



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.6.2001  
COM(2001) 326 final

**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE  
EUROPEAN PARLIAMENT**

**rebuilding stocks of cod and hake in community and adjacent waters**

## TABLE OF CONTENTS

1.	Introduction.....	3
2.	Objectives and targets of recovery plans .....	4
3.	Actions already taken .....	6
4.	Preparation of the full recovery plans.....	6
4.1.	Setting of TAC's .....	7
4.2.	Effort limitation.....	7
4.2.1.	The need for effort limitation.....	7
4.2.2.	Options for effort limitation.....	8
4.3.	Technical measures .....	10
4.3.1.	Improvement in selectivity of fishing gears.....	10
4.3.2.	Closed or controlled areas.....	10
4.4.	Reinforcement of control measures.....	11
4.5.	Means to take rapid action.....	12
5.	Accompanying measures .....	12
5.1.	Promotion of relevant research .....	12
5.1.1.	Information of distribution of stocks, catch composition, their spawning and juvenile areas .....	12
5.1.2.	Improvement in selectivity of fishing gears.....	13
5.1.3.	Definition of biological reference points for the recovery plans .....	13
5.2.	Market measures .....	13
5.3.	Accompanying structural measures .....	13
6.	Next steps.....	14

## 1. INTRODUCTION

At the Fisheries Council meeting on 14-15 December 2000 the Council and the Commission expressed their concern that the stocks of cod in the North Sea and west of Scotland and of Northern hake were in a very critical state and concurred that, in addition to TAC reductions for 2001, conservation measures of longer duration, formulated within multi-annual recovery plans of at least five years' duration, would be put into place as soon as possible. The Council invited the Commission to submit, before mid-May 2001, proposals for multi-annual recovery plans for the relevant stocks.

This Communication presents the objectives of and main instruments to be used in the recovery plans, summarises the conservation measures either already in place or soon to be adopted and outlines the approach which the Commission intends to follow in its preparation of formal proposals which will be presented before the end of 2001, after the latest scientific advice has been obtained. It is intended to be a basis for technical consultations with Member States and the industry in the coming months. The difficult decisions which will have to be taken in this case are a clear example of the broader problems facing the CFP<sup>1</sup> and the kinds of measures proposed for cod and hake recovery .can be seen as a test case for options that are presented in the Green Paper.

For many years, proposals by the Commission for TACs intended to reduce fishing mortality rate on both cod and hake have not been acceptable to Council. Compromise solutions were agreed which surpassed scientific advice. In more recent years, especially for cod, Total Allowable Catches (TAC's) intended to reduce fishing mortality rate have been accepted by Council but for hake there has been opposition to accepting such TACs. In addition, it was not possible to achieve sufficient improvement in selectivity of gears used to fish either of these species during the reformulation of the Community's technical measures Regulation 850/98<sup>2</sup>. Member States have been reluctant to accept direct limitation of fishing effort to the extent required to achieve the required reduction in fishing pressure (strictly, the fishing mortality rate). There are also suspicions that landings of "black fish" still occur<sup>3</sup>.

In brief, the fishing pressure on these stocks and catches of small, juvenile individuals, many of which are discarded, are too high. Both of these factors have resulted in an erosion of the quantities of mature fish (spawning stock biomass) to the extent that there is a high probability that the stocks are no longer able to replenish themselves by reproduction. They will not be sustainable if such high fishing pressure and large catches of young fish are perpetuated. They are in a critical state and rebuilding programmes are therefore urgently needed.

From a purely biological point of view, the optimal way to achieve the most rapid recovery of cod and hake is to close completely, and probably for several years, all fisheries likely to catch individuals of the stocks concerned.

---

<sup>1</sup> COM (2001) 135 final (20.3.2001)

<sup>2</sup> O.J. L 125 24.4.1998, p.1.

<sup>3</sup> The expression "black fish" refers to landings of fish taken beyond defined quotas. Such fish are either not declared at all or are declared as landings from a stock and/or geographical area from which they did not originate.

However, cod and hake are taken in mixed fisheries in which many other species are caught simultaneously by each operation of the fishing gears employed. To close fisheries for cod and/or for hake therefore implies closures of fisheries for many other species including haddock, whiting, *Nephrops*, plaice, sole, anglerfish, megrims etc. Taking this route would engender enormous social and economic consequences and therefore alternative routes must be sought to reduce fishing pressure on cod and hake while maintaining, to the extent possible, fisheries for other species. It is recognised that any available alternative solution is less than perfect in that it will result in continued catches of the species which should, ideally, be fully protected and will, therefore, require a recovery period greater than that which would be required under a biologically optimal system. This approach means that we accept a higher risk to the cod and hake stocks on order to maintain catches of the other species.

The recovery plans will take into account the need for an ecosystem-based approach, as laid down in the Communication to the Council and the European Parliament - Elements of a Strategy for the Integration of Environmental Protection Requirements into the Common Fisheries Policy (COM(2001)143). For example, the reduction of effort and the establishment of closed areas will contribute to reduce the impact of fishing on non-target species and the marine environment.

The recovery plans will also respect the Community's international commitments and, in particular, they will be consistent with the FAO Code of Conduct for responsible Fishing and with the 1997 Statement of Conclusions of the Intermediate Ministerial Meeting relative to the North Sea Conference, including the application of the precautionary principle.

## **2. OBJECTIVES AND TARGETS OF RECOVERY PLANS**

The objective of the recovery plans is to restore spawning stock biomass to levels considered by science to provide a high probability that replenishment of the stocks is not threatened. The measures contemplated in the cod and hake recovery plans should be based on consistent criteria.

The only means open to management to achieve this objective is to moderate the activities of fishermen in such a way that the fishing mortality rate on cod and/or hake is substantially reduced. For the duration of the recovery plans the fishing mortality of adult fish will have to be reduced to very much lower than the current high mortalities. As the biomass of adult fish currently are low this will inevitably result in low TACs for cod and hake for some years.

Furthermore, reduction in fishing mortality rate for cod and hake cannot be achieved unless reduction in fishing mortality rate for species caught in association with cod/hake is also accepted. These species include haddock, whiting, plaice, sole, *Nephrops*, anglerfish and megrim. Attempts to maintain current fishing pressure on these stocks will inevitably lead to failure to meet the intended reduction in fishing pressure on cod and hake. Several of these stocks are in a poor state or heading towards critical status and significant reductions in fishing mortality for them is needed in any case.

It may be expected, therefore, that the Commission will propose, *inter alia*, TACs for these species in conformity with the required reduction in fishing pressure as supported by scientific advice

Due to the current low selectivity even reduced TACs will still generate considerable catches of juvenile fish, on which the changes of recovery ultimately depend. In addition to general

reduction of fishing mortality, the survival rate of young fish must be enhanced through improved selectivity. If this can be achieved, more young fish will survive from one year to the next than would otherwise have been the case. The accumulation of the increased numbers, and hence weight, of survivors over the period of the recovery plan will increase the biomass, including that of the spawning stock, to the required levels.

From the above it follows that a spawning biomass that will provide a high probability that replenishment of the stocks is not threatened needs to be defined.

At present, ICES has put forward proposals for precautionary reference points for many fish stocks, including cod and hake. For cod in the North Sea, the Community and Norway have implicitly agreed with the proposals of ICES. For cod elsewhere and for hake, the Commission, in making its proposals for TAC's and quotas in recent years, has followed the advice of ICES. The ICES-proposed values of the precautionary biomasses (Bpa) could be adopted as targets for the recovery plans. These values are as follows:

North Sea cod – 150,000 tonnes ( also referred to in the Community's agreement with Norway)

West of Scotland cod - 22 000 tonnes

Irish Sea cod – 10 000 tonnes

Northern Hake – 165 000 tonnes.

The associated reduction in fishing mortality needed to rebuild stocks is dependent on the biological characteristics of the species and how rapidly and securely the recovery should be achieved. In the Commission's view the fishing mortalities must be significantly lower than those proposed by ICES as sustainable in the long –term in order to give a high probability of achieving recovery within a reasonable time.

Information available about cod in the North Sea provided by ICES indicates that if fishing mortality rate is reduced by 50% from its level of 1997-1999 and is maintained at this reduced level for five years, there is a high probability that the spawning stock biomass will recover to 150,000 tonnes or more by the end of that period.

A similar approach seems appropriate for each of the other stocks subject to recovery plans. In this case the associated fishing mortality rates for the recovery plan could be:

North Sea cod: about 0.45 compared to 0.65 in the Community's agreement with Norway

West of Scotland cod: about 0.35 as indicated by ICES

Irish Sea cod: about 0.50 as indicated by ICES

Northern Hake: about 0.15

ICES has however, not provided enough detailed information for some of these stocks and there is at present no formal scientific advice on conditions to be followed during the recovery plans.

In the coming months, the Commission will organise appropriate meetings of scientists, either through the International Council for the Exploration of the Sea (ICES) and through its Scientific, Technical and Economic Committee (STECF), to obtain such advice. For North Sea cod, agreement on the recovery measures will need to be reached with Norway.

### **3. ACTIONS ALREADY TAKEN**

The Council agreed in December 2000 on substantially reduced TAC's for 2001 for cod and hake and moderate reductions for associated species. With the exception of the North Sea cod stock for which a TAC had been agreed with Norway, the TACs were set higher than those proposed by the Commission.

The Commission notes that even in this situation of crisis the Member States were not able to agree measures more closely in line with the scientific advice.

Using emergency powers available to it under Council Regulations (EC) 3760/92 and 850/98, the Commission will shortly take additional measures towards rebuilding the stocks of cod and hake. In summary, these include establishment of closed or controlled areas to protect mature cod and juvenile hake and the improvement of selectivity of fishing gears with respect to cod and hake.

Within the legislation indicated above, special conditions have been provided to allow continuation of fishing, especially when prohibition of various fishing activities would lead to large-scale and adverse social and economic consequences for fleets operating with small vessels of limited geographical range. However, such special conditions will reduce the effect of the measures and delay stock recovery. The Council will have the opportunity to review and, if necessary, to change decisions already made in respect of special conditions on the basis of the Commission proposals for the full recovery plans.

Where special conditions are provided for certain types of fishing, there is a requirement to establish observer schemes to collect data on the quantities of cod and hake taken by vessels which benefit from them.

Industry has been fully consulted throughout the whole of the process. The Commission intends to continue consultation with industry during the further development of the recovery plans.

Since emergency measures expire six months after their entry into force, the Commission will review them and propose a long-term recovery plan.

### **4. PREPARATION OF THE FULL RECOVERY PLANS**

Following consultations on the basis of this document and the receipt of the latest scientific advice, the Commission intends to present towards the end of this year proposals for Council Regulations dealing with full recovery plans for cod and hake. The full recovery plan will have to apply a broad range of management tools and strike a balance between them. It is hoped that these proposals will be adopted by spring 2002 for application in summer 2002.

The Commission considers that in order to reduce fishing mortality of all age-groups a combination of management actions are necessary:

- setting TAC's strictly in accordance with target fishing mortalities for the recovery plan
- effort limitations
- technical measures
- improved control and enforcement.

Based on past experience the Commission considers that technical measures are likely to play only a subsidiary role and most of the reduction in fishing mortality will have to be achieved by TAC reductions and effort limitation.

#### **4.1. Setting of TAC's**

It is implicit in the approach outlined above in Section 2 that it will be necessary to adopt during each year of the recovery period TAC's in accordance with pre-defined fishing mortality rates. There can be no guarantee that these TAC's can be maintained even at recent low levels or that they will not fluctuate, perhaps considerably, from year to year in response to variable and unpredictable recruitment. Attempts to reduce year-to-year fluctuations in TAC's will imply departure from the agreed mortality rate. If a TAC less than the one that would be applicable in accordance with the pre-defined mortality rate were adopted, this would hasten the recovery process; setting a TAC higher than that applicable would, however, retard recovery.

It should be stressed that there can be no guarantee that application achievement of much reduced fishing mortality rates will result in recovery of the stocks within, say, a five-year period. If, for example, recruitment to the stocks is diminished during that period it will not be possible to rebuild to the required degree and the rebuilding period will have to be extended.

From the above it follows that the current fishing effort applied by the fleets affecting cod and hake and associated species cannot be maintained and a significant reduction of effort will be needed.

#### **4.2. Effort limitation**

##### *4.2.1. The need for effort limitation*

There are three reasons for including fishing effort limitation within the cod and hake recovery plans.

First, there is simply not enough fish in the sea to support current fishing effort. Most demersal stocks show clear signs of overfishing and the current situation is not sustainable. At the moment, only three North Sea cod in ten reach 4 years of age and about sixty per cent of the biomass is fished each year. Any displacement of fishing effort induced by reductions in cod and hake fishery is likely to worsen the situation for already threatened stocks. Recent information suggest that more stocks might end up in the same critical state in the very near future.

Second, as already indicated, much lower fishing mortality rates for cod and hake (and lower mortality rates for many other species) will have to be agreed for several years. This in turn will lead to much lower TAC's. Since TAC's and quotas are a far-from-perfect means of ensuring a given rate of fishing mortality for mixed fisheries (they limit landings rather than catches, have no effect on discards and are in any case not always effectively controlled) the fishing effort of the fleets fishing for cod, hake and associated species will have to be brought much closer to a level that is compatible with the foreseeable rate of exploitation of the stocks concerned. To leave fishing effort unchanged would be to accept the near-certainty of failure of the recovery plans.

Third, reduction in fishing effort will be necessary to compensate for shortcomings in technical measures to improve selectivity or otherwise reduce fishing pressure on the stocks concerned.

The reduction of fishing mortality necessary for the recovery of cod and hake cannot be achieved through technical measures alone. A very large mesh size applied to all relevant fisheries in order to protect juvenile cod and hake might assure the recovery of those stocks without any change in present levels of fishing effort, but it would also wipe out a large number of fisheries for species other than cod or hake. Because of the extensive mixed fisheries in the areas where cod and hake occur and the social and economic impact of loss of catch from larger mesh sizes, sub-optimal technical measures with respect to cod and/or hake are unavoidable. In this case, further restriction of fishing effort will become necessary and the bigger the shortfall from optimal technical measures, the bigger the reduction in fishing effort will have to be.

For example, the adoption of a 120mm mesh size for most fishing for demersal species in the North Sea, subject to a number of derogations until 31 December 2002, which is the basis for current discussions with Norway, would leave a "deficit" of about 80% of the conservation benefits needed to bring the stock into safe limits. In other words, technical measures will be making a relatively modest contribution to recovery, at least in the short term, and the major contribution will have to come from effort limitation.

A reduction of overall fishing effort of about 40 to 50 per cent from current levels may be necessary in addition to the increase in the mesh size envisaged for cod. A reduction of a similar order may be required for hake.

#### 4.2.2. *Options for effort limitation*

Fishing effort can be reduced in two ways: by limiting the time spent fishing by the existing fleet (through a "days-at-sea" system) or by permanently reducing the fishing capacity of the fleet (decommissioning). In practice, a combination of both methods is likely to be necessary.

Days-at-sea systems have drawbacks. They are difficult to enforce, particularly if a large number of vessels are concerned; fishermen tend to resent "arbitrary" restrictions on their activity. If supported by public aid, they tend to be much more expensive than decommissioning<sup>4</sup>. Above all, they make no contribution to a

---

<sup>4</sup> Based on the compensation paid to Spanish fishermen during the year 2000 to compensate for the non-renewal of the fisheries agreement with Morocco, the cost of compensation for the cessation of activity

permanent reduction in fishing effort. In the cases of a slow recovery process, as in the case of cod and hake, they are not a viable economic option either for fishermen, whose assets are not being fully used, or for governments, who may be spending considerable amounts on aid without obtaining long-term results.

Decommissioning, by contrast, addresses the root of the problem of excess fishing effort, which will have to be addressed in any event at some stage. It permanently improves the situation of the remaining vessels in the fleet. And it is both cheaper and easier to implement and control than tying up.

The Commission's analysis is that the reduction of fishing effort required for the recovery of cod and hake is likely to be both substantial and permanent. The Community strategy for fishing effort limitation in this case should therefore be based mainly upon decommissioning. It may be appropriate to make decommissioning more attractive to vessel-owners. The Commission is reviewing the rates of Community aid for decommissioning available and comparing them to market prices for second-hand vessels. In order to encourage early decisions to withdraw capacity it might also be desirable, within the existing budgetary ceilings, to offer a substantial premium for early withdrawal (by, for example, increasing the premium by, say, 30 per cent in the first year of the recovery plan and 20 per cent in the second).

Even with an increase in the rate of aid, however, voluntary decommissioning will take a certain time to have a significant effect. In order to ensure an immediate reduction in fishing effort, it will be necessary to limit the total fishing effort to be deployed by each type of fishing fleet which affects cod and hake, in terms of "days at sea". This total would be distributed among the national fleets concerned, based on their respective contribution to the total fishing mortality of the stock subject to a recovery plan. Each vessel subsequently decommissioned would lead to an increase in the allocation of fishing time to that national fleet. Member States would be free to decide both on the implementation modalities of the days-at-sea regime and the distribution of fishing days between vessels.

An approach based on reduction of fishing effort will only be as accurate as the data on current levels of fishing effort on which it is based. The Commission requests the Member States to make all relevant data available to it. In the absence of reliable data the Commission will be obliged to make arbitrary assumptions about the average number of days-at-sea of the fleets concerned.

It would be up to each Member State to decide in accordance with Community rules whether, and to what extent, it wished to offer aid to its fleet in order to compensate for compliance with "days-at-sea" limits. As indicated above, this is likely to be an expensive option in view of the number of vessels concerned. In view of the need for

---

is likely to be about €1500 per vessel per day. This can be compared with the cost of decommissioning a vessel of average size and age, which according to the information in the fleet register is approximately 73 GT and 26 years. Such a vessel would attract a permanent withdrawal premium of approximately €320,000, or the equivalent of the compensation required for 213 days inactivity. If we assume that the recovery plans require a 50% reduction in activity and that the normal fishing year is about 240 days, then this amounts to a reduction to 120 fishing days per vessel, then the money that would be spent to compensate all of the vessels concerned for a 50% reduction in activity for one year would be enough to permanently decommission 50% of those vessels.

permanent reductions in fishing effort in the case of fleets contributing to cod and hake catches, however, it may be appropriate to fix time-limits for eligibility for Community contributions to such aid that are more restrictive than those currently laid down in Article 16.1 (c) of Council Regulation No 2792/99.

#### **4.3. Technical measures**

Some progress has been made towards improvement in technical measures applicable to both cod and hake and hence, in many cases, to many other demersal species. However, based on current information from science it appears that, at best, the effect of technical measures in the case of cod in the North Sea could provide about 20% of the required conservation improvement. The rest would need to be secured by reduction in fishing mortality. In the case of hake the effect of technical measures has not yet been estimated but it is likely that they will contribute even less than in the case of cod.

Further technical measures to improve selectivity are desirable and will be proposed in the light of further scientific advice.

##### *4.3.1. Improvement in selectivity of fishing gears*

The conditions so far adopted (or about to be adopted) through Commission measures reflect the limits of current knowledge about selectivity. These conditions need, in some cases, to be further validated and further gains in selectivity may be required. It is unlikely that the impact of measures recently adopted on fishing mortality can be properly assessed before they have been in place for at least two years. The Commission is also aware that scientific investigations on selectivity of fishing gear in respect of hake are currently in progress and that further work needs to be stimulated.

The Commission therefore intends to come forward with additional proposals on improved selectivity of all gears in the light of new scientific information to be obtained during the recovery plan, which may include a further increase in the general mesh size from 120mm currently proposed for otter trawls in the North Sea.

The conditions required to enhance selectivity in accordance with scientific advice will in the short term be established and maintained via Commission Regulations deriving from Article 45 of Regulation 850/98. When putting forward its proposals for the full recovery plan, the Commission will include proposals to consolidate the previously established conditions, perhaps with amendments and additions originating from new advice, within a Council Regulation. This will, in particular, allow the Council to reconsider the extent and duration of special conditions to be laid down for particular fisheries.

##### *4.3.2. Closed or controlled areas*

The Commission does not preclude the possibility of maintaining the areas established under emergency measures. The area defined in 2000 to protect cod in the Irish Sea was amended and extended into 2001. If juvenile hake are to be adequately protected, it appears inevitable that the areas currently defined must be maintained, although perhaps amended and/or augmented in the light of results from the observer schemes.

Further thought should will be given to continuation of the closed areas to protect cod in the North Sea and to the west of Scotland, especially if information on the spawning grounds and seasons of cod in these areas becomes available.

#### **4.4. Reinforcement of control measures**

The success of the recovery plans cannot be guaranteed as long as landings of “black fish” occur and measures for improving selectivity are disregarded. If compliance with conservation measures limiting catches and reducing catches of young fish is not ensured, the only alternative is the adoption of very drastic measures which can be controlled, such as the complete closure of large sea areas or the keeping of vessels in port.

As a first priority, adequate implementation of existing legislation should be ensured. The fishing industry and the authorities responsible for fisheries control should work closely together in order to enhance compliance with conservation measures.

National authorities, who have the primary responsibility for fisheries enforcement, will have to give priority to stocks subject to recovery programmes. Strict enforcement of recovery measures throughout the Community is essential. To this end, the Commission will promote co-operation between all the authorities concerned. The implementation of the urgent measures in the North Sea is a good example. Authorities responsible for the control of these the North Sea cod measures have already co-operated closely together, notably by sharing means of inspection and surveillance. Inspectors have also been exchanged.

In order to guarantee transparent implementation of the recovery programmes, the Commission intends to adopt specific control programmes in accordance with Art. 34c of Regulation (EC) No. 2847/93, which will establish priorities and benchmarks for inspection and surveillance activities carried out by the control authorities in respect of all relevant activities, including marketing and transport. The implementation of the specific control programmes will be monitored by Commission inspectors. For the purpose of transparency, the Commission will also invite national inspectors from other Member States to accompany Commission inspectors.

Furthermore, the Commission intends to consult the fishing industry on the controllability of these measures. Each measure to be included in recovery programmes should be assessed on its controllability under the current control provisions and, where necessary, additional control measures should be adopted.

Certain provisions included in the emergency measures for hake such as designated ports, advanced notice of quantities to be landed and weighing of landings will have to be maintained in the recovery programmes. As regards cod in the North Sea, Member States concerned have used the option to adopt such schemes at national level.

The implementation of effort limitation can be based on existing control measures such as special fishing permits and VMS. To this end, VMS may have to be extended to smaller vessels.

The placement of observers on board of a minimum number of fishing vessels benefiting from exemptions will enhance transparency of controls through an independent source of information. The evaluation reports to be drawn up on the basis of information from observers will be made widely available.

The Commission has recently transmitted a proposal to the Council which empowers the Commission to stop all relevant fishing activities susceptible to imply catches of cod and hake, even as by-catch, when the quota of these species allocated to a Member State is exhausted<sup>5</sup>. Currently, the Commission can only stop landings of the species in question. However, experience shows that fishing activities implying cod and hake as by-catches will continue but cod and hake will be discarded. The current fishing stops have, therefore, only a limited effect on the fishing mortality. The Commission proposal is intended to ensure that all fisheries that are likely to jeopardise cod and hake recovery significantly will be closed when quotas for these species are exhausted.

#### **4.5. Means to take rapid action**

During the recovery period circumstances may arise which require the rapid adoption of legal measures. The enactment of temporary real-time closures to protect dense aggregations of juvenile fish is an example.

It is generally recognised that proceeding *via* a Council Regulation is very time-consuming. The emergency is over and the damage is done before the Community agrees to act. Proceeding *via* a Commission Regulation is more rapid but may still be too slow.

The Commission is exploring possibilities for “fast-track procedures” which will allow short-term decisions to be taken more rapidly.

### **5. ACCOMPANYING MEASURES**

#### **5.1. Promotion of relevant research**

The process of developing the first stages of the recovery plans has revealed considerable gaps in the information needed and identified areas in which additional research is required.

##### **5.1.1. *Information of distribution of stocks, catch composition, their spawning and juvenile areas***

The proposed observer schemes will generate additional information about catch composition in various fisheries. This information and the data collected during routine sampling and survey activities needs to be compiled in an easily accessible format to support the further development of the recovery plans.

---

<sup>5</sup> COM(2001)201 final

#### *5.1.2. Improvement in selectivity of fishing gears*

Recently enacted legislation requires the insertion of square-meshed panels and/or diamond-meshed panels of large mesh size into a number of types of fishing gears. The insertion of sorting grids into fishing gears is known to improve selectivity in some circumstances. Furthermore, the BACOMA system developed for cod in the Baltic appears encouraging.

These possibilities, and perhaps others, need to be further investigated within Community waters outside the Baltic with special, but not necessarily exclusive, reference to cod and hake. In particular, further knowledge is required on the improvement in selectivity of cod and/or hake by application of such devices together with associated effects on species caught in association with cod/hake.

The Commission intends to bring together a group of gear technologists, biologists and fishermen (including, if possible, participants from Norway) to draw up a programme of work and to initiate this programme at the earliest possible opportunity.

#### *5.1.3. Definition of biological reference points for the recovery plans*

As indicated in Section 2 of this document, the preliminary advice for North Sea cod should be revisited and advice for hake and for cod in the Irish Sea and to the west of Scotland should be acquired.

### **5.2. Market measures**

The Commission is considering whether it would be appropriate to adjust Community rules for the common market organisation for fisheries products in order to lead support to the recovery plans, by, for example,:

- requiring Producer Organisations to draw up catch plans for cod and hake, even if these species represent only a small proportion of their landings;
- suspending intervention support for any species subject to a recovery plan;
- requiring traders to indicate at the point of sale the minimal legal size of any species subject to a recovery plan.

### **5.3. Accompanying structural measures**

The Commission is well aware of the serious implications of stock recovery plans for the fisheries sector. Halving fishing effort for significant parts of the Community fleet will inevitably lead to many people losing their jobs.

Community funds are available to the Member States under the FIFG to compensate those who are in this position. The Commission considers that Member States may have to review their national priorities for use of FIFG funds in the light of the cod and hake recovery plans. To reinforce means to address the social and economic impact of the recovery plans. Member States can make use of the flexibility within existing regional and human resource programmes supported by the Structural Funds for the period 2000-2006. There is no prospect of additional sources of Community finance for this purpose.

## **6. NEXT STEPS**

The Commission intends to table legislative proposals for Council decision on a definite hake and cod recovery plan by November 2001. This timing will allow further scientific advice to be obtained from ICES and the STECF and the results of current trials of selectivity devices for certain fishing gears to be taken into account.

The Commission intends to organise consultations on the approach outlined in this Communication with the Member States and the fishing industry, with a view to reaching as broad a consensus as possible on the objectives to be achieved through each policy instrument and on the most practical method of implementation of any new rules.

The Commission requests full co-operation from Member States in the collection of relevant data for this exercise, including socio-economic data, and hopes that Member States will also be willing to help to mobilise scientific expertise during the preparation of the Commission proposals, in view of the priority to be given to this work.