



## **North Western Waters Regional Advisory Council**

# **MINUTES**

## **EXECUTIVE COMMITTEE**

**DUBLIN CASTLE, 24 July 2013**

**14:00 - 16:00**

**Chairman: Bertie Armstrong**

**Rapporteur: Alexandre Rodríguez**

### **1. Welcome**

The Chairman of the NWWWRAC, Bertie Armstrong, welcomed members, Commission representatives and observers to the meeting.

The Chairman requested attendees to indicate their status and affiliation, as a quorum of members was required for the purposes of decision making (voting).

The full list of participating organization representatives is detailed in Annex I.

The Secretariat noted that as only thirteen (13) members were present the required quorum of Executive Committee (2/3 of the existing 22) members had not been achieved, i.e. 15.

The Secretariat clarified that the membership level is the organisation rather than the individual, so organisations are entitled to designate alternate representatives for each meeting. The Secretariat also clarified that an existing member organisation cannot represent another organisation unless a written mandate with specific details on the extent of the mandate is received by the Secretariat in advance of the meeting.

In view of the lack of quorum for voting, the Secretariat proposed to carry on with the meeting and proposed that any actions agreed at the Executive Committee be considered to be “accepted in principle”.

The Secretariat will then seek the decision of missing members on each action by written procedure. The Chairman and the members accepted this proposal from the Secretariat.



- **Apologies:** Apologies were received from the following members: Víctor Badiola (OPPAO), Iwan Ball (WWF represented by Lyndsey Dodds), Jacques Bigot (ETF), Emiel Brouckaert (Rederscentrale), Kara Brydson (RSPB / Birdlife International), Luc Corbisier (SDVO), Anton Dekker (DFO), Sean O'Donoghue (KFO) and Jacques Pichon (ANOP represented by Julien Lamothe).
- **Adoption of the agenda:** The agenda was adopted with the understanding and agreement that some of the items will need to be adjusted to the requirements of the discussions and that item 6 on data limited stocks will be removed as it has been repeatedly discussed at the Working Group meetings.
- **Adoption of the minutes of the last meeting (Bilbao, 18 April 2013):**  
The minutes were considered to be a true record of the meeting and were formally adopted without comment or change.

## 2. Presentation of recommendations from the sub-regional Working Groups

The Executive Committee was requested to endorse the following recommendations from the sub-regional Working Groups:

### WG 1 – WEST OF SCOTLAND AND WESTERN APPROACHES

**Chair:** Jane Sandell  
**Acting Rapporteur:** Debbie Crockard

#### MPA SCOTTISH PROJECT

- The Secretariat will send an email thanking the JNCC and Marine Scotland for their transparency and commitment to work with the NWWRAC and for providing regular updates at each NWWRAC round of Working Group meetings;
- The Secretariat circulate to members email web links to the ongoing management consultations of the Scottish Project as well as the core summary papers on management options for each site in French and Spanish;
- The Secretariat will facilitate the circulation of information on future workshops organised by Marine Scotland on management options for MPA sites;
- Members will submit to the Secretariat any information on changes in fleet dynamics, their fishing footprint and effort, so it can be integrated into the evaluation study to review impacts of effort displacement as a result of the designation of MPA sites with restrictions to fishing activities, that is currently in course of completion;
- The Chairwoman made a plea to non-UK, fishing industry representatives to engage actively in the consultation process.



## DEEPSEA FISHERIES

- The NWWRAC has no further actions or opinions on this issue, at this stage. The key industry and NGO coordinators, that are also members of the NWWRAC, will report back periodically to the NWWRAC on work progress and developments relating to this topic.

## REVIEW OF COD MANAGEMENT PLAN FOR WEST OF SCOTLAND

- Carmen Fernández will ask her colleagues in ICES for clarification regarding the reasons for the uncertainties in relation to discard data resulting in the change of discard estimates in the ICES advice released in June and will report back to the Secretariat;
- In light of the current data collection uncertainties, the Cod Steering Group, i.e. KFO (Sean O'Donoghue), NFFO (Barrie Deas), ANOP (Jacques Pichon), Secretariat (Alex Rodríguez) will reassess the information needs and the content of the scoping paper (including fleet activities in VIa) for the development of a MAMP for the area;
- The NWWRAC will request the Pelagic RAC to provide the template that they are preparing to analyse information needed on fishing activities by national fleets.

## DISCARDS

- A Horizontal Working Group/Workshop will be arranged in September to exchange views on the discard aspects of the CFP reform, in particular the implementation of the landing obligation ("*discards ban*") for demersal species in areas VI and VII;
- The Secretariat will facilitate the participation of RAC members at a forthcoming seminar on discards organised by SEAFISH, in October.

## COLLABORATION BETWEEN STAKEHOLDERS AND SCIENTISTS ON DATA DEFICIENCIES

- The Secretariat will re-circulate the spread sheet of data deficiencies to appointed data coordinators so they can complete it as soon as possible;
- The NWWRAC will ensure that designated representatives participate in relevant ICES meetings (e.g. Data compilation meetings, benchmark workshops, ICES Advisory Drafting Groups).

## SPRAT

- Following a request made by Killybegs Fishermen's Organisation (Sean O'Donoghue), the Secretariat will seek clarification from the Commission to determine if sprat stocks are within the remit of the NWWRAC given that these stocks are not currently within the remit of the Pelagic RAC.



## **WG 2 – WEST OF IRELAND AND CELTIC SEA**

**Chair:** Jesús Lourido  
**Rapporteur:** Paul Trebilcock

### **PISCES AND CELTIC SEAS PARTNERSHIP PROJECTS**

- The Secretariat will disseminate information received from these projects. WG2 does not support the projects and expressed its concern about the relevance of the Celtic Seas Partnership Project;
- In more general terms, Julien Lamothe (ANOP) and Sean O'Donoghue (KFO) will write a letter to the Commission to question the support of research projects which overlap each other's remit (e.g. GAP2, MEFEPO, GEPETO, MYFISH...) and that of the work of the NWWRAC Celtic Sea Focus Group.

### **EU PLAN ON SEABIRDS**

- No action: the Group considered the new approach proposed by the Commission to reduce incidental catches of seabirds, i.e. a voluntary instrument in the form of an EU action plan rather than a prescriptive EC Regulation, as a positive action. This approach will allow fishing operators to select a suite of measures from the toolbox, which is adapted to the fishery dynamics of each gear and operator.

### **DEEPWATER (ANGLERFISH) GILLNET FISHERY**

- The representatives of the organisations that raised objections to the proposal (Victor Badiola - OPPAO, Hugo González - ANASOL-ARVI and Debbie Crockard - Seas at Risk) will submit their comments and reasons in writing to the Secretariat. If there is room for agreement, Juan Carlos Corrás (Pescagalicia-Arpega-Obarco) will draft a revised version of the proposal and the Secretariat will circulate it for comment and discussion prior to the next WG2 meeting.

### **NEPHROPS MANAGEMENT IN AREA VII**

- The NWWRAC awaits the report from the ICES Benchmark Workshop on Nephrops (WKNEP 2013) and the ICES advice for Nephrops stocks in areas VI and VII (expected in October). The nephrops data coordinators, Jane Sandell (SFO) and Eibhlín O'Sullivan (ISWFPO), will draft a scoping paper that will serve as a basis for the development of RAC advice and will be tabled for discussion at a future Working Group and/or Focus Group meeting in October/November. The NWWRAC advice to the Commission will propose a number of management options, with particular reference to the Porcupine Bank area (FU16).



## NORTHERN HAKE

- Jesús Lourido (Puerto de Celeiro) will draft a letter to request an in-year review of the TAC for northern hake for 2013, requesting an increase from 55,105 t to 69,440 t in line with the latest ICES advice ( $F_{msy} = 0.24$ ).

## OUTCOMES OF NWWRAC FOCUS GROUPS

- The NWWRAC endorses the actions agreed at the following Focus Group meetings:

### FOCUS GROUP ON HAKE, ANGLERFISH AND MEGRIM (Bilbao, 18 April 2013)

- The NWWRAC will draft a letter asking the Commission to withdraw the legislation in force in so far as the commercial provisions for Anglerfish as stated, are in conflict with the current minimum landing size;
- The NWWRAC will provide the Commission with a letter of support to AZTI's request for funding for the development of a project to improve the biological assessment of Anglerfish and Megrin stocks in areas VII and VIII.

### FOCUS GROUP ON THE DEVELOPMENT OF A MANAGEMENT PLAN FOR THE CELTIC SEA

- The Focus Group will meet again in September to continue its work in coordination to GEPETO Project to draft a proposal for a management plan for the Celtic Sea.

### DATA LIMITED STOCKS

- The NWWRAC data coordinators will progress with work, contacting their correspondent scientists, providing regular feedback and avoiding the presentation of anecdotal evidence.



## **WG 3 – CHANNEL**

**Chair: Daniel Lefèvre**

**Rapporteur: Jim Portus**

### **COD RECOVERY**

- WG3 will follow the development of the legislative process at EU level in relation to the review of the cod management plan [EC Reg. 1342/2008] and the approach to be adopted for the Eastern Channel sub area (VIId).

### **MANAGEMENT FRAMEWORK FOR MIXED FISHERIES CHANNEL**

- WG3 will continue discussions on management measures for the Channel with the aim of developing a regional framework, which addresses fleet “co-habitation” issues and the review of the Western Waters regime. WG3 will keep informed of the outcomes of the ongoing dialogue between Dutch and French fishermen’s representatives and administrations to resolve existing conflicts of co-habitation.

### **ACRUNET PROJECT**

- WG3 supports the work of this project on management and marketing of brown crab and is very interested in being informed of the progress achieved at each WG3 meeting, if possible.

### **SEABASS**

- This is a horizontal issue of relevance for all Working Groups. The Secretariat will compile all the management rules proposed by Member States in response to the Commission consultation paper. The Secretariat will encourage all NWWRAC members to submit comments on preferred management measures for rebuilding seabass stocks.
- Based on the feedback received, a discussion paper will be prepared. A Focus Group could be convened before the end of 2013 to address the subject.

### **CHANNEL SCALLOPS**

- The multilateral fishing industry discussions have started to bear fruit and a first agreement has been reached between concerned parties (i.e. UK and French scallop fishermen with the support of Irish and Belgian counterparts). Daniel Lefèvre (CRPMBN) and Jim Portus (SWFPO) will brief WG3 on any additional agreements or other progress on the implementation of joint management measures for these stocks.



## DATA DEFICIENCIES

- Designated data coordinators will continue with work on their respective stocks and will collect and compile the required information and insert it into the table, provided in early June 2013 by the Secretariat, for the purpose.

## WG 4 – IRISH SEA

**Chair:** Alan McCulla

**Rapporteur:** John Crudden

### PRESENTATION OF ICES ADVICE FOR IRISH SEA STOCKS

- The Secretariat will request clarification from ICES on its advice in relation to certain pelagic stocks and specifically in relation to their mention to the negative impacts that certain marine activities such as extraction of sand and gravel for offshore constructions may have on spawning habitats; and if this applies to demersal stocks as well.

### MIXED FISHERIES MANAGEMENT PLAN FOR THE IRISH SEA

- Barrie Deas (NFFO) will draft two pieces of text to complete the template establishing the framework and objectives for the plan. The Secretariat will circulate the revised text;
- Michael Keatinge (BIM) will complete the application for EMFF funding for a Project Coordinator to drive the project;
- The NWWRAC Secretariat will contact the GAP2 project coordinators to investigate additional sources of funding for associated work streams;
- The Executive Committee was requested to endorse the proposal and course of action from the Focus Group to develop a Mixed Fisheries Management Plan for the Irish Sea.

### NEPHROPS MANAGEMENT IN AREA VII

- Same action as in WG2 (as this is a horizontal issue).

### SKATES AND RAYS

- The Secretariat will circulate a letter drafted by Eibhlín O'Sullivan (ISWFPO) for fast-track approval, requesting the Commission to evaluate the voluntary closure proposed by the NWWRAC, last December.



## SPURDOG AND PORBEAGLE

- Eibhlín O’Sullivan (ISWFPO) and Paul Trebilcock (CFPO) will draft a letter asking the Commission to request ICES to provide better information on the state of the stocks and include alternative management proposals to the current measures.

**The Secretariat informed the meeting that some of the Horizontal Working Groups/Focus Groups proposed above (e.g. Discards, Irish Sea) could fit into the next round of NWWWRAC meetings which would be held in Dublin Castle on the 18<sup>th</sup> and 19<sup>th</sup> of September, 2013.**

**DECISION:** The members of the Executive Committee of the North Western Waters RAC, that were present at the meeting, approved the recommendations of the four Working Groups, in principle. These actions will be forwarded to the missing members of the Executive Committee by written procedure (i.e. email) for final adoption, in compliance with the NWWWRAC rules of procedure.

### **3. Chairman’s report on internal issues and non-RAC meetings; 2<sup>nd</sup> quarter of 2013**

#### **3.1. Review of functioning of the sub-regional Working Groups (WGs)**

The Chairman pointed out that there seemed to be a structural problem with the functioning of the area-based working groups specifically in terms of producing advice. The Executive Committee members were encouraged to have an open discussion to develop new means to maximise the efficiency and application of the WGs;

NFFO (Barrie Deas) agreed with the reflections of the Chairman and reiterated that the main task of the RACs is to produce and submit evidence-based advice. Although the Working Groups are a useful forum to exchange views on topics, receive presentations and clarify points with the Commission and scientists, it was NFFO’s opinion that they do not deliver, in terms of advice.

In the opinion of the NFFO, the NWWWRAC has a good structure in place, with an extremely efficient Secretariat and a wealth of experience across the membership. The regional dimension of the WGs serves a purpose and should be maintained, in essence. The time has come, however, to make a decisive shift and put more emphasis on topic-based Focus Groups that tend to be more effective in producing advice.





As background, the NFFO informed the meeting that it considered that the externalities and regulatory framework of the CFP reform, and in particular the implementation of the landings obligation at regional level, will undoubtedly have a significant impact on the work of the Advisory Councils.

In consequence, if the NWWWRAC is not able to adapt to this new situation and develop weighted advice in cooperation with Member States, it faces the risk of rendering regionalisation of decision making ineffective. It was the opinion of NFFO that the future ACs will have to deal with topics such as discard plans, discard survival exemptions, TAC uplifts, choke species, technical measures and selectivity, fully documented fisheries etc. As such, the internal organisation of the NWWWRAC has to be ready to fulfil this workload.

ANOP (Julien Lamothe) stressed that we need to retain the regional basis and framework in order to respect the constituent geographical areas of the NWWWRAC. However, ANOP agreed with NFFO that there are areas of common interest that can be dealt with horizontally through dedicated Focus Groups, e.g. nephrops, discards, marine spatial planning. ANOP suggested that the NWWWRAC should put more emphasis into the work of the Focus Group for specific topics and ensure more technical input. In summary, ANOP would be favourable to an operational shift towards Focus Group, whilst respecting the existing regional structure of the Working Groups.

SFO (Alan Coghill) said that we should avoid the overlap of discussions within Working Groups (e.g. data limited stocks or review of cod management plan in 3 different agendas). The work of the NWWWRAC needs to be streamlined to improve efficiency without losing regional focus.

The Chairman (Bertie Armstrong) praised the level and maturity of the comments and summarised that the NWWWRAC needs to learn to allocate specific actions to specific, small, dedicated groups of technical experts and members in order to produce high quality, evidence-based advice in a speedy and professional manner. The Chairman warned members, however, that the basis for funding of the NWWWRAC (members' contributions) are the geographical WGs, so no radical changes were proposed regarding the current organisational structure of the NWWWRAC.

SFPA (Mike Park) noted that the North Sea RAC has created a topic-based structure that works efficiently, (e.g. demersal stocks Working Group) with Focus Groups consisting only of members that have expertise in the area who can contribute actively in the discussions and deliver results.

This structure has required a high degree of preparatory work (e.g. allocation of tasks and responsibilities amongst the participants, drafting of scoping and discussion papers), which is achievable by the NWWWRAC should it wish to recreate a similar structure to that of the NSRAC.

ANASOL-ARVI (Hugo González) reminded the meeting that geographical, area-based Working Groups provide an excellent opportunity for discussions on issues of specific interest for some fisheries. ANASOL-ARVI questioned the need for Focus Groups reminding members that the duration of Working Groups was longer in the past (i.e. half a day each) and as a result there had been more time to discuss issues with the aim of producing advice.



It was ANASOL-ARVI's opinion that a shift to Focus Groups had already occurred in the NWWWRAC. As such, ANASOL-ARVI recommended that further reflection before rushing into a new structure and that it would be advisable to wait until the CFP reform takes shape, as it remains unknown as to how the regional management bodies will be constituted (i.e. role, composition and functions).

MCSUK representing SAR (Debbie Crockard) supported the view that horizontal Focus Groups could be additional to the Working Groups and in some cases could involve all General Assembly members.

Given the broad support for operational restructure, it was agreed that this issue would be the subject of further discussion at the General Assembly and subsequent Executive Committee meetings in Dublin, in September.

### 3.2. Update on WWF membership

The Chairman (Bertie Armstrong) read the following written submission from WWF (Iwan Ball) regarding their membership of the NWWWRAC:

*WWF has long stated its commitment to stakeholder engagement, participative management and the need for regionalisation – tailoring fisheries management to regional fisheries rather than a top down approach from Brussels – as the way to secure sustainable management of fisheries across Europe and beyond. These were key asks in the recent CFP reform process, many of which were delivered in the final reform text. Since the introduction of the seven RACs by the 2002 Common Fisheries Policy (CFP), WWF has been represented on each body. We have sometimes struggled to be adequately represented in some of the RACs or engage to the degree felt necessary to deliver real influence. Changes to some WWF offices in recent months, with a reduction in overall capacity, has added to this challenge. Under the new CFP a further four new Advisory Councils will be created: Black Sea, Outermost regions, Aquaculture and Markets, bringing the total to eleven.*

*As we enter this new phase it was felt that that this would be a good time to assess WWFs engagement to date and consider options for future work with the newly named Advisory Councils (ACs). This internal review will be undertaken over the summer and will include WWFs engagement with the NWWWRAC. We regret the uncertainty this situation has caused over recent months and we commit to resolving the matter as soon as is practicable.*

**The Executive Committee members acknowledged this statement from WWF.**



### 3.3. RAC Administrative and Financial Matters

#### 3.3.1. *Proposal for the development and upgrade of the NWWRAC website*

The Executive Secretary of the NWWRAC (Conor Nolan), informed the meeting that, as is normal at this point in the financial year, the Secretariat had reviewed the budget and had identified that savings in expenditure, as well as additional income from new membership had resulted in an anticipated amount in the region of €10,000 being available for RAC use to the end of the financial year. These savings had come mainly from the meetings budget (i.e. *“Travel and Subsistence for RAC members”* and *“Scientific experts”*) and had been supplemented by income received from new memberships.

The Executive Committee was requested to decide on the allocation of these funds, as the Secretariat was required to request the permission of the Commission to make an amendment to the budget, reflecting any resulting changes to budget headings.

The Secretariat proposed that these funds be used to modernise and develop the NWWRAC website, which is almost 5 years old. This would allow the website to be more interactive and user friendly and to possibly contain new features, such as on-line forms, web conferencing and video content.

The Secretariat added that, should the Executive Committee be in agreement with this proposal, the Secretariat will launch a call for tenders for this work, in accordance with procurement rules laid down by the Commission, in order to have an updated website in full operation before the end of the calendar year.

#### 3.3.2. *Comments from the floor*

ANASOL-ARVI (Hugo González) supported the Secretariat’s proposal and considered it an appropriate investment of the available funds.

ISWFPO (Eibhlín O’Sullivan) noted that, in light of the new CFP, the structure of the Advisory Councils may change and this should also be considered when modernising the website.

**DECISION:**     **The Executive Committee members accepted, in principle, to upgrade and develop the NWWRAC website subject to funds being available.**

### 3.4. EU FP7 MAREFRAME Project – “Co-creating Ecosystem-Based Fisheries Management Solutions”

The Secretariat informed the meeting that the MAREFRAME Project was granted funding by DG RESEARCH and that the project has now advanced to the negotiation phase, with the kick-off meeting planned for November 2013.



Members were reminded that the NWWRAC has the status of full partner in this project and that members will actively participate in WP1 – Communication with stakeholders as well as in a case study for the West of Scotland whitefish fisheries, led by Dr Paul Fernandes (University of Aberdeen). Given budgetary constraints of the project, the NWWRAC has agreed with the project coordinators that it will not receive any direct funding but it will be reimbursed for the travel and subsistence costs of members of the NWWRAC and the Secretariat who participate in meetings. The Secretariat has been in regular contact with the project coordinator to clarify financial and administrative issues. The NWWRAC and the Pelagic RAC will benefit from the services of a project liaison officer to keep track of the project activities.

**ACTION: The Secretariat will keep in contact with MAREFRAME Project coordinators and inform members of forthcoming work and events.**

### 3.5. EFCA Advisory Board Meeting and Seminar on Control and Compliance (Baiona, 26-27 June)

The Secretariat informed members of the key outcomes of two meetings of the European Fisheries Control Agency (EFCA) held in Baiona (Galicia) on the 26 and 27 June.

In the absence of the appointed NWWRAC representatives, Hugo González and Jacques Pichon, Alexandre Rodríguez from the Secretariat attended these meetings. A comprehensive written summary of the interventions made by the NWWRAC at both meetings, as well as the official report of the Advisory Board and the press release issued by EFCA with the conclusions of the Control Seminar will be circulated to all NWWRAC members, once available.

Members were also informed that a forthcoming seminar on Risk Assessment is expected to be held in the EFCA HQ in Vigo towards the end of 2013 or in early 2014. Information will be submitted by the relevant officials of EFCA to the NWWRAC Secretariat in due course.

## 4. DG MARE work priorities for the second half of 2013

The DG MARE representative (Dominic Rihan) provided an overview of the EC work priorities for the remainder of 2013, highlighting the following areas:

- Technical measures:

The Commission's "*Omnibus regulation*" is expected to be launched sometime in September to effectively remove all legislative barriers and rules forcing operators to discard. The RACs will have little input in this process, as this is a technical alignment and very much an interim measure while a new technical measures framework is developed.



Regarding the review of the TCM Framework Regulation [EC Reg. 850/1998], the RACs involvement is highly encouraged as they are expected to play a major role in shaping of the outcome of this review process. A consultation paper should be available before the end of the year.

- European Maritime Fisheries Fund (EMFF):

It was recommended that the RACs follow EMFF discussions at EP-Council level.

- CFP Reform / Discards:

In the context of the reform of the CFP, the RACs are expected to play a major role with Member States to address issues associated with the implementation of the landings obligation (discard ban).

- Small scale fisheries

The Secretariat reminded members that the Commission had extended the period for comment on the EU Public Consultation on small-scale driftnet fisheries until the 15 September, 2013. A consultation paper and the questionnaire are available in all official EU languages on the DG MARE website<sup>1</sup>.

Mr Rihaan strongly invited the NWWWRAC to express their opinion on this issue, given that it may affect a number of small-scale fisheries in north western waters.

## **5. Landing obligation / discard ban**

### **5.1. State of Play: EC timetable and work plan**

### **5.2. Outcomes of CFP reform process: Technical measures and regional discards plans**

The Commission's representative, Dominic Rihaan, analysed in detail (paragraph by paragraph) the structure and content of article 15 of the CFP Framework Regulation as agreed between Council and EP. Mr Rihaan also explained the current thinking and interpretation of the European Commission on the implementation aspects of the landing obligation.

Mr Rihaan noted that the landing obligation applies only to catches subject to catch limits (i.e. TAC and quotas) plus those Mediterranean stocks, which are subject to minimum landing sizes. He also highlighted that a number of exemptions apply to species with high survival rates and that the rules currently in force regarding prohibited species continue to apply.

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<sup>1</sup> [http://ec.europa.eu/dgs/maritimeaffairs\\_fisheries/consultations/driftnet/index\\_en.htm](http://ec.europa.eu/dgs/maritimeaffairs_fisheries/consultations/driftnet/index_en.htm)



The meeting was informed that due to a last minute request from several Member States, additional text was incorporated to allow for a situation where Member States agree that species, not subject to TAC and quotas, can be included in a Regulation by agreement between them. An example provided to highlight this possibility was that of salmon (TAC) and sea trout (non-TAC) stocks in the Baltic.

Mr Rihan stressed that the landing obligation is an EU rule with no international obligations for non-EU countries. There is no such requirement for non-EU fleets, as the EU has no jurisdiction over other RFMOs. The EU will, however, address this issue by developing mechanisms to remove landing obligations for non EU vessels fishing in EU waters.

Regarding the calendar and timetable for the implementation of the discards ban, the main demersal stocks of North Sea, North Western Waters and South Western Waters will be dealt with within the period 2016 to 2019.

Before this deadline, however, there must be a common understanding of the species that will define each of the fisheries. There are still a lot of uncertainties and a clear approach must be agreed. As a first step, the Commission will work on identifying the main fisheries and the main species. It will then create a first list of species and seek feedback from relevant fishermen and other stakeholders through the RACs.

The reform contains three scenarios or “plans” for implementing the discard ban:

**“Plan A” – Achieve the landing obligation through Multi-annual management plans (MAMP)**

A MAMP requires a lot of time and resources to be developed and there is currently an institutional impasse about the extent of the powers between the EP and the Council.

**“Plan B” – Temporary discard plan (lifespan: 3 years)**

Mr Rihan put the landing obligation in perspective with the regionalisation of decision making as enshrined in article 17: *Member States (MS) will cooperate between themselves and will consult the future Advisory Councils (ACs) on fisheries management plans at regional level.*

Mr Rihan informed the meeting that the Commission will act as facilitator if required so the MS and the ACs can adopt joint recommendations. It is COM’s opinion that it is vital for the ACs to get involved in the process or they will risk ending up in two parallel deliberations with the result of not agreeing a common position with MS and presenting two sets of differing advice.

**“Plan C” – Fall-back position**

In case of inaction or failure to agree joint recommendations, the Commission would be entitled to adopt a delegated act under its own initiative, under article 15 but this would only be to set de minimis exemptions. Under this scenario the basic rules included in the reform would apply.



### 5.3. Discussion on way forward / next steps

The EC representative informed the meeting that an Expert Working Group of STECF will meet in early September to look at data issues, *de minimis* and quota flexibility rules, survival, monitoring and control and also content and structure of discard plans.

The Commission will also submit a request to ICES to develop guidelines for setting TACs once the discards ban is implemented and assess the impacts of the ban on catch forecasts taking into account all available data.

Dr Rihaan suggested that the NWWWRAC could begin work by:

- Conducting an audit of NWWWRAC fisheries;
- Engaging with concerned MS; although this might prove difficult for the NWWWRAC as there are no fixed structures similar to the Scheveningen Group in the North Sea or BALTFISH in the Baltic Sea;
- Identifying practical problems;
- Collecting data on survival rates;
- Adopting appropriate selectivity measures (The NWWWRAC was encouraged to look at appropriate funding mechanisms regarding TCMs as the RACs are mentioned specifically regarding this aspect in article 15).

CRPMEM (Daniel Lefèvre) asked for clarification on interpretation ambiguities in understanding how the landing obligation will be implemented; for example, will small vessels targeting small pelagics be affected by this policy?

NFFO (Barrie Deas) asked what does the “*de minimis*” rule applies to.

Mr Rihaan replied that the “*de minimis*” rule applied to up to 5% of TACs of all species where a landings obligation exists. He acknowledged, however, that there might be many ways of interpreting and applying this rule (e.g. duration of fishing trip, single species, multiple species). The Commission will wait until it receives STECF advice, and will subsequently develop its own opinion.

**ACTION:**        **The Executive Committee agreed that this topic merits further discussion and decided that a Focus Group meeting on this topic will be convened in September.**



Bertie Armstrong introduced this topic and drew the members attention to the fact that the change of composition of the ACs from the current 2/3 fishing industry – 1/3 other groups of interest to a 60:40 ratio would mean a change in the governing rule of the RACs, specifically a reduction in the representation of fishing interests and an increase in the representation of other groups of interest.

It was agreed that this topic would be further discussed at the General Assembly meeting in Dublin (September, 2013).

## 7. Close of the meeting

The Chairman thanked all participants for their attendance, the Irish Government and Dublin Castle staff for hosting the NWWAC meetings, the Secretariat and the interpreters.

**The Chairman closed the meeting at 16:10**





## ANNEX I

### LIST OF PARTICIPANTS

EXECUTIVE COMMITTEE MEMBERS		
FIRST NAME	LAST NAME	ORGANISATION
Bertie	Armstrong	<b>NWWRAC Chairman</b>
Victoria	Beaz	European Bureau for Conservation and Development (EBCD)
Richard	Brouzes	Comité National de Pêches Maritimes ( <i>replacing André Gueguen</i> )
Alan	Coghill	Scottish Fishermen's Federation
Debbie	Crockard	MCS UK (representing Seas at Risk)
John	Crudden	European Angler's Alliance – <b>WG4 Rapporteur</b>
Bruno	Dachicourt	France Pêche Durable et Responsable
Barrie	Deas	National Federation of Fishermen's Organisation
Lyndsey	Dodds	WWF UK ( <i>replacing Iwan Ball</i> )
Hugo	González	ANASOL-ARVI
Julien	Lamothe	Association Nationale Organisations Producteurs ( <i>replacing Jacques Pichon</i> )
Eduardo	Míguez	European Association of Ports and Auctions
Eibhlin	O'Sullivan	Irish South and West Fish Producers Organisation
John	Woodlock	Irish Seal Sanctuary



OBSERVERS		
Stephen	Cederrand	European Fisheries Control Agency
Ramón	De la Figuera Morales	Ministerio Agricultura - Gobierno de España – MS
José Manuel	Fernández Beltrán	OPP-07-LUGO
Caroline	Gamblin	CNPMEM
Robert	Griffin	DG MARE – European Commission
Rory	Keatinge	Coastwatch Ireland
Daniel	Lefèvre	CRPMEM Basse Normandie – <b>WG3 Chair</b>
Jesús A.	Lourido García	Puerto de Celeiro – <b>WG2 Chair</b>
John	Lynch	Irish Fishermen’s Organisation
Laurent	Markovic	DG MARE – European Commission
Alan	McCulla	ANIFPO – <b>WG4 Chair</b>
Michael	McLeod	Marine Scotland - MS
Rémi	Méjecz	DPMEM – Administration Française – MS
Jennifer	Mouat	Scottish Whitefish Producer’s Association
Francis	O’Donnell	Irish Fish Producer’s Organisation
Mike	Park	Scottish Whitefish Producer’s Association
Jim	Portus	<b>SWFPO – WG3 Vice Chair and Rapporteur</b>
Brendan	Price	Wildlife Consultant
Dominic	Rihan	DG MARE – European Commission
Delphine	Roncin	CRPMEM Nord / Pas de Calais / Picardie
Jane	Sandell	Scottish Fishermen’s Organisation – <b>WG1 Chair</b>
Sam	Stone	Marine Conservation Society UK
Paul	Trebilcock	Cornish Fish PO – <b>WG2 Rapporteur</b>
Hilde	Vanhaecke	ILVO
Liane	Veitch	Client Earth



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