

Maria Damanaki  
Commissioner for Fisheries and Maritime Affairs  
European Commission  
Brussels 1049

Brussels, 25 February 2011  
Ref: AB 011/026

Dear Commissioner,

**RE: Tackling discards**

I am writing to commend you for your great efforts to eradicate the wasteful practice of discards in EU fisheries. You have the full support of the European BirdLife Partnership in this.

However, while we await the detail of the Commission's proposals, we are concerned from the brief statements we have seen on the possible policy direction (focussing on a discard ban along with effort control) that it may lack the accompanying measures needed to go to the heart of the issue, which may in turn have serious unintended consequences. We would urge that any effective discards policy must, as a priority, address the unselective fishing practices which result in unwanted catches in the first place. Moreover, this must address not only commercially exploited fish, but also bycatch of other non-target taxa, especially endangered and protected species such as seabirds.

To incentives the changes in gear and fishing patterns needed to reduce fishing mortality, a constraint on vessels to land everything they catch has to occur in a framework of catch quotas, accompanied by onboard surveillance. Otherwise there is a significant risk (which we have also heard voiced by some in the industry) that the malpractice of 'black fish' will once again become widespread, to the detriment of stock recovery. By the same token, an emphasis on effort control could act as a perverse incentive to increase catch per unit effort, accelerating a 'race to fish'.

Your proposals for EU discards policy as part of the CFP reform are a great opportunity to avoid these risks and, instead, tackle the complex problem of discards and other unwanted bycatch in a holistic way. In this regard, you will recall that BirdLife estimates that 200,000 seabirds are dying in European fisheries every year. When we met you last June and handed you the petition supported by 23.000 citizens asking for urgent action to solve this problem, you promised to take the necessary remedial measures. In seizing the opportunity here to address the whole package of bycatch issues, the Commission would be on the front foot with the CFP reform's contribution to achieving good environmental status as required by Marine Strategy Directive. In the briefing attached, please see details of our position.

Once again, let me stress that you have our support in facing this difficult challenge and we remain at your disposal for any assistance you might need.



Ariel Brunner  
Head of EU Policy  
Stichting BirdLife Europe - European Division of BirdLife International



## EU policy for elimination of discards

*BirdLife Europe Briefing*

Discarding levels in EU's fisheries are among the worst in the world. According to the Commission, annual discards in the NE Atlantic area amount to over 1.3 million tonnes, representing nearly 20% of global discards for just 11% of global landings. Trawl fisheries generate particularly high discards, in some cases up to 90% of their catch. Damagingly high discard levels have also been reported for certain EU métiers fishing in third country waters under Fisheries Partnership Agreements.

Discards have provided an extra food supply for scavenging seabirds, leading to population increases of some species in recent decades. Contrary to some claims, this in itself is often a serious problem for threatened birds species, but more importantly, it represents another symptom of the unsustainable fishing practices that are leading to disruption of the marine ecosystem.

**We therefore strongly support efforts to eliminate the wasteful practice of discards through moves towards a ban, even though such reductions may have adverse implications for seabird populations**

Apart from fish discards, EU fisheries also take an unacceptably high bycatch of other non-target species, notably sharks, small cetaceans, marine turtles and seabirds. Every year, an estimated 200,000 seabirds, many of which are protected by the Birds Directive, die in EU fishing gears. This is largely avoidable - the mitigation measures known to significantly reduce this toll are well known from their successful application in other parts of the world but are not routinely used by EU vessels.

- BirdLife urges the EU to develop a holistic bycatch policy which simultaneously tackles the issue of fish discards and bycatch of other non-target taxa such as seabirds
- The key issue is to avoid such unwanted catches in the first place. For discards, this should be achieved through a combination of measures:
  - Use of more selective gear and real time closures
  - In the context of results-based management, move towards a 'discards ban' through a shift to catch quotas, validated with surveillance (remote cameras and/or on-board observers) to combat high-grading and discarding
  - In this transition, counting of all caught fish against quota
  - Use of incentives, including preferential access for operators fishing to best practice sustainability standards (notably using most selective gear available and an effective suite of mitigation measures)
  - Effective protocols and measures for data collection and reporting
- Such a policy should be part of a toolbox, complementary to rather than replacing other necessary management measures, notably capacity reduction and technical measures including MPAs; without such measures, a bycatch policy alone will not deal with over-capacity and overfishing
- In this regard, we do not consider a pure effort-based system compatible with addressing bycatch reduction and discarding; such a regime tends to promote an increase in catch-per-unit effort in a race to fish
- Criteria for preferential access should apply equally to vessels fishing in EU and external waters, and compliance with them should be a pre-condition for entry to Fisheries Partnership Agreements

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### Contacts:

Dr Euan Dunn, Head of Marine Policy at the RSPB (BirdLife UK), [euane.dunn@rspb.org.uk](mailto:euane.dunn@rspb.org.uk), tel. +44 1767 69 33 02

Tatiana Nemcova, Senior EU Policy Officer, BirdLife Europe, [Tatiana.nemcova@birdlife.org](mailto:Tatiana.nemcova@birdlife.org), tel. +32 2 238 50 93