

## Tackling discards in EU fisheries

### SUMMARY

#### We call on MEPs to amend the Commission's proposal to:

- Ensure priority is given to applying selective fishing practices in order to avoid unwanted catches in the first place;
- Extend the scope of existing provisions on eliminating of unwanted catches to cover both fish (commercial and non-commercial) and non-fish species;
- Shift from species-by species implementation of a discard ban to a fishery by fishery level, phased in on a regional level (Art 15);
- Strengthen the provisions on multiannual plans to include measures and timelines along with effective monitoring and enforcement for the proposed discard strategies to minimise unwanted catch (Art 11);
- Set strict conditions for placing unwanted catches on the market, ensuring that they cannot be commercialised (Art 15.2) and cannot yield financial gain to individual operators (Art 15.3).

### What is unwanted catch and discards?

Unwanted catches (also known as “bycatch”) of fish or non-fish species, including birds, turtles and mammals, are often thrown back into the sea dead or dying. This is known as “discarding” and is an appalling manifestation of bad fishing practices and governance in the EU.

### What is the problem?

Many European fisheries are unselective, resulting in large amounts of unwanted catches. Discarding these unwanted catches is hugely wasteful, causes environmental problems, and is uneconomical and unethical. The vast majority of discarded fish and non-fish species do not survive. Often, this unnecessary removal has negative impacts on the viability of populations and can threaten the very survival of some species. Discarding large quantities of dead fish can also change the functioning of ecosystems, by boosting populations of scavengers and adding excessive nutrients to the sea.

Unnecessarily removing fish and other organisms from the sea will also affect the recovery potential of marine ecosystems, including fish stocks, when young, undersized fish get caught and discarded before they can reproduce. Moreover, because unwanted catches are discarded without being recorded, this undermines the ability of scientists and fisheries managers to assess the actual bycatch rate in relevant fisheries. This, in turn, leads to uncertainty over the real size of catches and undermines efforts to accurately assess current stock levels.



Discard levels in European fisheries are higher than elsewhere in the world and vary across EU fisheries. The practice is particularly serious in the North-East Atlantic, where annual discards amount to over 1.3 million tonnes, representing nearly 20% of global discards for just 11% of global landings.<sup>1</sup> Discard rates are particularly high in bottom trawl fisheries - for example, in the case of the North Sea *Nephrops* (Norwegian lobster) trawl fleet, unwanted catches have been estimated to make up as much as 20-98% of the catch<sup>2</sup>. A recent study estimated that losses from cod discards in the North Sea represent a staggering EUR 3.13 billion since 1963.<sup>3</sup>

## Why are unwanted catches discarded?

There are different reasons for why fishers discard unwanted catch. Fish may be discarded because:

- the fisher has no quota for it and therefore is not allowed to land the fish; in mixed fisheries, for example, a fisher catches a mix of species, including some for which he may not have no or not sufficient quota;
- the fish may have little or no market value, which often means that it is discarded to make space for a commercially more valuable catch. (referred to as 'high grading'); or
- the fish is too small or for other reasons not fit to be landed: in particular non-selective fishing practices are likely to result in a catch composition which includes too many juvenile and non-target species.

In the case of non-fish species, the unwanted catch is thrown overboard, predominantly because it has no market value.

## What are the solutions?

The fact that fishing activities result in unwanted catches is a major obstacle to achieving sustainable fishing in domestic and distant water fisheries and, as such, is a symptom of misguided management. The new CFP must ensure a shift towards more selective fishing practices in order to avoid unwanted catches in the first place. This should go hand in hand with provisions that eventually require all catches to be landed (*de facto* discard ban). A comprehensive policy package is needed to ensure that selective gear is used and unwanted catches are avoided. This should be achieved through a strengthening of measures implemented in the context of multiannual plans and should be part and parcel of a package of criteria used to rank access to fisheries resources (please see separate briefing on access to fisheries).

Moreover, as stocks recover and more fish have time to grow and mature, fishermen will have less reason to discard fish, which is why the EU must restore and maintain healthy fish populations above levels

<sup>1</sup> Kelleher K. 2005. Discards in the world's marine fisheries: an update, Issue 470, Part 1, Volume 470 of FAO fisheries technical paper, Food and Agriculture Organization, 131pp

<sup>2</sup> Enever, R., Revill, A.S. and Grant, A. (2009). Discarding in the North Sea and on the historical efficacy of gear-based technical measures in reducing discards. *Fisheries Research* (95) 40:46

<sup>3</sup> Crilly R. 2011. Money overboard, why discarding fish is a waste of jobs and money. New economics foundation, London (UK) 24pp



which can produce maximum sustainable yield (MSY) no later than 2015 (please see separate briefing on MSY).

## What has the Commission proposed?

The Commission proposal for the Basic Regulation sets out in particular three provisions that aim to address the problem of by-catch and discarding:

- Article 3 defines the objective to “eliminate unwanted catches of commercial stocks and gradually ensure that all catches of such stocks are landed”;
- Article 15 sets out a phased discard ban which requires landing all catches of certain commercial species. This is accompanied by the option to commercialise undersized fish and fish caught in excess of quotas (Art 15, 2); and
- Article 11 includes provisions for the introduction of technical measures for the elimination of unwanted catches in the context of multiannual plans.

In addition, the Commission proposal for the Common Market Regulation sets out two relevant provision:

- Article 7 states that “handling (of) unwanted catches of commercial stocks” is an objective of the proposal;” and
- Article 8 sets out that fishery producer organisations may make “the best use of unwanted catches of commercial stocks”.

## Our recommendations in response to Commission proposal:

We recommend the following changes to the Commission proposal in order to ensure an efficient and comprehensive approach to avoiding unwanted catches and discontinue the wasteful practice of discarding:

- **Extend existing provisions on elimination of unwanted catches to cover both fish and non-fish species.** This can most effectively be achieved by introducing a definition of the term ‘unwanted catches’ that explicitly includes fish and non-fish species. The landing obligation should apply to all fish species, with very limited exceptions (including, for instance, vulnerable and Prohibited<sup>4</sup> species and species for which a zero TAC<sup>5</sup> has been set);
- **Amend provisions setting out the obligation to land all catches (Art. 15)** to shift from species-by-species implementation of a discard ban to a fishery by fishery level, phased in on a regional level within a specific timeline, allowing for improvements in selectivity of fishing activities to take effect, including as a result of measures taken under multiannual plans;

<sup>4</sup> As listed in related Article concerning “Prohibited species” of 1- Council Regulation fixing annual fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements, and 2- Council Regulation fixing Council Regulation fixing annual fishing opportunities available in Union waters and, to Union vessels, in certain non-Union waters for certain fish stocks which are subject to international negotiations or agreements

<sup>5</sup> Total allowable catches



- **Expand provisions on the content of multiannual plans (Art. 11)** to include by-catch reduction targets and timelines along with effective monitoring and enforcement for the proposed discard strategies to minimise unwanted catch; and
- Any commercialisation of unwanted catches may create financial incentives to target fish which fishers had previously tried to avoid. **Articles 15.2 and 15.3** should therefore be amended to **ensure strict conditions for the marketing of unwanted catches** to rule out that operators yield a profit, but rather incentivise fishers to minimise unwanted catches. Equivalent changes should be made in the proposed Common Market Regulation and the proposed EU Maritime and Fisheries Fund.

**Contacts:**

Tatiana Nemcová  
Amélie Malafosse  
Cathrine Schirmer  
Saskia Richartz

**BirdLife Europe**

+ 32 (0)2 238 50 93

[tatiana.nemcova@birdlife.org](mailto:tatiana.nemcova@birdlife.org)

**Oceana**

+32 (0)476 28 55 54

[amalafosse@oceana.org](mailto:amalafosse@oceana.org)

**OCEAN2012 Coalition**

+32 (0)483 66 69 67

[cschirmer@pewtrusts.org](mailto:cschirmer@pewtrusts.org)

**Greenpeace**

+32 (0)2 274 19 02

[Saskia.Richartz@greenpeace.org](mailto:Saskia.Richartz@greenpeace.org)

