

From the Seafish Discard Action Group Chairman  
Mike Park



Commissioner Maria Damanaki  
European Commissioner for Maritime Affairs and Fisheries  
European Commission  
B - 1049 Brussels

24 May 2011

Dear Commissioner Damanaki

I am writing to you as Chair of the Discard Action Group (DAG) which is a cross sector body within the UK fisheries sector. The group is an 'issue forum' playing a pivotal role in mediating a common approach to discard issues affecting the whole seafood supply chain. We believe we are the only cross-industry group in Europe addressing the issue of discards.

A recent meeting of our regulatory sub-group assessed how the current regulations fit with a move to 'discard free' fisheries and found that many of them, especially those that are prescriptive in nature, will continue to drive fishers to discard. DAG believe the problem of discards will be resolved only through a process of regional management, incentivised change, and regulatory flexibility that encourages fishers to innovate, develop and experiment with selective gears and techniques.

The issue of discards is complex involving a convoluted series of interrelationships, ranging from behaviour, to management, to market, to technical measures, to ecological effects to highlight a few. There is real danger in adopting "a one solution fits all approach" to the problem of discarding and a basket of measures is usually needed to address the problem, in some cases with different measures, even in the same fishery. DAG participants hold different viewpoints on the appropriate range of measures to address discards, and a key ongoing purpose of the group is to harmonise understanding of the impact of tools such as effort limitation, and catch quota.

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DAG suggests that Long Term Management Plans (LTMPs) should feature extensively and that they should take account of multi-species aspects of fisheries to be consistent with an ecosystem based approach to fisheries management; they should include more than just harvest control rules. It is important that LTMPs take account of factors other than ecological and biological; understanding the social and economic demands is equally important to maximise the success of outcomes.

We believe there is a need to obtain a clearer picture of stock abundance for quota and non-quota species. Therefore we think it is important to ensure that future regulatory change couples discard reduction with data gathering. This will significantly help improve fisheries management and create a closer link between fishers and the scientific community.

Encouraging progress in reducing discards has been made through *catch quota* schemes in a number of North Sea member states. By using an incentive and results based approach, verified by CCTV, fishers have been encouraged to adapt their fishing patterns within a “catch less, land more approach”. Given the mixed character of many of our fisheries, it is clear that *catch quotas* should only be applied carefully through a voluntary and incremental approach if it is to retain the support of the industry.

With regard to spatial management and the protection of juveniles: the Norwegian approach contrasts significantly with that of the EU. The Norwegian approach incentivises fishers to respond positively, allowing continued access to an area where high levels of juveniles have been identified when selectivity is significantly improved. This incentivises fishers to be innovative; it also removes a negative element of the current EU system of Real Time Closures (RTCs) for juveniles where the behaviour of irresponsible fishers can lead to the closure of a fishery to everyone; including the most responsible.

It is our estimation that the effort element of the Long Term Management Plan for cod may increase discards if levels of effort are further reduced. Fishers traditionally avoid areas where levels of unwanted by-catch lead to significant discarding; we believe a further reduction in effort will change that practice. We believe that fishers will begin to transform their approach to make best use of the available time at hand; consequently, operational decisions will be based on maximising output by reducing unproductive use of effort. Clearly, moving between fishing grounds is seen as such a waste, and this may result in fishers being less inclined to move from areas where discards feature prominently.

Catch composition rules limit the retention of non-target species; they are a feature of Council Regulation EC No 850/98. Whereas their original objectives – defining fisheries, encouraging the use of selective devices and discouraging inappropriate target species/gear combinations – are still valid, their continued application in their current format is seen by DAG as a further contributing factor to discards. Where there is evidence that selectivity has been significantly improved, there should be enough flexibility within the new regulations to allow regional or local adjustments as long as they are deemed to be ecologically responsible. Such flexibility would benefit, for example, *Nephrops* vessels, which have historically suffered from regulatory discarding of marketable whitefish because of inflexible and prescriptive catch composition rules.

Our group would also like to highlight that very often fishers in one Member State are forced to discard even though the overall TAC remains underutilised. We feel there is a need to make the in-year system of transfers and swaps of species between Member States a more transparent and fluid process. The onset of regime shift will only magnify this problem if left unresolved.

In summary, we would suggest that reform should include a move toward the development of Long Term Management Plans that cater for an ecosystem approach, that we embrace and build on the current initiatives which promote technical solutions and initiatives by fishers, and that we capture the information that will flow from making fishers accountable for what they remove from the sea. It is important too that we identify, and adjust, regulations such as catch compositions rules that may have a negative impact on discard reduction, and that we find ways of fully utilising the international resource.

DAG is committed to finding the right solutions to reduce the capture of unwanted species; we have a further three working groups looking at the parallel issues of markets, science and selectivity. We are keen for you to receive our findings as soon as the work streams are completed. We would welcome the opportunity to present our findings in person.

The views expressed in this letter should not be taken to represent UK Government position/thinking.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Mike Park', written in a cursive style.

**Mike Park**  
Chairman

**Discard Action Group (DAG) (formed in 2007) participants by organisation**

Anglo North Irish Fish Producers' Organisation

Birds Eye Iglo Group

Cornish Fish Producers Organisation

ClientEarth

Department of Agriculture and Rural Development NI (OBSERVER STATUS)

Department for Environment, Food and Rural Affairs (OBSERVER STATUS)

Faroe Seafood

Findus/Seafood Company

International Fishmeal and Fish Oil Organisation

Le Lien Ltd

Loch Fyne Oysters Ltd

Marine Conservation Society

M&J Seafoods

National Federation of Fishermen's Organisations

New England Seafood

Sainsburys

Scottish Fishermen's Organisation

Seachill Ltd

Seafood Scotland

Sea Fish Industry Authority

Scottish Fishermen's Federation

Simpson's Seafood

Simsons Fisheries Ltd

South East Seafood

Scottish White Fish Producers Association Limited

South Western Fish Producers Organisation Ltd

Sustainable Fisheries Partnership

Tesco

United Fish Industries

Waitrose

WWF-UK