was tabled on 20 May 2003.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the Commission Communication to the European Parliament resolution on a Community Action Plan to reduce discards of fish (COM(2002) 656 – 2003/2036(INI))

The European Parliament,

- having regard to the Commission proposal (COM(2002) 656),¹
 - having regard to its resolution of 28 January 1999 on the problem of fish discards,
 - having regard to Rule 47(2) and Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A5-0163/2003),
- A. whereas fish is an important natural source of food and a public commodity,
- B. having regard to Article 7 (7.2.2.g) of the FAO Code of Conduct for Responsible Fisheries, according to which management objectives should include the introduction of measures so that ‘pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species are minimised, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques’,
- C. whereas the FAO has estimated the volume of fish discards within commercial fisheries at between 17.9 and 39.5 million tonnes worldwide², which far exceeds the EU’s total fisheries production (catches and aquaculture) of 7.8 million tonnes³,
- D. whereas the optimal supply of fish depends on the fish being allowed to grow and spawn before they are caught,
- E. whereas some stocks have been reduced to a critical level partly as a result of catching and discarding juvenile fish at sea, and whereas overall reductions in fishing effort on many fish stocks would help not only in stock recovery but also in the reduction of discards,
- F. whereas there is a clear link between the selectivity of fishing gear and the percentage of the catch discarded; whereas, therefore, technical measures should be taken to ensure that juvenile fish can escape the nets and considering that improvements in gear selectivity should be encouraged and even rewarded in an appropriate way,
- G. whereas aquaculture should make an increasing contribution to total fish stocks and thereby relieve the pressure on a number of overfished species,
- H. whereas discards vary according to species, time and place,
- I. having regard to the biological and economic consequences, and the consequences for stock assessment and fisheries management,

¹ OJ C 128, 7.5.1999, p. 83

² FAO Fisheries technical paper 339

³ Facts and Figures on the CFP http://europa.eu.int/comm/fisheries/doc_et_publ/liste_publi/facts/pep_en.pdf

- J. whereas the system of TACs and quotas has the perverse effect of provoking the discarding of by-catches outside the quota,
- J. whereas it is dispiriting to see individual fishermen discard cod which fulfils the minimum size requirement, on economic grounds, at a time when biologists are proposing a total ban on cod fishing,
1. Welcomes the Commission's deliberations concerning the introduction of a ban on discards as a medium-term goal but takes the view that the common fisheries policy should be based on the principle of minimising discards as one of the tenets of sustainable management of fishery resources;
 2. Calls on the Commission to make every endeavour to promote the collection of data on discards in order to obtain a better, more precise picture of the extent of the problem; calls on the Member States to contribute all available data and calls on the Commission to cooperate and exchange experience with other fishing nations, in particular Norway;
 3. Welcomes the Commission's initiative to launch pilot projects in 2003 aimed at evaluating the possibilities for reducing discards through various measures, such as the search for innovative fishing methods, voluntary departure from fishing grounds, real-time closures, by-catch quotas, effort management and making better use of low-value fish;
 4. Requests that the Commission consider ways of giving preferential access to fish stocks for those fleets employing more selective fishing gear which results in lower discards;
 5. Considers that pilot projects must be selected in such a way as to ensure that they cover a wide range of fisheries targeting different species, in different areas across the Community and using different fishing methods;
 6. Calls on the Commission likewise to study innovative management methods, such as economic and financial incentives, aimed at reducing discards;
 7. Recommends that fish be used as far as possible, and in compliance with the necessary restrictions, to improve the economic results of fishing instead of being discarded, since in many cases discards mean the pointless loss of high-value fish;
 8. Recommends that fish be used as far as possible for the production of fishmeal and oil instead of being discarded and that the Commission should propose measures, including financial incentives, to encourage this;
 9. Calls on the Commission to submit a proposal as soon as possible for measures which may reduce TAC quota-related discards, including by-catch quotas, flexible quotas, revision of quota allocation procedures, multiple species quotas, etc.;
 10. Calls on the Commission to draw up a report on the options, advantages and disadvantages offered by setting up a system in which fishing effort is the main instrument in controlling fishing pressure and in which TACs and quotas play a secondary role;
 11. Calls on the Commission to continue monitoring research findings on alternative fishing gear with a view to improving technical measures, in particular net mesh sizes and windows;

12. Calls for minimum landing sizes and the selectivity of fishing gear to be made more consistent;
13. Recommends that real-time closure to fishing for a limited period should be used as a basic management tool in areas with a high concentration of juvenile fish at specific points in the biological cycle (e.g. spawning); calls upon Council to rapidly adopt the proposals to this effect made by the Commission in the cod and hake recovery plans; further calls upon the Commission to propose means of making these real-time closures as rapid and flexible to implement as possible, possibly by providing a role for the Regional Advisory Councils;
14. Welcomes the abolition of certain derogations regarding net sizes as proposed by the Commission in its proposal for the consolidation of the Council Regulation for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms;
15. Recalls that the discarding of fish can also be reduced by means of greater self-discipline among fishermen and notes in this respect the importance of involving the Regional Advisory Councils, as provided for by Regulation 2371/2002, in formulating a strategy on the elimination of discards;
16. Requests the Commission to examine how the Regional Advisory Councils can be utilised to their greatest effect to reduce discards;
17. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

The first and most important contribution that the EU can make towards reducing discards of fish is to achieve a general improvement in the state of fish stocks. EU fish stocks predominantly consist of small juvenile fish which consequently make a main component of the catch.

A discard ban does not prevent fishermen from discarding fish. It is inherently difficult to administer a discard ban as it is not possible or desirable to monitor fishermen's activities constantly.

Despite this, sustainable management of fishery resources should be based on the fundamental principle of minimising discards to a level equivalent to a ban.

A discard ban alone does not solve the whole problem. A discard ban only prevents fish from being thrown back into the sea. Fish that would otherwise be discarded should find a market elsewhere and could be sold to fishmeal plants in those countries where it is possible.

In order to introduce a discard ban, the EU must ascertain the extent of discarding. The TACs (total allowable catch) do not include discards and the necessary data to predict potential discards are not available.

It is not possible to avoid discards as the provisions of the common fisheries policy currently stand!

There is no rhyme or reason in discarding fish which are dead after being caught and at the same time believing this constitutes an effort to restore fish stocks.

There are many reasons for discarding, both legislative and economic, and in many cases there is a link between those reasons.

EU provisions require discarding for:

Legislative reasons:

1. Fish which are smaller than the minimum landing sizes,
2. Catches in excess of defined percentage compositions of catches taken with nets of a given mesh size,
3. Catches in excess of quotas;

Economic reasons:

1. Commercially less valuable fish of species acceptable to markets are discarded to keep storage space for fish which are of higher commercial value (high-grading), and thereby optimise the financial result of the quota,
2. Fish of low or zero commercial value, at least in the market targeted by the vessel in question, will be discarded.

A fundamental change of the current TAC/quota policy is required in order to work towards a general discard ban.

Discarding fish has various consequences:

biological consequences – because the majority are dead or moribund,
economic – because small fish produce less profit if sold and no profit at all if they are discarded and therefore never grow (because they are dead).
stock assessment and fisheries management – when discards are an unknown quantity, fishing mortality rates are also unknown quantities.

There are several possibilities of reducing discards but, at the same time, it is such a complex problem that it cannot be solved merely by introducing one or two rules. Some fishing methods and/or management measures may entail significant discards, while others do not give rise to serious problems. First and foremost, there must be a general improvement in the state of fish stocks.

Despite an improvement in the selectivity of fishing gear, there are limits to how great an improvement can be made. This applies particularly to fishing methods used in mixed fisheries.

One possibility might be voluntary departure from fishing grounds. In Norwegian and other legislation, there is a requirement for fishermen to depart from fishing grounds where high quantities of small fish are being caught. The Commission will consider application of the same principle in Community measures but, as any such legal requirement is in practical terms difficult to enforce, its successful application depends on the voluntary compliance of fishermen.

The Commission's proposed measures:

The Commission proposes making better use of low-value fish and points to existing examples in Spain where low-value species obtained from local trawling are used as feed for farming octopus instead of being discarded. Your rapporteur would like to see many more such examples.

It is dispiriting to see fishermen discard cod which meets the minimum size requirement but is discarded nevertheless because the fishermen want to catch bigger fish instead of maximising their income where the quota is low. This is an extremely unfortunate consequence of the quota policy and testifies to a lack of understanding of the conservation policy by the fishermen involved who, albeit small in number, nevertheless revealed a patent lack of understanding of the problem with small cod stocks.

A strenuous effort should therefore be made to reduce TAC/quota-related discards. This can be done by introducing:

- by-catch quotas,
- more flexible quota allocation systems – *in Iceland, for example, a 5% quota margin is negotiated in port,*
- regular revision of quota allocation keys,
- implementing a system whereby fishing effort plays a bigger role and TACs and quotas a less important role – *a fisheries model of particular interest might be one in which fishing is reduced on the basis of days at sea and capacity alone, and in which quotas play a less important role or no role at all; such a system would be reduce discards in comparison with existing systems from the outset,*
- the introduction of multi-species TACs.

The Commission plans:

- to carry out pilot projects to find new fishing methods which may reduce discards,
- to improve the collection of data on discards – some fisheries are simply not covered at the present time.

Your rapporteur must point out that data collection is yet again inadequate and that data are required to determine the extent of discarding and to be able to put forward possible solutions.

Moreover, technical measures must be improved, primarily to protect juvenile fish. These measures relate to four major aspects:

structure of nets,

*minimum landing sizes – scientific studies show that undersized fish constitute the majority of discards. **Provisions governing minimum sizes for fish can therefore significantly influence the volume of discards,***

the composition of species to be taken with nets of a defined mesh size, closed or controlled areas and/or seasons.

Discards are a complex problem that require complex solutions. Nevertheless, it is in everyone's interest to minimise discards as far as possible since no-one gains from discarded fish while the optimum supply of fish depends on the fish being able to grow and spawn before they are caught.