

Working Document

BSRAC comments to the technical working group on Discard 19th -21st May 2010, DG Mare, Brussels.

As a follow-up to the videoconference held on April 22nd to discuss technical regulations in the Baltic, here are the comments promised from the Baltic RAC.

The frustration expressed by many members of the BS RAC at the Demersal WG meeting on April 14th – mainly caused by a sense of being excluded from the comitology process of consolidating the text in the technical regulations for the Baltic – has to some extent been satisfied by the outcome of the videoconference, where comments from the RAC were invited.

On the issues raised at the videoconference, the BS RAC wishes to comment in particular on the following:

The use of a codend buoy:

All industry representatives are puzzled about the accusation that the use of a codend buoy can jeopardize the selectivity of the Bacoma window. No scientist has ever been able to explain how this manipulation should be undertaken – and what the speculated benefits should be. When the existing regulation was drafted, the same – undocumented – allegations were made, and this led to a rule on the maximum diameter of the buoy (See Appendix 1, Point 1, *litra* (f), (iv) of Council Regulation 2187/2005).

The use of a codend buoy is multiple:

1. It allows for the retrieval of the fishing gear in cases where the gear is torn or caught by objects on the bottom (such as rock boulders dumped by Greenpeace). When such incidents occur, the vessel lets go of the gear, sails back to the buoy, and hauls the gear up “backwards.”
2. It allows smaller trawlers without detailed trawl monitoring gear to get an indication of the exact position of the codend when the vessel changes direction

As the use of the buoy is therefore both beneficial to the environment and to safety, and consequentially in accordance with European policies on these matters, the BS RAC sees no reason for a prohibition to be introduced. The existing regulation is more than sufficient, and, as seen by the industry, it is actually quite redundant.

Removal of the specifications on how to repair the window:

The BS RAC welcomes the proposed removal of the aforementioned specifications, with the unnecessary detailed descriptions on the procedure for carrying out the repair. The professional members of the RAC are convinced that the most important factor deciding the selective properties of an exit window is the size and shape of the holes – not what surrounds them.

If there is strong documentation (as opposed to speculation) that repairs have a significant impact on the selective properties of the Bacoma window, the RAC is of course willing to discuss how this concern can be incorporated in a new text.

The text in the present regulation is more or less a copy-paste of the manufacturer's instruction, and it should not be (and was most likely never intended to be) used as a legally binding text. Speaking about the manufacturer – the BS RAC will take this the opportunity to reiterate its previous recommendation to use a text which allows for the use of square mesh netting from other producers as well. Currently, only the netting “Ultracross” from the company “Net Systems” is legal.

Specifications on the mounting of the window

In its letter of December 11th 2009 to the Commission, the Baltic RAC pointed to the problem that would arise if the text specifies that there must be two meshes per bar when the window is mounted. This was intended to facilitate the mounting of the window and allow the netmakers to mount the window in the most practical way. It was NOT intended to exchange one excessively detailed specification with another. What if a fisherman wants to increase the mesh size in the rest of the cod end to – say 120 mm diamond mesh?

It is very important that the window is mounted in a way that prevents the creation of longitudinal waves, which will only serve to reduce selectivity. Therefore it is also crucial that the netmakers are allowed to accommodate the details in the mounting of the window to the specificities of the individual gear.

In the same letter the BS RAC also pointed to the text on the T-90 codend, where similar inconsistencies were identified. This problem has been totally disregarded in the proposals for the new regulation, although the problems are much the same. A quick round of questioning at the latest Demersal WG of the RAC indicated that somewhere close to 10 % of the trawl fishery in the Baltic is carried out using T-90 gear.



Finally, it is important that any new text does not render fishing gear illegal, if it is constructed in accordance with the existing regulation. Many fishermen have already invested substantial financial resources into buying new gear in agreement with the rules that were agreed on at the Council meeting in October 2009. It would mock their willingness and possibly affect their compliance if they have to change the gear once again.

The BS RAC looks forward to the opportunity to discuss these matters further at the meeting in Brussels on 19th -21st May 2010.