



Procedure file

Basic information		
INI - Own-initiative procedure	2007/2112(INI)	Procedure completed
Policy to reduce unwanted by-catches and eliminate discards in European fisheries		
Subject 3.15.01 Fish stocks, conservation of fishery resources 3.15.05 Fish catches, import tariff quotas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		18/04/2007
		Verts/ALE SCHLYTER Carl	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety		03/05/2007
		ALDE DAVIES Chris	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2806	11/06/2007
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
28/03/2007	Non-legislative basic document published	COM(2007)0136	Summary
06/06/2007	Committee referral announced in Parliament		
11/06/2007	Resolution/conclusions adopted by Council		Summary
22/11/2007	Vote in committee		Summary
06/12/2007	Committee report tabled for plenary	A6-0495/2007	
30/01/2008	Debate in Parliament		
31/01/2008	Results of vote in Parliament		
31/01/2008	Decision by Parliament	T6-0034/2008	Summary
31/01/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2007/2112(INI)
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Committee dossier	PECH/6/48617

Documentation gateway					
Non-legislative basic document		COM(2007)0136	28/03/2007	EC	Summary
Document attached to the procedure		SEC(2007)0380	28/03/2007	EC	
Document attached to the procedure		SEC(2007)0381	28/03/2007	EC	
Committee draft report		PE393.881	13/09/2007	EP	
Committee opinion	ENVI	PE392.062	10/10/2007	EP	
Amendments tabled in committee		PE396.649	26/10/2007	EP	
Committee report tabled for plenary, single reading		A6-0495/2007	06/12/2007	EP	
Text adopted by Parliament, single reading		T6-0034/2008	31/01/2008	EP	Summary
Commission response to text adopted in plenary		SP(2008)1176	27/02/2008	EC	
Commission response to text adopted in plenary		SP(2008)1766	16/04/2008	EC	

Policy to reduce unwanted by-catches and eliminate discards in European fisheries

PURPOSE: to propose a policy to reduce unwanted by-catches and eliminate discards in European fisheries.

BACKGROUND: data on discards in European fisheries have been collected systematically under the Data Collection Regulation since 2002. The Scientific, Technical and Economic Committee for Fisheries (STECF) has provided a preliminary overview⁴ of discard rates based on data from 2003-2005. Discard rates are in the range of 20-60% of the catch weight for various typical fisheries exploiting demersal stocks. Cod fisheries in the Baltic were estimated to have low discards. In the North Sea, Beam trawls were estimated to discard 40 to 60% of the catch and demersal trawls around 40%. In the areas west of the British Isles, bottom trawling gear discard in the range of 20-40%. In the more southerly Atlantic Community waters, trammel and gill nets discard less than 20% while bottom trawling gears discard in the range of 30 to 60%.

Discarding, therefore, is contrary to both the aims of the Common Fisheries Policy, and to specific commitments made by the European Union, such as those under the UN Convention on Biodiversity, or the commitment to manage fish stocks for sustainable yield given at the Johannesburg World Summit on Sustainable Development.

CONTENT: discarding has been addressed in the EU before, mainly through measures regulating fishing gear, such as net mesh sizes or the use of escape panels in, or acoustic devices on nets. Some types of fishing gear have had considerable success but the application of the related measures is already complicated to apply and control. To make it more complex would be counter-productive.

The Commission believes that a management system based on outcomes, defined in terms of maximum acceptable by-catch, together with an obligation to land all fish caught, will provide a strong incentive for fishermen to devise the technical solutions that are most appropriate to their own activities. Such a system would also be far simpler for all parties to implement and enforce. Flanking measures would include encouragements to improve the selectivity of fishing gear, area closures and obligations to switch fishing grounds when there are aggregations of young fish, for example.

Socio-economic impacts of this new policy: these will be highly variable dependent on the specific structure and economic situation of each fishery and the dependent coastal communities. Economic and social impact assessments will therefore be made on the level of regulations for specific fisheries.

On a very general level, the progressive implementation of a policy to eliminate discards could result in net short-term cost increases and losses in income. Handling and storing by-catch of lower value has a cost and the income from the overall landing will be lower. The use of closed areas and requirements to move to other fishing grounds may imply longer distances to the fishing grounds and thus increased cruise

time and fuel costs. The compulsory use of selective gears could similarly reduce short term profitability. Further impacts are to be expected further down the marketing and distribution chain, resulting from the landing and handling of fish that was so far discarded.

In the longer term there will be economic benefits as a reduction of by-catches of juvenile fish and fish above quota will result in larger and healthier stocks and thus increased fishing opportunities. Furthermore, additional markets could be created for products derived from catches which have been discarded in the past. Enforcement should be supplemented with encouragements to avoid unwanted bycatches and discarding. A possible encouragement is to introduce a preferential status such as preferential access to fisheries on the basis of track records of low by-catches.

It could be considered whether the development of changes in technology and practices which are required may be supported by the EFF. Assistance may also be given to develop alternatives for the use of previously discarded fish, in particular unavoidable by-catches of species of low or no commercial value. Assistance could be considered for the development of advanced fishing tactics on the basis of information systems to inform fleets about areas with high risk of unacceptable by-catch.

Based on this document, the implementation principles for a policy to progressively eliminate discards and reduce unwanted by-catches in European fisheries will be discussed with Member States and stakeholders in 2007. A sequence and plan for implementation for specific fisheries will be identified. According to this plan, regulations will then be developed and proposed from 2008.

Policy to reduce unwanted by-catches and eliminate discards in European fisheries

The Council adopted conclusions on the Communication from the Commission to the Council and the European Parliament on a policy to reduce unwanted by-catches and eliminate discards in European fisheries. It notes that such an approach could have many implications such as a 'discard ban', regulating what is caught rather than what is landed, and a move to results-based management.

It recalls the importance of effective data collection for providing a sound basis for such a new approach.

The Council reiterates that one of the main avenues for action in this respect is to motivate the industry to improve the selectivity of the fishing gear and to develop more targeted fishing practices.

The Commission, Member States and stakeholders are called upon to:

- to enhance research efforts in gear design, fishing methods and fishing practices in this respect;
- to take an active part in the search for the best solutions and to select fisheries for the first implementation of this approach with the aim of reducing unwanted by-catches and eliminating discards.

When developing measures to reduce unwanted by-catches and to eliminate discards and in this context, the Council stresses the importance of simple and controllable regulations which are economically viable in order to reach long-term compliance by the industry.

Lastly, the Council invites all interested parties, in particular the European Parliament, the Economic and Social Committee, ACFA and RACs, to contribute their views to this important discussion.

Policy to reduce unwanted by-catches and eliminate discards in European fisheries

The Committee on Fisheries has adopted an own initiative report by Carl SCHLYTER (Greens/EFA, SE) on a policy to reduce unwanted by-catches and eliminate discards in European fisheries. Members welcome the Commission's new attempt to stimulate discussion about this serious subject with a view to finally shifting the emphasis of the Common Fisheries Policy (CFP) so that the practice of discarding is virtually eliminated.

The report highlights the fact that unwanted by-catches and discards represent a serious environmental and economic problem, given that, on the one hand, they are responsible for the imbalance in certain ecosystems and that, on the other, they have been revealed to be the main cause of depleting stocks, some of which have a high commercial value, such as cod. According to estimates, discards account for between 7 million and 27 million tonnes per year, equivalent to one quarter of all fish and other species caught.

The committee believes that an effective means of reducing discards is the reduction in the overall fishing effort, accompanied by an improvement in selective measures. A decrease in fishing pressure would greatly benefit the sector, allowing depleted and over-fished stocks to recover and to become more productive, while making the sorting of the catch faster and easier. They therefore call for programmes aimed at reducing discards to be fully integrated into the overall Community policy for the sustainable management of fishing stocks.

The Commission, Member States and other stakeholders are encouraged to consider the use of positive incentives to get the industry to improve its fishing practices. In terms of incentives, the report outlines several possibilities:

- allowing more days at sea or otherwise increasing allowable fishing time for vessels using more selective gear;
- providing preferential access to areas that are closed to vessels not using selective gear;
- allowing vessels with more selective gear to fish during times when others not allowed.

Members are convinced that the industry would respond more favourably and with greater effect to a combination of positive and negative incentives, which should be given an opportunity to produce results. A discard ban should be adopted only after other types of negative incentives have been tried, including timed series of increases in mesh sizes, closed areas and others.

According to the parliamentary committee, the most logical approach would be to select a certain number of pilot fisheries on the basis of their volume of discards or with priority for species that are particularly vulnerable. The pilot projects should be selected in several areas in order to take into consideration the geographical diversity of Community fisheries. Each pilot project should also ensure the participation of a sufficient number of boats in order to also take into consideration the diversity of fish and to guarantee an effective exchange of information with others within the fishing framework.

Members consider there to be two possible candidate fisheries: the various beam trawl fisheries as well as those fisheries that catch and

discard cod. While these pilot projects are proceeding, other fisheries should be evaluated for their discard rate.

The report also insists that priority be given to measures to be taken to deal with the types of fishing that create the most discards (for example, beam trawlers, prawn trawlers and those targeting whitefish).

Lastly, given that the TAC (total allowable catch) regulatory system is one of the major causes of discards, MEPs recommend that unwanted by-catch quotas be taken into account in the TACs and that all discharged unwanted by-catches be included in the allocated quotas.

Policy to reduce unwanted by-catches and eliminate discards in European fisheries

The European Parliament adopted a resolution based on the own-initiative report drafted by Carl SCHLYTER (Greens/EFA, SE) on a policy to reduce unwanted by-catches and eliminate discards in European fisheries. The resolution was adopted by 616 for and 22 against. Members welcome the Commission's new attempt to stimulate discussion about this serious subject with a view finally to shifting the emphasis of the Common Fisheries Policy (CFP) so that the practice of discarding is virtually eliminated. They stress the urgency of developing regulations to eliminate this environmentally unsustainable and immoral practice which in extreme cases can account for up to 90% of all fish caught.

Parliament highlights the fact that unwanted by-catches and discards represent a serious environmental and economic problem, given that, on the one hand, they are responsible for the imbalance in certain ecosystems and that, on the other, they have been revealed to be the main cause of depleting stocks, some of which have a high commercial value, such as cod. According to estimates, discards account for between 7 million and 27 million tonnes per year, equivalent to one quarter of all fish and other species caught.

Parliament believes that an effective means of reducing discards is the reduction in the overall fishing effort, accompanied by an improvement in selective measures. Reduced fishing pressure would provide significant benefits for the industry, allowing depleted stocks to recover and to become more productive, as well as saving time and effort in sorting the catch. Programmes to reduce discards must be fully integrated into the Community's overall policy for the sustainable management of fisheries.

The Commission, Member States and other stakeholders are encouraged to consider the use of incentives for the industry to improve its fishing practices. In terms of incentives, Parliament outlines several possibilities:

- allowing more days at sea or otherwise increasing allowable fishing time for vessels using more selective gear;
- providing preferential access to areas that are closed to vessels not using selective gear;
- allowing vessels with more selective gear to fish during times when others not allowed.

Members are convinced that the industry would respond more favourably and with greater effect to a combination of positive and negative incentives, which should be given an opportunity to produce results. A discard ban should be adopted only after other types of negative incentives have been tried, including timed series of increases in mesh sizes, closed areas and others.

Members agree that the most sensible way to proceed is by choosing a number of pilot fisheries, based upon the quantity of discards produced or on the conservation status of the species involved. They emphasise the importance of the pilot projects being selected in several zones to represent the geographical variety of Community fisheries. Each pilot project must also involve a sufficient number of vessels to cover the diversity of the fishery as well as to ensure good information exchange with others in the fishery. Two possible candidates would be the various beam-trawl fisheries as well as those fisheries that catch and discard cod. While these pilot projects are proceeding, other fisheries should be evaluated for their discard rate.

The resolution emphasises that if discard bans are adopted for specific fisheries, then in order to avoid perverse incentives such as creating a market for small fish or fish caught without quotas, such fish should not be marketed directly under any circumstances. The vessels may be compensated for the costs incurred in bringing to shore what they would have discarded. The fish involved could be used for fishmeal and fishoil production with any company utilising this facility contributing to a regionally organised compensation fund.

Lastly, Parliament points out that the TAC regulatory system is one of the major causes of discards and that measures must be adopted to prevent compulsory discards of unavoidably - caught species of legal size owing to the lack of a quota for those species. By-catch quotas should be incorporated into TACs and all landed by-catch should be counted against quota allocations. Should a fishery exceed its by-catch quota it would risk closure, just as an excess of juveniles is suggested to trigger real-time closures. This quota should then be gradually reduced to provide further incentives to improve gear selectivity.