

# The evolution of a discard policy in Europe

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## Abstract

The European Commission, as the executive body of the European Union, has the mandate of proposing future policies in fisheries management. In European waters the practice of discarding part of the catch at sea is presently legal, and in some circumstances compulsory. However, discards have become more important in the public eye, increasing pressure for the EC to propose measures to, if not banned altogether, to at least reduce discards significantly. Since 2006 specific EC initiatives were taken to consult stakeholders in order to shape a future discard policy. The proposal that followed was based on a progressive reduction of discards by fishery, where specific discard reduction targets were set over a period of time. However, an international incident increased public awareness on discards and, together with the slow pace of implementation of the above approach, significantly increased the political pressure for the EC to deal quickly with this issue. At the same time, some Member States argued for increases in Total Allowable Catches in order to decrease discards of commercially size species. These events resulted in a rethink of the future discard policy, but more importantly it highlighted the difficulty of protecting a unique strong year class of stocks under severe fishing pressure and in poor state. The issues associated to the new discard policy in data quality, control and enforcement and its effectiveness in protecting a strong year class are presented and discussed in this paper.

Keywords: discards, management policy, European fisheries

*Disclaimer: The views expressed in this paper are Lisa Borges personal opinions and do not necessarily represent the views of the European Commission.*

## Introduction

The European Commission (EC), as the executive body of the European Union, has the mandate of proposing future policies in fisheries management. In European waters the practice of discarding part of the catch at sea is presently legal (with one exception described below), and in some circumstances compulsory. Discards due to management measures such as minimum landing size, TAC limitations and/or quota limitations and bycatch restrictions are a common occurrence in European waters. Nevertheless, low or no economic value is the main cause of discards, and is where highgrading, i.e. discarding smaller size specimens to maximize profit, is a particular case.

Discards have become more important in the public eye in Europe with increasing public awareness to ocean conservation, with the intensification of overexploitation of fisheries resources, and, recently, with the public acknowledgement by the fishing industry of widespread discarding of commercial species.

The EC, in line with the increase public awareness, has proposed measures to, if not banned altogether, to at least reduce discards significantly. Since 2006, specific EC initiatives were taken to consult stakeholders in order to shape a future discard policy. The EC discard policy goals were published in a communication (EC, 2007), after which a consultation paper, that included several implementation options, was released (EC, 2008).

At the same time, scientific data collected by observers on board was analyzed with the specific objective to identify and prioritize European fisheries with high discards (STECF, 2008a), to determine baseline discard levels and to finally determine feasible discard reduction targets (STECF, 2008b). In 2008, an EC implementation proposal (EC, 2008) that followed was based on a progressive reduction of discards by fishery, where specific discard reduction targets were set over a period of time. The specific technical measures to be implemented were left open to the industry to devise them. The idea behind was that, as long as the average reduction target was reached, fishermen were free to try different options, with the aim of increasing industry responsibility and acceptability of the regulation.

#### The issues

At the end of 2008, an international incident raised further public awareness on discards. A UK vessel was caught on camera discarding five tonnes of commercial size fish (mainly saithe), immediately after leaving Norwegian waters, where discarding is prohibited. The video was broadcasted in many European countries causing a widespread public demand for a discard ban. This incident, allied to the slow pace of implementation of the fishery approach described above, considering the many different fisheries in Europe and the long timeline for the discard reduction targets to be reached, increased significantly the political pressure for the EC to deal quickly with discards.

Furthermore, at the same time, some Member States argued for increases in Total Allowable Catches (TACs) in order to decrease discards of commercially size species. This was the reaction of national administrations and industry to an increase of discards of commercial size fish of an emblematic European stock: North Sea cod. Industry reports, backed up by scientific data from observers on board, showed a marked increase in catches of cod above minimum landing size. This increase has since been attributed to an abundant 2005 year class. North Sea cod is caught in a mixed cod-haddock-whiting fishery, highly dependent on incoming cod year classes, with the majority of landing (>80%) of juvenile cod aged 1-3. The 2005 year class has now been heavily exploited, with little benefit to the stock, which remains below Blim.

#### Results/Discussion

The issues described above have resulted in a rethink of the European discard policy. The approach taken now is the prohibition of highgrading in the North Sea and Skagerrak in 2009, to be extended to all European fisheries from 2010, with the long term objective of a total discard ban. However, questions have been raised if the highgrading ban is being implemented, due to the abandonment of the fisheries approach that may reduce industry acceptability and, at the same time, to the planned reduction of fisheries control costs by limiting control at land.

The events mentioned previously highlighted, on the other hand, the difficulty of protecting a unique strong year class of stocks under severe fishing pressure and in poor state. Is the highgrading ban the solution for saving a year class? Or should it be complemented by other measures (effort reductions, technical measures)? The answer is of particular importance considering that two other cod stocks (western and eastern Baltic Sea) are presently experience high recruitment but its fisheries are largely based on recruiting year classes, and thus there is a window of opportunity to safeguard stock recovery.

The case of the Northeast Arctic cod may shed some light. In 1973-74 the largest ever recorded year class recruited to the fishery. A prohibition to discard cod was established in 1977. Although this measure was adopted too late to save the 1970 year class, in combination with low TACs, additional technical measures and good enforcement, it prevented the 1983 year class to be overexploited (Nakken, 2008). By the mid 90's the stock had recovered and it is presently extremely abundant. However, the similarities between Northeast Arctic cod stock and the stocks in the North and Baltic Sea are small, particularly in two fundamental aspects: the number of species caught in the fishery and the level of control. The mixed species nature of fisheries and low enforcement in Europe cast some doubt to the efficiency of a highgrading ban to reverse recruitment overfishing. Nevertheless, this measure applied to the single species cod fishery in the Baltic and associated to improvements in its exploitation pattern and lower fishing pressure, may be sufficient to safeguard the future of the Baltic cod stocks.

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