

## CFP reform – the discard ban

### **Why does the Commission propose a discard ban?**

Discards are among the best examples for the shortcomings of the CFP and they are impossible to justify to fishermen or the public. Fishermen across Europe have taken a number of good initiatives to decrease discards, but the initiatives are still too scattered across Europe. In the meantime public opinion is quickly building up against this wasteful practice.

The Commission is proposing a gradual approach in three steps: pelagic species in 2014 (including in the Mediterranean), most valuable demersal species (cod, hake and sole) in 2015, and other species in 2016. The discard ban would cover the listed species, regardless of whether they are managed with quota or effort.

A clear timetable for a discard ban will foster better co-operation between scientists and fishermen. It will also be a driver to avoid unwanted catches and will deliver a level playing field to change the fishing strategies of fishermen.

### **How would a discard ban work in practise in mixed fisheries?**

First of all as part of regionalization fishermen will work hand in hand with the administrations to develop concrete measures avoiding unwanted catches in the first place. These measures can be more selective gear, restricting access to juvenile aggregation areas, real time closures etc. Furthermore vessels likely to have a mixture of for example cod, haddock and whiting in their hauls should have quotas for all of these species. Small scale vessel owners would need to receive the right quota mix from national administrations. All other vessel owners should receive the right mix from the national administration in the form of transferable fishing concessions (TFCs). These allocations need to reflect as much as possible the actual fishing patterns of vessels and their likely catch composition. Vessel owners could pool their concessions for example in a producer organization (PO). In addition a vessel owner can buy transferable fishing concessions from another vessel owner in the same Member State (MS) be it for one fishing trip, for a whole year or for longer.

Over time hauls will become more selective saving fuel and time consuming handling on board and lead to less pressure on stocks. Stocks will be able to recover faster and produce larger fish fetching better market prices, thus increasing the financial return for fishermen.

### **What can national administrations do to help implement the ban?**

MS will have to better match quota allocations of individual vessels with their likely catches. If a MS has too few quotas for some species to do this, it should swap quotas with other MS. This happens already today and should be further encouraged. The Council could also set aside so-called "by-catch quotas", as part of the Fishing Opportunities set by Council each year. They would not be immediately allocated to the MS, but rather as needed in the course of the year, as a by-catch reserve on a fishery-by-fishery base. Finally the MS could set aside by-catch quotas per fish stock, which are not allocated to any vessels. Landed fish not covered by individual quotas could be counted against this overall by-catch quota. MS can also bank and borrow small quantities of their own quotas from one year to the next to have extra flexibility.

## **How can Producer Organisations (POs) best manage fisheries under a discard ban?**

POs can monitor and manage their members' fishing activities and uptake of fishing opportunities. POs or other fishermen's organizations can set up real-time swapping tools, within and between organizations. The European Maritime and Fisheries Fund (EMFF) would support POs and fishermen to this end. They would also receive support from the EMFF to implement the discard ban and handle the landed catches, including storage aid, support for building extra storage facilities on shore and funding marketing campaigns to promote the consumption of lesser known fish by consumers.

## **What happens in case of unintentional catches despite improved selectivity?**

Fish with known high survival rates should be identified and released alive back into the sea. All other fish caught would be landed and counted against the quotas. These catches would be handled as follows:

*Undersized fish.* Minimum conservation reference sizes will be set on biological grounds. These will be the yardstick for developing the best gears to minimize catches of juveniles. The measures can then be adapted at regional level via regionalization to obtain the best results. Fish below this minimum size can only be sold for fish meal or pet food production. Fishermen can thus cover the landing costs, but without generating financial gain.

*Fish caught in excess of individual quota.* Fish caught in excess of individual quotas can be marketed normally. Where vessel owners are about to run out of one or more of their quotas they need to buy or lease quotas from another vessel owner in the same MS. Where this is impossible quota overshoot rules apply as it is the responsibility of the fishermen to ensure that they have all quotas necessary to land their catches.

*Overshoot of national quotas* has to be dealt with by the MS through by-catch reserves, borrowing or banking of quotas between years, or swapping quotas with other MS. If this is not sufficient the overshoot amounts would be deducted from the following year's quota.

Under *effort management systems* all commercial species which are above the minimum size can be marketed and sold normally as long as the effort allocated is not exhausted.

## **How would the discard ban be controlled and enforced?**

The reform enables fishermen to play an active role in designing measures to avoid by-catches in the first place and to land all commercial species that are caught. POs can contribute by ensuring that members comply with the agreed decisions. This will foster industry involvement and self-compliance.

To ensure full reporting of fishing and processing activities, vessels need to be properly equipped (electronic logbook, VMS, CCTV, other new technologies, observers). Modern electronic tracking, reporting and analysis technologies will improve real time monitoring. Modern traceability tools (barcodes, radio frequency identifications, electronic chips, etc.) will also facilitate controls by MS authorities. The EMFF foresees funding of such innovative monitoring technologies.

Ex-post assessment of possible discarding practices may help to determine compliance levels and to develop a risk-based approach to control.

### **What incentives would there be to accompany the discard ban?**

The new CFP would offer incentives to increase selectivity and to land all fish caught. Under the EMFF vessel owners would receive financial support for innovation (new technical and organizational knowledge), for increased gear selectivity (on size and species), to reduce incidental/accidental by-catches. Vessel owners and fishermen working on board vessels would also receive financial support for participating in trials and pilot projects and for collaborating with scientists. POs will also receive funding to help implement the discard ban, for better labelling of products and for the marketing of new products.

Incentives can also take the form of quota allocation within Member States. Under the TFC system, Member States are free to allocate their national quotas to different vessel segments, giving for example more quotas to vessels that fish more environmentally friendly.