



31. plenary meeting report of the scientific, technical and economic committee for fisheries (PLEN-09-02)

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31st PLENARY MEETING REPORT OF THE SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES (PLEN-09-02)

PLENARY MEETING, 13-17 JULY 2009, Copenhagen

Edited by John Casey & Hendrik Dörner

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31th PLENARY MEETING REPORT OF THE SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES (PLEN-09-02)

PLENARY MEETING

13-17 JULY 2009, COPENHAGEN

1. INTRODUCTION

STECF was hosted by the Institute of Food and Resource Economics (FOI), Copenhagen University, Frederiksberg (Denmark), from 13 to 17 July 2009. The Chairman of the STECF, Dr John Casey, opened the plenary session at 15:00h. The terms of reference for the meeting were reviewed and the meeting agenda agreed. The session was managed through alternation of Plenary and working group meetings. Rapporteurs for each item on the agenda were appointed and are identified in the list of participants. The meeting closed at 16:00h on 17 July.

2. LIST OF PARTICIPANTS

Contact details are attached in ANNEX I.

MEMBERS OF THE STECF:

Abella, J. Alvaro (Rapporteur)
Andersen, Jesper Levring (Vice-chair)
Bailey, Nick (Rapporteur)
Balguerias, Eduardo (Rapporteur)
Cardinale, Massimiliano (Rapporteur)
Casey, John (Chair)
Di Natale, Antonio (Vice-chair; Rapporteur)
Dobby, Helen (Rapporteur)
Döring, Ralf (Rapporteur)
Figueiredo, Ivone
Gascuel, Didier (Rapporteur)
Gustavsson, Tore
Kirkegaard, Eskild (Rapporteur)
Kraak, Sarah (Rapporteur)
Malvarosa, Loretta
Martin, Paloma (Rapporteur)
Prellezo, Raul (Rapporteur)
Sabatella, Evelina (Rapporteur)
Somarakis, Stylianos (Rapporteur)
Stransky, Christoph (Rapporteur)
Vanhee, Willy (Rapporteur)

INVITED EXPERT:

Loretta Malvarosa

Joint Research Centre (JRC) experts:

Anderson, John

Scott, Robert (Rapporteur)

EUROPEAN COMMISSION:

DG- Maritime Affairs and Fisheries (MARE)

Angot, Veronique

Calvo, Angel

Daniel, Patrick

Pertierra, Juan-Pablo

Lindemann, Jan-Henning

JRC- STECF secretariat:

Dörner, Hendrik

Folisi, Floriana

Members of the STECF not present:

The following members of the STECF informed the secretariat that they were not able to attend the meeting:

Curtis, Hazel

Daures, Fabienne

Graham, Norman

Hatcher, Aaron

Parkes, Graeme

Polet, Hans

Kuikka, Sakari

VanHoof, Luc

VanOostenbrugge, Hans

Virtanen, Jarno

3. INFORMATION FROM THE COMMISSION – ORGANISATIONAL MATTERS

Replacement of STECF members – State of the play

The Commission informed the STECF plenary that the first step of the replacement process of two of its members (Hans-Joachim Rätz & Jordi Garcia Guillen), who left to join the JRC team, had been finalized few weeks ago. After having requested economists and biologists listed on the STECF reserve list to confirm their interest according to profiles which were expected, two new STECF members - one economist, Loretta Malvarosa and one biologist, Michel Bertignac – have been appointed to join the plenary.

The Commission also informed the STECF plenary that for administrative reasons both of its two new members will be invited to attend future plenary meetings as external experts until amendments to the decision establishing the STECF are adopted and an updated list of STECF members is published.

Review of the Commission Decision No 2005/639

The Commission reminded the STECF membership about difficulties usually faced when dealing with some day-to-day tasks foreseen in the Commission decision establishing the STECF. Indeed, according to such a decision, procedures to appoint STECF members, to invite external experts, to create of Working Groups, to allow adoption of internal rules of procedure currently need a formal Commission approval, which would mean a decision taken by the College of the Commissioners, what may sometimes really appear disproportionate.

The DG Mare consequently proposes to amend the current Commission decision to facilitate days-to-day tasks related to usual working of the STECF Plenary and Working Groups.

Calendar of next WG meetings

An update of the STECF autumn calendar will be provided by the DG MARE focal point for STECF at the beginning of September.

4. ASSESSMENT OF WORKING GROUP REPORTS

4.1. SGECA-09-02: Quality aspects of the collection of economic data, methods of calculation of the indicators and sampling strategies

STECF is requested to review the report of the **SGECA-09-02** Working Group of May 11 – 14, 2009 (Barcelona) meeting, evaluate the findings and make any appropriate comments and recommendations.

Terms of reference

The terms of reference for the SGECA-09-02 Working Group are to be found in Annex I.

The report of the meeting is to be reviewed by the STECF, in particular the issue of terms of reference proposed for SGECA/DCF as Working Group dealing specifically with methodological issues arising from the implementation of the economic components of the Data Collection Framework (DCF) with a permanent chairperson.

Background

The new DCF establishes the list of economic variables to be collected for the for the different fleet segments of the EU fleet. It also requires MS to describe the methodologies applied for the collection of data and to give information on the quality (accuracy and precision) of estimates.

SGECA 09-02 was asked to give appropriate recommendations and proposals in order to harmonise the presentation of NP in order to facilitate the STECF task to evaluate the quality of the data collected by the Member States.

Moreover, the Regional Co-ordination Meetings held in 2008 identified several issues within the new DCF requiring further work or clarification.

In the current DCF, comparability of the quality of the data is limited by poor information provided by the MS in the technical report. This is mainly due to fact that the guidelines for reporting information on quality is presently lacking or unclear. SGECA 09-02 was asked to provide guidelines on what Member States should report, as a first step towards the evaluation of the effectiveness of different sampling schemes and harmonising the sampling procedures for economic data around Europe.

STECF is therefore requested to review the report of the meeting SG-ECA 09-02 on the quality aspects of the collection of economic data, methods of calculation of the indicators and sampling strategies.

In particular, STECF is required to endorse the issue of terms of reference proposed for SGECA/DCF as subgroup with a permanent chairperson, dealing specifically with methodological issues arising from the implementation of the economic components of DCF.

STECF comments and recommendations

STECF recognizes that assessment of quality of data is highly important and which affects end users, who need to be aware of the reliability of data used in their analyses. STECF also recognizes that SGECA 09-02 managed to address all their terms of reference and proposed useful tools to assess the quality of economic data.

STECF reviewed the list of recommendations suggested by SGECA 09-02 and considers that their application will allow MS to better comply with the requirements of the DCF in relation to data quality assurance. Therefore, STECF endorses the SGECA 09-02 recommendations.

In particular, STECF recommends that MS indicate the data collection category that is to be applied for each fleet segment and for each economic variable as listed in Appendix VI of Council Decision 949/08. SGECA 09-02 identified three different categories of data collection scheme that covers all the possible typologies of data collection:

- A. Census, which attempts to collect data from all members of a population.
- B. Probability Sample Survey, in which data are collected from a sample of a population members randomly selected
- C. Non-Probability Sample Survey, in which data are collected from a sample of population members not randomly selected.

STECF notes that this classification will facilitate the comparison of survey methodologies among Member States (MS).

STECF also recommends that MS:

- include in their NPs for the period 2011-2013, a methodological report to describe the sampling strategies. STECF also recommends that MS adhere to the guidelines for the preparation of the methodological report given in Table 4.1.1 below (adapted from the report of the STECF-SGECA 09-02).
- include in their annual Technical Reports, the data quality indicators given in Table 4.2.2 below (discussed under TOR 2 of STECF-SGECA 09-02).

Table 4.1.1: Methodological report for NP

LIST OF CONTENT	Type of data collection	SPECIFICATION
SECTION 1 - TYPE OF DATA COLLECTION	A B C	A. Census, B. Probability Sample survey, C. Non Probability Sample survey,
SECTION 2 - POPULATION		
Target population (3)	A-B-C	The target population is the population for which inferences are made and is defined in the DCF. MS should explain if there are deviations from the definition given in the DCF. MS should describe the fleet segmentation. A table with numbers of vessels per segment should be supplied. Clustering of fleet segments should be described and information should be given on the segments that are clustered, as required by the DCF and following SGECA recommendations. A table should report the segments that have been clustered.
Frame Population (3)	A-B-C	The frame is a device that permits access to population units. The frame population is the set of population units which can be accessed through the frame and the survey data then refer to this population. The frame contains sufficient information about the units for their stratification, sampling and contact.
SECTION 2 - DATA SOURCES		
Data sources/Questionnaire Design	A-B-C	MS should provide a list of data sources used (logbook, sales notes, accounts, etc.) and a description of each. Where a questionnaire is used, a copy of this should be included in an annex to the report
SECTION 3		

SAMPLING		
Type of sampling strategy	B-C	MS should describe the selection of sampling units and therefore the type of sampling strategy used (e.g., simple random sampling, systematic sampling, sampling with PPS, multiple stage sampling, etc.)
Further stratification within fleet segment	B-C	MS should describe if fleet segments have been divided into subsets (strata) before the selection of a sample. MS should define what parameters have been used to stratify.
Determination of sample size for each fleet segment	B-C	MS should explain which targets have been used to determine the sample size and why these targets have been chosen. MS should present the sample size by fleet segment in a table, together with the coverage rate (number of vessels in the sample/number of vessels in the population)
Sample evolution over time, rotational groups (4)	B-C	MS should describe any projected changes in sample size over time and should report the number of sample units that will be substituted from one year to another.
SECTION 4 ESTIMATION		
Estimation methods from sample to population	B-C	MS should describe the type of estimators used according to the type of sampling strategy (for example, Horvitz-Thompson or Hansen-Hurwitz estimators) MS should describe estimation procedures, including the nature of any additional information used
Imputation of non responses/ Non-response adjustments (5)	A-B-C	MS should describe the statistical models used, e.g., regression analysis, adjustments of raising factors, etc. Where substitution is applied in cases of unit non-responses, the following information should be provided: method of selection of substitutes and main characteristics of substituted units compared to original units
SECTION 5 - DATA QUALITY EVALUATION		
Evaluation of accuracy	A-B-C	MS should describe the methods to assess the variability of the estimates and to assess the bias derived from non-responses and from the use of models in case of non-probability sampling
SECTION 6 - DATA DISSEMINATION AND PRESENTATION		
	A-B-C	MS should indicate when data will be available to end users and the time lag with respect to the reference year. Confidentiality problems and the need for clustering of segments in the phase of presentation of the results should be discussed in this section.

Footnotes:

- (1) In a census all the units in the population will be contacted in order to collect economic variables. This definition continues to apply when the response rate is less than 100%. In this case, non-responses should be dealt with using appropriate statistical procedures.

- (2) Non-Probability Sampling refers, for example, to surveys where data are collected from a panel of vessels who have agreed to supply data on a voluntary basis or from a sample selected on the basis of *a priori* information, or other non-random methods. Technical details on how the sample was selected should be reported. The reason for not using probability sampling should be stated as well as an assessment of how the sampling procedures may affect the estimates. Different types of non-probability sampling, such as “cut-off” sampling (where units below a certain size threshold are not sampled) are described in Eurostat (2009a and 2009b).
- (3) The population is clearly defined in the DCF. For economic variables to be collected for active and non-active vessels, the population and the frame (normally based on the Community Fishing Fleet Register) are the same. For economic variables to be collected only for active vessels, the frame may be different from the population. In this case the source of information used to distinguish the frame from the population should be described.
- (4) In the case where rotation is applied to substitute non-responsive units, this should be clearly described and the consequences for the estimates should be discussed.
- (5) In the case of a census with non-responses, variables should be estimated using models described in the methodological report. Methods used to evaluate the accuracy of these estimates should also be discussed under Section 4- data quality evaluation.

Table 4.1.2: Indicators of accuracy to be presented by MS in the TR

Type of error	Type of data collection (1)	Accuracy indicators
Bias	A – B – C	Response rates - unit response rate (2) - item response rate (3)
	B – C C (6)	Coverage rates : planned and achieved coverage rates Representativeness of the sample before and after re-weighting (4): deviations in terms of main characteristics (5) of sampled units compared with the population (for instance hypothesis tests on mean values)
Variability	A	None
	B	Coefficient of Variation (CV)
	C	Variability of the estimates (7)

Footnotes:

- (1) A: Census, B: Probability Sample survey, C: Non-Probability Sample survey
- (2) unit response rate: the ratio of the number of units for which data for at least some variables have been collected to the total number of units designated for data collection
- (3) item response rate: the ratio of the number of units which have provided data for a given variable to the total number of designated units or to the number of units that have provided data at least for some data items
- (4) re-weighting could be necessary when the sample is judged not sufficiently representative
- (5) technical characteristics (GT, age, etc.), effort and landings, where these data are available for each vessel in the fleet segment
- (6) in case of low response rate (<70%), MS should evaluate the representativeness of the sample/census also under A and B
- (7) methods to assess such variability should be presented in the methodological report

STECF notes that SGECA-09-02 did not suggest any specific indicator for the assessment of quality for the case of non-probability sampling. This was due to the fact there was no consensus on the indicators that could be used and to the fact that there is no solution readily available in literature to estimate the precision of estimators based on non-random sampling. Therefore, STECF recommends that a scientific study aimed at addressing the issue of quality reporting and at suggesting appropriate methodologies for the case of non-probability sampling should be carried out. The best way to approach this should be discussed by DG Mare and the STECF Board.

Regarding the issue of clustering fleet segments, STECF note that sampling clustered segments can in practice result in the complete omission of some segments from data collection.

STECF agrees with the method suggested by STECF-SGECA 09-02 to apply different clustering approaches on the basis of the particular characteristics of fleet segments. Some fleet segments are more important in terms of landings/effort/target species than others, and therefore these segments should be treated with more care in case of clustering. For important segments, there exists an evident scientific need to have economic data. STECF agrees that such segments should not be clustered unless strictly necessary in data reporting for confidentiality reasons.

STECF discussed the proposal to identify a specific STECF sub-group (SGECA/DCF), with a permanent chairperson, dealing specifically with methodological issues arising from the implementation of the economic components of the DCF.

STECF recognizes the importance and the need to cover economic issues dealing with DCF but it also considers that SG-RN/ECA is the appropriate working group to address these issues. Economic and biological aspects should be better integrated and therefore STECF considers that economic participation should be stimulated within the SG-RN/ECA.

SGECA 09-02 suggested the following terms of reference for the SGECA/DCF:

1. Propose guidelines for the collection of economic data
2. Propose guidelines for the evaluation of National Programmes and Technical Reports
3. Discuss methodological issues
4. Exchange best practices on data collection methodologies and statistical techniques
5. Propose methods, which ensure comparability of data collected by MS at the regional level
6. Suggest studies and workshops on specific methodological issues.

STECF agrees that the above terms of reference are appropriate, but considers they should be integrated with and addressed by the SG-RN/ECA rather than create an additional specific sub-group.

4.2. SGECA/RST-09-02: Review of scientific advice on North Sea, Westerns waters, widely distributed (part 1) and Black Sea stocks for 2010.

STECF is requested to review the report of the SGECA/RST-09-02 Working Group of June 29 – July 3 2009 (Brest) meeting, evaluate the findings and make any appropriate comments and recommendations.

Terms of Reference:

The terms of reference for the SGECA/RST-09-02 Working Group are to be found in Annex II.

When reviewing the draft report of the SG-ECA/RST 09-02, the STECF plenary will be requested to pay particular attention to the following questions related to specific stocks:

- Herring VIIa South & Celtic Sea: Please explain why the advice completely changes within one year (from "no fishing without plan" in 2008 to "harvest of 10 000 tonnes" in 2009).
- Haddock VII b-k, etc: Please explain the statements made on recent recruitment levels. It is not clear whether recruitment trend is good, bad or none of those.
- Hake VI & VII: Please advise on the TAC corresponding to the application of the management plan proposed by the Commis
- sion in March 2009 (COM (2009) 122 final) which should replace the existing one this year.
- Cod in the Celtic Sea: Please pay particular attention to the formulation of advice, as the applicable cod management plan foresees following scientific advice in data-poor conditions.
- Cod in the North Sea, Skagerrak and Eastern English Channel:

Please advise whether the ICES forecast of landings in 2010 includes sources of fishing mortality other than landings that are counted against TAC (and if so, how much).

DG MARE is considering asking STECF in autumn to review the 2010 estimates of discards and unallocated landings based on discard data collected in the first half of 2009. Please advise on the minimum data needs and data sources that would allow STECF to perform such a review.

- Sole VIIa,b: Please advise on a suitable target fishing mortality rate related to MSY as requested by the management plan (Article 3 of Council Regulation 388/2006), and advise on the consequences of setting TACs by gradual approximation to that rate of 10 % per year, or other appropriate value(s).
- Herring in subdivisions 22-24 and Ices Division IIIa (spring spawners): Please advise whether HCR rules suggested in the Communication from the Commission COM (2009) on a consultation on fishing opportunities for 2010 addresses the situation for this stock in line with the principles for TAC setting for 2010.
- The DG Mare would especially value STECF advice along the lines of the harvest rule based on appropriate Fmsy proxy for the following cases:

All Nephrops stocks,

Megrims VI & IV,

Anglerfish VI & IV,

Anglerfish VIIb-k, VIIa,b,d,e

Sole VII h-k,

Plaice VII d,e,

Haddock VIIa,

Megrims VII, VIIIa,b,d,e

Sole VIIe

- When reviewing the draft report on the Black Sea, STECF will have to pay care attention to evaluate the findings and make any appropriate comments and recommendations. STECF is requested in particular to advise on 2010 catch limitations for turbot, sprat and any other stocks among anchovy, mackerel, bonito, whiting and red mullets, well as on any other technical measures that would be considered adequate for sustainable exploitation of these stocks.

STECF response

STECF reviewed and adopted the report of the SGECA-SGRST-09-02 of 29 June to 3 July 2009 (Brest) meeting. This report was updated with STECF comments and recommendations and endorsed by the Committee and is published as the STECF “*Review of scientific advice for 2010 Part 1: Advice on Stocks of Interest to the European Community in the North Sea Celtic and Irish Seas, West of Scotland, West of Ireland, south western waters, Icelandic and North Sea, Celtic and Irish Seas, West of Scotland, West of Ireland, south western waters, Iceland and East Greenland, Barents Sea and the Norwegian Sea, Faeroe plateau ecosystem, Black sea and widely distributed and migratory stocks, deep sea stocks and Elasmobranch Resources in the North East Atlantic*”.

The information presented in the review supersedes that which was published in the Consolidated Review of advice for 2009 for stocks of Community Interest. For some stocks the advice will be updated in October 2009 and published in the STECF Consolidated review of advice for 2010, which will be available in November 2009.

In undertaking the review, STECF has consulted the most recent reports on stock assessments and advice from appropriate scientific advisory bodies or other readily available literature, and has attempted to summarise it in a common format. For some stocks the review remains unchanged from the Review of advice for 2009 (STECF, 2009, EUR 23630 EN), since no new information on the status of or advice for such stocks was available at the time the present review took place.

STECF notes that the term ‘stock’ in some cases may not reflect a likely biological unit, but rather a convenient management unit. In specific cases STECF has drawn attention to this fact. STECF also is of the opinion that, as far as possible, management areas should coincide with stock assessment areas.

For the first time STECF was requested by the Commission to estimate the TACs corresponding to the decision rules contained in the Commission’s Communication on Fishing Opportunities for 2010 (COM (2009) 224).

For each stock, a summary of the following information is provided:

STOCK: [Species name, scientific name], [management area]

FISHERIES: fleets prosecuting the stock, management body in charge, economic importance in relation to other fisheries, historical development of the fishery, potential of the stock in relation to reference points or historical catches, current catch (EU fleets’ total), any other pertinent information.

SOURCE OF MANAGEMENT ADVICE: reference to the management advisory body.

MANAGEMENT AGREEMENT: where these exist.

PRECAUTIONARY REFERENCE POINTS: where these have been proposed.

STOCK STATUS: Reference points, current stock status in relation to these. STECF has included precautionary reference point wherever these are available.

RECENT MANAGEMENT ADVICE: summary of advice.

STECF COMMENTS: Any comments STECF thinks worthy of mention, including errors, omissions or disagreement with assessments or advice.

FISHING OPPORTUNITIES FOR 2010 according to COM (2009) 224: The TACs corresponding to the TAC decision rules contained in COM (2009) 224.

Application of the rules for calculating TACs according to the Commission's Communication on Fishing opportunities for 2010 (COM (2009) 224)

STECF has adopted the following procedure in providing options for fishing opportunities for 2010 according to COM (2009) 224.

Options when a management plan is in place or proposed.

1. If the management plan has been evaluated and has been deemed to consistent with the precautionary approach, STECF has advised on the level of TAC corresponding to the relevant harvest control rule contained in the plan.
2. If the management plan has not yet been evaluated or the evaluation was inconclusive with respect to the precautionary approach, STECF has noted the level of TAC corresponding to the relevant harvest control rule contained in the plan.
3. If the management plan has been evaluated and has been deemed not to be consistent with the precautionary approach, STECF has noted the level of TAC corresponding to the relevant harvest control rule contained in the plan. In this case, STECF also provides options for TACs according to the Communication from the Commission (COM (2009) 224) on a consultation on fishing opportunities for 2010.

Options when there is no management plan in place or proposed.

4. In such circumstances STECF provides options for TACs according to the Communication from the Commission (COM (2009) 224) on a consultation on fishing opportunities for 2010

While recognising that some stocks are shared resources and the EU may only obtain a share of the overall TAC, the values for 2010 TACs provided in the report according to COM (2009) 224 apply to the overall TAC and not the any anticipated EU share. This is because STECF has no advance information on what share is likely to be negotiated. Note also that the TAC values provided by STECF in accordance with COM (2009) 224 should not be considered as STECF-advice, unless it is explicitly stated as such in the report sections.

The STECF review of scientific advice for 2009 was drafted by the STECF Sub-groups on Resource Status (SGRST 09-02) held in Brest, France from 29 June to 3 July 2009.

STECF acknowledges the extensive contribution made by the following participants:

Participants SGRST 09-02 meeting in Brest, France, 29 June – 3 July 2009:

STECF members

Casey, John (Chair)

Stransky, Christoph
Vanhee, Willy

Invited experts:

Bertignac, Michel
Daskalov, Georgi
Holmes, Steven
Keatinge, Michael
Maximov, Valodia
Munch-Petersen, Sten
O’Hea, Brendan
Panayotova, Marina
Radu, Gheorge
Raykov, Violin
Shlyakhov, Vladyslav
Zengin, Mustafa

JRC expert

Raid, Tiit

STECF Secretariat

Raid, Tiit

4.3. SGMED 09-02: Assessment of Mediterranean Sea stocks

STECF is requested to review the report of the **SGMED-09-02 Working Group** of June 8 – 12, 2009 (Sardinia) meeting, evaluate the findings and make any appropriate comments and recommendations.

STECF notes that the deadline for submission of both full stock assessment report and stock summary sheet has been postponed to the 1st of August 2009. In addition answers to some specific requests to STECF are dependent on the results of the 2009 assessments which will not be undertaken until after the 1 August 2009 deadline for data submission.

The Commission and STECF agreed that the STECF review of the Report of the SGMED-09-02 Working Group should be deferred to the November 2009 STECF plenary meeting.

4.4. SGMOS 09-04: Assessment of fishing effort regimes – part 1

STECF is requested to review the report of the **SGMOS-09-04 Working Group** of May 25 - 30, 2009 (Lisbon) meeting, evaluate the findings and make any appropriate comments and recommendations.

STECF response

The terms of reference for the SGMOS-09-04 Working Group are to be found in Annex III.

STECF notes that the workload of the Working Groups involved in the compilation and analysis of fishing effort data is huge and that in an attempt to fully address all of its Terms of Reference, three separate meetings have been scheduled for 2009 and that the work is not yet finalised. The SGMOS-09-04 Working Group met in Lisbon in May and further work continued in the SGMOS 09-03 meeting which met in parallel with the STECF plenum in Copenhagen in July 2009 July (because of administrative reasons SGMOS-09-03 took place after SGMOS-09-04). A further meeting is scheduled to take place in September/October 2009 to complete the task.

The work is ongoing and will not be finalised until after the meeting in the autumn. It was agreed that STECF would undertake its Review of the final report either by written procedure or during the November 2009 Plenum.

Based on the progress report from the Chair of the SGMOS –09-03 and 09-04 meetings (Nick Bailey), STECF makes the following observations:

Progress at SGMOS-09-04

STECF notes that as in previous years the meeting was primarily concerned with collation and checking of data submitted by Member States.

The remit of the group was expanded to incorporate a summary of the Baltic Sea effort regime but also to take on responsibility for summarising Deep water effort and Western waters effort. A number of the TORs (particularly under the DeepWater Regulation) deal with topics outside the normal expertise of the group.

Data submissions

STECF notes that there were **shortfalls in submission of data from several key Member States** and failure to acquire the relevant data from these will seriously impede interpretation of effort trends and gear contributions. Most notable were:

- Netherlands – extremely limited data supplied so far. Communication with appropriate persons secured an undertaking to supply data in stages (top priority, effort from the N Sea. Still unclear what has been provided to JRC (Hajo). Main implication of continued shortfall will be unrealistic perceptions of beam trawl activity in N Sea.
- Spain – no effort data supplied so far. Undertaking by biologist present at SGMOS to continue to press the Spanish authorities but no news so far. Main implications of continued shortfall will be unrealistic effort picture along western seaboard of Europe.
- Poland – very limited data supplied. Communication with relevant authorities but so far only limited response. Main implication of continued shortfall will be unrealistic assessment of Baltic effort.
- Lithuania – promise to try to provide material but no reports of submission yet. Implications for effort assessment less severe than those above.

STECF notes that all the TORs were briefly discussed and forward plans considered as to how best dealing with them but there are as yet no substantive answers to any of the requests or sections of text provided.

However, at the request of the Commission STECF was able use the results of work prepared at SGMOS 09-04 Working Group to advise on adjustments to effort baselines for some Member States.

Adjustments to Member State effort baselines

Following the 2008 work by SGRST Working Groups and the establishment of effort baselines for the revised cod recovery plans, several Member States drew attention to the need for correction to some of the baselines. In some cases the corrections were necessary because of discrepancies between Member State calculations of the appropriate baseline and that derived from the effort database used by the Commission.

Some Member States conducted further investigation to reconcile why these differences had occurred and SGMOS-09-04 was asked by the Commission to examine these cases to confirm that indeed corrections were justified. Various problems were identified including *inter alia* the inclusion of effort from non EU sectors of areas otherwise covered by the cod recovery plans, submission of data with incorrect or ineligible special conditions attached (such that the data was not subsequently captured in data queries) and incorrect methodology in the logging of data expended in different areas.

Issues were raised during the SGMOS-09-04 May meeting by the following countries:

Germany: Correction required because effort expended in the non-EU part of ICES area II was originally included.

Sweden: Correction required because trammel net effort was originally included with gill net effort and should not have been.

Ireland: Correction required because basis of allocating and recording effort was not according to Regulation

Belgium: Correction required because basis of allocating and recording effort was not according to Regulation

UK: Corrections required because ineligible special conditions were attached to some gear types and there was also some double counting of effort.

SGMOS-09-04 concluded that the analysis provided justified an alteration to the effort baselines in the cases presented. Following the discussion it became clear that problems may exist in one or two other Member State baselines and experts undertook to raise these concerns with relevant authorities. So far, Denmark has resubmitted data (the issue was similar to the German case) and there are indications that France will resubmit data.

A summary of the revised effort figures thus far accepted by the SGMOS group are provided in Table 4.4.1.

STECF notes that the data presented in Table 4.4.1. are subject to further revision.

SGMOS-09-04 reiterated its general view that the reliability of the effort data in effort database is conditional on the material entered being accurate and associated with relevant and eligible special conditions etc. Member states were encouraged to endeavour to improve their submissions of data and to suppress the attachment of inappropriate "special conditions" to the effort data in future data calls, including the 2009 data call.

Table 4.4.1: Revised effort figures submitted and accepted by SGMOS within Annex IIa by area, country and regulated gear according to the long term cod recovery plan (Regulation (EC) No 1342/2008). Data presented are subject to revision.

ANNEX	AREA	COUNTRY	REG GEAR	2000	2001	2002	2003	2004	2005	2006	2007	2008
Ila	2a	DEN	TR1	631,501	698,951	486,600	155,743	159,714	168,494	178,592	156,719	136,093
Ila	2a	DEN	TR2	2,698,011	3,076,574	2,602,419	2,853,377	2,410,508	2,042,906	1,777,558	1,618,284	1,712,424
Ila	2a	DEN	TR3	286,228	465,769	455,314	608,102	429,784	467,500	368,679	260,419	167,321
Ila	2a	DEN	BT1									
Ila	2a	DEN	BT2									
Ila	2a	DEN	GN1	227,131	246,874	293,353	152,980	90,655	110,011	88,777	63,440	59,322
Ila	2a	DEN	GT1	12,049	15,100	13,196	13,305	10,769	25,533	22,587	10,722	12,709
Ila	2a	DEN	LL1		21,455	51,727	3,695	1,395		220		
Ila	2a	DEN	none	219,195	201,019	239,410	255,791	200,419	282,394	240,809	245,766	143,023
Ila	2a	GER	TR1	11,592	8,183	870	894	2,390	4,985	5,262	5,526	1,964
Ila	2a	GER	TR2	47,841	8,581	24,240	35,966	31,861	7,505	10,318	35,338	38,716
Ila	2a	GER	TR3	1,989								
Ila	2a	GER	BT1									
Ila	2a	GER	BT2									
Ila	2a	GER	GN1	1,932	800	11,474	13,612	14,289	26,827	38,486	39,725	31,562
Ila	2a	GER	GT1									
Ila	2a	GER	LL1									
Ila	2a	GER	none						2,055			
Ila	2a	SWE	TR1	228,992	169,826	87,451	44,370	15,121	24,870	5,160	19,799	57,592
Ila	2a	SWE	TR2	1,602,940	1,574,981	1,273,312	1,369,635	1,043,622	1,046,257	1,228,296	1,275,042	1,227,656
Ila	2a	SWE	TR3	34,860	58,078	29,714	33,717	34,056	53,585	69,015	44,959	17,157
Ila	2a	SWE	BT1									
Ila	2a	SWE	BT2									
Ila	2a	SWE	GN1	53,767	37,901	36,730	43,625	28,866	22,442	34,292	49,122	32,697
Ila	2a	SWE	GT1									29,266
Ila	2a	SWE	LL1	749	2,080	3,652	5,683	1,376	10,684	27,478	37,856	25,234
Ila	2a	SWE	none	288,804	607,494	531,239	606,409	573,943	544,320	541,639	494,537	266,410
Ila	2b	BEL	TR1					1,479			154,649	191,516
Ila	2b	BEL	TR2									
Ila	2b	BEL	TR3									374
Ila	2b	BEL	BT1									
Ila	2b	BEL	BT2									
Ila	2b	BEL	GN1	61,831	102,091	93,282	128,220	106,717	108,149	99,327	69,973	94,133
Ila	2b	BEL	GT1								39,856	32,571
Ila	2b	BEL	LL1									1,833
Ila	2b	BEL	none	1,378,514	1,324,600	985,741	941,471	317,176	329,935	324,818	351,950	371,348
Ila	2b	DEN	TR1	10,375,355	10,856,671	10,717,688	7,452,848	6,433,879	7,121,343	4,269,983	3,718,638	4,792,443
Ila	2b	DEN	TR2									
Ila	2b	DEN	TR3	6,262,562	4,629,983	4,952,179	4,557,866	4,536,063	4,022,638	3,038,067	1,911,685	1,493,299
Ila	2b	DEN	BT1									
Ila	2b	DEN	BT2									
Ila	2b	DEN	GN1	3,994,235	3,912,074	3,391,943	2,249,642	2,184,778	2,086,486	1,848,448	1,082,199	1,153,240
Ila	2b	DEN	GT1	68,074	114,543	131,732	124,399	216,330	216,780	162,915	90,226	113,505
Ila	2b	DEN	LL1	249,930	322,043	265,308	108,517	69,394	36,909	31,477	15,406	24,079
Ila	2b	DEN	none	15,241,058	17,346,494	15,793,317	16,654,595	16,705,131	11,455,041	10,727,575	7,989,920	8,804,928
Ila	2b	GER	TR1	2,140,449	1,864,235	2,262,351	1,895,838	1,722,372	2,173,634	2,466,715	2,041,064	1,791,607
Ila	2b	GER	TR2									
Ila	2b	GER	TR3	1,783	4,560	380	1,028			10,502	884	4,410
Ila	2b	GER	BT1									
Ila	2b	GER	BT2									
Ila	2b	GER	GN1	201,693	125,444	127,983	191,424	163,665	273,203	236,585	152,633	281,182
Ila	2b	GER	GT1							1,547		
Ila	2b	GER	LL1									
Ila	2b	GER	none	7,888,128	7,629,824	7,685,993	8,658,165	8,286,765	8,107,720	7,621,618	7,287,880	6,979,402
Ila	2b	IRL	TR1				1,847			1,044		
Ila	2b	IRL	TR2									
Ila	2b	IRL	TR3									
Ila	2b	IRL	BT1									
Ila	2b	IRL	BT2									
Ila	2b	IRL	GN1									
Ila	2b	IRL	GT1									
Ila	2b	IRL	LL1									
Ila	2b	IRL	none	262,092	324,436	485,929	684,600	788,199	512,648	354,820	578,708	544,247
Ila	2b	SWE	TR1	1,498,271	1,510,948	1,297,755	553,332	470,803	496,754	268,166	287,756	189,742
Ila	2b	SWE	TR2									
Ila	2b	SWE	TR3	121,644	316,124	200,433	207,504	308,459	542,007	664,971	894,575	735,039
Ila	2b	SWE	BT1									100,216
Ila	2b	SWE	BT2									
Ila	2b	SWE	GN1	89,515	95,937	103,135	116,189	143,492	126,502	141,180	133,887	96,877
Ila	2b	SWE	GT1									63,022
Ila	2b	SWE	LL1	11,727	32,712	44,736	32,305	44,221	42,904	123,481	165,019	53,381
Ila	2b	SWE	none	3,825,175	4,072,727	4,331,565	4,116,666	4,086,483	3,423,748	3,218,811	2,569,261	2,798,527

Table 4.4.1. Continued.

ANNEX	AREA	COUNTRY	REG GEAR	2000	2001	2002	2003	2004	2005	2006	2007	2008
Ila	2b	UK	TR1	38,932,782	35,073,697	27,887,211	18,483,891	14,202,985	13,493,723	13,540,489	12,584,450	14,077,059
Ila	2b	UK	TR2	2,784,316	3,236,251	4,077,836	4,291,401	4,005,850	3,485,395	2,941,269	2,662,555	2,722,143
Ila	2b	UK	TR3	126,151	35,908	15,361	73,328	34,143	18,668	11,723	75,815	2,870
Ila	2b	UK	BT1									
Ila	2b	UK	BT2									
Ila	2b	UK	GN1	782,959	792,781	597,450	536,678	558,339	472,481	603,163	502,623	492,732
Ila	2b	UK	GT1	50,364	50,510	31,883	8,176	3,966	5,654	6,225	5,768	17,010
Ila	2b	UK	LL1	465,233	246,966	437,044	204,231	119,369	182,590	102,681	55,162	322,228
Ila	2b	UK	none	10,763,336	10,103,692	11,033,864	12,394,346	12,975,136	10,428,775	8,947,648	9,663,411	8,008,041
Ila	2c	BEL	TR1									
Ila	2c	BEL	TR2					13,210	41,730	31,762	76,592	66,847
Ila	2c	BEL	TR3									
Ila	2c	BEL	BT1									
Ila	2c	BEL	BT2	1,273,518	1,791,577	2,078,795	1,884,843	1,429,110	1,630,797	1,109,075	911,537	531,575
Ila	2c	BEL	GN1									
Ila	2c	BEL	GT1									
Ila	2c	BEL	LL1									
Ila	2c	BEL	none		6,808		528					51,749
Ila	2c	IRL	TR1				359,030	136,436	87,263	90,345	140,393	73,328
Ila	2c	IRL	TR2				1,210,603	1,356,928	1,469,255	1,459,047	1,581,546	1,305,514
Ila	2c	IRL	TR3				2,573	2,298	16,192	9,106		10,441
Ila	2c	IRL	BT1									
Ila	2c	IRL	BT2				783,381	411,352	511,815	481,404	550,533	372,505
Ila	2c	IRL	GN1	11,031	27,746	57,472	76,613	60,549	26,672	25,604	45,081	40,957
Ila	2c	IRL	GT1									1,327
Ila	2c	IRL	LL1		955			800				149
Ila	2c	IRL	none	3,272,681	2,864,252	2,912,408	519,072	812,465	397,307	332,856	434,928	372,272
Ila	2c	UK	TR1	1,730,393	2,096,954	2,231,654	2,555,381	1,391,706	970,738	857,389	357,730	516,978
Ila	2c	UK	TR2	4,412,740	4,264,246	3,213,759	3,641,670	3,563,042	3,538,393	3,216,676	3,415,968	3,602,981
Ila	2c	UK	TR3				134	2,560			2,204	
Ila	2c	UK	BT1									
Ila	2c	UK	BT2	137,097	216,223	138,475	213,232	110,839	165,042	59,199	32,186	18,727
Ila	2c	UK	GN1	24,073	15,158	16,767	14,872	12,548	10,906	8,378	3,930	4,297
Ila	2c	UK	GT1	523						475	656	1,066
Ila	2c	UK	LL1	180,243	184,410	86,688	47,385	58,414	93,773	59,656	12,238	840
Ila	2c	UK	none	1,474,806	1,794,706	1,706,909	1,937,790	1,608,539	1,671,700	1,589,155	1,882,166	2,203,972
Ila	2d	BEL	TR1									
Ila	2d	BEL	TR2							989	795	
Ila	2d	BEL	TR3									
Ila	2d	BEL	BT1									
Ila	2d	BEL	BT2	27,240	10,308	5,595	19,005	15,910	8,027	3,700	1,732	
Ila	2d	BEL	GN1									
Ila	2d	BEL	GT1									
Ila	2d	BEL	LL1									
Ila	2d	BEL	none									
Ila	2d	GER	TR1	66,862	45,127	23,580	19,191	12,530	47,940	27,897	23,652	3,060
Ila	2d	GER	TR2									
Ila	2d	GER	TR3									
Ila	2d	GER	BT1									
Ila	2d	GER	BT2									
Ila	2d	GER	GN1	37,830	37,059	5,292	113,084	79,545	26,780			37,334
Ila	2d	GER	GT1									
Ila	2d	GER	LL1									
Ila	2d	GER	none	666,036	759,653	590,791	729,409	767,344	708,461	1,066,842	1,057,879	700,908
Ila	2d	IRL	TR1				496,610	316,477	319,871	325,336	535,299	428,613
Ila	2d	IRL	TR2				1,039,258	967,585	767,637	712,740	435,793	275,468
Ila	2d	IRL	TR3				12,589	41,782	10,460	29,820	20,786	31,296
Ila	2d	IRL	BT1									
Ila	2d	IRL	BT2					28,827	5,068	6,335		
Ila	2d	IRL	GN1	3,734	19,636	8,258	19,967	20,763	192	3,554	13,346	11,473
Ila	2d	IRL	GT1						5,410	448		
Ila	2d	IRL	LL1	3,693	44,550	9,450	7,200	18,400	3,000		9,750	
Ila	2d	IRL	none	4,123,007	3,604,844	3,995,866	3,143,837	3,411,586	2,369,513	2,001,094	1,931,242	1,884,058
Ila	2d	UK	TR1	8,754,524	9,598,479	8,235,873	6,380,465	4,811,036	2,808,423	2,177,493	2,028,804	2,045,500
Ila	2d	UK	TR2	5,428,409	5,270,628	5,223,727	6,164,049	5,763,218	4,993,921	4,898,949	5,524,174	5,552,039
Ila	2d	UK	TR3	212,184	50,818	59,705	80,357	37,201	52,924		256	
Ila	2d	UK	BT1	4,894			60,296	151,480	119,958	81,195	1,803	
Ila	2d	UK	BT2	102,012	86,225	104,758	1,274	12,067	1,810			
Ila	2d	UK	GN1	371,956	428,768	406,526	518,903	376,336	239,955	24,072	36,727	9,719
Ila	2d	UK	GT1	2,265	1,416		636	435				
Ila	2d	UK	LL1	750,001	759,642	732,063	495,628	608,271	625,949	655,901	844,212	406,839
Ila	2d	UK	none	7,657,486	8,520,919	9,721,936	10,063,659	10,691,780	9,225,634	7,137,563	6,759,873	5,871,653

Progress at SGMOS-09-03: Deep Sea and Western waters

Terms of reference:

The terms of reference for the SGMOS-09-04 Working Group are to be found in Annex III.

Based on a progress report from the Chair of the Working Group, STECF makes the following observations:

Dealing with TORs

STECF notes that the effort and catch databases were updated and that the group responded to an additional request from the Commission to provide preliminary effort information to assist the STECF to respond to the Commission's request for an evaluation of the harvest control rule adopted in the Southern hake and Nephrops plan (R(EC) No 2166/2005 – see Section 5.9).

TORS concerning biological aspects of deep sea species were tackled by the relevant experts who then reported back to the main group.

Discussions of the TORS relating to effort and catches under the Deep Sea and Western waters Regulations resulted in a number of decisions on the format for data presentations and highlighted a number of issues which SGMOS will have to tackle during the preparation of its final reports. Templates for presentation were prepared but results entry was limited by incomplete data.

Data submissions

A critical aspect of the work continues to be the finalisation of data submissions followed by uploading and checking within the Access databases. Since the first meeting further progress was made by countries towards completing and uploading their contributions to the effort and catch databases.

At present, key data **shortfalls are as follows** and failure to acquire the relevant data from these will seriously impede interpretation of effort trends and gear contributions:

- Spain – deepwater information (effort and catches)
- Portugal - deepwater information (effort and catches)
- Poland – very limited data supplied. Communication with relevant authorities has taken place but so far only a limited response has been received. The main implication of a continued shortfall will be unrealistic assessment of Baltic effort.

Two countries have submitted full data but indicate they wish to update these are expected to arrive very shortly.

- France – fundamental update of effort and catch information
- UK England and Wales – small corrections

Progress with Analysis and addressing TORs

All submitted data are entered, checked and have been used in preliminary queries. Preliminary output of effort information and catch information was provided from the database and now includes a wider species list including all species covered by the Deep Sea and Western Waters Regulations.

Assembly of some of the Deep Sea and Western Waters into tables for presentation was started and includes effort summaries by area, year, country and gear and information on catch (of top ranked species).

Several TORS on the deep sea species lists were addressed and draft text has been prepared for the final report.

Intersessional work

The Chairman signalled that a note will be circulated shortly from the chairman with plans for intersessional work and allocation of tasks towards the September/October meeting of SGMOS.

STECF recommends that the chairman should send a final data request reminder with a deadline of August 20th after which data will not be incorporated in the databases.

Three specific questions were also asked by the Commission which is hoped will be answered intersessionally during August (Chairman to deal with).

4.5. SGRN/ECA-09-02: Evaluation of National Programmes and Technical Reports and Evaluation of 2008 technical reports of DCR (review of the SGRN summary draft)

STECF is requested to review the report of the **SGRN/ECA-09-02** Working Group of June 22 - 27, 2009 (Galway) meeting, evaluate the findings and make any appropriate comments and recommendations.

The terms of reference for the SGRN/ECA-09-02 Working Group are to be found in Annex IV.

Background

SG-RN/ECA-09-02 met in Galway during 22-27 June 2009 to evaluate the Technical Reports (TR) 2008 submitted by MS in the frame of the previous Data Collection Framework (DCF, Reg. 1543/2000), to review and develop guidelines for the submission of National Programme (NP) proposals and TR under the new DCF (Reg. 199/2008), and to discuss and report on other issues relevant to the DCF.

STECF comments and recommendations

At the time of the July 2009 Plenum, the Report of the SGRN/ECA-09-02 had not been finalised. Nevertheless STECF had an almost final draft copy for review and a summary of conclusions and recommendations from the Chairman. STECF has based the following comments on these two documents.

STECF endorses the recommendations of SG-RN/ECA-09-02 and welcomes the working group's approach to develop into a more strategic working group rather than focusing on the pure review of MS's NP proposals and TR. Nevertheless, sufficient time should be devoted at its working group meetings for the complete evaluation of the NP proposals and TR.

STECF notes that the working group has taken the recommendations of the Regional Co-ordination meetings (RCMs; Nov.-Dec. 2008) and STECF (Plenary, April 2009) into account and agrees with the working group's proposal to strengthen the regional approach via pre-screening of regional aspects in NP proposals before its meetings.

STECF notes the Working Group's progress in reviewing and establishing guidelines for NP proposals and TR and standard tables. STECF endorses the proposal to keep the TR as concise as possible and to use only one set of standard tables for direct comparison of NP proposals and TR, with the aim to facilitate an efficient review process.

STECF notes that the recommendations in the Report of the of SGECA 09-02 Working Group with regard to the inclusion of a 'methodological report' in the NP proposals and TR (see section on agenda item 4.1) have already been incorporated in the drafted guidelines for NP proposals and TR.

STECF endorses SGRN's recommendation for a workplan that foresees:

- review of the guidelines and standard tables by the RCMs in Sep-Oct 2009
- a meeting of the 'Guidelines and Procedures Group (GPG)' in Oct. 2009 to complete guidelines and tables
- subsequent endorsement of the by STECF at its November Plenary

5. ADDITIONAL REQUESTS SUBMITTED TO THE STECF PLENARY BY THE COMMISSION

5.1. General issues - Review of possible Terms of Reference to allow assessment of recovery plans, management plans or long-term plans to be soon evaluated (by end of 2009 or beginning of 2010)

Background

Several management end recovery plans, which have been adopted by the Council since the year 2002, will have to be evaluated within the years 2009 and 2010. To try to streamline the evaluation methodology of such plans and to include both biological and economic information in such exercise, DG Mare drafted terms of reference to be submitted to ICES and STECF when evaluating those plans.

Terms of Reference

STECF is consequently requested to comment those possible terms of reference, to amend them as far as possible and to discuss social and economic indicators, which would have to be included.

STECF response

The STECF proposals for a framework to undertake an evaluation of existing management and recovery plans is outlined below.

FRAMEWORK FOR THE EVALUATION OF MANAGEMENT PLANS

1. Provision of Background Information

An introductory text to be prepared by the Commission which will

- outline the historical background to the plan and its design process. For example who proposed the plan and initiated the process; who was consulted during the development of the plan; how the objectives of the plan were developed etc.
- Explicitly specify the objectives of the plan and management reference points and list the specific questions that are to be addressed by the evaluation.
- Outline proposal for expert group composition. Need to include Inspectors, scientists, managers and industry.
- In addition the Commission should:
- Provide data on the types and level of enforcement and on the extent of compliance achieved in the practical implementation of the plan from appropriate sources (eg. Inspection reports). Data provided should enable analysis at both the Member State and Community levels.

2. Elements to be addressed in the review

2.1. Review of Implementation of the Plan

A review of the practical implementation of the management plan considering the actions taken and measures implemented at the Member State level.

2.1.1. Design Issues

- What issues relating to the design of the plan can be identified. eg. Differences and/or ambiguity in interpretation of the requirements and/or provisions of the plan, Different levels of implementation of the plan. Analysis should be conducted at the Member State level
- Has the plan been updated in the light of new information since first implementation e.g. have reference points been updated in line with more recent advice?
- In the case of multi-species plans, are the procedures for setting the TACs for the different species likely to lead to imbalances in the TAC levels for the stocks concerned.
- Has the potential overlap with other management plans been adequately addressed?

2.1.2. Enforcement and Compliance

- What level of compliance has been achieved (using the background information provided above - analysis should be conducted at MS and EU level – i.e. MS implementation may differ and have differing outcomes)?

2.2 Environmental Effects of the Plan

2.2.1. Evaluation of the effects of the management plan on the fishery

- What has been the fishery response to the management plan? The response strategies of the fleets include possible shifts to other stocks or species, to other gears or métiers and other behavioural issues.
- What measures of the management plan are considered to have influenced the fishery response. Measures of the management plan will include
 - Catch and effort limitations – either through TAC or effort management
 - Technical measures – eg. Closed areas, gear restrictions, etc.
 - Control and enforcement measures – eg. Entry and exit rules, allocation rights, etc.
 - Capacity management measures

2.2.2. Evaluation of the effects of the management plan on the stock

This section should be adapted to any particular plan and stock. The terms of reference proposed hereafter are drawing on the generic aspects of the evaluation.

a) Evaluating the stock response to the changes in the fisheries resulting from the plan - is the plan delivering its own internal objectives with respect to the stock?

- What changes in the stock dynamics can be identified and to what extent are these consistent with (or attributable to) changes in the fishery imposed by the management plan? For example can reductions in fishing mortality be identified in instances where fishing effort has been reduced.

b) Evaluating whether the values of target and other reference points referred to in the plan are consistent with current knowledge and the objective of achieving MSY by 2015.

- Are the reference points in the plan still sensible given the latest information on stock status and dynamics?
- Is the plan likely to achieve MSY by 2015? If not, why?
- Is there a need to revise the measures in the plan to make it more effective in achieving the objectives?
- Is STECF able to propose options for a better plan to achieve stock – specific objectives?

2.3. Evaluation of the effects of the management plan on the ecosystem.

- What impacts of the management plan on the ecosystem can be identified? Ecosystem impacts might include changes in discarding practices, by-catch rates, habitat degradation, etc.

3. Social and Economic Effects of the Plan

3.1. Data and Calculation of Indicators

- If there is no explicit socio-economic objective defined by the management plan the evaluation should be against the general socio-economic objectives as stated in the CFP.
- Characterise the social and economic state of the fleets exploiting the stock or stocks concerned using appropriate indicators, i.e. those proposed by STECF in the April 2009 plenary report, or those proposed in the plan.
- The implementation and enforcement costs should be estimated, if possible in order to assess their cost effectiveness e.g. do the benefits outweigh the cost of implementation and enforcement.

4. What has been the added value of the management plan

The question “What is likely to have happened if the management plan had not been put in place?” should be addressed. This should include a comparison between the current state of the stock and fisheries compared to the situation that is likely to have occurred had the management plan not been implemented. The scenario representing the absence of the plan will constitute the baseline scenario. (Commission desk manager to advise on the basis for base scenario).

- With specific reference to the items identified in section 2, identify the benefits/losses to the fishery and to the stock that have resulted from the management plan. Analysis to be based on indicators of stock status and exploitation rate
- With specific reference to the items identified in section 3, identify the economic and social benefits/losses that have resulted from the management plan. Analysis to be based on suitable social and economic indicators.

5. Performance Evaluation of the Plan

Based on the above analyses please answer the following questions.

NB: the judgment provided on the following questions could be qualitative (at this stage) where data are not available. Similarly if other effects are detected they can be considered.

Effectiveness

- What have been the immediate results and medium term impacts for the stock addressed by the management plan? Have the objectives of the plan been achieved?
- What have been the immediate results and medium term impacts of the management plan on the environment and the ecosystem, for example by-catch, discards, non-target species?
- Have there been any side effects resulting from the plan? (for example, changes in behaviour that affect other fisheries, or environmental consequences, changes in the market).
- Has the implementation been affected by external factors such as global change, ecosystems effects, or other fisheries?

Utility

- What trends in fleet capacity (kW or GT) would have been expected from the implementation of the plan? What trends were actually observed?

- Are the fleets affected by the management plan in a situation of overcapacity?
- Did the management plan contribute to adapting the fleet capacity to the fishing possibilities resulting from the management plan?

Efficiency (cost-effectiveness)

- What have been the costs of this plan in terms of for example employment, gross revenue of the fleet?
- Have there been any effects on the broader industry (processing, transporting, auxiliary)?
- What have been economic benefit/loss during the period of implementation? STECF will require guidance on to whom this applies.

Indicators

- Were the indicators used sufficiently useful to evaluate the management plan?

Sustainability

From the experience so far,

- Is it possible to draw conclusions about the sustainability of the plan that differ from those envisaged by the initial impact assessment?

6. Conclusions

Based on the answers to previous questions, *please give us your global judgement on the plan*

- With regards to the utility and sustainability of the management plan and its contribution to the objectives of the Common Fisheries Policy.
- Is the plan succeeding in achieving its stated objectives
- Which elements of the plan have had the greatest influence in achieving the objectives.
- Are there any specific indicators that would be useful for a future evaluation of this management plan?
- Are there any additional data that should be collected in the future to help in evaluating the management plan?
- Should the plan be linked to other plans?
- Are there any elements of the plan that require revision? What are the proposals for revision?

5.2. General issues - EC Sharks action plan

Background

The implementation of this action plan requires among others getting reliable and detailed species-specific quantitative and biological data on catches and landings for high and medium priority fisheries.

The list of shark species per Region included in Appendix VII of Commission Decision 2008/949/EC appears insufficient and requires to be enlarged.

Terms of Reference

To this end STECF advice is requested in order to modify this decision by including relevant shark species.

STECF advice

Discussion

The adoption of the European Commission Action Plan for the Conservation and Management of Sharks (EC-APCMS, COM-2009-40) on 5 February 2009 is an important decision that will certainly affect either the fishery management or the Data Collection Framework. EC-APCMS requires a strategy with a gradual implementation, based on a sound scientific evidence (EC-APCMS 3.2.1), and on the implementation of the Commission Decision 2008/949/EC pursuant to Council Regulation (EC) 199/2008.

STECF is aware that in recent years many steps have been taken in various fora (i.e: ICES, ICCAT, IOTC, GFCM and the STECF itself) with the purpose to find the best practical approach to improve the data availability for this large group of fish. One of the major obstacles to the assessment and provision of advice on sharks is scarcity of métier-related reliable data, collected according to accepted methodologies.

For simplicity, the broad definition of “shark species” in the following text will cover all the various species of Chondrichthyans, but species are referred to using their taxonomic names.

The Appendix VII of Commission Decision 2008/949/EC, dealing with the “List of Biological Variables with Specific Sampling Specification” clearly needs a revision to better provide the data required for a sound scientific advice and an improvement to better respond to the management and conservation needs required by the EC-APCMS. In order to deliver on the objective of the provision of desired data by 2013, immediate modification of the species list in the Appendix VII is required and of particular concern is the collection of biological information for those species that are most endangered.

STECF notes that the improvement of Appendix VII alone is not sufficient to provide the necessary data for better management and conservation of the sharks, because the threshold¹ for the data collection at landing, included in the DCF, often precludes the collection of the basic data on most shark species.

STECF is well aware that data on shark landings may be a poor representation of catch data, either because several shark species are discarded for commercial reasons or due to dressing practices. Hence STECF recognises that the provisions for on-board observer coverage included in the EC-APCMS is an important step forward.

STECF notes that under the EC-APCMS on-board observers should collect data on all shark species caught. STECF considers that such observer activity is potentially the most valuable source of scientific information to assess the impact of the fishing activities on many species of sharks. STECF also considers that surveys should continue to record species-specific data for all Chondrichthyan species.

¹ Commission Decision 2008/949/EC, Chapter III, module B2.5 (exemption rules) include the possibility to apply for a derogation to collect size data at landings if the quantities landed for a species in a MS are less than 10% of the Community share of TAC (or, if the landings are less than 10% of the total EC landings in the Mediterranean Sea), or if they account for less than 200 tons in average during the previous 3-year time.

ICES has carried out preliminary work for its area of competence with the purpose to document the available landings data on sharks in EU Member States (ICES, 2007). This basic work is highly relevant and provides a concrete baseline from which deficiencies to Appendix VII can be identified and improvements can be made.

For other areas, the proposed changes to Appendix VII are based on the available list of commercial species, threatened or protected species and expert opinion.

At present Appendix VII specifies groups of species e.g. skates and rays. STECF notes that in order to provide appropriate biological data there is a need to collect it at the species level and such a requirement should be included in the mandatory sampling programme.

STECF believes that this approach may improve the availability of biological information on many species by 2013, and permit a better assessment of the status of many shark species.

Recommendations

1. STECF recommends that the table in Appendix VII of Commission Decision 2008/949/EC be modified according to Table 5.2.1 below. Table 5.2.1 only relates to Chondrichthyan species and only columns 1-3 are presented.
2. STECF recommends that it should be mandatory for MS to collect data on landings (size frequencies) and on biological aspects for all the shark species and that data should be collected independent of the threshold reported in the Commission Decision 2008/949/EC, and for all areas. STECF recommends that no derogation for the collection of the basic data for all the shark species should be allowed at least until 2013.
3. STECF notes that the actual requirements for biological sampling under the DCF are not consistent with the requirements of the EC-APCMS (i.e.: data collection at landings, discards, biological data, etc.). STECF therefore recommends that the DCF be amended so that the requirements under the EC-APCMS can be met.

References

ICES 2007. Report of the Working Group on Elasmobranch Fishes (WGEF). ICES CM 2007/ACFM:27

Table 5.2.1. Proposed modifications to Appendix VII of Commission Decision 2008/949/EC. (Text in bold is original text, text with normal characters is the modified text)

Species (English)	Species (Latin)	Area/Stock
ICES Area I, II		
Thornback ray	<i>Raja clavata</i>	I, II
Cuckoo ray	<i>Raja naevus</i>	I, II

Spotted ray	<i>Raja clavata</i>	I, II
Starry ray	<i>Raja radiata</i>	I, II
Blonde ray	<i>Raja brachiura</i>	I, II
Longnosed skate	<i>Dipturus oxyrinchus</i>	II
Angelshark	<i>Squatina squatina</i>	All areas
Blackmouth dogfish	<i>Galeus melastomus</i>	II
Velvet belly	<i>Etmopterus spinax</i>	II
Basking shark	<i>Cetorhinus maximus</i>	I, II
Skagerrak and Kattegat ICES Area IIIa		
Rays and skates To be defined by species according to landing, survey or catch data	Rajidae To be defined by species according to landing, survey or catch data	IIIa
Sharks To be defined by species according to landing, survey or catch data	Shark-like selachii To be defined by species according to landing, survey or catch data	IIIa
Lesser spotted dogfish	<i>Scyliorhinus canicula</i>	IIIa
Basking shark	<i>Cetorhinus maximus</i>	IIIa
Baltic Sea – ICES Subdivisions 22-23		
North Sea and Eastern Channel – ICES areas IV, VIIId		
Thornback ray	<i>Raja clavata</i>	IV, VIIId
Spotted ray	<i>Raja montagui</i>	IV, VIIId
Cuckoo ray	<i>Raja naevus</i>	IV, VIIId
Starry ray	<i>Raja radiata</i>	IV, VIIId
Sandy ray	<i>Leucoraja circularis</i>	VIIId
Blonde ray	<i>Raja brachyura</i>	IV
Angelshark	<i>Squatina squatina</i>	All areas
Common stingray	<i>Dasyatis pastinaca</i>	VIIId

Other rays and skates	Rajidae	IV, VIIId
To be defined by species according to landing, survey or catch data	To be defined by species according to landing, survey or catch data	
Deepwater sharks	Shark-like selachii	IV
To be defined by species according to landing, survey or catch data	To be defined by species according to landing, survey or catch data	
Small sharks	Shark-like selachii	IV
To be defined by species according to landing, survey or catch data	To be defined by species according to landing, survey or catch data	
Spurdog	<i>Squalus acanthias</i>	IV, VIIId
Leafscale gulper shark	<i>Centroscyrnus squamosus</i>	IV
Portuguese dogfish	<i>Centroscyrnus coelolepis</i>	VIIId
Longnose velvet dogfish	<i>Centroscyrnus crepidater</i>	VIIId
Black dogfish	<i>Centroscyllium fabricii</i>	VIIId
Kitefin shark	<i>Dalatias licha</i>	VIIId
Velvet belly	<i>Etmopterus spinax</i>	IV, VIIa
Blackmouth dogfish	<i>Galeus melastomus</i>	VIIa
Birdbeak dogfish	<i>Deania calcea</i>	VIIa
Angelshark	<i>Squatina squatina</i>	VIIa
Lesser spotted dogfish	<i>Scyliorhinus canicula</i>	IV, VIIa
Smooth hounds	<i>Mustelus</i> spp.	VIIa
To be defined by species according to landing, survey or catch data	To be defined by species according to landing, survey or catch data	
Basking shark	<i>Cetorhinus maximus</i>	IV, IIVd
North East Atlantic and Western Channel – ICES areas V, VI, VII (excl.VIIId), VIII, IX, X, XII, XIV		
Blonde ray	<i>Raja brachyura</i>	All areas
Thornback ray	<i>Raja clavata</i>	All areas
Cuckoo ray	<i>Raja naevus</i>	All areas

Spotted ray	<i>Raja montagui</i>	All areas
Starry ray	<i>Raja radiata</i>	V
Sandy ray	<i>Leucoraja circularis</i>	VI, VII, VIII
Blonde ray	<i>Raja brachyura</i>	VII, IX
Common skate	<i>Dipturus batis</i>	V, VI, VII, VIII
Shagreen ray	<i>Leucoraja fullonica</i>	V, VI, VII, VIII
Longnosed skate	<i>Dipturus oxyrinchus</i>	V, VI, VII, VIII
Small eyed ray	<i>Raja microocellata</i>	VII, IX
Brown ray	<i>Raja miraletus</i>	IX
Bottlenosed skate	<i>Raja alba</i>	IX
Blue stingray	<i>Pteroplatytrygon violacea</i>	All areas
Common stingray	<i>Dasyatis pastinaca</i>	VII, VIII
Electric ray	<i>Torpedo marmorata</i>	VIII
Angelshark	<i>Squatina squatina</i>	All areas
Common eagle ray	<i>Myliobatis aquila</i>	All areas
Other rays and skates	Rajidae	All areas
To be defined by species according to landing, survey or catch data	To be defined by species according to landing, survey or catch data	
Gulper shark	<i>Centrophorus granulosus</i>	All areas
Leafscale gulper shark	<i>Centrophorus squamosus</i>	All areas
Portuguese dogfish	<i>Centroscymnus coelolepis</i>	All areas
Longnose velvet dogfish	<i>Centroscymnus crepidater</i>	V, VI, VII, IX, X, XII
Spurdog	<i>Squalus acanthias</i>	All areas
Kitefin shark	<i>Dalatias licha</i>	All areas
Black dogfish	<i>Centroscyllium fabricii</i>	V, VI, VII, XII
Velvet belly	<i>Etmopterus spinax</i>	VI, VII, VIII
Blackmouth dogfish	<i>Galeus melastomus</i>	VI, VII, VIII, IX, X

Birdbeak dogfish	<i>Deania calcea</i>	V, VI, VII, IX, X, XII
Angelshark	<i>Squatina squatina</i>	All areas
Starry smooth-hound	<i>Mustelus asterias</i>	VI, VII, VIII, IX
Smooth-hound	<i>Mustelus mustelus</i>	VI, VII, VIII, IX
Blackspotted smooth-hound	<i>Mustelus punctulatus</i>	VI, VII, VIII, IX
Basking shark	<i>Cetorhinus maximus</i>	All areas
Blue shark	<i>Prionace glauca</i>	All areas
Porbeagle	<i>Lamna nasus</i>	All areas
Shortfin mako	<i>Isurus oxyrinchus</i>	All areas
Mediterranean Sea and Black Sea		
Thornback ray	<i>Raja clavata</i>	1.3, 2.1, 2.2, 3.1
Brown ray	<i>Raja miraletus</i>	1.3, 2.1, 2.2, 3.1
Starry ray	<i>Raja asterias</i>	All areas
Sandy ray	<i>Leucoraja circularis</i>	All areas
Undulate ray	<i>Raja undulata</i>	All areas
Maltese skate	<i>Leucoraja melitensis</i>	All areas
White skate	<i>Rostroraja alba</i>	All areas
Longnosed skate	<i>Dipturus oxyrinchus</i>	All areas
Common eagle ray	<i>Myliobatis aquila</i>	All areas
Blue skate	<i>Dipturus batis</i>	All areas
Blue stingray	<i>Pteroplatytrygon violacea</i>	All areas
Spotted torpedo	<i>Torpedo marmorata</i>	All areas
Angelshark	<i>Squatina squatina</i>	All areas
Smoothback angelshark	<i>Squatina oculata</i>	All areas
Sawback aculeata	<i>Squatina aculeata</i>	All areas
Blackchin guitarfish	<i>Rhinobatos cemiculus</i>	All areas

Common guitarfish	<i>Rhinobatos rhinobatos</i>	All areas
Common sawfish	<i>Pristis pristis</i>	All areas
Smalltooth sawfish	<i>Pristis pectinata</i>	All areas
Piked dog	<i>Squalus acanthias</i>	Black Sea
Angular roughshark	<i>Oxynotus centrina</i>	All areas
Sand tiger shark	<i>Carcharias taurus</i>	All areas
Spiny butterfly ray	<i>Gymnura altavela</i>	All areas
Smalltooth sand tiger	<i>Odontaspis ferox</i>	All areas
Sandbar shark	<i>Carcharhinus plumbeus</i>	All areas
Spiny dogfish	<i>Squalus acanthias</i>	All areas
Smooth hammerhead	<i>Sphyrna zygaena</i>	All areas
Scalloped hammerhead	<i>Sphyrna lewini</i>	All areas
Smalleye hammerhead	<i>Sphyrna tudes</i>	All areas
Great hammerhead	<i>Sphyrna mokarran</i>	All areas
Starry smooth-hound	<i>Mustelus asterias</i>	All areas
Smooth-hound	<i>Mustelus mustelus</i>	All areas
Blackspotted smooth-hound	<i>Mustelus punctulatus</i>	All areas
Tope shark	<i>Galeorhinus galeus</i>	All areas
Thresher shark	<i>Alopias vulpinus</i>	All areas
Bigeye thresher shark	<i>Alopias superciliosus</i>	All areas
Sharpnose sevengill shark	<i>Heptanchias perlo</i>	All areas
Gulper shark	<i>Centrophorus granulosus</i>	All areas
Kitefin shark	<i>Dalatias licha</i>	All areas
Velvet belly	<i>Etmopterus spinax</i>	All areas
Blackmouth dogfish	<i>Galeus melastomus</i>	All areas
Small-spotted catshark	<i>Scyliorhinus canicula</i>	All areas
Nursehound	<i>Scyliorhinus stellaris</i>	All areas

Longnose spurdog	<i>Squalus blainvillei</i>	All areas
Bluntnose sixgill shark	<i>Hexanchus griseus</i>	All areas
Basking shark	<i>Cetorhinus maximus</i>	All areas
Blue shark	<i>Prionace glauca</i>	All areas
Porbeagle	<i>Lamna nasus</i>	All areas
Shortfin mako	<i>Isurus oxyrinchus</i>	All areas
Sharks To be defined by species according to landing, survey or catch data	Shark-like Selachii To be defined by species according to landing, survey or catch data	1.3, 2.1, 2.2, 3.1
Highly migratory species – Atlantic Ocean, Indian Ocean, Pacific Ocean		
Blue shark	<i>Prionace glauca</i>	All areas
Porbeagle	<i>Lamna nasus</i>	All areas
Shortfin mako	<i>Isurus oxyrinchus</i>	All areas
Silky shark	<i>Carcharhinus falciformis</i>	All areas
Sharks To be defined by species according to landing, survey or catch data	Selachii To be defined by species according to landing, survey or catch data	All areas
Other sharks To be defined by species according to landing, survey or catch data	Squaliformes To be defined by species according to landing, survey or catch data	All areas
CECAF area		
Blue stingray	<i>Pteroplatytrygon violacea</i>	All areas
Angelshark	<i>Squatina squatina</i>	All areas
Smoothback angelshark	<i>Squatina oculata</i>	All areas
Sawback aculeata	<i>Squatina aculeata</i>	All areas
Common sawfish	<i>Pristis pristis</i>	All areas
Smalltooth sawfish	<i>Pristis pectinata</i>	All areas
Blackchin guitarfish	<i>Rhinobatos cemiculus</i>	All areas

Common guitarfish	<i>Rhinobatos rhinobatos</i>	All areas
Other rays and skates To be defined by species according to landing, survey or catch data	<i>Rajidae</i> To be defined by species according to landing, survey or catch data	All areas
Sharks To be defined by species according to landing, survey or catch data	Selachii To be defined by species according to landing, survey or catch data	All areas
WECAF area		
Other rays and skates To be defined by species according to landing, survey or catch data	<i>Rajidae</i> To be defined by species according to landing, survey or catch data	All areas
Sharks To be defined by species according to landing, survey or catch data	Selachii To be defined by species according to landing, survey or catch data	All areas

5.3. General issues - Barcelona Protocol - Sharks Action plan

Background

The implementation of the European Commission Action Plan for the Conservation and Management of Sharks (COM-2009-40) requires, among others, getting reliable and detailed information about the conservation status of the various species of Chondrichthyes concerned, with the purpose to better address the management and conservation measures at the Community level and to provide the necessary background for the discussions with MS and the various RFMOs.

At the moment, the official information about the conservation status of the various shark species is related to those listed within the international Conventions (Washington, Bonn, Berne and Barcelona) or included in the IUCN Red List. As concerns this last report, sharks are mostly assessed at the international level, while, as concerns the Community waters; an assessment was carried out in 2007 for the species reported in the Mediterranean.

Terms of reference

STECF is requested:

1. To review the IUCN classification of the shark species or groups of species listed in the table below and evaluate the following:

- i. whether each species or group of species is appropriately classified according to the IUCN classification criteria;
 - ii. whether the information contained in the attached background documents UNEP(DEPI)MED WG 331/6 of 11 May 2009; UNEP(DEPI)MED WG 331/Inf. 13 of 16 May 2009; Overview of the Conservation Status of Cartilaginous Fishes in the Mediterranean Sea by Cavagh and Gibson, IUCN (2007) or any other available literature is supportive or otherwise of the IUCN classification;
 - iii. whether on the basis of scientific evidence, the classification of each species or group of species in the Mediterranean is justifiably different to their global classification;
2. To review the description of fisheries given in the supporting documents or other literature that exploit the shark species or groups of species listed in the table below either as a target or by-catch and advise on the following:
 - i. Whether based on expert knowledge, published material or other sources of information, the fishery descriptions are sufficiently complete and accurate. STECF is requested to provide additional information on for those fisheries that are incomplete or inaccurate.
 3. To review information on the fisheries that exploit the shark species or groups of species listed in the table below and where possible provide a time series of catches and quantitative information on fleet structure and composition by fishery (No. vessels, economic value);

To propose measures to facilitate the safe and rapid release, or limit the catches of shark species, in the different fisheries identified in point 3 above. STECF is requested to build on its previous advice given in paragraph 5.7 of its 30th report (PLENARY MEETING, 20-24 APRIL 2009, GALWAY).

SCIENTIFIC NAME	COMMON NAME	Red List Threat Status Mediterranean assessment	Red List Threat Status Global assessment	Proposal for Annex II / Annex III of the SPA/BD Protocol of Barcelona Convention
<i>*Squatina spp</i>	Angelsharks	CR	CR (2006)	Annex II (uplist)
<i>Pristis spp</i>	Sawfish	CR	CR (2006)	Annex II
<i>Oxynotus centrina</i>	Angular roughshark	CR	VU (2007)	Annex II
<i>Carcharias taurus</i>	Sand tiger shark	CR	VU (2000)	Annex II
<i>Gymnura altavela</i>	Spiny butterfly ray	CR	VU (2007)	Annex II
<i>Dipturus batis</i>	Common skate	CR	CR (2006)	Annex II
<i>Leucoraja melitensis</i>	Maltese skate	CR	CR (2006)	Annex II
<i>*Rostroraja alba</i>	White skate	CR	EN (2006)	Annex II (uplist)
<i>*Isurus oxyrinchus</i>	Shortfin mako	CR	VU (2009)	Annex II (uplist)
<i>*Lamna nasus</i>	Porbeagle shark	CR	VU (2005)	Annex II (uplist)
<i>Rhinobatos spp</i>	Guitarfish	EN	EN (2007)	Annex II
<i>Odontaspis ferox</i>	Smalltooth sand tiger	EN	VU (2009)	Annex II
<i>Leucoraja circularis</i>	Sandy skate	EN	VU (2009)	Annex II
<i>Carcharhinus plumbeus</i>	Sandbar shark	EN	VU (2009)	Annex II
<i>Squalus acanthias</i>	Spiny dogfish	EN (VU Black Sea)	VU (2006)	Annex III
<i>Sphyrna spp</i>	Hammerhead sharks	NE	EN/EN/VU	Annex II
<i>Raja undulate</i>	Undulate ray	NE	EN (2008)	Annex III
<i>Mustelus spp</i>	Smoothhounds	VU/DD	VU/LC/DD	Annex III
<i>Galeorhinus galeus</i>	Tope shark	VU	VU (2005)	Annex III
<i>Alopias vulpinus</i>	Thresher shark	VU	VU (2009)	Annex III
<i>Hepranchias perlo</i>	Sharpnose sevengill shark	VU	NT (2003)	Annex III
<i>Centrophorus granulosus</i>	Gulper shark	VU	VU (2006)	Annex III

STECF observations

STECF notes that in order to give a considered and objective response to the Commission's request, there is a need for a more extensive analysis of available, literature, data and expert knowledge than can be accommodated within the time constraints of a plenary meeting. STECF considers that this work should be the subject of a specific study which can then be reviewed by the Committee. STECF suggests that Commission and the STECF Bureau decide on the best way to achieve this.

Nevertheless a brief response covering some general aspects in relation to the issues raised is given below.

Classification of species or groups of species according to IUCN criteria

STECF has reviewed the 2007 IUCN Report "Overview of the Conservation Status of Cartilaginous Fishes (Chondrichthyans) in the Mediterranean Sea" and notes that the species assessment forms used for the classification are not included in the IUCN report. Furthermore, the IUCN web site does not provide any detail, while the Global Marine Species Assessment site (<http://sci.odu.edu/gmsa/>) is password-protected. Consequently at present, STECF is unable to check whether the classifications given are appropriate according to the IUCN criteria.

In the Report of its plenary meeting of November 2006, STECF provided the following comments on the suitability of the IUCN criteria applied to marine species: as follows.

"Pertaining to the use of IUCN criteria to characterize the change over time of species, STECF notes that IUCN criteria were developed for the classification of threat to terrestrial species and marine mammals and may not be suitable for fish or other marine species that are subject to human exploitation. This was the subject of an IUCN Workshop held in 1999 and not all issues regarding classification of marine populations were resolved. In particular, the criterion to have a certain decline of the population over a 3-generation period raises several concerns. First, natural fluctuations in recruitment in most of fish species often exceed 30% which is the threshold used by IUCN to define vulnerable populations in the absence of a known or suspected threat. In such cases observed reductions of the population might be linked to natural fluctuations in population numbers rather than as a result of any specific threat or threats. This is particularly relevant for short living species. Moreover, MSY of fish species often corresponds to about 30-40% (Hilborn et al., 2006) of the virgin biomass (corresponding to a 70% to 60% decline) and thus optimal exploitation of fish species is in conflict with some IUCN criteria. Given the above concerns STECF recommends that the classification of marine organisms according to current IUCN criteria is inappropriate and that informative criteria for the classification of marine organisms should be developed. However, the suggested threat indicator is merely a composite of several categories with a specific rate of decline.

STECF notes that the 2007 IUCN Report, which is based on the 2003 meeting of the IUCN Shark Specialist Group (SSP) for the Mediterranean, includes summary information on 8 species only (namely: *Alopias superciliosus*, *Carcharodon carcharias*, *Centroscyrnus coelalepis*, *Chimaera monstrosa*, *Leucoraja melitensis*, *Mobula mobular*, *Prionace glauca* and *Raja montagui*). It seems that the classification for these species was through a combination of IUCN and precautionary criteria. SECF notes that there are several issues requiring clarification.

The UNEP(DEPI)MED WG 331/6 of 11 May 2009 is more informative and contains details for 22 species. It is clear that the precautionary approach was largely used for most of the species, particularly those for which the data are limited. It is also evident that for *Carcharhinus plumbeus*,

Isurus oxyrinchus, *Raja undulata*, *Sphyrna mokarran*, the IUCN criteria were not strictly adhered to.

Nevertheless, irrespective of the classification attributed to sharks by the IUCN, STECF recognises that there is a general need to gain a better understanding of the conservation status of sharks and to appropriately manage the fisheries that exploit them.

Review of additional literature to support the IUCN classification of sharks in the Mediterranean

STECF reviewed the background documents provided by the Commission: UNEP(DEPI)MED WG 331/6 of 11 May 2009; UNEP(DEPI)MED WG 331/Inf. 13 of 16 May 2009; Overview of the Conservation Status of Cartilaginous Fishes in the Mediterranean Sea by Cavagh and Gibson, IUCN 2007.

STECF notes that it appears that most of the data and information included in these reports were referred to during the IUCN SSG meeting in 2003. However, the reports also contain data and information from papers that have been published since 2003.

The assessments in the UNEP and IUCN reports relate to 71 species known to occur within the Mediterranean Sea, and the occurrence of a further nine species was found to be either infrequent, questionable, or could not be confirmed due to taxonomic uncertainty. The classification of the species that were assessed can be summarised as follows:

- 42% (30 species) are considered threatened within the region. Of these, 18% (13 species) are Critically Endangered (CR), 11% (8 species) are Endangered (EN) and 13% (9 species) are Vulnerable (VU). Most of these species are considered to be more seriously threatened within the Mediterranean region than at the global level;
- 18% (13 species) are assessed as Near Threatened (NT), reflecting concern that they are close to qualifying for a threatened category or would be threatened were it not for ongoing conservation programmes;
- 14% (10 species) are assessed as Least Concern (LC) and are not considered to be under any threat of extinction now or in the foreseeable future;
- 26% (18 species) are assessed as Data Deficient (DD). This means (UNEP(DEPI)MED WG 331/Inf. 13, 2009) “that there is not enough information to enable accurate assessment of their extinction risk (lack of research, rarity of species, limited geographic distribution). It does not signify that these species are not threatened. As knowledge improves, such species are often found to be highly vulnerable to anthropogenic threats, in particular over-exploitation”.

STECF notes that while the IUCN and UNEP assessments follow the general IUCN methodology and take into account data and information from a variety of sources, including published data, anecdotal information and personal communications, there are a number of general arguments that appear not to have been taken fully into account:

- According to the IUCN criteria, a basic requirement for the inclusion of the species in regional assessment is the existence of a regional population. For many Chondrichthyan species, especially pelagic sharks, the existence of a discrete population in the Mediterranean has not been established. Table 3.1 of the IUCN report indicates that only four species are considered as having a discrete Mediterranean subpopulation. However, most species recorded as present in the Mediterranean have been given a classification, irrespective of whether a discrete regional Mediterranean population has been shown to exist.

- Changes in fishing practices or changes in market preferences over time can bias indicators of abundance based solely on fishery dependent data and give a misleading perception of the change in abundance over time.
- The potential bias in species abundance indicators derived using a mix of landings data and catch data, where such data are treated as equivalent indicators appears not to have been taken into account in the classification for some species.
- Classifications based on data sources from a specific area of the Mediterranean may also be biased simply as a result of shifts in the distribution of the population over time and not as a result of any localised depletion or change in overall population status.

STECF also notes that since some sources of information used in the classification of Mediterranean sharks are not cited, it is not possible to determine whether all available information has been taken into account. It appears however that as even though ICCAT has competence for the management of a number of shark species, its data bank has not been taken into account.

Classification of sharks in the Mediterranean

STECF is asked, “Whether, on the basis of scientific evidence, the classification of each species or group of species in the Mediterranean is justifiably different to their global classification”.

- STECF is unable to give a considered response to this question in the current report and suggests that it be addressed by a specific expert study. STECF suggests that the Commission and the STECF Board decide how best to address this issue.
- On a general point, if shark species in the Mediterranean belong to a wider Atlantic-Mediterranean population, the IUCN criteria preclude a separate and different classification of the population components in the two areas. Hence STECF notes that for some species of sharks, the different classification afforded to some species in the Mediterranean may not be appropriate irrespective of how that classification has been derived.

Descriptions of fisheries exploiting sharks in the Mediterranean

STECF is requested to advise, “Whether based on expert knowledge, published material or other sources of information, the fishery descriptions are sufficiently complete and accurate. STECF is requested to provide additional information on for those fisheries that are incomplete or inaccurate.”

For a variety of reasons, notable a lack of appropriate expertise and data availability, STECF is unable to address this request. STECF suggests that it be addressed by a specific expert study and that the Commission and the STECF Board decide how best to address this issue.

Information on fisheries that exploit sharks

STECF is requested, “To review information on the fisheries that exploit the shark species or groups of species and where possible provide a time series of catches and quantitative information on fleet structure and composition by fishery (No. vessels, economic value”. For a variety of reasons, notable a lack of appropriate expertise and data availability, STECF is unable to address this request adequately. STECF suggests that it be addressed by a specific expert study and that the Commission and the STECF Board decide how best to arrange this.

Nevertheless as a first step to aid the Commission, the gears that account for fishing mortality of threatened Chondrichthyans in the Mediterranean are listed in Table 5.3. STECF also notes that aggregated information by group of species (i.e.: sharks, skates or rays) prevents the correct analysis of the catch data for several of the species reported in the table.

Table 5.3 – Fisheries possibly concerned with the catch of threatened species of Chondrichthyans (according to the IUCN classification) in the Mediterranean and the Black Sea.

Species	Major gears concerned	Other gears possibly less concerned
<i>*Squatina spp</i>	Bottom trawls, bottom set nets	Bottom longlines
<i>Pristis spp</i>	Bottom trawls, bottom set nets	Bottom longlines
<i>Oxynotus centrina</i>	Bottom set nets, bottom longlines	Bottom trawls
<i>Carcharias taurus</i>	Pelagic longlines, bottom longlines	Surface driftnets
<i>Gymnura altavela</i>	Bottom trawls, bottom set nets	Purse-seines, mid-water trawls
<i>Dipturus batis</i>	Bottom trawls	Bottom set nets
<i>Leucoraja melitensis</i>	Bottom trawls	Bottom set nets, bottom longlines
<i>*Rostroraja alba</i>	Bottom trawls	Bottom set nets
<i>*Isurus oxyrinchus</i>	Pelagic longlines	Surface driftnets, tuna traps, bottom longlines, midwater trawls, bottom set nets, harpoons, troll fishery, sport fishery
<i>*Lamna nasus</i>	Pelagic longlines	Surface driftnets, tuna traps, bottom longlines, bottom set nets, midwater trawls, harpoons, troll lines, sport fishery
<i>Rhinobatos spp</i>	Bottom trawls, bottom set nets	Bottom longlines
<i>Odontaspis ferox</i>	Bottom longlines, bottom trawls, bottom set nets	Surface driftnets, pelagic longlines
<i>Leucoraja circularis</i>	Bottom trawls	Bottom set nets, bottom longlines
<i>Carcharhinus plumbeus</i>	Pelagic longlines	Surface driftnets, bottom longlines, bottom set nets, bottom trawls, tuna traps, sport fishery
<i>Squalus acanthias</i>	Bottom trawls	Bottom set nets, bottom longlines, purse seines, troll lines, hand lines
<i>Sphyrna spp</i>	Pelagic longlines	Surface driftnets, tuna traps, bottom trawls, midwater trawls, tuna traps, harpoons,

<i>Raja undulata</i>	Bottom trawls	Bottom set nets, bottom longlines
<i>Mustelus spp</i>	Bottom trawls	Bottom set nets, bottom longlines
<i>Galeorhinus galeus</i>	Bottom trawls	Bottom set nets, bottom longlines, surface longlines, driftnets, tuna traps, troll lines
<i>Alopias vulpinus</i>	Pelagic longlines	Surface driftnets, bottom trawls, mid-water trawls, bottom longlines, bottom set nets, purse-seines, tuna traps, harpoons, troll lines, sport fishery
<i>Heptranchias perlo</i>	Bottom trawls	Bottom set nets, bottom longlines, pelagic trawls
<i>Centrophorus granulosus</i>	Bottom trawls	Bottom set nets, bottom longlines

Measures to ensure the safe and rapid release of sharks

STECF is requested, “To propose measures to facilitate the safe and rapid release, or limit the catches of shark species, in the different fisheries identified in point 3 above. STECF is requested to build on its previous advice given in paragraph 5.7 of its 30th report (Plenary Meeting, 20-24 April 2009, Galway)”

At present, STECF does not have access to additional information on which to base proposals for the safe and rapid release of sharks or to limit the catches of sharks. References to the specific technical measures currently available are cited in the Report of the April 2009 STECF Plenum.

STECF notes that ICCAT Rec.08-07 makes mandatory the immediate release of bigeye thresher shark (*Alopias superciliosus*) if they are alive when brought on the side of the vessel; incidental catches shall be fully reported to ICCAT. This regulation applies in all waters of the ICCAT convention area, including the Mediterranean Sea.

The same measure of immediate release of the living specimens also apply to the white shark, *Carcharodon carcharias*. It is not clear whether the by-catch of dead specimens (that in any case are to be immediately declared to CITES Authorities) are permitted to be retained on board or whether retention on board is strictly prohibited.

STECF notes that clarification is required on the procedure to be adopted in the event of incidental by-catch of protected shark species apart from the immediate release of live individuals.

STECF recommends that consideration should be given to the implementation of time or area closures to protect those areas that are important to the most endangered demersal Chondrichthyan species and to nursery areas of threatened species. Other appropriate management measures for those métier that exploit such species should also be considered.

To collecting better data on catches of Chondrichthyans and to assess their exploitation rates, STECF recommends that all Chondrichthyans should be landed in a physical condition which permits them to be identified to species level.

Additional issues on Chondrichthyan species

Historical perspective

The use of erroneous baselines in management and conservation of marine resources can lead to erroneous assessments of stock status (Rose 2004) and ill-advised management strategies that could lead to stock depletion, collapse or even extirpation of entire populations (Hutchinson et al. 2003). Thus, in order to provide a better assessment of the conservation status of exploited species, the available estimates should be re-evaluated using historical data (Lotze & Milewski 2004, Myers & Worm 2005). In particular, the lack of clear trends during recent decades or so does not imply that the stock is safely exploited and with no need of conservation measures (Cardinale et al. 2009a). Without the historical perspective, yearly fluctuations even during periods of 2 or more decades might be essentially uninformative about the real status of the stock (Cardinale et al. 2009b).

The importance of fisheries-independent information

Reconstruction of historical time series, especially if derived from survey data, is beneficial to improve our ability to attain sustainable resource exploitation in marine areas and results can be used to set baselines for long term management. Also, reconstructed historical time series of biomass, recruitment and individual size are essential for comparing climate, habitat and fisheries effects on exploited fish populations (Cardinale et al. 2009b). Although past analytical stock assessments may be impractical for most species due to lack of catch data, the stock trend can be derived from proper analysis of fisheries independent information.

Given the above, STECF recommends that the Community Plan of Action for the conservation of cartilaginous fishes include a specific task directed to the acquisition, management and analysis of fishery-independent data. In particular, this should include:

1. Revision of the access and management policy for the raw data set of fisheries independent information (e.g. MEDITS, GRUND, etc). This should be in accordance to a framework of clear regulations reflecting current international agreements for access to public funded environmental data (e.g. Aarhus convention). A similar strategy is used by the International Commission for the Exploration of the Sea (ICES), the Canadian Department of Fisheries and Ocean (DFO), and the American National Marine Fishery Service (NMFS), where their fisheries independent information is available to researchers outside their institutions via a formal request.
2. Development of a system of data collection and archival concerning all historical fishing surveys performed in the European waters. The data should be made available to the scientific community and would be used to derive baseline (historical) abundances for shark species in European Waters.
3. The European Community should supervise and act as a repository of data coming from fishery-independent surveys even if funded independently within Member States' frameworks, carried out throughout the EU. The data should be stored and managed by the EU in an ad-hoc database.

References:

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Rose, G.A. 2004. Reconciling overfishing and climate change with stock dynamics of Atlantic cod (*Gadus morhua*) over 500 years. *Can. J. Fish. Aquat. Sci.* 61, 1553-1557.

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Lotze, H.K. & Milewski, L. 2004. Two centuries of multiple human impacts and successive changes in a North Atlantic food web. *Ecol. Appl.* 14, 1428-1447.

Myers, R.A. and Worm, B. 2005. Rapid worldwide depletion of predatory fish communities. *Nature* 423, 281–283.

5.4. General issues - Format and timing of the forthcoming "fish processing" data call

Background

DG Mare intends to launch a data call on "fish processing" not later than September 2009.

Terms of Reference

STECF is requested to discuss data needed, relevant format for the data call and possible dates for an STECF-SGECA meeting on fish processing data during the last quarter of 2009.

STECF comments

Member States are requested to collect data on the fish processing sector (Council Regulation (EC) 1543/2000, 1581/2004 and 199/2008). STECF recognises the importance of the Commission's initiative to analyse the fish processing industry at the EU level. The industry as a whole plays an important role in achieving the general aim of the CFP of the sustainable development of the fishing sector.

STECF recommends that the Commission launches a data call for the fish processing industry at the beginning of September asking for all data collected under the DCR since 2006. JRC will provide a common format for the delivery of the data. STECF suggests that the STECF-SGECA 09-03 meeting scheduled for 19th to 23rd October 2009, should analyse the data received and report on its any conclusions and recommendations that can be drawn from the results of the analysis.

Proposed Terms of Reference

Taking the first DCR call for fish processing data, SGECA 09-03 is requested to analyse and comment on the data delivered and if possible economic performance of MS national fish

processing sector. JRC shall compile the data into similar tables for each of the MS as far as possible.

SGECA 09-03 is especially requested to work on and comment on the following items:

1) Data Coverage and quality

2) Data Analysis and description:

a) National level (preparing a chapter for each MS)

b) Regional level (defining of regions, comparability of data etc.)

c) EU level

d) Description of trends and drivers for change (e.g. relevant information on policies that affect economic performance)

3) Discussion of future possible issues following the data analysis:

a) Dependence of the industry on the EU-fleet and, therefore, also the quotas

b) Are there possibilities for a deeper economic analysis?

c) Regional importance of the industry, sector specifics in connection with the industry

d) Analysis of cost structures and vulnerabilities

5.5. Mediterranean Sea and Black Sea - Mediterranean National management plans under Council Regulation (EC) No 1967/2006 - Malta

Background

Member States were expected to adopt management plans for fisheries conducted by trawl nets (demersal and pelagic), boats seines, shore seines, surrounding nets and dredges (for molluscs) within their territorial waters.

The plans shall include conservation reference points such as targets against which the recovery to or the maintenance of stocks within safe biological limits for fisheries exploiting stocks at/or within safe biological limits (e.g. population size and/or long-term yields and/or fishing mortality rate and/or stability of catches). The management plans shall be drawn up on the basis of the precautionary approach to fisheries management and take account of limit reference points recommended by relevant scientific bodies.

The plans shall ensure the sustainable exploitation of stocks and that impact of fishing activities on marine eco-systems is kept at sustainable levels.

The Management plans may incorporate any measure included in the following list to limit fishing mortality and the environmental impact of fishing activities: limiting catches, fixing the number and type of fishing vessels authorized to fish, limiting fishing effort, adopting technical measures (structure of fishing gears, fishing practices, areas/period of fishing restriction, minimum size, reduction of impact of fishing activities on marine ecosystems and non-target species), establishing incentives to promote more selective fishing, conduct pilot projects on alternative types of fishing management techniques.

Terms of Reference

STECF is requested to review the plans submitted by the Maltese authorities, to evaluate their findings, to make appropriate comments, also with respect to the elements/measures included in the management plans and to advise whether each plan contains elements that account for the state of

the exploited resources, if concerned fisheries are expected to exploit main target stocks in line with their production potentials and if the plan is expected to maintain or to revert fisheries productivity to higher levels.

Management Plan of Malta

The Management Plan (MP) proposed by Malta includes all the fishing activities listed in Article 19 of Council Regulation (EC) No 1967/2006 and was initially evaluated in the 2008 STECF summer Plenum in Helsinki, Finland. STECF notes that in the resubmitted, new version of the Plan most of its previous comments were not taken into consideration.

The list of basic information that STECF considered essential to evaluate the Maltese proposal was the following (see STECF-PLN-08-02 28th plenary report):

1. Information on fleet structure and capacity.
2. Catch data by fishery segment and species for the longest possible series of years, including trends and CPUE data when appropriate and available;
3. Discard rates;
4. Stock assessment for the target species or other useful stock indicators;
5. Identification of target management reference points to be achieved during the time frame 2008-2012.

STECF notes that the Maltese MP included a number of requests for derogations, in order to retain the use of certain traditional fishing activities, namely, traditional boat seine (tartarun) and traditional bottom prawn trawl (gangmu). These requests are as follows:

- i) Derogation from Article 4(1) sub-paragraph 1 to authorise the use of the traditional boat seine (tartarun) on seagrass (*Posidonia oceanica*) beds;
- ii) Derogation from Article 4(1) sub-paragraph 1 to authorise fishing vessels of less than or equal to 12 m overall length and engine power of less than or equal to 85 kW with the traditional bottom prawn dredge (gangmu) undertaken on *Posidonia oceanica* beds in accordance with the procedures provided in Article 30(2) of Council Regulation (EC) 2371/2002;
- iii) Derogation from Article 13(1) sub-paragraph 1 to authorise fishing with the traditional bottom prawn trawl (gangmu);
- iv) Derogation from Article 13(2) to authorise fishing with the tradition bottom prawn trawl (gangmu);
- v) In line with Article 14(1) Malta intends to authorise fishing with the traditional bottom prawn trawl (gangmu) until 31 May 2010;
- vi) In line with Article 14(2) Malta intends to authorise to authorise fishing with the traditional bottom prawn trawl (gangmu) at a shorter distance from the shore until 31 May 2010;

STECF comments:

Management plan

There are no elements in the submission from the Maltese Authorities to evaluate whether the exploited resources targeted by the MP have been, or are currently being fished sustainably. Also, due to an absence of information from the Maltese Authorities, STECF is not in the position to evaluate the potential effects of the plan's proposals on stocks and fisheries. Moreover, the MP has

no clear biological and socioeconomic objectives, no stated time-frame and specifies no harvest control rules.

Management of fishing capacity

There is no quantification of the existing fishing capacity of the fleet. According to the MP, any new fishing capacity will only replace the existing capacity. While this will not allow nominal fishing capacity to increase, the effective fishing capacity is likely to increase due to the effect of technological creep. This will obviously counteract the effects foreseen in the MP.

Data analysis

STECF **recommends** that data collected recently in the framework of the EU Data Collection Programs should be better used to provide information for points 1-5 above and produce preliminary assessments of stock status for the main target species (in SGSA/SAC/GFCM and/or SGMED/STECF). Furthermore, the MP should include a socioeconomic impact assessment.

Derogations

In its previous evaluation (see STECF Plenary report of summer 2008), STECF suggested that pilot studies on the “tartarun” (boat seine) and “gangmu” (bottom towed dredge) fisheries should be undertaken for at least one year using a specified number of vessels with observers onboard. These pilot studies should include information suitable for the evaluation of derogations and specifically for the assessment of the impact of the two fisheries on *Posidonia oceanica* beds. It should be noted that the Maltese Management Plan includes the proposal to carry out such a pilot study for the “gangmu” fishery. However, basic data to evaluate the requested derogations are currently unavailable in the Plan. Nevertheless, STECF notes that the physical impact of the two fisheries on *Posidonia oceanica* beds and wider ecosystem impacts, will be difficult to evaluate for a short time-frame project (1 year). Thus, on the basis of the precautionary approach and also considering that *Posidonia oceanica* is currently legally protected by EU legislation under the Habitats Directive (92/43/EEC)², STECF **recommends** that no derogation should be granted for fishing on *Posidonia oceanica* beds.

STECF conclusions:

STECF reviewed the new version of the Maltese MP and concluded that although some summarized information are provided for points 1 and 2 above, the MP still lacks appropriate data and information to permit an evaluation of its likely impact. Moreover, the MP has no clear objectives, no time frame to achieve the objectives and no harvest control rules are specified. It also lacks any assessment of the status of the resources that the MP addresses. Therefore, it does not fully meet the requirements of Article 6 of the Council Regulation (EC) No 2371/2002.

5.6. Mediterranean Sea and Black Sea - Mediterranean National management plans under Council Regulation (EC) No 1967/2006 - Greece

Background

According to Council Regulation (EC) No 1967/2006 (art. 19) Member States are expected to adopt management plans for fisheries conducted by trawl nets (demersal and pelagic), boats seines, shore seines, surrounding nets and dredges within their territorial waters.

² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

The present proposal concerns a draft plan notified to the Commission by Greece to present its observations before the plan is adopted by Greek authorities. The plan provides for the derogation of the Greek purse-seine fleet from the obligations of article 13 of (EC) 1967/2006 and it is a revision of the previous one. The previous plan was evaluated by STECF during its July 2008 plenary and a series of recommendations were formulated. Following STECF recommendations the revised proposal includes additional scientific information and is submitted for further evaluation.

Terms of references

Given that the proposal for derogation has two basic objectives which are: a. to carry out the purse seine fishery beyond the bathymetry of 30 m or 300 m from the coastline and b. the net deployment will be at depths regardless of the vertical drop of the net, STECF is requested:

- to evaluate the possible impact of fishing activities under the proposed derogation on the targeted species populations (catch distribution) , by catch species as well as concerning discards.
- to provide advice on possible impact of Posidonia beds, given the use and operation of the fishing gear.
- to evaluate the potential conflict with other activities or fishing gears.
- to evaluate the possible negative effects on seabed <50 m, given that the maximum drop of the purse seine used in Greece is up to 120 m.
- to provide updated advice for the plan, taking into account the above information.

STECF response

STECF was requested to evaluate the Management Plans for purse seiners targeting small pelagic species (mainly sardine and anchovy) in Greek waters, including derogation for fishing between 30 and 50 meters. The anchovy and sardine landings represent almost 80% of the total purse seine overall landings.

The current legislation states that purse seines use is prohibited within 300 meters of the coast or within the 50 metres isobath where that depth is reached at a shorter distance from the coast. Moreover, a purse seine can not be deployed at depths less than 70 % of the overall drop of the purse seine itself. These measures are concerned with the protection of sensitive habitat and not related to exploitation of fish resources.

The Greek Management Plan is aimed at a sustainable exploitation of anchovy and sardine stocks and to support derogation from the provisions of paragraph 3 of article 13 of the Reg. (EC) 1967/2006 in accordance to paragraph 5 of the same article in relation to the minimum distances and depths and other measures.

The present management plan provides specific information so to allow operations outside 300 meters of the coast but in any case at depths greater than the 30 meter isobath, when such depth is reached at a shorter distance from the coast regardless the vertical drop size of the nets.

STECF reviewed the new version of the Management Plan submitted by Greece (first submission was discussed by STECF in summer 2008 Helsinki meeting).The Management Plan is now supported by detailed scientific information relating to the status of the main target stocks and includes conservation reference points. There is a description of the fisheries, including a technical description of the fishing operations with purse seines, on target species, seasonal changes in activity, catches, discards, estimates of biomass at sea, and on effort allocation by area. An explanation is provided on the distribution of sardine and anchovy, concentrated close to the coastline.

Detailed information related to the purse seine fishery effects on the environment is also provided. Regarding the impact of the purse seine gear on the sea bottom and the benthos, the information submitted indicates that due to the net construction and mode of operation in Greek waters, the purse seine gear has little impact on the sea bottom and the benthos. As regards the possible impact on *Posidonia oceanica* beds, given the use and operation of the fishing gear, the MP provides information that indicates the impact is expected to be limited. STECF notes that *Posidonia* beds are already protected by the Greek legislation, that prohibits fishing on *Posidonia* grounds with any gear.

As regards the potential conflict with other activities or fishing gears, the MP also provides information that support the lack of conflict between purse seiners with artisanal fishing techniques operating close to the coast.

Related to the quantification of by-catch and impact on demersal species, the MP provides evidences for demonstrating that demersal species constitute a negligible fraction of the catches (only 3% of the total landings). Moreover, the amount of discard of the demersal species by purse seiners is minimal with a percentage of discards below 0.5%

STECF notes, however, that the Greek Management Plan does not provide an exhaustive description of the purse seine fishery from a socio-economic point of view. In particular, it could be appropriate that the Management Plan include a more detailed economical and social impact assessment in the case the derogation might not be accepted.

The MP states that the evaluation of the evolution of the fishery and of the stocks status in terms of spawning biomass, recruitment and exploitation rates will be conducted on an annual basis. The only HCR proposed in the plan is to revoke the derogations for one year if the reference point $E=F/Z=0.4$ is exceeded. STECF is unable to quantify the likely consequences of such a rule, but it is clear that since the vast majority of catches are obtained in the areas to which the derogations would apply, revoking the derogation to fish in such areas for a year would have serious implications on catches and revenue. STECF notes that such a rule is likely to lead to instability in the fishery and recommends that other catch and /or effort control rules be developed in order to achieve a target exploitation rate of $E=0.4$ and at the same time provide some stability in fishing opportunities without causing a risk to the stock.

STECF notes that the current exploitation rate is estimated to be below $E=0.4$ for anchovy but above $E=0.4$ for sardine.

STECF conclusions

On the basis of the information presented by the Greek Authorities, in support of its proposed management plan for the purse seine fishery for sardine and anchovy, STECF concludes the following:

The plan and associated requests for derogations are essentially requests to continue the Status quo. Hence, the impact of fishing activities on anchovy and sardine and associated by-catch species and on the ecosystem will remain as they are at present provided the amount of deployed fishing effort does not increase or decrease. This impact on *Posedonia oceanica* beds is expected to be negligible, providing that the Greek legislation that prohibits fishing on *Posidonia* beds with any fishing gear is enforced.

The STECF current exploitation rate is estimated to be below $E=0.4$ for anchovy but above $E=0.4$ for sardine. An exploitation rate at or below is likely to be sustainable. However STECF notes that the plan does not propose harvest rule that is likely to maintain the exploitation rate below this level

and the proposed harvest rule to revoke the requested derogations is likely to lead to instability in the fishery without maintaining low risk to the stock.

STECF also notes that the socio-economic impacts of the proposed plan cannot be quantitatively evaluated with the information submitted by the Greek Authorities.

5.7. Atlantic Waters and bordering Seas - Possible exemptions in application of Art. 11(2) to R(EC) No 1342/2008

Evaluation of possible exemptions of groups of vessels from the effort management system under the provisions of Article 11.2 of the 'Long-term plan for cod stocks' Regulation (EC) No 1342/2008: Submission to the European Commission by the French, British, German and Polish Authorities.

Background

Article 11(2) of Council Regulation 1342/2008 of 18 December 2008 (long-term management plan for cod), makes provision for The Council, acting on a Commission proposal and on the basis of the information provided by Member States and the advice of STECF, to exclude certain groups of vessels from the effort regime provided certain conditions are met. Following a request to Member States, the Commission has received a submission from the some Member States Authorities containing data and information in support of its request to exempt certain groups of vessels from the effort management regime under the provisions of that Article.

Terms of References

Pursuant to Article 11(2) of Council Regulation 1342/2008 of 18 December 2008 (long-term management plan for cod), Poland has submitted a request to exempt certain groups of vessels from the effort management regime. STECF is requested to review the submission by the German, the Polish, the British and the French Authorities and advise the Commission on the following:

- Does the submission provide appropriate data on cod catches and discards to allow STECF to assess the percentage of cod catches made by each group of vessels concerned?
- Whether the percentage of cod catches (including those subsequently discarded) as assessed by STECF, is less than or equal to 1,5 % of the total catches (including those subsequently discarded) of each group of vessels concerned.

STECF is requested to pay particular attention to the following elements:

- Do the data and information submitted permit STECF to identify a discrete group of vessels to which the provisions of Article 11(2) of Council Regulation 1342/2008 of 18 December 2008 applies?
- Does the group or groups of vessels identified exhibit similar types of fishing activity during specific management periods within specific cod conservation area(s)?
- Taking into account time period, spatial coverage and fishing pattern are the observed catches of cod (landings and discards) considered representative of the catches of cod for the groups of vessels identified in the Member States' submission.

- Does the submission contain appropriate catch-data for the groups of vessels identified to permit STECF to evaluate whether the catch of cod is less than or equal to 1.5% of the total catch for those vessels?
- If STECF concludes that the data and information are insufficient to assess whether the catch of cod is less than or equal to 1.5% of the total catch for the vessel groups identified in the submission, STECF is requested to specify the data that are required in order to permit such an assessment.

STECF GENERAL COMMENTS

Earlier requests

1st round: March 2009

In March 2009, by written procedure, STECF dealt with submissions from Sweden, Ireland, Spain, Germany, and the U.K. At that time, only Sweden presented scientific evidence showing that the vessels for which exemption was sought deploy selective gear that avoids catching cod. The other requests did not contain sufficient information for STECF to assess whether the percentage of cod catches is $\leq 1.5\%$ of the total catches of each group of vessels concerned. STECF outlined what data should be submitted to support a request for exemption.

2nd round: April 2009 STECF plenary

At the April plenary STECF dealt with some resubmitted and some new requests. Three of the Member States that had submitted earlier requests, namely Spain, Germany, and the U.K., resubmitted requests with additional data. France and Poland submitted first-time requests. The requests were characterised by varying levels of incompleteness in terms of supporting evidence for STECF to make any assessments, although the Spanish request contained ample circumstantial evidence indicating that one of the groups of vessels for which exemption was sought, namely the trawlers, deploys its activity at depths outside of the biological range of cod. Again, STECF outlined what data should be submitted to support a request for exemption.

Moreover, in its report (PLEN-09-01) STECF indicated three possible mechanisms through which the catches of cod below 1.5% could be achieved. Of these mechanisms, only the technological decoupling and the spatiotemporal separation could be considered clear cases of decoupling between the fishing activity and the impact on cod stocks.

Current requests

Four Member States, namely France, Poland, Germany, and the U.K., resubmitted their requests with additional supporting data. STECF notes that, while the Commission, the Member States, and the STECF had to go through a learning process initially with regards to clarification on what data the Member States should submit in support of their request, Member States should not be encouraged to resubmit further information in support of their requests for exemption for the same groups of vessels again (unless stated otherwise below).

STECF reiterates that to ensure real decoupling between the fishing activity deployed by a group of vessels and the impact on cod stocks, the evidence should indicate either

- i that the fishing activity is deployed outside the biological distribution area of cod, or
- ii that the fishing gear used within the cod distribution area has been designed to clearly avoid cod catches.

STECF considers that, in order to qualify as evidence for the first mechanism (i), Member States should show that the group of vessels for which exemption is sought, deploys its activity outside the

biological distribution area of cod. In practice this implies fishing activities at depths greater than the biological depth range for cod (i.e. deeper than 300 m, Righton *et al.*, 2007). For fishing activities in areas where currently or historically cod catches are, or have been, non-zero, it is not possible to exclude stock depletion as a cause for the low cod catch levels. STECF notes that, historically, saithe fisheries in the areas that are now covered by the Regulation (EC) No 1342/2008, have always had cod by-catches, indicating that these fishing activities in those areas are not decoupled from the cod distribution biologically. In order to qualify for the second mechanism (ii), Member States should present scientific studies demonstrating the cod-avoiding properties of the gear.

STECF observations

According to the ToR, STECF is requested to review the submissions and advise the Commission on whether the percentage of cod catches is less than or equal to 1.5 % of the total catches of each group of vessels concerned. The Commission clarified that STECF is requested to judge whether, based on the scientific evidence presented, it can be ascertained that real decoupling between the fishing activity and the impact on cod stocks exists.

Upon analysis and discussion of the detailed submitted material, STECF was able to categorize the requests into the following categories:

1. The evidence clearly indicates real decoupling between the fishing activity deployed by a group of vessels and the impact on cod stocks. This would be the case when (i) there is no overlap at all between the fishing activity of the group of vessels and the cod distribution, or (ii) when scientific studies show that the gear used by the group of vessels avoids cod.
2. On the basis of the submitted material, decoupling between the fishing activity deployed by a group of vessels and the impact on cod stocks can be suspected; however, clear evidence is lacking. This would be the case if fishing activity does not overlap with the biological distribution of cod (i.e. takes place deeper than 300 m, Righton *et al.*, 2007), but insufficient evidence is presented to ensure that this is the case. Or this would be the case if cod-avoiding gear is used, but no scientific studies that demonstrate cod avoidance are presented.
3. The evidence suggests that cod-avoiding fishing strategies are being deployed. However, STECF considers that it does not seem possible to specify a strict criterion, time-frame, scale, or resolution for the data to judge whether percentages of cod catches are less than or equal to 1.5%, such that these percentages would not be higher under different criteria, time-frames, scales, or resolutions. This renders it very difficult to assess scientifically whether current low catch rates as reported in the submissions truly represent overall cod catches of $\leq 1.5\%$ through cod avoidance, or whether they are actually caused by stock depletion. Given this uncertainty on true cod catch percentages, and given the intention of cod avoidance of the Regulation (EC) No 1342/2008, STECF considers that spatial decoupling can only be ensured if there is no overlap at all between the fishing activity of the group of vessels and the biological distribution of cod. The fact that no amount of data is likely to be sufficient to ascertain cod avoidance while fishing takes place within the biological distributional range of cod is an issue that will have to be addressed by fishery managers.

Exclusion of groups of vessels from the effort management system under the provisions of Article 11(2) of the ‘Long-term plan for cod stocks’, Council Regulation (EC) No 1342/2008: Submission to the European Commission by the French Authorities

The French submission seeks exemption from the effort regime for six metiers deployed by partly overlapping vessel groups:

1. Saithe-fishing offshore trawler fleet operating in North Sea;

2. Saithe fishing offshore trawler fleet operating to the West of Scotland;
3. Deep sea species fishing offshore trawler fleet operating in West of Scotland;
4. Hake fishing offshore longline fleet operating to the West of Scotland;
5. Gillnetters fishing hake in the West of Scotland;
6. Gillnetters fishing anglerfish in the West of Scotland.

The documentation to support the request is clear and extensive and includes, for each metier separately, identification of the vessels involved, their gear, maps of the spatial and bathymetric distribution of the effort and the landings, landings figures per species per statistical rectangle 2006 to 2008, details about observer trips carried out in 2004 and 2008 and 2009 (concerning the first 3 metiers only).

Concerning the first two metiers, in a few statistical rectangles the percentages of cod landings were relatively high. Although the deployed effort and the realised catches in these rectangles were small, the occurrence of high percentages indicates that these metiers are not decoupled from the distribution of cod. Also the observed percentage sometimes overshoot 1.5%. Fishing by these two metiers takes place on the shelf edge, mainly between 200 and 1000 m depth, but substantial effort is deployed at depths shallower than 200 m.

For the third metier, it is claimed that fishing takes place at the shelf edge between 600 and 1500 m depth. Unfortunately, the supporting maps do not differentiate between the activities of the vessels in the first three metiers; therefore STECF is not able to verify whether metier 3 is indeed conducting its activities only at depths well below the biological depth range of cod. Moreover, the landings data indicate that there have been some very small catches of cod in some rectangles, representing extremely low percentages of the landings in these rectangles (the largest annual percentage of cod for the total landings by the 9 vessels was <0.15%). STECF considers that this metier, similarly to the case of the Spanish trawlers, potentially qualifies as a fishery conducting its activities decoupled from the cod distribution by depth, if the activity would be restricted to depths deeper than 300 m (Righton *et al.*, 2007).

Fishing in metiers 4 and 5 takes place on the shelf edge, mainly between 200 and 1000 m depth, but substantial effort is deployed at shallower depths than 200 m. Metier 6 conducts its activity at depths deeper than 500 m. Although none of the metiers 4-6 report any cod landings at all (while no discard data are provided), only metier 6 potentially qualifies as a fishery conducting its activities decoupled from the cod distribution by depth, if its activity would be restricted to depths deeper than 300 m (Righton *et al.*, 2007).

Exclusion of groups of vessels from the effort management system under the provisions of Article 11(2) of the ‘Long-term plan for cod stocks’, Council Regulation (EC) No 1342/2008: Submission to the European Commission by the U.K. Authorities

The U.K. submission seeks exemption from the effort regime for six fisheries / vessel groups:

1. *Nephrops* trawls Minch
2. *Nephrops* trawls Firth of Clyde
3. Queen scallop fishery VIIa
4. Eastern Irish Sea *Nephrops* fishery
5. Eastern Channel beam trawl fishery
6. Western Irish Sea NI *Nephrops* fishery.

The documentation to support the request is clear and extensive and includes, per fishery, vessel identification, effort, area of operation, the distribution of sampling trips (if any), LPUE for all

gears and only for those vessels selected for exemption, landings data of the selected vessels compared to cod landings of all vessels, comparison of vessel characteristics of the vessels sampled and all vessels of the group, maps of the cod catch % in the area. Data were supplied for extended time series, in order to assess whether the areas had low cod densities historically, in particular when the stock was more abundant.

For fishery 3, the Queen scallop fishery (the only fishery for which no discards observation data are given), the U.K. requests exemption on the basis of technical decoupling. However, their description of the gear is brief and, unlike the earlier Swedish submission, the U.K. did not submit any supporting evidence in the form of scientific studies conducted to test the cod-avoiding properties of the gear. On the basis of landings information, this fishery takes very few cod, and may potentially qualify as a fishery decoupled from cod catching through a technological mechanism. However, owing to the lack of discards data and scientific gear-testing reports, STECF considers there to be insufficient information at present to advise on this. The U.K. is encouraged to submit documentation on studies testing the cod-avoiding properties of the gear if such studies exist.

For the other five fisheries, the U.K. requests exemption on the basis of spatial decoupling. STECF acknowledges that the Minch as well as the Eastern Firth of Clyde are historically associated with low cod LPUes. However, all five fisheries report some cod landings and in each case at least some observations show overshoots of 1.5% of cod in the catches. STECF considers that this indicates that these fisheries are not decoupled from the biological distribution of cod.

STECF further remarks that in Annex B point 10, the submission states that fishery 4 may be decoupled from cod catches owing to depletion. This argues against exemption.

STECF also wants to point out that it does not agree with the argumentation in Annex B point 11 of the submission. Here it is claimed that the percentage in the landings is usually higher than the percentage in the catches. This is actually the case in only 4 out of the 8 observations, and a paired t-test shows that the difference is not significant: $t = 1.6$, p (one-tailed) = 0.07, p (two-tailed) = 0.14.

Exclusion of groups of vessels from the effort management system under the provisions of Article 11(2) of the ‘Long-term plan for cod stocks’, Council Regulation (EC) No 1342/2008: Submission to the European Commission by the Polish Authorities

The Polish submission seeks exemption for one vessel operating in the saithe fisheries in the northern North Sea.

The documentation to support the request is clear and includes data on vessel identification and engine power, effort, the area of operation, the gear and mesh size used, as well as landings of saithe and by-catches of cod, haddock, mackerel and redfish by month 2005-2008. Additional information and clarification on the data is provided based on the STECF comments from the April 2009 Plenary Report. Observer information from a sampled fishing trip in March-April 2008 is presented, listing numbers of individuals, length and weight data of by-catch species. A corresponding report on this trip was submitted in Polish at a late stage and could not fully be evaluated with regard to its detailed content in support of the request.

Although there are indications that the cod by-catch in weight was $\leq 1.5\%$ of the total catch during the observed period, spatial decoupling of the targeted saithe fisheries from cod distribution areas cannot be ensured. STECF, therefore, cannot exclude that the currently observed low percentage of cod is due to depleted stock size of cod.

Exclusion of groups of vessels from the effort management system under the provisions of Article 11(2) of the ‘Long-term plan for cod stocks’, Council Regulation (EC) No 1342/2008: Submission to the European Commission by the German Authorities

The German submission seeks exemption from the effort regime for three groups of vessels:

1. Beam trawl flat fish vessels (BT2) in IVb
2. Cutter fleet saithe vessels (TR1) in the North Sea
3. High seas saithe vessels (TR1) in the North Sea

The German submission to the Spring Plenary (STECF PLEN 09-01) included lists of vessels, respective effort and landings data and some observer data. The main issues noted for the submissions at the Spring 2009 meeting were whether the observer data were representative of the vessels listed for submission and that further data should be provided to illustrate complete spatial decoupling of these fisheries with cod i.e. that the low catch % of cod were not due to depletion of cod but rather due to spatial decoupling from the biological distribution area of cod distribution. The German submission considered at this meeting consists of three sets of documents (one for each group of vessels) containing a description of the additional temporal and spatial information on the observer data, which has been submitted in an attempt to address these issues.

For the beam trawl group, the observer data are mostly from vessels not included in the list of vessels requesting exemption and in recent years, the majority of samples are available only from vessels much larger than those listed. Percentage cod catches by trip are shown with vessel characteristics to illustrate that the large vessels sampled in recent years show similar levels of cod catch to the smaller vessels with sizes typical of those included in the exemption request.

For each group of vessels, the temporal (monthly) and spatial distribution (by statistical rectangle) of sampled total catches are compared to the equivalent distribution of the landings by vessels listed in the exemption request (aggregated over years 2002 to 2008). Since the data are aggregated by year, the question of appropriate spatio-temporal coverage of samples and whether the observed catches can be considered representative of the catches of cod of the listed vessels cannot be fully evaluated. However, the comments below assume that the observer data are representative of the catches of cod of the listed groups of vessels.

The % cod catch in the observer data are presented at both trip level and by year (aggregated data) for each group of vessels.

For metiers 1 and 2, these data are presented from the late 1990s to 2008. In both cases, observed cod catches exceed 1.5 % on a number of trips, and more frequently in earlier years. In fact total annual catches of cod exceed 1.5% at the beginning of the time series. Based on this information, STECF considers that the fishing activity of both of these groups of vessels overlaps with the biological distribution area of cod.

The observer samples from the high seas saithe fishery cover a shorter time period (only 2006-2008). No data are available from earlier years as the saithe fishery exploited by these large vessels is reported to have begun only recently. Percentage cod catches in the three sampled trips are very low (< 0.25%), but given that this fleet is likely to be operating in depths at which cod may be found, STECF cannot conclude that the low cod catches are due to true spatial decoupling of fishing activity and biological distribution of cod.

STECF notes that all three sets of German documents actually acknowledge that the fishing activity of the three groups of vessels is likely to overlap with the biological distribution of cod. Some discussion of the observed reductions in cod by-catch is provided in the submission. For the beam

trawl group, there is a suggestion that previously higher % cod bycatch was due to cod being a legitimate target of the flatfish fishery in the southern North Sea, but since then vessel behaviour has altered with the aim now of avoiding cod.

Summary of STECF conclusions

STECF considered submitted material on 6 French metier, 6 U.K. fisheries, 1 Polish vessel, and 3 German fisheries.

The French deep sea offshore trawler fleet operating in West of Scotland and the French gillnetters fishing anglerfish in the West of Scotland are both potentially decoupled from the cod distribution, provided they carry out their activities at depths deeper than 300 m (Righton *et al.*, 2007).

The U.K. submission claimed that their Queen scallop fishery in VIIa is decoupled from impact on the cod stock through the use of cod-avoiding gear; however, no evidence on the cod-avoiding properties of the gear was presented and therefore STECF was not able to judge whether this is the case.

All other fisheries that were assessed, were characterised by low cod catches, sometimes overshooting 1.5%, or zero landings of cod (without discard data), and were judged to take place in areas that overlap with the cod distribution. STECF could not assess whether these low catches truly represent overall cod catches of $\leq 1.5\%$ through cod avoidance, or whether they are actually caused by stock depletion.

References:

Righton, D.A.; Hefferna, O.; Hinrichsen, H.-H.; Huse, G.; Michalsen, K.; Neuenfeldt, S.; Steingrund, P.; Strand, E.; Thorsteinsson, V.; Wright, P. (2007). Cod spatial dynamics and vertical movements in European waters and implications for fishery management (CODYSSEY), *in*: Cieslikiewicz, W. *et al.* (Ed.) (2007). *Proceedings of the EuroOCEAN 2004: European Conference on Marine Science & Ocean Technology: Celebrating European marine science; building the European research area; communicating marine science, Galway, Ireland, 10-13 May 2004*. pp. 185-186.

5.8. Atlantic Waters and bordering Seas - Possible format for annual reports MS have to provide in accordance with Art. 11(3) to R(EC) No 1342/2008

Background

Article 11(3) of Regulation (EC) No1342/2008 of 18 December 2008 (long-term management plan for cod), requires Member States, which benefited from the derogations in accordance with Article 11(2), to submit annual report to the Commission and STECF to establish that the conditions on which the group of vessels were excluded from the effort regime are and remain fulfilled.

In its report PLEN-09-01 STECF has indicated mechanisms through which the catches of cod below 1.5% can be achieved. The Commission services consider that to ensure real decoupling between the fishing activity deployed by group of vessels and the impact on cod stocks, the exclusion should be allowed either when the fishing activity will be deployed outside the cod distribution area, whatever the fishing gear to be used or when sufficient scientific evidences is provided indicating that the fishing gear to be used within the cod distribution area has been designed to clearly avoid cod catches. Currently the Commission services are preparing detailed

rules for Article 11(3) to ensure that the Member State are informed about what information should be included in the annual reports and that they are submitted in the uniform format.

Terms of reference

Taking into consideration above mentioned STECF is requested to:

Provide recommendations for the detailed rules concerning format and content for the annual reports which Member States have to provide in accordance with Article 11(3) of Regulation 1342/2008. If due to the different criteria applied for exclusion Member States will be requested to provide different data in the annual report, the STECF is asked to provide these specific requirements for each of the criteria separately.

Additional question:

Could the STECF plenary please provide the Commission with information on how much time it would require for the STECF to deliver evaluation of the annual reports submitted by Member States?

STECF comments

STECF welcomes the proposal of a standard format and content for the annual reports which Member States should have to provide in accordance with Article 11(3) of Regulation 1342/2008 (establishing that the conditions of the effort exemption remain fulfilled). This will substantially ease the task of establishing whether the conditions of the exemption remain fulfilled.

In the report of the spring plenary meeting (STECF PLEN 09-01), STECF specified data required in order to assess whether individual submissions met the criteria for exemption from the effort regime. STECF considers that these specifications could form the basis of the content of the annual reports and are listed below:

- a list of the vessels belonging to the group, together with their Community Fishing Register (CFR) number and information on the following technical characteristics: gears deployed, mesh sizes, vessel size, engine power.
- Landings by weight of cod and all other fish, crustaceans and molluscs by all vessels identified as belonging to the group of vessels together with the fishing effort (kW days) deployed to obtain those landings.
- Landings and effort data should be provided by vessel, month and statistical rectangle for the most recent year.
- Representative samples of the catches (landings and discards) of cod from vessels identified as belonging to the group of vessels together with the fishing effort (kW days) deployed to obtain those catches. Sampling precision should at least correspond to the levels in the DCF.
- Spatial and temporal coverage: sampling levels (such as sampled effort versus total effort) should be given for onboard observer schemes for the exempted group(s) of vessels.

- Those groups of vessels exempted under spatial decoupling criteria due to fishing activity taking place in depths greater than those inhabited by cod should provide data to show that all fishing activity has taken place at depths below 300 m (Righton, *et al.*, 2007).

Data should be supplied in a format, which can be easily utilised by evaluators, with sufficient explanation of the material supplied.

STECF notes that evaluating the initial and resubmitted requests for exemption from the effort regime has resulted in significant work both at the plenary meeting and by correspondence. This has largely resulted from the variable nature of the evidence supplied by Member States. Submission of annual reports in a standard format with all data at an appropriate temporal and spatial scale will substantially help the evaluation process. STECF anticipates that providing an evaluation of a Member State's annual report is likely to require a few days work. STECF recommends that reviewers should be given advance notice of when such evaluations are likely to be required so that other work commitments can be scheduled accordingly.

Reference:

Righton, D.A.; Hefferna, O.; Hinrichsen, H.-H.; Huse, G.; Michalsen, K.; Neuenfeldt, S.; Steingrund, P.; Strand, E.; Thorsteinsson, V.; Wright, P. (2007). Cod spatial dynamics and vertical movements in European waters and implications for fishery management (CODYSSEY), *in*: Cieslikiewicz, W. *et al.* (Ed.) (2007). *Proceedings of the EurOCEAN 2004: European Conference on Marine Science & Ocean Technology: Celebrating European marine science; building the European research area; communicating marine science, Galway, Ireland, 10-13 May 2004*. pp. 185-186.

5.9. Atlantic Waters and bordering Seas - Evaluation of the Harvest Control Rule adopted in the Southern Hake and *Nephrops* plan R(EC) No 2166/2005

Background

Council Regulation No 2166/2005 established the rules for the recovery of the Southern hake and *Nephrops* stocks in the Cantabrian Sea and Western Iberian Peninsula. The plan aims at recovering the stock to a spawning stock biomass above 35 000 t and to reduce fishing mortality to 0.27 by 2015. The main elements to the plan are a 10 % annual reduction in F and a 15 % constraint on TAC change over the years, following the Policy statements rules. Given the mixed nature of this fishery both *Nephrops* and anglerfish are affected by the plan measures.

Terms of reference

STECF is requested:

- to review the progress of the plan and advice on any possible changes needed in order to achieve MSY by 2015, in particular with respect to an adjustment to the maximum number of fishing days available.
- to incorporate the anglerfish into the plan in order to bring stock in lines with the MSY at the same pace as southern hake. Propose any effort regime adaptation accordingly and evaluate any other options, if appropriate.

STECF COMMENTS

For the evaluation of the implementation of the effort regime of this recovery plan and for the possible suggestions of changes to it, a summary data table was provided by STECF/SG-ECA/RST09-02. The data available is considered insufficient to address the ToR fully because of a number of inconsistencies between the data provided by member states and those requested by the data call, namely:

- Effort data is given in Kw x days while the Council Regulation No 40/2008 in its Annex 2b expresses some of the activity limits in terms of maximum number of days. To undertake a proper evaluation requires effort data expressed in number of days and in fishing activity in terms of days per vessel
- Some of the effort cannot be allocated to any gear. Furthermore it cannot be discerned whether the effort corresponds to vessels affected by the Recovery Plan. The percentage of this non-allocated effort was a 69% in 2006, reducing to a 25% in 2008.
- Catches of hake, *Nephrops* and Anglerfish suffer from the same problem as the effort. For the case of hake the non-allocated percentage in 2006 was 36% and has been reduced to a 10% in 2008.

STECF notes that the limitation in fishing effort in the context of the southern hake and *Nephrops* MP only applies to vessels of length overall equal to or greater than 10 metres, carrying on board trawls, Danish seines and similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm and bottom long-lines.

STECF observations on the stocks and fisheries

Hake

According to the Council Regulation No 2166/2005 the objective of the plan for Southern hake is to rebuild the stock to a spawning stock biomass above 35 000 t and to reduce fishing mortality to 0,27 by 2015 within a period of 10 years with an annual reduction of F of 10%.

Taking into account the results in the ICES working group (Report of the Working Group on the Assessment of Southern Shelf Stocks of Hake, Monk, and Megrim, 5-11 May 2009 (ICES CM 2009/ACOM:09)) STECF notes that for hake:

- There is a clear mismatch between the TAC and the landings reported to WGHMM 2009 for southern hake (source data ICES CM 2009/ACOM:09). In 2008 landings were 138% of the adopted TAC.
- Fishing mortality (F) for southern hake has increased in recent years, being higher in relation to the target level than when the plan was introduced. In 2008, F was calculated to be at 0.52 (ICES CM 2009/ACOM:09).
- In recent years SSB has increased and in 2008 is close to the Bpa set as the target biomass in the plan. ICES (ICES CM 2009/ACOM:09) considers that this is due to the high annual recruitment for the years 2003 to 2007. At Fsq there is a high probability of reversing the upward trend in SSB in the medium term.
- Landings of hake allocated to vessels subject to the effort limitation accounted for 26% of the total recorded hake catches in 2006 and 24% in 2007.

Nephrops

According to the Council Regulation No 2166/2005, the objective of the plan for the two stocks of *Nephrops* (ICES Divisions VIIIc and IXa) is to rebuild them within safe biological limits within a period of 10 years with an annual reduction of F of 10%.

Nephrops can be considered as a small (in quantity) but important (in value) bycatch in fisheries targeting mainly demersal fish species. This fishery is taking place on two stocks of *Nephrops* which are further divided in six different Functional Units (FU).

In recent years the catches assigned to FU 25 and FU 31 (ICES Division VIIIc) have been stable and below the agreed TAC (The TAC is set for the combined fishery units FU 25 and 31). STECF is unable to determine whether this is likely to be a result of the lower availability of the stock or to the effort limitation regime or whether the TAC has been set unrealistically high

For the case of FU 26 to 30 (ICES Division IXa) catches have been decreasing in recent years despite TAC has always been overshoot. The TAC is set for the combined fishery units FU 26–30. Landings of *Nephrops* reported to ICES and allocated to vessels subject to the effort limitation accounted for 31 % of the total recorded *Nephrops* catches in 2006 and 36% in 2007.

Anglerfish

Anglerfish are thought to be caught in the same demersal mixed fisheries as hake and *Nephrops* but are not currently part of the recovery plan (Council Regulation No 2166/2005) even though the catches of anglerfish by those gears subject to effort restrictions in the plan may be affected.

Anglerfish landings data compiled by STECF (STECF/SG-ECA/RST09-02) are presently incomplete and indicate that in 2006 and 2007 only about 11% and 13% of the total landings of anglerfish reported to ICES from ICES Divisions VIIIc and IXa, were taken by vessels subject to the effort limitations in the plan. Despite the incompleteness of the STECF catch and effort database, STECF recognises that a significant proportion of anglerfish catches from Divisions VIIIc and IXa are likely to be taken by gears other than those affected by the recovery plan for hake and *Nephrops*.

STECF CONCLUSIONS

Although no formal evaluation of the plan has been conducted STECF considers that, given that current catches have exceeded the TAC for southern hake, the recovery plan has been ineffective at restricting catches to the intended level.

Fishing mortality is well above the target level set by the recovery plan. However, in spite of the high fishing mortality, SSB has increased in recent years but remains below 35,000 tonnes (B_{PA}) in 2008. STECF agrees with ICES (ICES CM 2009/ACOM:09) that this is likely to be a consequence of the high annual recruitment for the years 2003 to 2007 and that at F_{sq} there is a high probability of reversing the upwards trend in SSB in the medium term.

STECF notes that to achieve MSY for hake by 2015 fishing mortality has to be reduced to the target level of 0.27 well before 2015.

With regard to *Nephrops*, STECF notes that catches in 2006 and 2007 have exceeded the TAC for *Nephrops* in IXa, and concludes that the recovery plan has been ineffective at restricting catches to

the intended level. STECF is unable to determine whether the undershoot of the TAC for the *Nephrops* functional units in VIIIc is a result of the plan.

For the case of *Nephrops* STECF is at present not able to advise whether the plan has been successful. The plan requires a TAC to be set that corresponds to reductions in fishing mortality for *Nephrops* that are in line with those for hake, however, fishing mortality reductions for *Nephrops* should be considered at the Functional Unit level and not at the stock level in order to avoid depletion of individual functional units. In addition there are no defined reference points for *Nephrops* in Divisions VIIIc and IXa.

The inability to allocate reported effort to the fleet denominations stipulated in the Regulation (Council Regulation No 40/2008) means that STECF cannot evaluate the effort trends for the different fleets subject to the effort regime of the Recovery plan. However, the catch data submitted to STECF indicate that a substantial part of the catches of hake and *Nephrops* and anglerfish are

STECF Recommendations

Given that since the implementation of the plan in 2006 fishing mortality has increased, and the TAC for hake has been overshoot, the provisions of the management plan have been ineffective in controlling catches or effecting a reduction in fishing mortality.

To achieve MSY by 2015 there is a need to reduce F to 0.27 well before 2015. STECF **recommends** that the provisions of the present plan are strictly enforced. Furthermore, on the basis of data available, STECF is unable to determine whether the effort limits provided for in the plan are adequate to effect the reduction in fishing mortality required to achieve MSY. However, the data available to STECF indicates that a significant proportion of the landings of hake is taken by vessels not subject to the effort limitation.

STECF also considers that measures to improve selectivity to reduce the catch of small fish could help to improve SSB in the long term.

STECF **recommends** a finer-scale management of catches and/or effort at a geographic scale corresponding to the distribution of the *Nephrops* functional units should be implemented, in order to rebuild the stocks to safe biological limits.

Regarding the incorporation of anglerfish into the recovery plan for southern hake and *Nephrops*, STECF has the following remarks:

1. Taking into consideration mixed nature of fisheries taking anglerfishes, hake and *Nephrops* in VIIIc and IXa, consideration should be given to adjust the grouping of fishing gears laid down point 3 in Annex IIB of Council Regulation (EC) No 43/2009 to include those gears that account for the majority of the fishing mortality on these species. At present, STECF is unable to advise which gears to include.
2. On the assumption that the overriding concern is hake, anglerfish could be included in the plan following the same approach as used for *Nephrops*. This means adding the anglerfish stocks to the list of stocks concerned (Article 1 of Council Regulation No 2166/2005) and including a procedure for setting the TAC for the anglerfish stocks similar to the current procedure for setting the TACs for *Nephrops* (Article 6 of Council Regulation No 2166/2005).

In relation to the above remarks, STECF **recommends** that a formal evaluation of the recovery plan be conducted in line with the terms or reference for evaluation of recovery plans detailed in section

5.1, of this report, prior to the implementation of any changes to the plan. STECF also **recommends** that any amendments to the current recovery plan for Southern hake and *Nephrops* including the incorporation of anglerfish be deferred pending the outcome of the formal evaluation and the ICES benchmark assessment, which is presently scheduled for March 2010.

In order to facilitate any future evaluation of the effort regime implemented in the Recovery plan, STECF **recommends** that the effort data should be provided in days at sea and in Kw x days at sea in such a way that all data can be allocated to specific fishing activities.

5.10. Atlantic Waters and bordering Seas - Baltic Sea fishing effort management scheme: possible derogation for flatfish fishery

Background

Article 8 of Council Regulation (EC) No 1098/2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks is establishing a fishing effort system for fishing vessels fishing with trawls, Danish seines or similar gear of a mesh size equal to or larger than 90 mm, with gillnets, entangling nets or trammel nets of a mesh size equal to or larger than 90 mm, with bottom set lines, longlines except drifting lines, handlines and jigging equipment.

The system consists of closed periods and days absent from ports, which are set on an annual basis according to the rules defined in Article 1. In order to allow small-scale fishing with a low impact on cod (low cod catches and/or targeting for other species such as flatfish), vessels below 12m can use up to 5 days absent from port per month during the closed periods.

The BS RAC has taken the position that the effort scheme for the management of the cod fishery has limiting effects on other fisheries and suggested to the Commission to evaluate the derogation for small-scale vessels with regards to the flatfish fishery with 140-220mm and to exclude vessels using nets with mesh size above 220mm from the effort limitations.

Terms of reference

In light of the requests from the BS RAC to the Commission, the Commission requests STECF:

- to analyse for vessel groups 8-12m and 12-24m vessel length and the different gear categories defined in the Baltic cod plan (subdividing gillnets by mesh size groups 90-140mm/140-220mm/>220mm) by Member State the catch composition with these gears taking account of seasonal and regional differences, and
- to advice on a potential exclusion of fishing vessels using nets with mesh size above 220mm from the effort limitations in light of the objectives and targets defined in the management plan for Baltic cod.

STECF comments and conclusions

All Member States had provided landings data for cod taken by gillnets, entangling nets and trammel nets by mesh size group, management area, vessel size and year for the period 2005 to 2007. In addition to cod data landings of other species were included. However, not all Member States had provided the landings of other species by species.

Table 5.10.1. below shows the landings data for cod taken by gillnets, entangling nets and trammel nets in 2007 by Member States, mesh size range, vessel size and management area. Total landings of cod were in 2007 24,000 t in Subdivisions 22 -24 and 51,000 t in Subdivisions 25 – 32.

Landings of cod taken by gillnets, entangling nets and trammel nets with mesh size equal to or larger than 220 mm constituted less than 1% of the total cod landings.

Discard data were not included in the data made available to STECF. However, discards of cod in gillnet fisheries are limited. Total discards of cod in 2007 has been estimated by ICES to 4147 t in Subdivisions 25 – 32 and 2200 t in Subdivisions 22 – 24. Including discards in the calculation will not change the overall conclusion that catches of cod in by gillnets, entangling nets and trammel nets with mesh size equal to or larger than 220 mm are very small and STECF advises that exclusion of fishing vessels using nets with mesh size above 220mm from the effort limitations will have negligible effect on the probability of reaching the targets defined in the management plan for Baltic cod.

STECF, however, notes that catches of turbot which is an important target species in the 220 mm fishery have been very low in recent years. STECF has no information to judge if the decline in landings reflects a low stock level, a substantial reduction in fishing effort or a combination of the two. However, if the low landings are due to low stock level derogation for vessels using nets with mesh size above 220mm from the effort limitations may have a negative impact on the turbot stock.

Table 5.10.1: Landings in 2007 of cod in t by vessels using gillnets, entangling nets and trammel nets by Member States, management area, mesh size range and vessel size.

Mesh size 90 - 140

Vessel size	Subdivisions 22-24			Subdivisions 25-32		
	<12 m	12-24 m	Total	<12 m	12-24 m	Total
Denmark	1005.0	234.0	1239.0	134.0	10.0	144.0
Finland	39.9	0.0	39.9	0.0	0.0	0.0
Germany	1899.5	5096.3	6995.8	21.3	1508.1	1529.4
Latvia	0.0	0.0	0.0	7.7	1751.1	1758.8
Lithuania	0.0	0.0	0.0	130.8	30.7	161.5
Poland	444.4	437.0	881.5	747.8	1278.7	2026.4
Sweden	879.3	139.7	1019.0	1267.4	206.2	1473.6
Total	4268.1	5907.1	10175.2	2309.0	4784.7	7093.8

Mesh size 140 - 220

Vessel size	Subdivisions 22-24			Subdivisions 25-32		
	<12 m	12-24 m	Total	<12 m	12-24 m	Total
Denmark	942.8	255.3	1198.1	179.9	0.0	179.9
Finland	0.0	0.0	0.0	0.0	0.0	0.0
Germany	106.2	0.6	106.8	0.0	0.0	0.0
Latvia	89.7	0.0	89.7	0.0	0.0	0.0
Lithuania	0.0	0.0	0.0	1.3	0.0	1.3
Poland	0.0	0.0	0.0	0.0	0.0	0.0
Sweden	125.1	0.0	125.1	11.4	43.9	55.3
Total	1263.8	255.9	1519.7	192.6	43.9	236.5

mesh size >=220

	Subdivisions 22-24	Subdivisions 25-32

Vessel size	<12 m	12-24 m	Total	<12 m	12-24 m	Total
Denmark	10.3	2.9	13.2	37.7	0.0	37.7
Finland	0.0	0.0	0.0	0.0	0.0	0.0
Germany	2.2	0.4	2.6	0.0	0.0	0.0
Latvia	0.0	0.0	0.0	0.0	0.0	0.0
Lithuania	0.0	0.0	0.0	0.1	0.0	0.1
Poland	0.0	0.0	0.0	0.0	0.0	0.0
Sweden	4.2	40.4	44.6	0.4	0.1	0.5
Total	16.7	43.6	60.4	38.2	0.1	38.3

5.11. Atlantic Waters and bordering Seas - Development of a multiannual salmon management plan in the Baltic Sea

Background

The Commission is developing a management plan for salmon in the Baltic Sea. As part of the process, the Commission has asked 2 external contractors, ICES for the biological advice for a new plan and the Finnish Game and Fisheries Research Institute who has conducted social and economic analyses of the possible scenarios.

The Commission is currently drafting an Impact assessment report that will soon be sent to the IA board.

Terms of reference

STECF is asked to evaluate the scientific and the socio-economic advice for a new management plan. Also, during the work with the IA report some questions has emerged that STECF is asked to assess and give further advice on.

Evaluation of reports:

STECF is requested to evaluate the 2 reports for their content and quality and to raise possible other conclusions from the content in the reports than the contractors do:

- ICES special advice 2008, 8.3.3.3: Request to ICES for advice on management of Baltic Sea salmon
- <http://www.ices.dk/committe/acom/comwork/report/2008/Special%20Requests/EC%20Revision%20of%20salmon%20action%20plan.pdf>
- Data analysis to support development of a Baltic Sea Salmon Action Plan, SI2.491891, FISH/2007/03 – Lot 6. Finnish game and fisheries research institute
- http://ec.europa.eu/fisheries/cfp/governance/consultations/consultation_baltic_salmon_en.htm

Advice on TAC:

According to the latest report from the ICES salmon working group (ICES, 2009 - *Report of the Baltic salmon and sea trout working group*, 14-31 March, Oulu Finland) the current system with setting one separate TAC on the Gulf of Finland has a mayor flaw because salmon from Gulf of

Finland also migrate to the Main Basin and vice versa. Recommendations for their own future works thus states that salmon from the Gulf of Finland should be assessed together with salmon of the Main Basin and the Gulf of Bothnia.

The Commission requests STECF's advice on this issue. Is there any scientific basis for keeping 2 salmon TAC areas in the Baltic rather than a single TAC?

A vital part of any management plan is harvest control rules to set TAC in order to ensure consistency between years and create predictability for the sector.

The Commission requests STECF to suggest harvest control rules for the sea fisheries that would maximize long term yields, taking into account occasional strong outbreaks of M74 and/or decreased post smolt survival. STECF is also asked to estimate the recent average level of catches and total removals at sea for all stocks.

The harvest control rules and the average estimate the recent average level of catches and total removals should be suggested both for the whole Baltic Sea, and separately for the Gulf of Finland and the rest of the Baltic Sea

Advice on stocking practices:

Most management plans for salmon contain rules on good practice for stocking and the introduction of such recommendations in the plan has strong support from almost all stakeholders. NASCO, CNL(06)48 "The Williamsburg Resolution", Annex 4- Guidelines for Stocking Atlantic Salmon III B 4 (a) contain a list of measures that hatchery rearing programmes should comply with in the North Atlantic. These guidelines are also in line with the ones given in the SAP but more detailed.

Does STECF recommend the use of these guidelines for stocking practices in the Baltic Sea or would it propose others?

A. Evaluation of reports

A.1. Evaluation of ICES response to the Commissions request to ICES for advice on management of Baltic Sea salmon.

EC requested ICES to provide scientific advice on management of Baltic Sea salmon according to the following Terms of Reference:

- Biological evaluation of old Salmon Action Plan (SAP) – especially asking why some smaller salmon populations did not respond on measures taken under the SAP.
- Provide a range of options (including objectives and measures) for the future management plan for salmon.
- The first option should be continuing management as of today
- The second option should explore the consequences of managing only through measures in the marine environment
- Further options should include an integrated approach with management objectives and measures in both, fresh water and marine environment

- All options should include consideration of environmental interactions, such as habitat use, predation, genetic aspects and contaminants.

Biological evaluation of the salmon action plan

ICES concluded that:

- The SAP has been partially successful in achieving its objective of recovering natural smolt production of salmon rivers to 50% of their potential by 2010. Natural smolt production in all of the salmon rivers in Bothnia Bay (assessment unit 1 in the Gulf of Bothnia) is likely to achieve or exceed 50% of its potential by 2010. Some of the rivers in the remainder of the Baltic Sea are unlikely to achieve the objective of 50%. None of the rivers of the Gulf of Finland are likely to achieve the objective.
- There is insufficient scientific information upon which to determine if populations are within “safe genetic limits,” but there are genetics concerns in light of the large hatchery production relative to natural production in rivers with depleted salmon stocks.
- While the production of salmon populations of small rivers (length less than 100 km) is usually more variable and more susceptible to natural and human-caused perturbations, there does not seem to be a general reason for the SAP to perform poorly with respect to some of these rivers. Specific factors that adversely affect salmon can be identified for some rivers.
- It is too early to fully evaluate the efforts to re-establish salmon populations, as at least one generation without releases is needed. However, to date there is little evidence of success.
- TAC recommendations from ICES have been consistent with the objective of achieving a smolt production at 50% of its potential by 2010. However, the agreed TAC has often been higher, and especially so in the last few years. Reported landings have been substantially lower than the TAC in recent years.
- The effectiveness of other salmon management measures varies. The ban on driftnet fishing has reduced fishing mortality. Limits on the number of trapnets in coastal waters are considered ineffective, while time period closures are effective. Neither adipose finclipping nor the establishment of terminal fishing areas have been important tools to increase the selective exploitation of reared salmon, and thus reduce pressure on natural production of salmon. The effectiveness of adipose finclipping of reared salmon for management is questionable since it has not been implemented for all reared fish.

STECF comments:

STECF agrees with ICES evaluation of the SAP. STECF notes that the positive development in smolt production especially in the Bothnia Bay, which accounts for a substantial proportion of total smolt production, has taken place despite low post smolt survival in recent years. This is mainly a result of reduced exploitation on adult salmon.

About half of the Baltic wild salmon rivers are small rivers. In general, little or no improvement in smolt production has been observed in these rivers. Local conditions in the rivers seem to be of particular importance and STECF underlines the need to combine general measures with specific river based measures addressing the local conditions.

Options for future management plan for salmon

ICES proposes that the future Baltic Sea salmon management plan shall define a “wild salmon population” as follows:

Wild salmon populations are self-sustaining populations with no or only very limited releases of reared fish.

In response to future management plan for salmon, ICES advises as follows:

- The SAP (as adopted by the IBSFC) has several key weaknesses and it should not be continued in its current form. In particular, the current target of smolt production of 50% of its potential should be increased to at least 75% if a goal of the plan is to recover salmon populations to the MSY level. In addition, there should be suitable objectives to address the genetic status of salmon populations.
- Another weakness of the SAP is that it primarily influences management measures for open sea fisheries. The option of managing primarily through measures in the open sea should be rejected since the life cycle of salmon depends on natural and human related factors that occur in river, coastal, and open sea environments.
- Future management should include an integrated approach that addresses factors controlling the dynamics of salmon populations throughout their life cycle and the multitude of economic and social benefits that may be derived from salmon.
- Future management of salmon should address the key human related activities that affect salmon, including fishing, habitat alteration, and hatcheries. The role of diseases, predation, and climate change (natural and/or human caused) should be taken into account in the design of future management measures relative to objectives. Management measures for fisheries should be applied to all fisheries (open sea, coastal, in rivers, commercial, and recreational) in a consistent manner. An appropriate monitoring scheme should be implemented to guide management and measure its performance.
- An integrated approach to future management of salmon should include river-specific elements to address the recovery needs of weak populations in small rivers. In addition to controls on fishing, these efforts should address habitat problems. A case-by-case approach will probably be necessary.

STECF comments

The estimated production of smolt at MSY varies among rivers from about 60% to 80% of the potential smolt production. STECF therefore agrees with ICES advice that a smolt production of 75 % of the potential smolt production is an appropriate target reference point consistent with MSY if applied on a river by river basis.

STECF agrees with ICES that future management should address all key human activities that affect salmon and that in addition to general management measures that apply to all stocks, it is necessary to develop river-specific elements in the plan. To address the needs for both general and river-specific elements, STECF suggest that the future management plan be constructed as a framework plan supplemented by river or group of rivers-specific management plans. The framework plan should address issues affecting all stocks, such as limitations on the open sea fisheries, stocking practice and control. The river/rivers-specific plans should address river-specific issues including concrete stocking plans as well as coastal issues of relevance for the rivers concerned.

A2. Evaluation of Data analysis to support development of a Baltic Sea Salmon Action Plan, SI2.491891, FISH/2007/03 – Lot 6. Finnish game and fisheries research institute

Background

The analysis is based on existing data as well as a survey and modelling work. The exploitation pattern of the Baltic salmon stocks has gradually changed due to decreased market price, banning of drifting nets and high dioxin content which as a rule prevents marketing. Finland and Sweden has a derogation for marketing Baltic salmon in their own markets up to 2011.

The decreasing fishing pressure has increased the spawning migration and stimulated the non-commercial fishery both at sea, along the coasts and in rivers.

STECF comments

STECF considers that the study is a valuable contribution for an improved understanding of the interaction between biology, market and the socioeconomic consequences and the findings are informative. However some aspects could have been analysed in more detail. The conflicts among the different catching sectors are complex and the subject of an on-going debate. The management measures for the fishery in the rivers (recreational) is pending political decisions.

Furthermore the socioeconomic consequences of the incoming salmon plan is to a large extent dependent of the development of the following sub-markets:

- Commercial price of salmon and the costs in the commercial fishery,
- Trolling fishery (recreational fishery) in the southern Baltic,
- Recreational fishery (sport-fishery) along the coast and in the rivers,
- The semi-commercial fishery along the coast with fixed gears

The study has not tried to make any market analysis including the consequences of a market ban attributed to the dioxin content.

B. Advice on TAC

B.1. Request to advice if there is any scientific basis for keeping 2 salmon TAC areas in the Baltic rather than a single TAC.

No improvement in the state of wild stocks in Gulf of Finland has been observed and STECF agrees with ICES advice that there should be no catches of wild salmon in the Gulf of Finland.

STECF is at present not in the position to advise on measures or fishing methods that will allow fisheries on reared salmon without catching wild salmon. The advice therefore for all practical purposes implies that catches of salmon in the Gulf of Finland should be kept at a minimum.

Gulf of Finland salmon migrate into the Main Basin and between 10 and 40 % of the total catch of Gulf of Finland salmon is taken in the Main Basin. Zero catch in the Gulf of Finland will therefore, not offer maximum protection of the wild Gulf of Finland stocks. The fact that part of the catches of Gulf of Finland wild salmon is taken in the Main Basin has been used as argument for merging the TAC for Gulf of Finland with the TAC set for the remaining part of the Baltic Sea. A combined TAC may result in increased fishing effort in the Gulf of Finland and thereby increased fishing mortality on wild Gulf of Finland salmon. STECF therefore recommends that under the present management system a separate TAC for salmon in the Gulf of Finland should be maintained.

STECF recommends that any revision of the current TAC regime for salmon in the Baltic should be linked to the development of a new management plan.

B.2. Request to suggest harvest control rules for the sea fisheries that would maximize long term yields, taking into account occasional strong outbreaks of M74 and/or decreased post smolt survival.

STECF considers it important that harvest rules for the sea fisheries be developed as an integrated part of the future management plan and considers it premature to propose harvest rules at this stage.

A number of factors including the overall management objectives and the relative priority given to open sea, coastal, in river, commercial, and recreational fisheries will influence the harvest rule to be set for the open sea fisheries. To be able to provide useful advice on harvest rules STECF request clear guidelines on the objectives for the future management of Baltic salmon and the relative weight to be given to the different fisheries.

C. Advice on stocking practices

The expertise and time available at the July 09 STECF plenum meeting did not allow an appropriate evaluation of the stocking practices recommended by NASCO. STECF will endeavour to provide its response at the November plenum meeting.

6. REQUESTS TO STECF SUBMITTED BY MEMBER STATES AUTHORITIES AND RELAYED BY THE COMMISSION

STECF notes three submissions relayed via the Commission from the French Authorities concerning elasmobranchs and cetacean by-catch. STECF considers that it is inappropriate that STECF attempt to provide comprehensive responses to such requests at its plenary meetings. There are aspects of each request that are largely concerned with legislative and policy issues which are the province of the Commission and which STECF has no competence to address.

STECF requests that in future, on receipt of similar requests from Member States, the Commission should evaluate what is appropriate for STECF to address and advise on and amend the request accordingly. For requests that require an in-depth analysis or an extensive review of literature, it would be appropriate for the Commission and the STECF Board to discuss how best to address the work before it is reviewed by the STECF.

A brief response to each of the submissions from the French Authorities is given below.

6.1. Saisine de la France - Plan d'action communautaire pour la préservation des raies et des requins

Background

Le projet de plan d'action communautaire pour la préservation des raies et requins, qui a été présenté en février 2009 par la Commission européenne, a pour objectif de préserver les espèces d'élasmobranches les plus menacées. Il correspond aux recommandations de la FAO datant de 1999. Les autorités françaises ont manifesté leur soutien à ce projet.

Le plan communautaire proposé s'articule autour de neuf points principaux qui permettent de délimiter deux grands champs d'action:

1. la nécessité d'améliorer les données de capture, de débarquement et de vente des raies et requins afin d'améliorer la connaissance scientifique de ces espèces,
2. la nécessité de prendre des mesures de gestion par rapport aux prises ciblées ou accessoires de requins vulnérables.

Amélioration des données et études disponibles:

Le plan d'action « *Quinze mesures pour une pêche durable et responsable* » (dit « Plan Barnier ») comprend une mesure qui a pour objectif de renforcer la connaissance scientifique de l'état des ressources halieutiques. L'état des lieux de la biodiversité en France sur ces espèces s'établit autour des données suivantes:

- 92 espèces de chondrichthyens dans les eaux métropolitaines françaises
- 53 requins
- 34 raies
- 5 chimères

Dans le cadre d'un groupe de travail national sur les élasmobranches (groupe composé des professionnels, de scientifiques et de l'administration), les autorités françaises ont pu constater que les données de capture, de débarquement de ces espèces sont déficientes et que l'acquisition de données statistiques de meilleure qualité est indispensable pour un meilleur suivi des stocks de ces espèces. De plus, une connaissance accrue de la biologie et de la dynamique des populations des élasmobranches semble nécessaire à ce stade pour décider de mesures de gestion adéquates pour ces espèces.

Cette meilleure connaissance des élasmobranches doit faire l'objet d'une collaboration accrue entre professionnels et scientifiques pour acquérir des données de capture et de débarquement de qualité suffisante de ces espèces, mais aussi par le financement communautaire de programmes d'observation à la mer et de recherche pour ces espèces en particulier. Ces programmes d'observation à la mer peuvent être complétés par l'encouragement de pratiquer l'auto-échantillonnage par les pêcheurs.

Concernant l'enregistrement des espèces de requins à la capture et au débarquement, les autorités françaises souhaitent adapter les codes des *logbooks* et les codes criées pour qu'un suivi des espèces les plus menacées puisse avoir lieu. Mais de meilleures statistiques nécessitent également une formation des professionnels de la mer pour identifier ces espèces, parfois difficiles à différencier les unes des autres. Ces initiatives de formation des professionnels de la mer doivent donner lieu à des financements communautaires pour la mise en œuvre du plan d'action.

De plus, les autorités françaises ont recommandé à la Commission européenne de faire appel aux instances scientifiques habituelles comme le CIEM pour juger du statut des différentes espèces.

Il est à noter qu'une étude de synthèse sur les ratios poids des ailerons / poids du corps chez les requins des pêches européennes a été réalisée par un groupe de spécialistes en réponse à

l'appel d'offre du Parlement européen publié en 2006 (contrat n° IP/BIPECIDIC/2006-195). Ce travail, coordonné par Nature Bureau (UK) pour le compte de l'EEA, a donné lieu à un rapport provisoire remis contractuellement en mars 2007, et un rapport final en mai 2007.

En novembre 2007 a été sollicité un complément de travail qui modifiait notablement le rapport, en demandant notamment l'inclusion d'un document non disponible en mai 2007 (version écrite d'une communication présentée à la réunion CICTRA à Istanbul en octobre 2007), qui faisait état de ratios beaucoup plus élevés que les 5 % habituellement considérés dans les réglementations sur le prélèvement en mer des ailerons de requins ("*finning*"). Le travail complémentaire demandait ainsi une évaluation du "*finning risk*" et des rejets par pays, ce qui ne pouvait être réalisé dans le délai exigé. Le rapport a été rejeté, ayant pour conséquence, outre le non-règlement du montant du contrat (20 000 Euros), sa non-disponibilité à la date présente, alors que son contenu pourrait être utile dans le cadre de l'adoption du plan d'action proposé.

Mesures de gestion:

La mise en place de mesures de gestion nécessitera un travail très en amont entre Etats membres. Pour la détermination de ces mesures, il est nécessaire de favoriser la coordination régionale dans la mesure où l'extension de ces populations de poissons nécessite une coordination régionale entre les Etats et qu'il est nécessaire d'unifier les mesures de gestion.

Dans ce contexte, il est nécessaire que les organisations régionales de pêche jouent pleinement leur rôle pour la mise en œuvre du plan d'action communautaire.

Par ailleurs, les prises accessoires de requins et raies concernant beaucoup de pêcheries, il est indispensable de travailler dans un premier temps sur la sélectivité des engins et la capacité éventuelle à rejeter à la mer des requins vivants.

Pour les stocks pour lesquels il serait nécessaire de mettre en place des mesures de gestion limitant les activités de pêche, les autorités françaises ont insisté sur le fait qu'il convient pour les espèces déclarées comme vulnérables de considérer les particularités régionales liées à l'état de certains stocks. Pour cela, il semble nécessaire de permettre la mise en place de Permis de Pêche Spécial.

Terms of Reference

Une synthèse, exhaustive des études réalisées sur la situation des stocks d'élastomobranches et sur les impacts des pêcheries:

Il convient de différencier entre les espèces d'élastomobranches, en distinguant les espèces les plus vulnérables de celles permettant une exploitation commerciale ne montrant pas de signe d'effondrement des stocks. Une vision objective de l'état de conservation des élastomobranches, espèce par espèce, est un préalable nécessaire à la mise en place de mesures pertinentes. Il peut également être nécessaire de considérer les particularités locales: des espèces vulnérables au plan global ne le sont pas forcément si on considère l'évolution d'un stock au niveau régional.

Afin d'appuyer les prises de décisions et de mieux orienter les recherches futures, une synthèse des connaissances mondiales sur les élastomobranches, leurs biologies, leurs répartitions, les états des stocks et les effets reconnus de la pêche sur ces derniers serait nécessaire.

Le CSTEP pourrait réaliser une telle étude, utile au niveau communautaire dans le cadre de la mise en œuvre du plan lorsqu'il entrera en vigueur.

Un avis sur la meilleure méthode de lutte contre la pratique du « finning » :

L'actuelle impuissance du règlement communautaire (CE) 1185/2003 pour stopper la pratique de la pêche de requins pour l'enlèvement de leurs nageoires demande une action forte dans le cadre de la définition et de la mise en œuvre du plan d'action communautaire.

Ce règlement interdit la capture de requins dans le but unique d'en prélever les nageoires.

Dans ce but, il impose que le ratio, en poids, des ailerons détenus à bord des navires n'excède pas 5% du total des carcasses. En pratique, outre la vérification difficile de cette condition, le ratio de 5% est largement contesté (lié à l'espèce et à la méthode de découpe, notamment, il est extrêmement variable).

Plusieurs méthodes alternatives devraient permettre de pallier ce problème en remplaçant le ratio poids des ailerons/poids du corps de 5% par une combinaison des mesures suivantes:

- une obligation de rejet des prises accidentelles remontées vivantes à bord
- une interdiction de débarquer séparément ailerons et carcasses de requins;

afin de vérifier l'adéquation corps/ailerons, une des mesures suivantes:

- l'interdiction totale de découpe à bord (méthode qui serait idéale mais poserait des problèmes de stockage des carcasses) ;
- le maintien des ailerons attachés naturellement aux corps (mesure préconisée par la France) ;
- l'identification des ailerons, mis dans un sac plastique et liés au tronc du requin par un cordon et un numéro commun ;
- l'identification des ailerons, mis dans un sac plastique, liés au tronc du requin par un numéro commun, et stockés dans un espace séparé.

Toutes ces mesures ne semblent pas également contrôlables, notamment en raison des problèmes d'identification posés par la séparation des ailerons et des corps.

Il est demandé au CSTEP de donner un avis sur la méthode qui serait la plus appropriée afin de prévenir les pratiques consistant à cibler les requins pour leurs nageoires et afin d'assurer le contrôle effectif d'une éventuelle interdiction.

STECF comments

The French request provides quite abundant introductory and somehow redundant information, partially based in documents not available to the meeting, which makes sometimes difficult to follow the rationale of the request.

Regarding the request on the Elasmobranch stocks situation the STECF recognises the potential utility of a compilation of current information on Chondrichthyans. STECF notes that the EC

Plan of Action contains an Annex prepared by the Commission Staff where most of the available information on sharks around the world is already summarized. The Annex includes specific bibliographic information on: i) taxonomic position, ii) biology and distribution, iii) stock status, iv) management measures, v) effectiveness of management measures, and vi) recent management advice, for 2 shallow water sharks, 8 pelagic sharks, 2 deepwater sharks and 6 demersal Elasmobranchs, most of them Rajids. The STECF further notes that this document is limited in terms of the number of species covered but constitutes a good basis to build upon by extending and updating it with more recent information on Elasmobranchs. **The STECF therefore recommends** this work be pursued either by the EC staff by consulting appropriate sources of information, or by any scientific body such as ICES or by the means of a specific call for tenders. STECF suggest the Commission and the STECF Board discuss the best way to address this.

In relation to the request on the most adequate methods in preventing and controlling finning practices the STECF recalls specific provisions on this matter contained in the COUNCIL REGULATION (EC) No 1185/2003 particularly those in Articles 3 and 4. The STECF recognises that studies summarized in the document: “Impact of measures envisaged under the Community Plan of Action for the Conservation and Management of Sharks” (FISH/2006/09) seem to demonstrate that fin weights as a proportion of live weight and processed weight may differ significantly for different species and fleets. However these differences are based not just on the species, but also on i) whether just primary or all fins are retained, ii) the cutting practices and the amount of meat attached to fins when cut from the carcasses, and iii) the processed product weight. The STECF notes that the EC Action Plan contains provisions to solve this question considering a possible review of the 5% rule.

Regarding the most suitable method to control finning practices the STECF was not in a position to analyze in depth the options proposed by France. Nevertheless, in the absence of a more qualified advice on the question it considers that current control provisions in COUNCIL REGULATION (EC) No 1185/2003 must be respected. **The STECF therefore recommends** maintaining measures contained in COUNCIL REGULATION (EC) No 1185/2003 until the EC Action Plan application gets into force.

6.2. Saisine de la France - Plan d'action communautaire pour la préservation des raies et des requins – Préservation de certaines espèces de raies

Background

Le projet de plan d'action communautaire pour la préservation des raies et requins, qui a été présenté en février 2009 par la Commission européenne, a pour objectif de préserver les espèces d'élasmobranches les plus menacées. Il correspond aux recommandations de la FAO datant de 1999. Les autorités françaises ont manifesté leur soutien à ce projet.

Le plan communautaire proposé s'articule autour de neuf points principaux qui permettent de délimiter deux grands champs d'action :

- la nécessité d'améliorer les données de capture, de débarquement et de vente des raies et requins afin d'améliorer la connaissance scientifique de ces espèces,
- la nécessité de prendre des mesures de gestion par rapport aux prises ciblées ou accessoires de requins vulnérables.

Amélioration des données et études disponibles :

Le plan d'action « Quinze mesures pour une pêche durable et responsable » (dit « Plan Barnier ») comprend une mesure qui a pour objectif de renforcer la connaissance scientifique de l'état des ressources halieutiques. L'état des lieux de la biodiversité en France sur ces espèces s'établit autour des données suivantes :

- 92 espèces de chondrichthyens dans les eaux métropolitaines françaises
- 53 requins
- 34 raies
- 5 chimères

Dans le cadre d'un groupe de travail national sur les élasmobranches (groupe composé des professionnels, de scientifiques et de l'administration), les autorités françaises ont pu constater que les données de capture, de débarquement de ces espèces sont déficientes et que l'acquisition de données statistiques de meilleure qualité est indispensable pour un meilleur suivi des stocks de ces espèces. De plus, une connaissance accrue de la biologie et de la dynamique des populations des élasmobranches semble nécessaire à ce stade pour décider de mesures de gestion adéquates pour ces espèces.

Cette meilleure connaissance des élasmobranches doit faire l'objet d'une collaboration accrue entre professionnels et scientifiques pour acquérir des données de capture et de débarquement de qualité suffisante de ces espèces, mais aussi par le financement communautaire de programmes d'observation à la mer et de recherche pour ces espèces en particulier. Ces programmes d'observation à la mer peuvent être complétés par l'encouragement de pratiquer l'auto-échantillonnage par les pêcheurs.

Mesures de gestion :

La mise en place de mesures de gestion nécessite un travail très en amont entre Etats membres. Pour la détermination de ces mesures, il est nécessaire de favoriser la coordination régionale dans la mesure où l'extension de ces populations de poissons nécessite une coordination régionale entre les Etats et qu'il est nécessaire d'unifier les mesures de gestion. Dans ce contexte, il est nécessaire que les organisations régionales de pêche jouent pleinement leur rôle pour la mise en œuvre du plan d'action communautaire.

Par ailleurs, les prises accessoires de raies et de requins concernant beaucoup de pêcheries, il est indispensable de travailler dans un premier temps sur la sélectivité des engins et la capacité éventuelle à rejeter à la mer des requins vivants.

Pour les stocks pour lesquels il serait nécessaire de mettre en place des mesures de gestion limitant les activités de pêche, les autorités françaises ont insisté sur le fait qu'il convient pour les espèces déclarées comme vulnérables de considérer les particularités régionales liées à l'état de certains stocks. Pour cela, il semble nécessaire de permettre la mise en place de Permis de Pêche Spécial.

L'état des différents stocks suscite depuis plusieurs années l'inquiétude de la communauté scientifique.

de ses groupes de travail de la situation visiblement considérée comme inquiétante de certains stocks de raies.

Plusieurs espèces de raies interdites au débarquement (relâche obligatoire) représentent un chiffre d'affaires important pour de nombreux armements à la fois anglais, français, belges, irlandais et espagnols. Cette perte économique ne semble pas avoir été prise en compte par la Commission européenne. La raie brunette (*Raja undulata*) et le pocheteau gris (*Dipturus batis*) sont notamment des espèces qui présentent une importance commerciale pour de nombreux armements.

La mesure d'interdiction de débarquement et d'obligation de rejets semble être motivée par des niveaux de survie considérés comme importants. Or les professionnels disposent de peu d'information sur la connaissance des taux de survie et il serait utile d'être informé des données disponibles à ce sujet et de soutenir si nécessaire de nouveau programme/étude pour améliorer cette connaissance.

Terms of Reference

Une synthèse exhaustive des études réalisées sur la situation des stocks de raies et sur les impacts des pêcheries :

Il convient de différencier entre les espèces d'élaémobranches, en distinguant les espèces les plus vulnérables de celles permettant une exploitation commerciale ne montrant pas de signe d'effondrement des stocks. Une vision objective de l'état de conservation des raies, espèce par espèce, est un préalable nécessaire à la mise en place de mesures pertinentes.

Il peut également être nécessaire de considérer les particularités locales : des espèces vulnérables au plan global ne le sont pas forcément si on considère l'évolution d'un stock au niveau régional. Afin d'appuyer les prises de décisions et de mieux orienter les recherches futures, une synthèse des connaissances mondiales sur les raies, leurs biologies, leurs répartitions, les états des stocks et les effets reconnus de la pêche sur ces derniers serait nécessaire.

Sur la raie brunette (Raja undulata) et le pocheteau gris (Dipturus batis) :

Concernant spécifiquement la raie brunette (*Raja undulata*), les avis scientifiques du CIEM concernant cette espèce ne semblaient pas alarmants et la France ne comprend donc pas la mesure d'interdiction de débarquement prise par la Commission. L'avis du CIEM estime en effet que l'état de ce stock est incertain et, le cas échéant, sujet à inquiétudes (« *uncertain but with cause for concern* »).

En outre, cet avis du CIEM se limitait à la seule zone VII j, d, e. Or la mesure d'interdiction prise par la Commission porte sur l'ensemble des zones VII et VIII, ce qui ne paraît pas justifié pour la France.

Pour le pocheteau gris (*Dipturus batis*), la France s'interroge également sur les bases scientifiques précises car la perception des professionnels est que le stock n'est pas non plus dans un état alarmant.

La France souhaite donc connaître les motivations scientifiques précises qui ont conduit à ces interdictions, quelles sont les données sur lesquelles les scientifiques et la Commission se sont basés?

STECF comments

Basically, France is requesting clarification on the data used and scientific basis of EC Regulation No 43/2009 regarding rays. France also highlights the lack co-ordination among the different organizations responsible for the implementation of the regulation (European Commission, ICES, CCR).

Exhaustive synthesis about the studies conducted on the stock status of rays and about the impact of fisheries

STECF agrees that there is a need to provide an up-to-date synthesis of species-specific knowledge on the biology, distribution, status of stocks and effects of fishing on rays. STEF is unclear whether the French request is for STECF to recommend that such a synthesis be undertaken.

France stresses that particularities should be taken into account, since vulnerable species at the global scale not necessarily are vulnerable when considering the evolution of one stock at regional scale. In any case, STECF recalls that management measures, such as TAC, are defined at the stock level, what implies that the rule applies for all Member States involved in the fishery.

In this regard, EC Regulation No 43/2009 points out that “this Regulation should fix and distribute a number of new fishing opportunities for skates and rays in areas VIId, IIIa, VIa-b, VIIa-c, e-k, VIII and IX. A method for allocating these new fishing opportunities, based on objective criteria should be established, whilst bearing in mind the interests of each Member State concerned. For this purpose, it seems appropriate to take into account the record of landings of each Member State concerned for this species in these areas during a recent and sufficiently representative period”.

About undulate ray (*Raja undulata*) and common skate (*Dipturus batis*)

According to EC Regulation No 43/2009, common skate in EC waters of IIa, III, IV, VI, VII, VIII, IX and X, and undulate ray in EC waters of VI, VII, VIII, IX and X may not be retained on board. Catches of these species shall be promptly released unharmed to the extent practicable.

According to ICES advice of 2008, in the absence of defined reference points, the status of the stocks of demersal skates and rays and demersal sharks could not be evaluated, and a qualitative description of the general status of the major species based on survey and landings data was provided. Common skate was considered as depleted in areas VI and VII, and the status of undulate ray in VIIj and VIId-e was judged “uncertain (but with cause of concern)”. Given that this large-bodied species has a patchy distribution in the inshore waters of the Celtic Seas ecoregion, it is susceptible to localized over-exploitation.

STECF notes that the ICES 2008 advice was as follows:

Common skate – has declined in many inshore areas of England and Wales, although is still present in the inshore areas of Scotland and Ireland. Target fisheries for this species should not be permitted and measures should be taken to minimize bycatch.

Undulate ray – has a patchy distribution, with some of these areas showing signs of depletion. As a precautionary measure, target fisheries for this species should not be permitted unless exploitation rates are shown to be sustainable.

STECF considers that the prohibition of landings for the two species, as defined in EC Regulation No 43/2009, is based on the scientific advice provided by ICES in 2008.

6.3. Saisine de la France - Application du règlement R(CE) n° 812/2004

Background

Suite à l'atelier organisé par la Commission européenne en mars 2009 sur l'application du règlement 812/2004 sur les captures accessoires de cétacés, qui avait permis de mettre en évidence les difficultés posées par sa mise en œuvre, la France avait fait parvenir à la Commission européenne une note proposant deux axes de travail :

- d'une part la révision du règlement de façon à :
 - offrir plus de souplesse dans le choix des dispositifs à mettre en œuvre, adaptés aux pêcheries et périodes de l'année concernées, afin de limiter plus efficacement les captures accidentelles de cétacés ;
 - imposer une couverture plus large par les programmes d'observateurs, de manière à couvrir également les pêcheries utilisant des répulsifs acoustiques
- d'autre part la mise en place d'un projet de recherche et développement à l'échelle européenne, qui aurait pour objet :
 - la mise en place de bases méthodologiques standardisées (afin de permettre la comparaison objective des résultats)
 - une centralisation des informations en temps réel,
 - une coordination et une évaluation commune des projets pilotes de recherche
 - l'élaboration, en collaboration avec la profession, d'outils de monitoring adaptés et de rapport coût-efficacité satisfaisant, tenant compte des spécificités de chaque pêcherie,
 - le partage des analyses avec le monde professionnel, puis la communication et la publicité vers le grand public.

Les études pilotes réalisées ces dernières années conduisent à des évaluations très nuancées des dispositifs répulsifs. D'une part, une étude réalisée dans le Parc marin d'Iroise sur des dispositifs de répulsifs acoustiques sur les filets fixes (« Expérimentations de répulsifs acoustiques commerciaux sur les filets fixes à baudroies en mer d'Iroise », IFREMER et Agence des aires marines protégées, 2008) met en évidence l'inefficacité, voire la dangerosité des "pingers". Les résultats sont toutefois différents selon la génération de "pingers" testée et il semblerait que les modèles préconisés par le règlement sont loin d'être aujourd'hui ceux qui offrent le meilleur rapport efficacité/coût.

D'autre part, les tests menés sur le dispositif CETASAVER (« Tests d'efficacité du répulsif acoustique CETASAVER sur les pêcheries de bar », IFREMER, 2008) pour le chalutage

pélagique montre que les captures de cétacés par ces engins peuvent être notablement réduites, même si l'efficacité du CETASAVER n'est pas totale, alors que les prises accidentelles peuvent localement être importantes par ces engins. Le règlement actuel ne prévoit que d'équiper les filets fixes dans certaines zones où pêchent les navires français alors qu'à moindre coût, de nombreuses captures accidentelles pourraient être évitées sur les chaluts pélagiques par l'utilisation d'un seul pinger.

Ces résultats corroborent ceux obtenus par d'autres études européennes, menées en Irlande ou au Royaume-Uni. Dans le contexte actuel, le règlement semble à la fois inapproprié en terme de préservation des cétacés mais aussi parce qu'il est très difficile d'imaginer des filières commerciales équipées de dispositifs acoustiques fonctionnant correctement. Il paraît donc nécessaire de mettre en place des études complémentaires au niveau communautaire de façon à améliorer l'efficacité des dispositifs répulsifs et à réviser ce règlement pour.

Terms of Reference

La France souhaiterait donc saisir le CSTEP pour que ce dernier :

- analyse les résultats des expérimentations et des études menées dans les différents États membres et se prononce sur l'efficacité des dispositifs testés.
- formule des propositions d'amélioration de l'application du règlement, visant une meilleure adéquation entre les dispositifs répulsifs et les pêcheries dans lesquelles ils sont utilisés, notamment en fonction des engins et des zones de pêches.

STECF comments

Following the workshop organized by the European Commission in March 2009, on the enforcement of the 812/2004 Regulation on marine mammals by-catch, French authorities sent a note to the Commission. It was requested, on one hand, for a revision of this text in order to allow for a better efficiency of pingers specifications and a better coverage of all fisheries involved, and on the other hand, for the development of a European research program aiming to the improvement of the approach used in order to reduce marine mammals by-catches.

In support of these requests, two pilot studies conducted by Ifremer were presented. The first one (Morizure at al., 2009a), based on a one-year observation program (462 km of non equipped net and 150 km of equipped net observed), concludes that no differences can be demonstrated in the marine mammals by-catch rate, with or without pingers. Due to the very low level of bycatch (6 mammals caught, of which 4 on equipped nets), no statistical tests can be performed. The low practicability and high costs of pingers are also highlighted.

The second Ifremer study ((Morizure at al., 2009b) presents results of pinger trials on French pelagic trawlers targeting bass. Based on observations of equipped and non- equipped trawls (121 and 129 observed hauls, respectively), it is concluded that pingers could decrease the dolphin bycatch rate by 70 %. Nevertheless, bootstrap simulations show that the number of observations should be doubled to allow demonstrating a statistically significant decrease.

As a result, French authorities request STECF:

- to analyse trials results and studies performed in various MS, and to advice on the efficiency of the tested devices,
- to propose improvement in the Regulation enforcing, in order to achieve a better adequacy between acoustic deterrent devices and fisheries where they have to be used, especially according to gears and area of fishing.

At first, STECF notes that the 812/2004 Regulation on marine mammals bycatch is in force into ICES division VIIefghj since the beginning of 2006 and into ICES division VIIId since the beginning of 2007. It stipulates that all MS shall equip any bottom-set gillnet or entangling net with acoustic deterrent devices whose technical specifications are defined in the Regulation annex. STECF notes that irrespective of whether it would be desirable to amend the current regulation, Member States are still obliged to conform to its current provisions.

A number of studies concluded that pingers are effective at reducing by-catches of harbour porpoise (Barlow et al. 1999, Gearin et al. 2000, Kraus at al. 1997, SGFEN 2001, Tripel at al. 1999). Results regarding Dolphins and Seals seem to be less conclusive, but STECF did not identify any studies where pingers resulted in a statistically significant increase in by-catches. In several studies, even those that were based on a high number of observations, bycatch rates were too low to allow statistically significant conclusions. In that regard, STECF agrees that the setting up standardized protocols at European level would be useful to increase the data set of by-catch observations and to permit more robust comparisons between fishing areas and fishing gears.

STECF notes that the Regulation indicates that the use of deterrent devices is required "in areas and fisheries with known or foreseeable high levels of by-catch of small cetaceans, and taking into account the cost/efficiency of such requirement." For the moment, it seems that few studies have been performed in order to precisely identify areas and fisheries where high rates of cetaceans by-catches occur. Thus, STECF agrees that a research program, coordinated at the European level, would be useful, aiming to propose improvement of the Regulation and especially defining more completely all metiers that have to be concerned.

STECF also underlines that point 5 of the Regulation preamble indicates " Scientific and technical research, in particular on new forms of active deterrent devices, should not be hindered by this Regulation. While Member States should, therefore, be allowed, for the purpose of this Regulation, to authorise the use of newly developed and efficient types of acoustic deterrent devices not in conformity with the technical specifications laid down in this Regulation on a temporary basis, it is also necessary to provide for technical specifications of acoustic deterrent devices to be brought up to date as soon as possible". As a consequence STECF considers that the use of acoustic dtetrrent devices other than those currently specified in the Regulation should be permitted, provided that they have been demonstrated to be effective in reducing the by-catch of cetaceans.

Finally, STECF notes that MS are permitted to introduce national measures in addition to European legislation provided they aim to strengthen the objectives of conservation defined in the CFP. The present case study indicates that there are significant by-catches of cetaceans in the catches of pelagic trawlers targeting bass. In order to mitigate such by-catches, STECF suggests the French authorities consider introducing an additional national Regulation, rather than relying on a possible revision of the EU Regulation.

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8. ANNEXES

List of Annexes:

- Annex I: Terms of reference for the SGECA-09-02 Working Group.
- Annex II: Terms of reference for the SGECA/RST-09-02 Working Group.
- Annex III: Terms of reference for the SGMOS-09-04 Working Group.
- Annex IV: Terms of reference for the SGRN/ECA-09-02 Working Group.
- Declarations of invited experts

8.1. Annex I: Terms of reference for the SGECA-09-02 Working Group

The specific terms of reference for SGECA-09-02 were as follows:

1. Recommend the best format for describing the sampling strategy for the collection of economic variables in the national programmes.

2. Recommend indicators of accuracy and precision that need to be provided in the national technical report to evaluate the quality of estimates for each economic variable. In this context, the issue of recurrent quality shortcomings observed in the data submission regarding the Annual Economic Report will be discussed. A presentation from JRC on the most common quality checks performed will be made.

3. Propose common approaches to decide whether clustering of fleet segments should take place and suggest statistical methods to evaluate the reliability of the clustering. To this end a questionnaire will be sent to National Correspondents in order to have an overview of common practices followed by MS.

4. Propose common methods to ensure consistency and comparability of all economic variables when derived from different sources (e.g. surveys, fleet register, logbooks, sales notes).

5. Discuss the general role of SGECA and propose TOR for its future work, in relation to the DCF framework.

6. Any other business.

8.2. Annex II: Terms of reference for the SGECA/RST-09-02 Working Group

The Terms of Reference for the STECF/SG-ECA/RST 09-02 (29/06-03/07/2009) were defined as follows:

The STECF RST/ECA Working Group 09-02, which would be organized in sub-groups according to eco-regions, is requested to review, comment, modify and complete, as far as needed, released scientific advice for the following stocks in 2009 – 2010.

STECF is requested, in particular, to pinpoint possible inconsistencies, if any, between the assessment and the ICES advice or advice possibly delivered by scientific committees of RFMOs (e.g. advice to be delivered on porbeagle).

In addition, when examining available scientific advice and when commenting them, possibly reviewing them or when writing some recommendations, STECF will have to take into account either Harvest Control Rules adopted in recovery plans, management plans and long-term plans or Harvest Control Rules suggested in the Communication from the Commission COM (2009) on a consultation on fishing opportunities for 2010 (see documents supporting terms of reference).

For those stocks, excluding naturally short-lived species, where it will not be possible to provide an advice based on a catch forecast in relation to precautionary limits, STECF is requested to advise on a TAC corresponding to the application of the following rule corresponding to category 6 of the Commission communication on fishing opportunities for 2010:

1. Where there is evidence that a stock is overfished with respect to the fishing mortality that will deliver maximum sustainable yield, a reduction in TAC as needed to reach F_{msy} , but no greater than 15% would apply.
2. Where there is evidence that a stock is underfished with respect to the fishing mortality that will deliver maximum sustainable yield, an increase as needed to reach F_{msy} , but no greater than 15%, would apply.
3. The considerations in paragraphs 1 and 2 override subsequent paragraphs.
 - a. Where abundance information either indicate no change in stock abundance, is not available or does not adequately reflect changes in stock abundance, an unchanged TAC would apply.
 - b. Where STECF considers that representative stock abundance information exists the following rule applies:
 - i. If the average estimated abundance in the last two years exceeds the average estimated abundance in the three preceding years by 20% or more, a 15% increase in TAC applies.
 - ii. If the average estimated abundance in the last two years is 20% or more lower than the average estimated abundance in the three preceding years, a 15% decrease in TAC applies.
4. Where TACs have not been restrictive, and a reduction is required according to paragraph 1 or paragraph 3.b.ii, STECF shall advise on an appropriate level of TAC reduction necessary to achieve the intended reduction in catches.
5. STECF shall decide on an appropriate F_{msy} proxy in each case.

✓ **Sub-Group 1: North Sea stocks**

- **DG Mare focal person:** Peter Hopkins, Unit E2
 - Cod (*Gadus morhua*) in ICES division IIIa (Kattegat)
 - Cod (*Gadus morhua*) in ICES subarea and divisions IV (North Sea), VIId (Eastern English Channel) & IIIa(Skagerrak)
 - Haddock (*Melanogrammus aeglefinus*) in ICES subarea and division IV (North Sea) & IIIa (Skagerrak – Kattegat)
 - Saithe (*Pollachius virens*) in ICES subarea and divisions IIa (EC waters), IIIa & IV
 - Whiting (*Merlangius merlangus*) in ICES division IIIa (Skagerrak – Kattegat)
 - Whiting (*Merlangius merlangus*) in ICES subarea and division IV (North Sea) & VIId (Eastern Channel)
 - Anglerfish (*Lophius piscatorius* & *L. budegassa*) in ICES divisions IIa (EC waters), IIIa and ICES subareas IV
 - Brill (*Scophthalmus rhombus*) in the North Sea
 - Dab (*Limanda limanda*) in ICES division IIa (EC waters) & subarea IV (North Sea)
 - Flounder (*Platichthys flesus*) in ICES division IIa (EC waters) & subarea IV (North Sea)
 - Lemon sole (*Microstomus kitt*) in the North Sea
 - Megrim (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subareas and divisions IIa & IV (North Sea)
 - Plaice (*Pleuronectes platessa*) in ICES division IIIa (Skagerrak – Kattegat)
 - Plaice (*Pleuronectes platessa*) in ICES subarea IV (North Sea)
 - Plaice (*Pleuronectes platessa*) in ICES division VIId (Eastern Channel)
 - Sole (*Solea solea*) in ICES division IIIa
 - Sole (*Solea solea*) in ICES subarea IV (North Sea)
 - Sole (*Solea solea*) in ICES division VIId (Eastern Channel)
 - Turbot (*Psetta maxima*) in the North Sea
 - Witch (*Clyptocephalus cynoglossus*) in the North Sea
 - *Nephrops norvegicus* in ICES division IIIa (Skagerrak and Kattegat – FU 3 & 4)
 - *Nephrops norvegicus* in Moray Firth (North Sea - FU 9)
 - *Nephrops norvegicus* in Noup (North Sea - FU 10)
 - *Nephrops norvegicus* Fladen Ground (North Sea - FU 7)
 - *Nephrops norvegicus* in Norwegian Deeps (North Sea - FU 32)
 - *Nephrops norvegicus* in Farn Deeps (North Sea - FU 6)
 - *Nephrops norvegicus* in Firth of Forth (North Sea - FU 8)
 - *Nephrops norvegicus* in Botney Gut – Silver Pit (North Sea - FU 5)
 - *Nephrops norvegicus* off Horn’s Reef (North Sea - FU 33)
 - Northern shrimp (*Pandalus borealis*) in ICES division IVa (Fladen Ground)
 - Northern shrimp (*Pandalus borealis*) in ICES divisions IIIa-West & Iva-East (Skagerrak and Norwegian Deeps)
 - Herring (*Clupea harengus*) in subdivisions 22-24 and Ices Division IIIa (spring spawners)
 - Herring (*Clupea harengus*) in ICES subareas and divisions IIa, IIIa, IV & VIId (autumn spawners)

- Horse mackerel (*Trachurus trachurus*) in ICES divisions IIIa (eastern part), IVb,c & VIId
- Mackerel (*Scomber scombrus*) in the North Sea
- Sprat (*Sprattus sprattus*) in ICES division IIIa
- Sprat (*Sprattus sprattus*) in the North Sea (Subarea IV)
- Norway pout (*Trisopterus esmarki*) in ICES subarea and division IV (North Sea) & IIIa (Skagerrak – Kattegat)
- Sandeel (*Ammodytes* spp. & *Gymnammodytes* spp.) in ICES division IIIa (Skagerrak – Kattegat)
- Sandeel (*Ammodytes* spp. & *Gymnammodytes* spp.) in ICES subarea IV
- Sandeel (*Ammodytes* spp. & *Gymnammodytes* spp.) in the Shetland area
- Rays and Skates in the North sea
- Spurdog (*Squalus acanthias*) in the North Sea
- Other demersal elasmobranchs in the North Sea, Skagerrak and Eastern Channel

✓ **Sub-Group 2: Northern Western Waters stocks**

- **DG Mare focal persons:** Ken Patterson, Jan Lindemann, Unit C2

Celtic and Irish Seas

- Cod (*Gadus morhua*) in ICES division VIIa (Irish Sea)
- Cod (*Gadus morhua*) in ICES divisions VIIe-k (Celtic Sea Cod)
- Haddock (*Melanogrammus aeglefinus*) in ICES division VIIa (Irish Sea)
- Haddock (*Melanogrammus aeglefinus*) in ICES divisions VIIb-k
- Saithe (*Pollachius virens*) in ICES subareas VII, VIII, IX & X
- Whiting (*Merlangius merlangus*) in ICES division VIIa (Irish Sea)
- Whiting (*Merlangius merlangus*) in ICES divisions VIIb-k
- Anglerfish (*Lophius piscatorius* and *L. budegassa*) in ICES divisions VII
- Megrin (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subarea VII
- Megrin (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES divisions VIIb-k & VIIa,b,d
- Plaice (*Pleuronectes platessa*) in ICES division VIIa (Irish Sea)
- Plaice (*Pleuronectes platessa*) in ICES divisions VIIf and g
- Plaice (*Pleuronectes platessa*) in ICES division VIIe (Western Channel)
- Plaice (*Pleuronectes platessa*) in ICES divisions VIIh-k (Southwest of Ireland)
- Plaice (*Pleuronectes platessa*) in ICES divisions VIIb,c (West of Ireland)
- Sole (*Solea solea*) in ICES division VIIa (Irish Sea)
- Sole (*Solea solea*) in ICES divisions VIIf, g (Celtic Sea)
- Sole (*Solea solea*) in ICES division VIIe (Western Channel)
- *Nephrops norvegicus* in Irish Sea East (VIIa - FU14)
- *Nephrops norvegicus* in Irish Sea West (VIIa - FU 15)
- *Nephrops norvegicus* off the Southeastern and Southwestern coasts of Ireland (VIIj,k - FU 19)
- *Nephrops norvegicus* in the Celtic sea (VIIf,g,h - FU 20–22)
- Herring (*Clupea harengus*) in ICES division VIIa-North (Irish Sea)
- Herring (*Clupea harengus*) in ICES divisions VIIg,h,j,k (Celtic Sea) & VIIa-South
- Herring (*Clupea harengus*) in ICES divisions VIIe,f
- Sprat (*Sprattus sprattus*) in ICES divisions VIId,e
- Demersal elasmobranchs in the Celtic Sea

West of Scotland and West of Ireland

- Cod (*Gadus morhua*) in ICES division VIa (West of Scotland)
- Cod (*Gadus morhua*) in ICES division VIb (Rockall)
- Haddock (*Melanogrammus aeglefinus*) in ICES division VIa (West of Scotland)
- Haddock (*Melanogrammus aeglefinus*) in ICES division VIb (Rockall)
- Saithe (*Pollachius virens*) in ICES subarea and divisions Vb (EC waters), VI, XII & XIV (West of Scotland and Rockall)
- Whiting (*Merlangius merlangus*) in ICES division VIa (West of Scotland)
- Whiting (*Merlangius merlangus*) in ICES division VIb (Rockall)
- Anglerfish (*Lophius piscatorius* & *L. budegassa*) in ICES division Vb (EC waters), ICES subareas VI (West of Scotland and Rockall), XII & XIV
- Megrin (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subarea VI (West of Scotland and Rockall)
- Megrin (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subareas and divisions Vb(EC waters), VI, XII & XIV
- Plaice (*Pleuronectes platessa*) in ICES subareas and divisions VB(EC waters), VI, XII & XIV
- Sole (*Solea solea*) in ICES divisions VIIIh-k (Southwest of Ireland)
- Sole (*Solea solea*) in ICES divisions VIIb,c (West of Ireland)
- *Nephrops norvegicus* in North Minch (VIa - FU 11)
- *Nephrops norvegicus* in the South Minch (VIa - FU 12)
- *Nephrops norvegicus* in the Firth of Clyde (VIa - FU 13)
- *Nephrops norvegicus* on Porcupine Bank (VIIc - FU 16)
- *Nephrops norvegicus* on Aran Grounds (VIIb - FU 17)
- Herring (*Clupea harengus*) in ICES division VIa-North
- Herring (*Clupea harengus*) in the Clyde (ICES division VIa)
- Herring (*Clupea harengus*) in ICES divisions VIa-South & VIIb,c
- Herring (*Clupea harengus*) in ICES divisions Vb & VIb
- Norway pout (*Trisopterus esmarki*) in Division VIa (West of Scotland)
- Sandeel (*Ammodytes* spp. & *Gymnammodytes* spp.) in Division VIa
- Rays and Skates in ICES subareas VI & VII
- Catsharks and nursehounds (*Scyliorhinus canicula* & *Scyliorhinus stellaris*) in subareas VI and VII
- Tope (*Galeorhinus galeus*) in ICES subareas VI and VII
- Other demersal elasmobranchs in the West of Scotland

✓ **Sub-Group 2: Southern western waters stocks**

- **DG Mare focal person:** Juan-Pablo Pertierra, Jan Lindemann, Unit C2
 - Hake (*Merluccius merluccius*) in ICES divisions VIIIc, IXa, excluding the Gulf of Cadiz & X(Southern stock)
 - Whiting (*Merlangius merlangus*) in ICES subarea VIII
 - Whiting (*Merlangius merlangus*) in ICES subareas IX & X
 - Anglerfish (*Lophius piscatorius* & *L. budegassa*) in ICES divisions VIIIa,b,d,e
 - Anglerfish (*Lophius piscatorius* & *L. budegassa*) in ICES divisions VIIIc and ICES subareas IX & X

- Megrim (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subdivisions VIIIa,b,d,e
- Megrim (*Lepidorhombus whiffiagonis* & *L. boscii*) in ICES subarea and divisions VIIIc , IXa & X
- Plaice (*Pleuronectes platessa*) in ICES subareas VIII, IX & X
- Sole (*Solea solea*) in Divisions VIIIa,b (Bay of Biscay)
- Sole (*Solea solea*) in ICES subarea and divisions VIIIc,d,e, IX & X
- *Nephrops norvegicus* in ICES divisions VIIIa,b (Bay of Biscay - FU 23, 24)
- *Nephrops norvegicus* in ICES division VIIIc (FU 25, 31)
- *Nephrops norvegicus* in ICES divisions VIII d,e
- *Nephrops norvegicus* in ICES divisions IXa (FU 26-30)
- Anchovy (*Engraulis encrasicolus*) in ICES subarea VIII (Bay of Biscay)
- Anchovy (*Engraulis encrasicolus*) in ICES division IXa
- Anchovy (*Engraulis encrasicolus*) in ICES subarea X
- Horse mackerel (*Trachurus trachurus*) in ICES division IXa
- Horse mackerel (*Trachurus trachurus*) in CECAF areas (Madeira Island)
- Horse mackerel (*Trachurus trachurus*) in CECAF areas (Canary Islands)
- Horse mackerel (*Trachurus trachurus*) in ICES subarea X (Azores Islands)
- Sardine (*Sardina pilchardus*) in ICES divisions VIIIc & IXa
- Rays and Skates in ICES subareas VIII & IX
- Catsharks and nursehounds (*Scyliorhinus canicula* & *Scyliorhinus stellaris*) in ICES subareas VIII, IX & X
- Tope (*Galeorhinus galeus*) in ICES subareas VIII, IX & X
- Other demersal elasmobranchs in the Bay of Biscay and Iberian waters

✓ **Sub-Group 2: Widely distributed and migratory stocks and deep sea stocks**

- **DG Mare focal persons:** Juan-Pablo Pertierra, Unit C2
- Part 1

- Hake (*Merluccius merluccius*) in ICES subareas and divisions IIa, IIIa,b,c,d, IV, Vb VI VII and VIIIa,b,d,e (Northern stock)
- Pollack (*Pollachius pollachius*) in all areas
- Blue whiting (*Micromesistius poutassou*) in ICES subareas I-IX, XII & XIV
- Horse mackerel (*Trachurus trachurus*) in ICES divisions IIa, IVa, Vb, VIa, VIIa-c,e-k, VIIIa-e
- Northeast Atlantic Mackerel (*Scomber scombrus*) - combined Southern, Western and North Sea spawning components)
- European Eel (*Anguilla anguilla*)

Elasmobranch Resources in the North East Atlantic

- Spurdog (*Squalus acanthias*) in the North-East Atlantic
- Catsharks and nursehounds (*Scyliorhinus canicula* & *Scyliorhinus stellaris*) in the North-East Atlantic
- Porbeagle (*Lamna nasus*) in the Northeast Atlantic
- Basking shark (*Cetorhinus maximus*) in the Northeast Atlantic
- Tope (*Galeorhinus galeus*) in the North-East Atlantic
- Blue shark (*Prionace glauca*) in the North-East Atlantic
- Thresher shark (*Alopias vulpinus* & *A. superciliosus*) in the North-East Atlantic

Deep Sea fisheries

- Alfonsinos/Golden eye perch (*Beryx* spp.)
- Ling (*Molva molva*) in ICES subareas I & II
- Ling (*Molva molva*) in ICES division Va
- Ling (*Molva molva*) in ICES division Vb
- Ling (*Molva molva*) in ICES subareas and divisions IIIa, IVa, VI, VII, VIII, IX, XII & XIV
- Blue ling (*Molva dypterygia*) in ICES subarea and division Va & XIV
- Blue ling (*Molva dypterygia*) in ICES subareas and division Vb, VI & VII
- Blue ling (*Molva dypterygia*) in ICES subareas and divisions I, II, IIIa, IVa, VIII, IX & XII
- Tusk (*Brosme brosme*) in ICES subareas I & II (Arctic)
- Tusk (*Brosme brosme*) in ICES subarea and division Va (Iceland) & XIV
- Tusk (*Brosme brosme*) in ICES subarea XII – excluding XIIb (Mid-Atlantic ridge)
- Tusk (*Brosme brosme*) in ICES divisions IIIa, IVa, Vb, VI, VII, VIII, IX, XIIb
- Tusk (*Brosme brosme*) in ICES division VIb (Rockall)
- Greater silver smelt (*Argentina silus*) in ICES division Va
- Greater silver smelt (*Argentina silus*) in other areas (Subareas and divisions I, II, IIIa, IV, Vb, VI, VII, VIII, IX, X, XII, and XIV)
- Black scabbardfish (*Aphanopus carbo*)
- Greater forkbeard (*Phycis blennoides*)
- Orange Roughy (*Hoplostethus atlanticus*)
- Roundnose grenadier (*Coryphaenoides rupestris*) in ICES division IIIa
- Roundnose grenadier (*Coryphaenoides rupestris*) in ICES subareas and divisions VI, VII, Vb & XIIb
- Roundnose grenadier (*Coryphaenoides rupestris*) in ICES divisions Xb, XIIc, Va1, XIIa1 & XIVb1 (Mid-Atlantic ridge)
- Roundnose grenadier (*Coryphaenoides rupestris*) in ICES subareas and divisions I, II, IV, Va2, VIII, IX, XIVa & XIVb2
- Red (blackspot) seabream (*Pagellus bogaraveo*)
- Portuguese dogfish (*Centroscymnus coelolepis*) in ICES subareas I-XIV (North East Atlantic)
- Leafscale gulper shark (*Centrophorus squamosus*) in ICES subareas I-XIV (North East Atlantic)
- Kitefin shark (*Dalatias licha*) in ICES subareas I-XIV (Northeast Atlantic)

✓ **Sub-Group 2: Icelandic and East Greenland stocks**

- **DG Mare focal person:** Juan-Pablo Pertierra, Ken Patterson, Unit C2
 - Cod (*Gadus morhua*) in ICES Subarea XIV and NAFO Subarea 1 (Greenland cod)
 - Cod (*Gadus morhua*) in ICES Subarea XII
 - Cod (*Gadus morhua*) in ICES division Va (Icelandic cod)
 - Haddock (*Melanogrammus aeglefinus*) in ICES division Va (Icelandic haddock)
 - Saithe (*Pollachius virens*) in ICES division Va (Icelandic saithe)
 - Greenland halibut (*Reinhardtius hippoglossoides*) in ICES subareas V, VI, XII & XIV
 - Redfish (*Sebastes marinus*) in ICES subareas V, VI, XII and XIV

- Deep-Sea Redfish (*Sebastes mentella*) on the continental shelf in Subareas V, VI and XIV
- Oceanic Redfish (*Sebastes mentella*) in ICES subareas and divisions Va, XII & XIV
- Icelandic summer-spawning herring (*Clupea harengus* - Division Va)
- Capelin (*Mallotus villosus*) in Subareas V and XIV and Division IIa-west of 5°W (Iceland-East Greenland-Jan Mayen area)

✓ **Sub-Group 2: The Barents Sea and the Norwegian Sea**

- **DG Mare focal person:** Juan-Pablo Pertierra, Ken Patterson, Unit C2
 - Northeast Arctic cod (*Gadus morhua*)
 - Cod (*Gadus morhua*) in ICES subareas I & II (Norwegian coastal cod)
 - Haddock (*Melanogrammus aeglefinus*) in subareas I and II (Northeast Arctic haddock)
 - Saithe (*Pollachius virens*) in ICES subareas I & II (Northeast Arctic saithe)
 - Redfish (*Sebastes mentella*) in Subareas I and II
 - Redfish (*Sebastes marinus*) in Subareas I and II
 - Greenland halibut (*Reinhardtius hippoglossoides*) in ICES subareas I & II
 - Northern Shrimp (*Pandalus borealis*) in Subareas I and II (Barents Sea)
 - Herring (*Clupea harengus*) in ICES subareas I & II (Norwegian Spring spawners)
 - Capelin (*Mallotus villosus*) in ICES subareas I and II, excluding Division IIa-west of 5°W (Barents Sea capelin)

✓ **Sub-Group 2: Faeroe plateau ecosystem**

- **DG Mare focal person:** Juan-Pablo Pertierra, Unit C2
 - Cod (*Gadus morhua*) in ICES subdivision Vb1 (Faroe Plateau cod)
 - Cod (*Gadus morhua*) in ICES subdivision Vb2 (Faroe Bank cod)
 - Haddock (*Melanogrammus aeglefinus*) in ICES division Vb (Faroe haddock)
 - Saithe (*Pollachius virens*) in ICES division Vb (Faroe saithe)

✓ **Sub-Group 3: Black sea stocks**

- **DG Mare focal person:** Michaël Roitman, Unit D2
 - Sprat (*Sprattus sprattus*) in Black Sea
 - Turbot (*Psetta maximus*) in Black Sea
 - Other Black Sea stocks (anchovy, mackerel, bonito, whiting and red mullet)

8.3. Annex III: Terms of reference for the SGMOS-09-04 Working Group

STECF / SG-MOS Working Group 09-04 meeting in Lissabon
25-30 May 2009

Request for

1 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the Baltic Sea cod management plan R(EC) No 1098/2007

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing areas:

Areas covered by the R(EC) No 1098/2007 (Baltic Sea)

- (i) ICES division 22 to 24,
- (ii) ICES divisions 25 to 28, by distinguishing areas 27 and 28.2
- (iii) ICES divisions 29 to 32,

The data should also be broken down by

Member State ;

regulated gear types designed in **R(EC) No 1098/2007**;

unregulated gear types catching cod in fishing areas (i), (ii) and (iii);

for the following parameters:

- a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned
 - b. Catches (landings and discards provided separately) of cod in the Baltic Sea by weight and by numbers at age.
 - c. Catches (landings and discards provided separately) of non-cod in the Baltic Sea by species, by weight and by numbers at age
 - d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod in the Baltic Sea (such data shall be issued by Member state, fishing area (i), (ii) and (iii) and fishing gear concerned in accordance with Art. 3 of **R(EC) No 2187/2005**).
2. If relevant data are available, to comment on the quality of estimations on total catches and discards.
3. To assess the fishing effort and catches (landings and discards) of cod in the Baltic Sea and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear and by Member State according to sampling plans implemented to estimate these parameters.

4. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Baltic Sea, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

2 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the Kattegat (Annex IIA to Regulation (EC) No 43/2009)

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

Kattegat (ICES functional unit IIIaS)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** and in **Annex I to R(EC) No 1342/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching cod ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of cod, sole and plaice by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-cod , non-sole and non-plaice by species, by weight and by numbers at age

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod, sole and plaice (such data shall be issued by Member state, fishing area and fishing effort group designed in **Annex I to R(EC) No 1342/2008**).

2. The following **specific questions** should be answered as well:

Concerning effort in kW-days by gear grouping deployed during the years 2004, 2005, 2006 and 2007: to what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

3. Based on the information compiled under point (1) above, to rank fishing effort groups as designed in **Annex I to R(EC) No 1342/2008**, on the basis of their contribution to catches expressed both in weight and in number of cod, sole and plaice.

4. If relevant data are available, to comment on the quality of estimations on total catches and discards.

5. To assess the fishing effort and catches (landings and discards) of cod, sole and plaice and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II

framework) and by Member State according to sampling plans implemented to estimate these parameters.

6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Kattegat, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

3 – an assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the Skagerrak, the North Sea and the Eastern Channel (Annex IIA to Regulation (EC) No 43/2009)

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing areas:

- (i) Skagerrak (ICES functional Unit IIIaN),
- (ii) North Sea (EC waters of ICES sub-area II and ICES sub-area IV),
- (iii) Eastern channel (ICES division VIIId)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** and in **Annex I to R(EC) No 1342/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching cod, sole and plaice in fishing areas (i), (ii) and (iii) ;

for the following parameters:

- a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned
- b. Catches (landings and discards provided separately) of cod, sole and plaice by weight and by numbers at age.
- c. Catches (landings and discards provided separately) of non-cod , non-sole and non-plaice by species, by weight and by numbers at age.
- d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod, sole and plaice (such data shall be issued by Member state, fishing area and fishing effort group designed in **Annex I to R(EC) No 1342/2008**).

2. The following **specific questions** should be answered as well:

a. Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: To what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

b. Concerning effort in kW-days and gear grouping (also per Member State), catches and cpue/lpue in the **Eastern Channel** (division VIIId): Describe the development of these parameters in 2008 compared to previous years, overall and per Member State, and compare these developments to developments observed in the rest of the area (Skagerrak and North Sea), in particular: Can effort displacement from the North Sea towards the Eastern Channel be identified in certain gears?

3. Based on the information compiled under point (1) above, to rank fishing effort groups as designed in **Annex I to R(EC) No 1342/2008**, on the basis of their contribution to catches expressed both in weight and in number of cod, sole and plaice.
4. If relevant data are available, to comment on the quality of estimations on total catches and discards.
5. To assess the fishing effort and catches (landings and discards) of cod, sole and plaice and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.
6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the the Skagerrak, the North Sea and the Eastern Channel, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

4 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the West of Scotland (Annex II A to Regulation (EC) No 43/2009)

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

West of Scotland (ICES division VIa and, in 2009 for the first time, EC waters of Vb)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** and in **Annex I to R(EC) No 1342/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching cod ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of cod, sole and plaice in areas covered by Annex IIA, by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-cod , non-sole and non-plaice by species, by weight and by numbers at age.

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod, sole and plaice (such data shall be issued by Member state, fishing area and fishing effort group designed in **Annex I to R(EC) No 1342/2008**).

2. The following **specific questions** should be answered as well:

a. Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: To what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

b. Concerning effort in kW-days, catches and cpue/lpue for 2004, 2005, 2006 and 2007: What effect, at Member State level, does the inclusion of EC waters of division Vb have on the data concerning the area **West of Scotland** ?

3. Based on the information compiled under point (1) above, to rank fishing effort groups as designed in **Annex I to R(EC) No 1342/2008**, on the basis of their contribution to catches expressed both in weight and in number of cod, sole and plaice.

4. If relevant data are available, to comment on the quality of estimations on total catches and discards.
5. To assess the fishing effort and catches (landings and discards) of cod, sole and plaice and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.
6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the the West of Scotland, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

5 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the **Irish Sea (Annex IIA to Regulation (EC) No 43/2009)**

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

(d) Irish Sea (ICES division VIIa)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** and in **Annex I to R(EC) No 1342/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching cod ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of cod, sole and plaice, by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-cod , non-sole and non-plaice by species, by weight and by numbers at age

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod, sole and plaice (such data shall be issued by Member state, fishing area and fishing effort group designed in **Annex I to R(EC) No 1342/2008**).

2. The following **specific questions** should be answered as well:

Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: To what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

3. Based on the information compiled under point (1) above, to rank fishing effort groups as designed in **Annex I to R(EC) No 1342/2008**, on the basis of their contribution to catches expressed both in weight and in number of cod, sole and plaice in areas covered by Annex IIA to **R(EC) No 43/2009**.

4. If relevant data are available, to comment on the quality of estimations on total catches and discards.

5. To assess the fishing effort and catches (landings and discards) of cod, sole and plaice and associated species corresponding to vessels of length overall smaller than 10 metres in each

fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.

6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Irish Sea, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

6 – An assessment of fishing effort deployed by fisheries and métiers which will be affected by the extension of the cod recovery plan to the **Celtic Sea**

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

(g) Celtic Sea (total of ICES divisions VIIb, VIIc, VIIe, VIIf, VIIg, VIIh, VIIj and VIIk and total for the subset of ICES divisions VIIf and VIIg)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** and in **Annex I to R(EC) No 1342/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching cod ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of cod by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-cod by species, by weight and by numbers at age.

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of cod (such data shall be issued by Member state and fishing effort groups as designed in **Annex I to R(EC) No 1342/2008**).

2. When providing and explaining data in accordance with point (1), the following **specific questions** should be answered as well:

a. Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: To what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

b. Concerning effort, CPUE/LPUE and catch data linked to the **Celtic Sea**:

(i) Compare the fishing effort level evaluated per fishery and per gear groupings in VIIf+VIIg with the data submitted for ICES rectangle 28E2 and conclude on whether exploitation of cod shows similar characteristics;

(ii) For VIIf+VIIg only, evaluate how much of the overall fishing effort per gear groupings would be framed by a management of fishing effort that relates to cod catches of 2 or 3 or 5 or 7,5 % in the catch composition per vessel and per year ?

(iii) For VIIIf+VIIg only, identify the **main species** (volume and percentage) caught per gear category, and related trends in recent years. Specify when this calculation has taken account of discards as well.

3. If relevant data are available, to comment on the quality of estimations on total catches and discards.
4. To assess the fishing effort and catches (landings and discards) of cod and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.
6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Celtic Sea, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

7 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the Atlantic waters of the Iberian Peninsula (Annex IIB to Regulation (EC) No 43/2009)

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

Atlantic waters of the Iberian Peninsula (ICES divisions VIIIc and IXa, excluding the Gulf of Cadiz)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching hake and Norway lobster ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of hake and Norway lobster by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-hake and non-Norway lobster in areas covered by Annex IIB (a particular attention should be paid to **Anglerfish catches**), by species, by weight and by numbers at age

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of hake, Norway lobster and Anglerfish in areas covered by Annex IIB (such data shall be issued by Member state, fishing gear and special conditions listed in **Annex IIB to R(EC) No 43/2009**).

2. The following **specific questions** should be answered as well:

Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: To what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

3. If relevant data are available, to comment on the quality of estimations on total catches and discards.

4. To assess the fishing effort and catches (landings and discards) of hake, Norway lobster and Anglerfish, and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.

5. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Atlantic waters of the Iberian Peninsula, according to data reported in logbooks on the basis of ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

8 – An assessment of fishing effort deployed by fisheries and métiers which are currently affected by fishing effort management schemes defined in the Western Channel (Annex IIC to Regulation (EC) No 43/2009)

Terms of Reference:

1. To provide historical series, as far back in time as possible, according to each of the following fishing area:

Western Channel (ICES division VIIe)

The data should also be broken down by

Member State ;

regulated gear types designed in **Annex II to R(EC) No 40/2008** (and by associated special conditions defined in Annex II to **R(EC) No 40/2008** as far as relevant) ;

unregulated gear types catching sole ;

for the following parameters:

a. Fishing effort, measured in kW.days, in GT.days and in number of vessels concerned

b. Catches (landings and discards provided separately) of sole in areas by weight and by numbers at age.

c. Catches (landings and discards provided separately) of non-sole in areas by species, by weight and by numbers at age

d. Landings Per Unit of Effort (LPUE) and Catches Per Unit Effort (CPUE) of hake, Norway lobster and Anglerfish (such data shall be issued by Member state, fishing gear and special conditions listed in **Annex IIB to R(EC) No 43/2009**).

2. The following **specific questions** should be answered as well:

Concerning effort in kW-days by gear grouping per area deployed during the years 2004, 2005, 2006 and 2007: to what extent does data provided by Member States differ from data provided in the **2008 data call**, which are the reasons given for such differences, and are the differences reasonably explained so that the working group considers reporting on the revised data being more accurate?

3. If relevant data are available, to comment on the quality of estimations on total catches and discards.

4. To assess the fishing effort and catches (landings and discards) of hake, Norway lobster and Anglerfish and associated species corresponding to vessels of length overall smaller than 10 metres in each fishery, by gear (corresponding to regulated and unregulated gear as defined in Annex II framework) and by Member State according to sampling plans implemented to estimate these parameters.

6. To describe, as far as possible, the spatial distribution of the fishing effort deployed in the Atlantic waters of the Iberian peninsula, according to data reported in logbooks on the basis of

ICES statistical rectangles, with the aim to determine to what extent fishing effort has moved from long distance to coastal areas since the implementation of first fishing effort regime for the first time in such areas.

9 - Assessment of fishing effort and evaluation of management measures to be assessed in 2009 (Deep sea and Western Waters effort regime)

Terms of Reference:

A) Deep sea access regime

Background

Council Regulation 2347/2002 established specific access requirements to fishing for deep-sea species, aiming at limiting fishing effort on deep-sea species at levels observed prior to that Regulation (1998 to 2000). In addition, the yearly overall maximum effort in terms of kilowatt-days has been fixed by annual decisions emanating from the December regulation on TACs & Quotas in order to comply with NEAFC provisions regarding the effort reduction policy within the Regulated area in international waters. The Commission presented an evaluation report on the management of deep sea fish stocks to the Council and the Parliament in 2007 (COM(2007)30). In this report, the Commission concluded on a number of steps to be taken in order to improve the access regime. In 2008 the European Parliament adopted a report that reflects on the access regime and the Commission's view on future development (A6-0103/2008). The Commission plans to propose amendments to the access regime in 2009, after stocktaking of Member State and stakeholder views and of scientific advice.

Detailed Request

STECF is asked to

1) in view of the management objective to target effort measures towards specific fisheries:

a) Related to maps3 that show by ICES statistical rectangle the distribution of catch volumes (species in order of importance) and related effort volumes (per gear category): Define the deep-sea fisheries by analysing per year, including trends observed, at Community and Member State level, gears and related effort in kW-days catching in distinct areas the species listed in Annex I and II of Regulation 2347/2002. Analyse the catch composition observed by gear category including trends over recent years, catch per unit effort and, where possible, the likely level of discards. Comment on any fishing practices that can be identified as influencing the differences in catch composition from haul to haul. Can the species be grouped into target species and by-catch species in each fishery?

b) Advise on possible improvements to

the definition of data that Member States are obliged to send to the Commission in accordance with Article 9 of Regulation 2347/2002, with a view to improving the definition of deep-sea fisheries as undertaken under litera a);

other provisions of Regulation 2347/2002, in particular the one on the on-board observer coverage (Article 8).

2) in view of the management objective to define most relevant species of the deep-sea fisheries, to target effort measures towards specific fisheries, and to define the measures according to the conservation needs of the species,

3 As of end of March, it is planned that JRC will produce those maps prior to meeting.

Review the species lists of Annex I and II of Regulation 2347/2002 according to the following criteria:

a) In the fisheries identified, are there any other deep-sea species being caught in quantities that would merit their inclusion in Annex I or II? For example: *Physis spp.*; *Alepocephalus bairdii*.

b) Are any of the species listed in the annexes often or predominantly caught in fisheries that target non-deep sea species? If so, should they continue to be included in the list of deep-sea species in Annexes I or II?

c) Could the species listed in Annex I and II be grouped into:

species that based on their life history characteristics are particularly vulnerable to fishing and should therefore not be exploited

species that based on their life history characteristics are less vulnerable to fishing and could thus be sustainably exploited.

d) Following from the exercise described under point 1), could the species listed in Annex I and II be grouped according to target/by-catch species combining all fisheries observed?

3) See point 2 a) of the Western Waters part of the ToR. This point concerns deep sea and Western Waters regime likewise.

B) Western Waters access regime

Background

The Commission is held to review the Western Waters access regime in force since 2004, based on Regulations 1954/2003 and 1415/2004. The objective of the Western Waters access regime is to avoid an increase in fishing effort compared to recent levels (1998-2002), defined as overall effort directed towards demersal stocks, and effort on some benthic fisheries. A separate constraint on maximum effort levels within a special conservation zone, the so-called "Irish Box", is designed to accompany the restrictions on the use of demersal gears in that area, in view of the area's importance as a spawning and nursery ground, in particular for hake.

Detailed request

STECF is asked to

1) Concerning the functioning of the WW effort regime:

a) Aggregate at Member State and Community level fishing effort per year in kW-days and GT-days by demersal gear types, by vessel length >10m and >15m, and by ICES areas V to X and CECAF divisions 34.1.1, 34.1.2, 34.2.0; provide a description of yearly effort trends since 2000 per area, gear and main species composition, compare these aggregated data with effort ceilings established in Regulation 1415/2004 and with Member State data submissions to the Commission under Regulation 2104/2004.

b) Aggregate at Member State and Community level fishing effort directed towards scallops per year in kW-days and GT-days by gears and by vessel length >10m and >15m by ICES areas V to X and CECAF divisions 34.1.1, 34.1.2, 34.2.0; provide a description of yearly

effort trends since 2000 per area and gear, compare these aggregated data with effort ceilings established in Regulation 1415/2004 and with Member State data submissions to the Commission under Regulation 2104/2004.

c) Aggregate at Member State and Community level fishing effort directed towards edible crab and spider crab per year in kW-days and GT-days by gears and by vessel length >10m and >15m by ICES areas V to X and CECAF divisions 34.1.1, 34.1.2, 34.2.0; provide a description of yearly effort trends since 2000 per area and gear, compare these aggregated data with effort ceilings in Regulation 1415/2004 and with Member State data submissions to the Commission under Regulation 2104/2004.

d) Aggregate at Member State and Community level fishing effort per year in kW-days and GT-days by vessel length >10m and >15m and by

demersal gear types,

by gears catching scallops,

and by gears catching edible crab as well as spider crab,

in the Biologically Sensitive Area as defined in Article 6 of Regulation 1954/2003; provide a description of effort trends since 2000 in this area, compare these aggregated data with effort ceilings established in Regulation 1415/2004 and with Member State data submissions to the Commission under Regulation 2104/2004.

2) Concerning the definition of the WW effort regime:

a) Assess the definition of the WW effort restrictions in the context of overlapping or neighbouring effort regimes, in particular the deep sea access regime (Regulation 2347/2002), the cod plan (Regulation 1342/2008), the Southern hake plan (Regulation 2166/2005) and the Western Channel sole plan (Regulation 509/2007). In particular:

The present Western Waters regime aims at excluding fisheries directed towards deep-sea species. Discuss possible alternative criteria for the delimitation of both regimes (e.g. according to the depth of the waters in which the vessels operate or according to catch composition) or specific rules for addressing vessels that catch both deep sea species and other species;

Discuss possible redefinition of the scope of Western Waters effort restrictions in areas where fishing effort is restricted by the cod plan (VI a, V b, VII a);

b) Evaluate the precision of the definition in Regulations 1954/2003 and 1415/2004 of "fishing effort" in terms of area, time, and fishing pattern;

c) Evaluate whether fishing effort defined in GT-days or in kW-days is better correlated to the fishing mortality on edible crab and spider crab;

d) Assess possible reasons for excluding gears directed towards pelagic fisheries from the regime, in particular whether effort restrictions for pelagic fisheries in those areas might be less correlated to fishing mortalities than effort restrictions for demersal fisheries.

3) Concerning the possible evolution of the WW effort regime

- a) Describe in a standardised way at Community level the characteristics of the demersal fisheries by main effort (by overall amount in kW-days and by gear category according to DCR) and main quota species (by catch volume), per ICES division in areas V to X and in CECAF 34.1.1, 34.1.2, 34.2.0, for the years 2005 to 2008;
- b) Assess the relationship between the development of demersal effort in these areas and the development of TACs of main demersal species abundant in those areas, for the years 2005 to 2008.

8.4. Annex IV: Terms of reference for the SGRN/ECA-09-02 Working Group

STECF – SGRN/ECA 09-02
22nd to 27th June 2009
The Marine Institute, Galway, Ireland

Sub Group on Guidelines for the Submission and Procedures for the Evaluation of National Programmes and Technical Reports.

Draft Terms of Reference (Version 3 @ 12/6/09)

In relation to the Data Collection Framework (Council Regulation (EC) No 199/2008) and following the comments of STECF Plenary in April 2009, the Sub Group is requested to;

National Programmes

- (1) Review existing guidelines for the submission of NP's already addressed by SGRN-08-01, in particular by taking into consideration the suggestions of the different RCMs and of the Liaison Meeting. Propose any obvious modifications that are required.
- (2) Establish new guidelines and templates for the submission of technical reports based on Council Regulation (EC) No. 199/2008, Commission Regulation 665/2008 and Commission Decision 2008/949/EC.
- (2) Develop procedures for the evaluation of NP's, building on the quick exercise carried out by SGRN 09-01.

Technical Reports

- (3) Establish new guidelines and templates for the submission of technical reports based on Council Regulation (EC) No. 199/2008, Commission Regulation 665/2008 and Commission Decision 2008/949/EC.
- (4) Draft procedures for the evaluation of TR's.

ANNEX II

DECLARATION of INTERESTS
(to be filled in by STECF external experts)

Name: LORETA MALVAROSA

In accordance with Article 13(2) of Commission Decision 2005/629/EC of 31 August, 2005 establishing a Scientific, Technical and Economic Committee for Fisheries¹, I hereby notify the Commission that I have the following economic or ethical interests² which might be considered prejudicial to my independence:

Direct interest (for example related to employment, contracted work, investments, fees etc.):

[Empty box for direct interest declaration]

Indirect interests e.g. grants, sponsorships, or other kind of benefits such as gifts, invitations and honorariums.

[Empty box for indirect interest declaration]

Interests deriving from the professional activities of the applicant or his/her close family members:

[Empty box for interests from professional activities declaration]

¹ OJ L 225, 31.08.2005, p.18 as corrected by OJ L 316, 02.12.2005, p.23.

² Links which could be considered interests might include:

- one's job (university, institute, public service, enterprise)
- being a member of a board of directors, board of management or any other supervisory body within a company, association, Member State administration, non-governmental organization, governmental organization etc.
- having carried out scientific research or provided an expert opinion at the request of a company, public service, Member State administration, non-governmental organization, governmental organization etc.

[Empty box for membership role or affiliation]

Any membership role or affiliation that you have in organizations/bodies/club with an interest in the work of the STECF:

[Handwritten signature]

Other interests or facts that the undersigned considers pertinent as a member of an independent STECF:

[Handwritten signature]

Declaration

I declare that the information provided above is true and complete.

I shall immediately and explicitly inform the STECF of any specific interest³ concerning any question submitted by the Commission on the occasion of the meeting at which the relevant question is to be examined by the Committee. I shall inform the Commission of any change with regard to my interests which could be prejudicial to my independence.

Done at on 15/07/2009

Signature *Sohe Yaluzona*

³ See previous footnote 1: a special interest could, in particular, comprise any prior activity concerning the subject of the question.

Declaration John Anderson:

ANNEX II

DECLARATION of INTERESTS (to be filled in by STECF external experts)

Name:

In accordance with Article 13(2) of Commission Decision 2005/629/EC of 31 August 2005 establishing a Scientific, Technical and Economic Committee for Fisheries¹, I hereby notify the Commission that I have the following economic or ethical interests² which might be considered prejudicial to my independence:

Direct interest (for example related to employment, contracted work, investments, fees etc.):

NONE - APART FROM BEING A CAT 30
GRANTHOLDER WORKING AT THE JRC
ITALY

Indirect interests e.g. grants, sponsorships, or other kind of benefits such as gifts, invitations and honorariums.

NONE

Interests deriving from the professional activities of the applicant or his/her close family members:

NONE

¹ OJ L 225, 31.08.2005, p.18 as corrected by OJ L 316, 02.12.2005, p.23.

² Links which could be considered interests might include:

- one's job (university, institute, public service, enterprise)
- being a member of a board of directors, board of management or any other supervisory body within a company, association, Member State administration, non-governmental organization, governmental organization etc.
- having carried out scientific research or provided an expert opinion at the request of a company, public service, Member State administration, non-governmental organization, governmental organization etc.

Any membership role or affiliation that you have in organizations/bodies/club with an interest in the work of the STECF:

NONE

Other interests or facts that the undersigned considers pertinent as a member of an independent STECF:

NONE

Declaration

I declare that the information provided above is true and complete.

I shall immediately and explicitly inform the STECF of any specific interest³ concerning any question submitted by the Commission on the occasion of the meeting at which the relevant question is to be examined by the Committee. I shall inform the Commission of any change with regard to my interests which could be prejudicial to my independence.

Done at COPENHAGEN on 15/7/09

Signature 

³ See previous footnote 1: a special interest could, in particular, comprise any prior activity concerning the subject of the question.

DECLARATION of INTERESTS
(to be filled in by STECF external experts)

Name: ROBERT SCOTT

In accordance with Article 13(2) of Commission Decision 2005/629/EC of 31 August, 2005 establishing a Scientific, Technical and Economic Committee for Fisheries¹, I hereby notify the Commission that I have the following economic or ethical interests² which might be considered prejudicial to my independence:

Direct interest (for example related to employment, contracted work, investments, fees etc.):

NONE - APART FROM WORKING AS A CAT 30
SCIENTIST FOR THE SRC.

Indirect interests e.g. grants, sponsorships, or other kind of benefits such as gifts, invitations and honorariums.

NONE

Interests deriving from the professional activities of the applicant or his/her close family members:

NONE

¹ OJ L 225, 31.08.2005, p.18 as corrected by OJ L 316, 02.12.2005, p.23.

² Links which could be considered interests might include:

- one's job (university, institute, public service, enterprise)
- being a member of a board of directors, board of management or any other supervisory body within a company, association, Member State administration, non-governmental organization, governmental organization etc.
- having carried out scientific research or provided an expert opinion at the request of a company, public service, Member State administration, non-governmental organization, governmental organization etc.

Any membership role or affiliation that you have in organizations/bodies/club with an interest in the work of the STECF:

NONE

Other interests or facts that the undersigned considers pertinent as a member of an independent STECF:

NONE .

Declaration

I declare that the information provided above is true and complete.

I shall immediately and explicitly inform the STECF of any specific interest³ concerning any question submitted by the Commission on the occasion of the meeting at which the relevant question is to be examined by the Committee. I shall inform the Commission of any change with regard to my interests which could be prejudicial to my independence.

Done at 16/07/09 on 14-50
Copenhagen

Signature 

³ See previous footnote 1: a special interest could, in particular, comprise any prior activity concerning the subject of the question.

European Commission

EUR XXXXX EN – Joint Research Centre – Institute for the Protection and Security of the Citizen

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Abstract

The Scientific, Technical and Economic Committee for Fisheries hold its 31st plenary on 13-17 July 2009 in Copenhagen. The terms of reference included both issues assessments of STECF working group reports and additional requests submitted to the STECF by the Commission. Topics dealt with ranged from fisheries economics to management plan evaluation issues.

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