



North Western Waters Regional Advisory Council

MINUTES

EXECUTIVE COMMITTEE

Dublin, 5 July 2012

09:00 - 12:30

Chairman: Bertie Armstrong
Rapporteur: Alexandre Rodríguez

1. Welcome

The Chairman of the NWWRAC, Bertie Armstrong, welcomed the members attending the meeting, as well as the Commission and ICES representatives and the observers to the meeting. The list of participants, and the organisations they represent, is detailed in Annex I.

- Apologies were received from Jesús Lourido, Chair of WG2 and representative from Puerto de Celeiro, and Dr. Conor Nolan, Executive Secretary of the NWWRAC.
- Adoption of the agenda: The agenda was adopted by the members without comments.
- Adoption of the minutes of the last meeting (Dublin Castle, 27 October 2011):

Hugo González asked that his name was included under the apologies. Apart from this, the report was considered to be a true record of the meeting and was formally adopted.

- Opening remarks by the Chair

The Chairman showed a slide (in Annex II to this report) based on Ms Baelde's presentation at the last Executive Committee meeting in February and used it to encourage attendees to reflect on the role of the RACs in the future CFP. In theory, it appears that the mandate given to the RACs by the EU legislators is to contribute to the consultation phase of the CFP review. However, reality dictates a more substantial role, and the NWWRAC has already expressed its wish to move towards a collaborative model and assist to make this model operational by identifying the mechanisms that allow the RAC to do so through an ongoing and frank dialogue with the policy-makers.

2. Presentation of EU Projects

2.1. ACRUNET Project

Presenters: Vera O'Donovan (BIM) and Norah Parke (KFO)

Ms. O'Donovan announced the recent launching of ACRUNET (Atlantic Crab Resource Users Network), an EU project funded by the transnational programme, INTERREG. ACRUNET involves 15 partners from 5 Member States and has a total budget of 2.2 million Euro. There are 7 work packages lead by different partners, with mechanisms of coordination to avoid duplication of effort.

The main goal of ACRUNET is to achieve the rational and sustainable management of crab resources not only from a conservation point of view but also taking into account socio-economic considerations. The primary tools for achieving such goals are mainly identification and tackling of common challenges coupled with effective communication with industry and stakeholders.

The kick-off meeting for this project will take place in September 2012 and the project will run for a period of three years (i.e. July 2012 to June 2015).

The project coordinators submitted the following proposal to the NWWRAC given that many areas of this project might be of interest and beneficial for the work of the NWWRAC.

Proposal: *ACRUNET would like to establish regular communication with the NWWRAC through the Secretariat and present its outcomes and exchange views with NWWRAC members at sub-regional Working Group meetings.*

Several members supported this project and praised the fact that a self-funded transnational project will be dedicated to brown crab stocks at European level. This was most welcome as the national stakeholders active as partners in this project and the NWWRAC did not have the resources to fund such an initiative on their own. In this context, members were reminded that several attempts had been made at national level in Scotland and Ireland in the past and that this was a great opportunity for the NWWRAC to resume this work and provide input into this project. The Chair asked if there was a particular interest amongst the members for a specific WG to be constituted or to deal with this matter in one of the existing WGs. The Executive Committee decided that this would be determined on a meeting-by-meeting basis.

Action: *It was agreed that the NWWRAC would support and collaborate with the ACRUNET project by establishing regular communication and exchanging views with the project coordinators to develop widely backed proposals on management measures in relation to Brown Crab.*

2.2. Marine TT Project – <http://www.marinett.eu/>

Presenter: Dr. David Murphy (Project Manager – AquaTT)

Dr. Murphy gave a general overview of AquaTT, an organisation which provides project management and training services to support the sustainable development of Europe's aquatic resources. He explained that AquaTT provides tools to bridge the knowledge gap between Research and Development initiatives and stakeholders. Knowledge transfer is an interactive, two-way process of communication that involves dialogue and active understanding between all parties involved; as opposed to the dissemination of information, which is basically a one-way communication addressed to end users (e.g. newsletters).

Marine TT is one of the projects aiming to “unlock” knowledge and provide it to stakeholders in line with the Europe 2020 strategy. The project has been running for almost 3 years and will finish this month. MarineTT has concentrated its activity on identifying the “knowledge outputs” of research rather than that of projects or deliverables. As a result of their work, a tool called “*Marine Knowledge Gate*” version 1.0, is now available online at www.kg.eurocean.org/. The tool is an Information Database based on EUROCEAN, of EU-funded marine projects from all available sources (FP6-7, Interreg etc.). The intention is for “*Marine Knowledge Gate*” to become a “*one-stop-shop*” that is able to display a useful summary of all European and MS funded marine projects.

Proposal: *MarineTT asked the NWWRAC to actively use and test the Marine Knowledge Gate platform and give feedback as end-users with expertise in the field of fisheries.*

Action: *The Executive Committee members agreed that the NWWRAC would test the application and provide feedback.*

The Chairman thanked Dr. Murphy for his presentation.

3. Presentation of actions from the geographical Working Groups

The Executive Committee was requested to endorse the following Working Group decisions:

Working Group 1 - West of Scotland and Western Approaches

COD RECOVERY

- A Cod Focus Group will be convened in the forthcoming weeks to continue with existing work;
- A scoping paper will be produced based on the NWWRAC's position paper on “*Breaking the cycle of decline for demersal fisheries in the West of Scotland (VIa) and the Irish Sea (VIIa)*”.

TECHNICAL MEASURES IN WESTERN WATERS

- The NWWRAC will submit a letter to the Commission asking for clarification on a number of issues, namely the reintroduction of catch composition rules.

COMMUNICATION ON FISHING OPPORTUNITIES

- The NWWRAC will develop a position paper in reply to the Commission's Communication launched in June that includes the following elements:
 - Explanation of the new methodology to set fishing opportunities;
 - Information on the annexes (tables of average catches, etc.).

DATA DEFICIENCIES

- Each appointed data coordinator will submit a written report to the Secretariat so it can be integrated into the NWWRAC Work Progress Report that will be submitted to ICES for information.
- The Secretariat will administer the appointment of a new data coordinator for Northern Hake stocks to replace Victor Badiola.

MARINE PROTECTED AREAS

- Those NWWRAC members interested in being part of the consultation process will immediately contact JNCC, given that a key meeting with stakeholders is scheduled to take place before September.

Working Group 2 – West of Ireland and Celtic Sea

GEAR MARKING

- The Secretariat will send the Commission the draft letter circulated to the members of WG2 and the Executive Committee, including the incorporation of the comments made by the representatives of the French gillnetting fleets.

EMERGENCY MEASURES ON SELECTIVITY FOR THE CELTIC SEA

- The Secretariat will circulate the latest information available on TCMs in the Celtic Sea.

TECHNICAL MEASURES – REGULATIONS

- Hugo Gonzalez will draft a letter seeking a clear position from the Commission regarding the interpretation of a number of provisions of EC Regulations No 494/2002 and 517/2008.

MANAGEMENT PLAN FOR THE CELTIC SEA

- The Secretariat will continue to investigate sources of funding for the development of a Celtic Sea Mixed Fisheries Plan.

- Focus Group members will progress with work and set up a new meeting when relevant progress has been made.

Working Group 3 – Channel

REVIEW OF THE COD MANAGEMENT PLAN

- WG3 members and the Secretariat will follow developments on:
 - STECF advice on the situation of VIId Cod in the mixed fisheries plan;
 - Legal amendments to EC Regulation 1342/2008.

EASTERN CHANNEL COD

- Barrie Deas and Caroline Gamblin will draft a letter asking to the Commission to clarify current uncertainties surrounding VIId cod.

WESTERN CHANNEL SOLE

- Jim Portus and WG3 members will oversee the amendment process of Council Regulation 509/2007 and make sure any amendments to the plan are flexible;
- The western channel sole stock will be removed from the list of data deficient stocks.

SCALLOPS

- Relevant French and UK Fishing industry representatives will meet shortly, outside the NWWRAC, to resume bilateral discussions and negotiations on the exchange of kilowatt-day between UK and France for 2013 and beyond.

Non-TAC SPECIES

- The Secretariat will obtain more information on developments from the Commission, Member States and ICES regarding the adoption of management measures for a number of non-TAC species, particularly pollock, red mullet, sea bass and john dory. A proposal from the Commission or a consultation document for the setting of a TAC for some of these species may be available in the second half of 2012.
- The Secretariat will gather and circulate consultation papers from the Commission to Member States on sea bass and red mullet.

MARINE PROTECTED AREAS

- The Secretariat will inform members on progress in relation to the public consultation of designated sites by DEFRA in December 2012 regarding MCZ in UK waters;
- JNCC representatives will be invited to provide an update in future NWWRAC meetings.

Working Group 4 – Irish Sea

COD FOCUS GROUP

- The Secretariat will make arrangements for a Cod Focus Group to take place at the end of July or early August to address the issue of breaking the cycle of decline in the cod stocks of the West of Scotland and the Irish Sea. The WG Chairman will provide an agenda and a scoping document for discussion from a mixed fisheries perspective. The Secretariat will ensure that key fishing industry representatives and scientific experts from UK, Ireland, France and Belgium will be present.
- The NWWRAC will ask the Commission to provide a timeframe and clarification of the procedure to be followed to amend the Cod Management Plan in force (EC Regulation No. 1342/2008).

TECHNICAL MEASURES – SELECTIVITY GEAR TRIALS

- The Secretariat will try to identify those studies and projects dealing with survival rates of escapees from gear-trial surveys.

NEPHROPS VII

- Eibhlin O’Sullivan will draft a letter asking the Commission to clarify:
 - Their intentions regarding a proposal on management measures for Nephrops in 2013, i.e. if it will be area-based or by functional unit;
 - If the Commission have submitted a request to ICES-STEFC for an evaluation of the effects of the seasonal closure of the Porcupine Bank (FU16) for the rebuilding of the Nephrops stock.

4. Discussions on procedures

4.1. Functioning of the Focus Groups

Victor Badiola stressed that the Working Groups were the “parliament” of the NWWRAC and that, in his view, all substantial topics dealt with at Focus Group meetings should revert back to the Working Groups for discussion. Mr. Badiola also reminded the members that any proposals coming from Focus Groups must be endorsed by the Executive Committee, without exception. In that regard, he considered it unacceptable that some NWWRAC members had, to his understanding, conveyed their private views or opinions when representing the NWWRAC in private meetings with the Commission.

The Secretariat categorically stated that this had not been the case and they were not aware of any instance where this had happened. The Secretariat stated that in any case where a member holds a suspicion of wrongdoing by another member, they should report the instance immediately to the Secretariat who will bring the matter to the attention of the Chairman and Executive Committee.

In cases where contraventions to the rules and the code of conduct were shown to have occurred, those responsible would be subject to disciplinary procedures and may be banned from representing the NWWRAC in future.

Both the RAC Chairman and the Secretariat stressed that the NWWRAC has always been fully transparent and that appointed NWWRAC representatives to meetings are always given a clear mandate, including an obligation to report back to the members (either through oral interventions at meetings or written reports) on the outcomes and discussions of every meeting where the NWWRAC is represented.

Several members expressed the opinion that Focus Groups tend to work efficiently as they are focused, exploratory and generally productive. Although they have a small number of members, they are advertised openly and any member interested in participating can make the commitment to attend. Furthermore, all papers, outcomes and proposals generated by Focus Groups are widely circulated to relevant WGs and the Executive Committee for endorsement. In this context, Barrie Deas and Sean O'Donoghue did not support Mr. Badiola's views on the functioning of the Focus Groups.

It was noted, however, that the consensus position and subsequent advice of the NWWRAC to third parties could differ substantially from individual opinions made within debates held at Focus Groups.

4.2. Review of the NWWRAC rules of procedure

Alexandre Rodriguez (Secretariat) reminded the members that at the last Annual General Assembly, the Secretariat received a mandate to amend the rules of procedure to align the terms of office for elected NWWRAC positions to three years. In light of recent experience with consultations made by external researchers and consultants, the Secretariat considered that this would be a good chance to conduct a thorough review of the rules of procedure (which have remained the same since the creation of the RAC in September 2005) and make necessary changes to the rules to reflect current practices.

Action: *The Secretariat will circulate a draft of the amended rules of procedure in the three working languages of the NWWRAC (EN-FR-ES) to all GA members for comments and then, if agreed and authorized to do so, will seek the consent of the Commission and Member States as well as the formal approval of the Executive Committee by qualified majority in compliance with the procedure established in article 53 of the NWWRAC statutes.*

5. Update on Commission's work programme and consultations

5.1. EC work priorities in relation to North Western Waters

Roy Griffin (DG MARE), summarised the Commission's calendar of legislative proposals and non-legislative acts that might be of interest to the NWWRAC for the second half of 2012. A link to the Commission's full programme is available for consultation on the NWWRAC website¹.

Two items were highlighted by the Commission representative:

- The review of the access regime and specific conditions to fishing for deep-sea stocks in the North East Atlantic, repealing Council Regulation No 2347/2002;
- The interim technical conservation measures ("*Lisbonisation*")

5.2. Exchange of views from the floor

Executive Committee members made the following comments:

Jacques Pichon regretted the fact that there is not information about what is going to happen with the new EC proposal on the access regime for deep-sea species.

Hugo González asked if there was any news in relation to Northern Hake and also wished to know the timetable for a review or derogation of Regulation 850-1998, on Technical Measures.

Bertie Armstrong reiterated that the ongoing process of CFP reform is going to be crucial, particularly in relation to topics such as discards, governance and regionalisation.

Sean O' Donoghue asked for an update on the proposed draft Management Plans put forward by the Commission to the European Parliament and the Council of Ministers.

The **Commission representative** replied that:

* Deep-sea species: Clarification will be sought from the responsible unit dealing with this topic and a more detailed answer will be provided to the NWWRAC.

* Emergency measures: The adoption of emergency measures is not part of the ordinary legislative process. As foreseen in Art 45(1) of Regulation (EC) No 850/1998 and following internal consultations at the Commission, an extension period of 6 months has been conceded for interim TCMs until February 2013.

¹ www.nwwrac.org/admin/publication/upload/EC_Planned_Proposals_Forward_2ndHalf2012.pdf

* Review of Reg. 850/1998: There is still no decision made on the long-term approach for amending or replacing the TCM Regulation, as its content will be closely linked to the CFP reform process. There is a need to develop either specific regional measures or a general framework or some other proposal in between. The Commission does not foresee a full review of the TCM Regulation until 2014, at the least.

* Northern Hake: The Commission will not submit its proposal on fishing opportunities until late September. At this point the TACs will be determined and/or management measures might be proposed in relation to this stock.

* Management Plans: The Commission has not been successful in its role as mediator to resolve the institutional deadlock between the Council and the European Parliament. The new EU presidency wants to resolve the situation quickly, but is not decided on the steps it will follow at the moment. As a result, the management plan proposed for West of Scotland haddock is on hold and cannot be implemented although ICES has deemed it as being precautionary and in the interest of the stock.

6. The future role of the RACs within the CFP reform

6.1. Review of the functioning of the RACs:

The Secretariat clarified that Ernesto Penas had reiterated in recent meetings with the RACs that a consultation paper is on its way and will be presented together with a consultation paper on the review of the Advisory Committee on Fisheries and Aquaculture (ACFA).

6.2. Change in the structure and composition of the RACs (50:50 rule)

Despite the fact that this topic seems to have been disregarded by recent deliberations of the Council, the Chairman of the NWWRAC observed that this proposal has been included in the report of Ulrike Rodust (MEP) which has been tabled for discussion in the European Parliament. This proposal seems unrealistic and unfeasible for many RACs as there are not enough organizations from “other interest groups” that have the available resources and/or the interest in filling the allocated seats.

6.3. Regionalisation

Sean O’Donoghue presented some specific wording for inclusion in the proposed regulation to ensure that a true regional dimension of the RACs in the CFP is observed.

To this effect, Mr. O'Donoghue reviewed the current legislative proposals of the Commission on CFP reform and the EMFF and proposed some revisions to both documents. The proposed text is available for consultation on the NWWRAC website².

In relation to timetable, Sean O'Donoghue reminded the members that the EP Fisheries Committee has already tabled its proposed amendments on CFP reform. However, the NWWRAC might have a certain influence if it submits its proposals prior to the overall voting on more than 300 amendments of the CFP, that will take place in September/October at the EP Plenary Session.

Following queries from some members about the possibility of Member States adopting unilateral legislative acts which would lead to a situation of re-nationalisation rather than regionalisation, Sean O'Donoghue clarified that this is not a feasible option as this would go against EU Law, as the Commission acts as guardian of the Treaties.

Action: *The NWWRAC Secretariat will liaise with the other RAC Secretariats and will seek to agree a common position on regionalization, addressed to Ulrike Rodust (MEP). If agreed, a common InterRAC position would state that regionalisation is very important for the RACs; and that the RACs would like to advocate this approach and annex the amendments both in the context of funding and on regionalization. This position should be submitted by the end of September 2012.*

7. EC Communication on Fishing Opportunities for 2013

The RAC Chairman reminded the members of the discussions initiated in WG1 relating to the preparation of a NWWRAC response to the consultation launched by the Commission on Fishing Opportunities for 2013.

Action: *The Chairman and the Secretariat will work on a proposed text to include the following elements:*

- *State of stocks: general trends;*
- *Rules and principles for setting TACs: Stock categories – situation of data limited stocks;*
- *MSY in mixed fisheries;*
- *Review of effort regimes.*

²

www.nwwrac.org/admin/publication/upload/Proposal_NWWRAC_Amendments_CFP_Regulations_ACs_15June2012_EN.pdf

8. Progress report on external meetings with NWWRAC participation

8.1. Joint RAC Conference on Mixed Fisheries

Barrie Deas informed the meeting that this conference had been called off due to lack of funding and problems with coordination between the collaborators to agree a common approach and agenda. He also reminded the members that an explanatory letter had been submitted to the NWWRAC to explain the underlying reasons for this decision in March 2012.

8.2. MYFISH Project – Defining MSY variants and constraints

The RAC Chairman invited the members to read the report provided by the representative appointed by the NWWRAC for this meeting; Mr. Kenny Coull.
Mr. Coull's report is available for consultation on the NWWRAC website³.

8.3. Update on the proposal to form an Inter-RAC group of RAC Chairs

The Secretariat reminded members that following approval by the Executive Committee, the NWWRAC had accepted an invitation to participate in the informal meetings of inter-RAC chairs with the Chair (Bertie Armstrong) and the Vice-Chair, representing the other interest groups (Iwan Ball), attending on behalf of the NWWRAC.

8.4. Meeting of RAC Secretariats (InterRAC Group)

The RAC Secretariats met by phone conference in June and a tentative date for a meeting of the Secretariats (InterRAC) has been scheduled for the fringes of the next coordination meeting with the Commission (Brussels) in September.

9. Closing of the meeting

The Chairman, Bertie Armstrong, thanked all participants for their attendance, the Irish Government for providing the venue, the staff of Dublin Castle for their assistance and the team of interpreters for their excellent work.

The Chairman closed the meeting at 12:30

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www.nwwrac.org/admin/publication/upload/NWWRAC_Report_MYFISH_Kickoff_Mtg_Vigo_April2012_KC_EN.pdf

ANNEX I.

LIST OF PARTICIPANTS

EXECUTIVE COMMITTEE MEMBERS		
First Name	Last Name	Organisation
Bertie	Armstrong	NWWRAC Chairman
Víctor	Badiola	Organización de Productores de Ondarroa – CEPESCA
Iwan	Ball	World Wildlife Fund
Emiel	Brouckaert	Rederscentrale
Kara	Brydson	RSPB-Birdlife International
Alan	Coghill	Scottish Fishermen's Federation
Luc	Corbisier	Stichting voor Duurzame Visserij Ontwikkeling
Debbie	Crockard	Seas at Risk
John	Crudden	European Anglers' Alliance
Barrie	Deas	National Federation of Fishermen's Organisation
Cécile	Fouquet	European Bureau for Conservation and Development (EBCD)
Hugo	González	ANASOL-ARVI
André	Gueguen	Comité National de Pêches Maritimes
Eduardo	Míguez	European Association of Ports and Auctions
Sean	O'Donoghue	Killybegs Fishermen's Organisation
Eibhlin	O'Sullivan	Irish South & West Fish PO
Jacques	Pichon	Association Nationale Organisations Producteurs
Dominique	Thomas	France Pêche Durable et Responsable (replacing Bruno Dachicourt)
John	Woodlock	Irish Seal Sanctuary

OBSERVERS		
Richard	Brouzes	Copeport Marée OPBN
Ramón	De la Figuera Morales	Ministerio Agricultura - Gobierno de España
Paul	Francoise	FFSPM
Caroline	Gamblin	CNPMEM
David	Gatt	SWFPA
Marc	Ghiglia	NWWRAC GA & Honorary Chair
Robert	Griffin	DG MARE – European Commission
Béatrice	Harmel	CRPMEM Basse Normandie
Daniel	Lefèvre	CRPMEM Basse Normandie – WG3 Chair
Alan	McCulla	ANIFPO – WG4 Chair
David	Murphy	MARINETT / AQUATT
Francis	O'Donnell	Irish Fish Producers' Organisation
Vera	O'Donovan	ACRUNET / BIM
Norah	Parke	ACRUNET / KFO
Jim	Portus	South West Fish Producers Organisation
Luc	Ramet	CRPM Nord Pas de Calais
Jane	Sandell	Scottish Fishermen's Organisation – WG1 Chair
William	Stewart	European Control Fisheries Agency
Paul	Trebilcock	Cornish Fish PO

SECRETARIAT		
Alexandre	Rodríguez	Executive Assistant – Policy Issues - Rapporteur
Joanna	McGrath	Executive Assistant – Admin. and Finances



ANNEX II.

OPENING SLIDE BY THE CHAIRMAN

Presentation given at the NWWRAC Executive Committee meeting, Paris 29 February 2012

Stakeholder participation models

Management model

(from the least to the most participative):

- Centralised → Information
- Advisory → Consultation
- Collaborative → Cooperation
- Delegated → Co-decision
(delegation of power)

FOCUS ON COLLABORATIVE MODEL

Source: *P. Baelde – “RAC Consultation: a troubled process- Performance Assessment for the Southern Regional Advisory Council (SWW RAC)”*

Copyright: P. Baelde, Sea-matters, 2012