

## DRAFT Minutes

### Joint NWWAC/NSAC Focus Group Skates & Rays

Virtual meeting

12 February 2024

#### Participants

Michael Anderson	Danmarks Fiskeriforening
Jurgen Batsleer	DG MARE
Falke De Sager	Rederscentrale
Pauline Delalain	CNPMEM
John Lynch (Chair)	IS&EFPO
Mo Mathies	NWWAC
Geert Meun	VisNed
Solene Prevalet	FROM Nord
Amerik Schuitemaker	Nederlandse Vissersbond
Sofie Smeedegard Mathiesen	Danmarks Fiskeriforening
Tamara Talevska	NSAC
Kateryna Urbanovitch	NSAC

#### 1. Welcome and introductions

The Chair welcomed all participants and the agenda was adopted.

#### 2. Update on Commission work re. skates & rays – Jurgen Batsleer, DG MARE

Within ICES, the Working Group on elasmobranch fishes (WGEF) deals with 56 stocks of which 39 stocks are skates and rays. Every two- or four-years new advice is provided which used to be only for ICES category 3, 5 and 6 stocks. On the latter, no information in terms of reference points or stock status is available. Category 3 assessments were purely based on trend-based analysis of scientific surveys, whereas category 5 and 6 stocks only include information on landings data.

Batsleer used the Celtic Sea as an example of how advice is arrived at explaining that using previous advice and new advice ICES arrives at a percentage difference including an automatic 20% decrease when taking the precautionary approach. Issues with the advice setting include that certain stock

distribution may not be consistent with the TAC distribution, for example Cuckoo ray in the Celtic Sea covers ICES 6, 7 and 8a,b,d, but the stock also occurs in parts of area 8 which are not part of the Celtic Sea. There's also an assumption that stocks covered by the TAC can sustain a similar fishing mortality though certain species are more vulnerable than others. But the way in which the combined TAC is set now, actually assumes all species have the same vulnerability. Therefore, setting a group TAC can actually be detrimental to some stocks while beneficial for other. In addition, overshooting or undershooting the advice can also be problematic.

For Cat 5 and 6 stocks ICES also uses the precautionary approach leading to a 20% decrease every couple of years. This leads to a continuous decline in the advice.

In 2016 the first proposals were developed to review and adjust the group TAC setting including an evaluation of vulnerable stocks in order to mitigate the fishing mortality. While some positive suggestions were made, a negative consequence was that the allocation keys would have to be redefined which created concern among the Member States especially in relation to having multiple new TACs in terms of administration. Sub TACs were introduced following these discussions until Brexit when everyone went back to the group TACs averaging percentage change. These went to the Scientific Committee on Fisheries which then looked at several types of TAC based management measures. In Batsleer's opinion, controlling fishing mortality is the main component of any changes but there will always be a trade-off between controlling fishing mortality in one species yet affecting another species as well.

Another big issue he felt is compliance with the landing obligation and potential choke situations. Moving from a group TAC which acts like one single TAC, so one potential choke, to for example 14 stocks in the Celtic Sea, you could go to all individual TACs which will mean a potential move into 14 choke stocks when there are no exemptions on high survivability in place.

Though it is common knowledge that most skates and rays have a high survivability, research has not been carried out on all species and all gears. In 2017 the STECF carried out some simulations based on expert knowledge.

Then in 2022/2023 six skate stocks went through benchmark assessments and were moved to the SPiCT model which led to a large increase in the advice for 5 of these stocks particularly in the North Sea.

The UK developed and proposed a different methodology using the sum of the ICES advice instead of the average **providing** more direct mapping to the ICES advice. They also looked at alleviating the issue of the stock not overlapping with the TAC area using a representative fraction of the advice based on historic landings. For example cuckoo ray, where 65% of advice was moved to the Celtic Sea and 35% moved to the Bay of Biscay and Iberian waters TAC. Where no advice is available, for example common skate, the UK-methodology takes a three-year average of the landings which is added to the total to arrive at new TACs.

In 2022, ICES included a new statement in the headline advice. This helps demonstrate that overshooting of the advice is taking place which is not desired.

In 2022, STECF examined separating Category 3 from Cat 5 and 6 and comparing EU-UK methods and found that the EU method of TAC setting is more conservative. EU and UK jointly decided to follow the UK approach as it is using the actual advice in a better way.

Other simulations were run though identifying the consequences will need more analysis. Finding solutions by 2025 will prove difficult, and setting individual TACs or sub TACs must be arrived at cautiously and with consideration of other management measures such as spatial and temporal closures, or any other management elements that might work.

Batsleer explained that what is needed now after all this work is a discussion on the group TACs to establish which stocks may be good candidates for individual TACs. In his opinion, Cuckoo ray in areas 6,7, and 8a,b,d would be a possibility due to the large advice available. Another potential candidate might be Thornback Ray in the North Sea. The Commission is also currently formulating a special request to ICES regarding splitting the assessment into landings and dead discards.

### 3. Discussion

The Chair thanked Batsleer for his detailed presentation and opened the floor for questions.

Michael Anderson explained that his main concern relates to the provision of ICES advice based on rfb. He felt that rfb is not connected to stock size. In Denmark, skates and rays are usually not targeted fisheries so their importance is the impact as potential choke species. When the rfb rule for several fish stocks leads to a decline despite an observed increase in stock size at sea. He felt that the management thinking needs to incorporate that not everything can be managed. He commented that very slow and careful steps are needed when addressing the issue of individual TACs.

Batsleer agreed and mentioned that the ICES experts were also concerned about the application of the rfb rule at the time it was being introduced. He felt that there are different life histories between species and that one rule cannot be applied to all stocks. He added that discard data is not always dependable and therefore not being used in most of the advice developments. Therefore, for the Commission it makes sense to wait until further discussions have been held before making any changes, for example on growth rate and length information. He added that a survey would be needed to step away from the continuing decreases in the advice. He felt that another STECF meeting with simulations and scenario-testing would also be desirable.

Referring to the graph showing the advice vs the landings, the Chair wondered if that could be used as an indicator which stocks the AC could concentrate on.

Batsleer stated that this was only used to carry out a simple exercise of matching advice and landings and that this should not be used as an indicator.

The Chair felt that it seems as an indicator even if not being used as the advice is smaller and more landings are happening which shows that the abundance is likely larger than estimated.

Batsleer stated that there is a push from ICES to MS to improve the data-collection for assessments.

The Chair mentioned that regarding the use of discards in formulating the advice if a survivability figure would be used for each stock.

Batsleer did not think this would be used for each stock but that a good example would be the stocks that have been used to Cat. 2. For many Cat. 3 stocks the discard data is highly variable and uncertain so that it is not clear what survival figures can be applied to the data. Fisheries are changing which also must be taken into account.

The Chair felt that care would need to be taken when calculating discards.

Solène Prevalet wondered under the joint method the precautionary margin is being used, and would this method be used for the coming years or would ICES change advice to include landings?

Batsleer stated that an ICES request is currently being formulated to provide in the next advice a split between landings and dead discards. At the moment, the last advice for example for thornback ray etc, total catch is mentioned and no splitting of landings and discards. No predictions could be made how the fishery would adjust fishing patterns given the large increases in the advice, so the ICES working group did not feel comfortable to advise on splitting the total catch into landings and dead discards .

The Chair referred to the separation of vulnerable species and that a large negative impact could be seen on the commercially important species. He wondered if that had been carried out on the whole TAC or on separate sea basins. If the latter was the case, would that show a different impact.

Batsleer commented that in 2016 taking out cuckoo ray, blonde ray, thornback ray and spotted ray in the Celtic Sea were examined for removal from the group TAC. Some of these would show up choke issues, though for example cuckoo ray would not be considered a vulnerable species. He felt that additional work is needed and would like to look at cuckoo ray in ICES 6, 7, 8 and Thornback ray in the North Sea to establish what would be the consequences if these were removed from the group TAC and if an of-which clause could be applied or the relative stability. He asked members if they felt that these two species could be on the list or if other species should be taken into account.

The Chair responded that these two species would be commercially important, but was not sure if they could be classified as vulnerable.

Batsleer wondered if a discussion could be held on what the vulnerable species could be examined and removed from the group TAC instead of the commercially important species.

Anderson queried if having TACs was the only way forward or if it would be too simplistic to monitor the skates and rays and have management that where a decline is observed, measures could be introduced to address any observed declines.

Batsleer responded that the 2017 STECF work looked into effort restrictions, spatial and temporal closures, and that this discussion could also be reopened. Developing alternatives for a group TAC have been ongoing for quite a while, however, the administrative burden of having individual TACs for all skates & rays species would be too high for the vessels. He felt that a request to ICES could be raised regarding this, also in discussions with the UK.

In relation to the short-term negotiation Prevalet asked if these would still be based on the footnotes approach or of the of-which statement approach would be the preferred course similar to turbot and Brill, since it does not create a new TAC under the TCA.

Batsleer stated under the current TAC there is not a lot of room to manoeuvre, and that the easiest way forward is introducing an of-which clause. However, introducing a new allocation key should be investigated. He thanked the members for the discussions and took notes on the monitoring scheme as well as removing the two mentioned species from the group TAC in order to bring this forward within the Commission.

#### 4. Update Thornback Ray FIP – Solène Prevalet, FROM Nord

Solène Prevalet gave a brief update following the last presentation made to this group which is available on the NWWAC website [here](#).

The last steering committee meeting (SC) was held in January where an update on the progress of each of the FIP actions was given. Relating to the 1st Action - improving knowledge about the RJC stock in 7d- the latest RJC advice, the TAC calculation for the negotiations, and the ICES RJC benchmark were presented. It was decided that before going forward with further studies, a new MSC pre-assessment would be carried out to identify the remaining steps to meet the MSC standard requirement. This pre-assessment will start in March and the results will be presented at the next SC in June. Regarding the 2<sup>nd</sup> action on the different management options, an update on the pros and cons of having mono-specific TACs was presented. Drafting a management plan was discussed if the current and future management is not sufficient to meet MSC standards (in link with the 6<sup>th</sup> action). Within the framework of the 3<sup>rd</sup> action - improving data on fishing activities- a sociological study to identify ways of improving the reporting of discards of RJC will start in March and will be presented at the next SC. On action 4, the CNPMEM presented measures to manage the red-striped mullet fishery as this species is considered by the MSC standard to be fished along RJC when caught with flyshoot. On action 5 -reducing the impact on VMEs in the eastern channel - discussions are being held with local authorities regarding technical measures that could be introduced so that fishing can continue. An update should be available in June. On action 6, the FIP is closely looking at the UK which is currently drafting a management plan for Thornback ray. Regarding the last action on traceability, a project is being developed by CNPMEM to identify sources of misreporting or errors within the supply chain of elasmobranchs. This should commence this year. A letter was prepared with the support of the CNPMEM to the relevant national authorities in France to support modifications of the national legislation to ensure compulsory labelling of sharks and rays-skates by their species name. Various interested organisations, including FIP key implementers and partners, are currently co-signing it. Finally, communication initiatives are being pursued by OPN and FROM Nord (sustainable recommendations and guide on elasmobranch).

The minutes of the last SC will be available in English shortly.

She advised for the next update to be in September following the SC in June.

The Chair thanked Prévalet for the concise update. He wondered if the traceability request would be made to the national authorities or to the EU. Prévalet confirmed it was to be made to the national authorities.

## 5. Next steps

Batsleer commented that any input from the ACs would be highly useful and felt that a letter containing certain element discussed today would be helpful, also with regards to discussion with the UK.

Tamara Talevska commented that the Commission's internal communications were clear and felt that the notification from the Commission was quite short for the organisation of a meeting.

Anderson stated that the BSAC had a meeting where Raluca from the Commission who spoke about the stakeholder involvement regarding COM requests to ICES. She stated that the COM was bound by the agreed policies in the CFP. He felt that some requests from the ACs fall outside the scope of the CFP which means that the Commission cannot make requests to ICES which would compromise the CFP. He felt that the inputs are too chaotic now to develop such a letter right now.

Mathies suggested that a general letter could be developed highlighting the issues discussed during this and the previous meeting and expressing the ACs concerns regarding the changes regarding TAC setting.

The Chair asked members if this approach was acceptable and they agreed.

## 6. AOB

n/a

## 7. Summary of actions agreed and decisions adopted by the Chair

The Chair thanked all the participants and the two presenters and closed the meeting.

### Actions

1	Secretariat to draft letter to the Commission regarding the issues discussed
2	Jurgen's presentation to be shared only among members