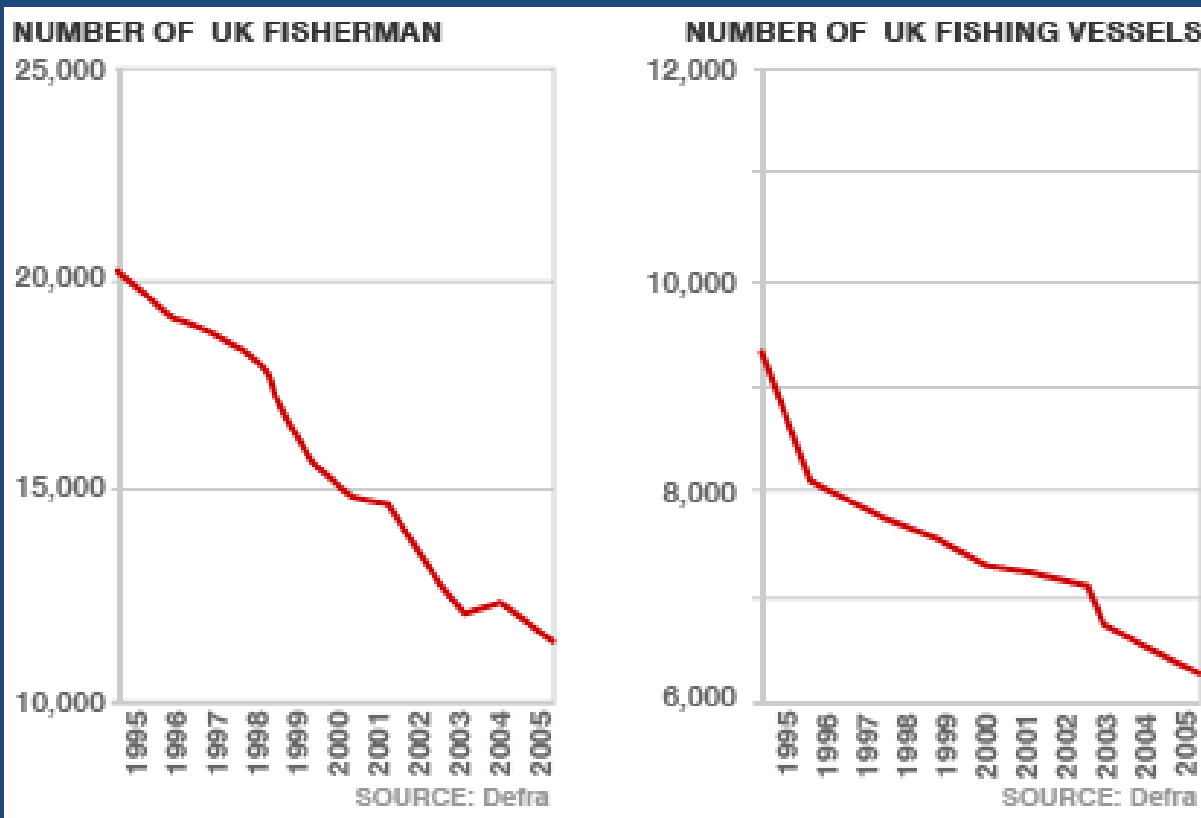




Jerry Percy  
**Discards, Quota and MSY**  
- policy and practice –  
an overview

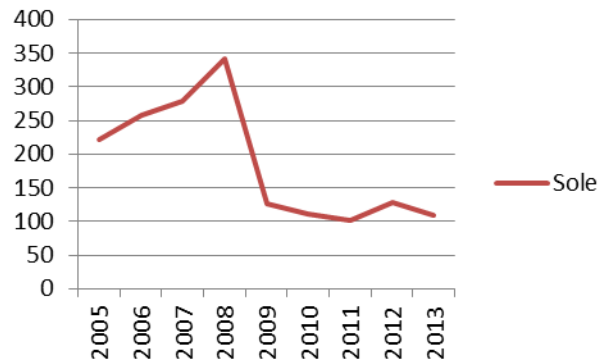
- ***Britain is a nation built on coal and surrounded by fish. Aneurin Bevan 1945***

***"and only an organisational genius could arrange a shortage of both at the same time".***



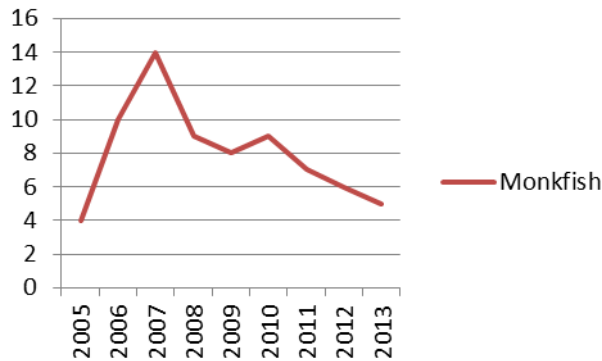
### IV Sole

68% Reduction



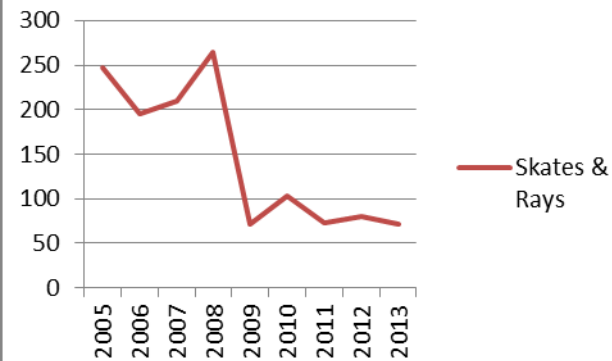
### IV Monkfish

65% Reduction



### IV Skates & Rays

73% Reduction



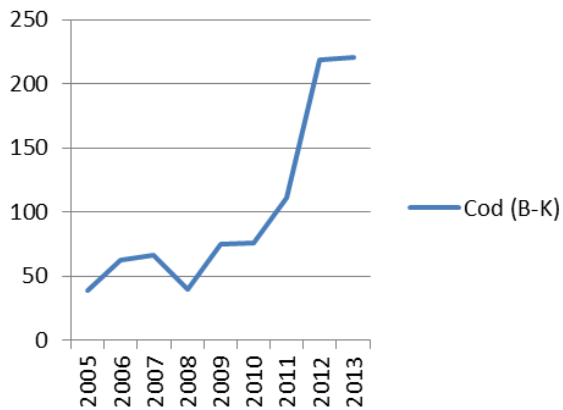
### IV Turbot & Brill

78% Reduction



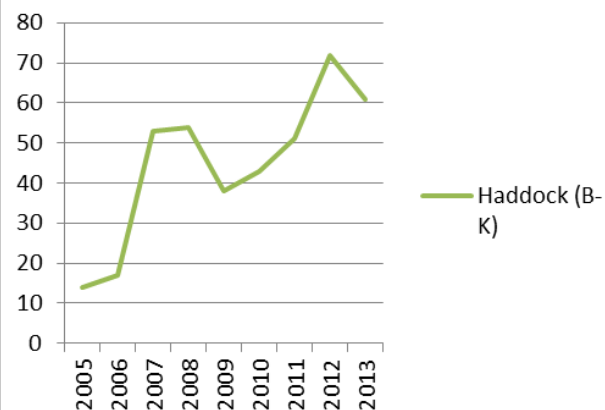
### VII Cod (B-K)

351% Increase



### VII Haddock (B-K)

359% Increase



# CFP Reform – A Brief History

- 30 + years of mismanagement – Twin Aims
- Green Paper 2009
- Original Commission proposal – 2011
- General Approach in Council – Feb 2013
- Lisbon Treaty [co-decision & Celebrity Chefs!]
- 2549 European Parliamentary amendments – Feb 2013
- Trilogues – March – May 2013
- Agreement – May – June 2013
- Into force January 1<sup>st</sup> 2014
  - 131 Pages
  - 51 Articles
- Policy agreed – Practice [implementation] far from sorted.





# 2014 CFP – Main Content

- Regionalisation
- **Maximum Sustainable Yield**
- Access and Fishing Opportunities
- Integration with Environmental Policies
- External Dimension
- Aquaculture
- **Discards [Landings Obligation]**



# CFP Reform – Integration with Environmental Policy

- Process to implement fisheries measures where necessary to join up with environmental legislation
- Member States propose, but enacted via regionalised process. Commission powers in some cases OR full co-decision
- Protected areas [Fish Stock Recovery Areas)



# CFP Reform – External Dimension

- Principles guiding third country agreements and other external EU engagement
- Same principles of sustainability inside and outside EU waters
- More transparent agreements, based on science, surplus stocks
- Coherence with development aims. Value for Money(!) [150 million Euros /year on Fisheries Partnership Agreements with third countries]

# *Maximum Sustainable Yield*

- MSY: the largest amount of fish that can be harvested from a stock indefinitely given current environmental conditions
- Bmsy: The total biomass of a stock when it is capable of producing MSY
- SSBmsy: The biomass of the fish in a stock that is capable of reproducing to produce MSY
- Fmsy: The level of fishing mortality that would maintain a stock at MSY., basically equivalent to the growth of the stock after natural mortality is accounted for.





# Maximum Sustainable Yield

- The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources **restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.**
- In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, **the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.**
- MSY both enthrones and institutionalizes greed. **It is a perfect example of pseudo-science with little empirical or sound theoretical basis.** As a target for management of fisheries, or even as the anchor for so-called 'reference points', it is inadequate **and its pursuit increases the likely unprofitability, and even collapse, of fisheries.** [Holt}
- The report, led by the University of the West of England, has two key findings: that it is **illegal for coastal states to permit fishing beyond MSY; and that it is highly likely that this law is enforceable through the court system.**

# *Landings Obligation*

## *– Discard Ban*



- Objective:- Elimination of Discards
- Progressively implemented landings obligations (discard bans)
- Detailed rules / quota provisions to aid practical implementation [aka 'flexibilities']
- Specifics can be set out in EU plans, or in detailed technical measures, but landings obligations / deadlines apply in any event

# CFP Reform – Discards (2)

- Landing obligations for all quota stocks
- Deadlines:
  - Pelagics no later than 1<sup>st</sup> January 2015
  - Listed whitefish stocks, defined by fishery [2016 – 2018]
  - Remainder [2017 – 2019] [Med & Black Sea]





## CFP Reform – Discards (3)

- Catch limits control what can be caught, not what can be landed
- Quotas should be adjusted accordingly [‘Science driven uplift’ – ICES]
- Technical Rules conflicting with landing obligation reviewed / removed (Omnibus and Tech Con)
- Reduce unwanted catch in the first instance – selectivity, spatial measures. Optimising use of quota

# Discards – more!



- Potential exemptions:
- Species for which fishing is prohibited
- Species for which scientific evidence demonstrates high survival rates
- *De minimis* exemption [up to 5% after transition period][77665]
  - Where evidence shows selectivity very difficult
  - To avoid disproportionate costs in limited cases

# CFP Reform – Discards – and again

- Quota provisions:
- Deducting unwanted catch from target species [count up to 9% of the catch of non target species against the principle target species, IF by catch species is within safe biological limits]
- Year to year flexibility of 10% of quota
- International swapping between Member States



# CFP Reform – Discards – 2 to go

- Controls:
- Full documentation of catches [including CCTV and or other methods such as reference fleets, self audit
- Minimum conservation reference sizes, where appropriate, fish below used only for non human consumption [counts against quota]



# The bad news [potentially]



- Regionalisation & Multiannual plans ignore smaller scale issues
- Rigid MSY Targets = reductions in annual TAC's
- One cumbersome and top down management structure replaced by another
- Timescale
- Lack of level playing field
- Relationship with environmental legislation
- Co-decision [friend or foe?]
- Loss of discarded biomass for birds and seabed
- Fish stock recovery areas



# CFP Reform – the good news [potentially]

- DEFRA keen to engage
- Recognised need for review of quota management
- Beneficial approach to exemptions and exceptions
- Exemptions for smaller vessels?
- Public and NGO Support [EP] (from confrontation to collaboration?)
- Interpretation & Implementation is ALL!

