

**REPORT
EXECUTIVE COMMITTEE
CNPMM HQ - Paris
21st of April 2009**

Chairman: Sam Lambourn
Rapporteur: Patricia Comiskey

1. Welcome

The Chairman Sam Lambourn welcomed all attendees to the meeting and introduced Lloyd Austin who acted as a substitute for Kara Brydson. Apologies were received for Anton Dekker, Geert Munn, Margaret Downey Harrington and Konstantinos Kalamantis. The Chairman also informed the meeting that a delegation from the Commission including Fuensanta Candela and Emmanouil Papaioannou would be joining the meeting. He also welcomed Barbara Schoute from ICES to the meeting. The list of participants is enclosed in Annex I.

Adoption of Agenda

The agenda was adopted with the understanding that there may be a need to move topics as the meeting progresses, as the relevant representatives from the Commission may not be available to comment until the afternoon.

Adoption of Minutes of the last meeting (8th of October 2008)

The meeting report was adopted in full.

2. Report from Working Groups

Working Group 1

The Chairman of Working Group 1, Bertie Armstrong provided the meeting with a brief overview of the outcomes of Working Group 1 and asked the Executive Committee to endorse the following:

- A Letter to Commission regarding measures adopted in TAC & Quotas Regulation
- To set-up a focus Group on Long Term Management Plans (LTMP) of Haddock in area VI (West of Scotland)
- A Letter regarding harmonization of conversion factors

The members discussed these items and agreed that the second two items should be supported and that the letter on harmonization of conversion factors be sent to the Commission with no change. One slight change was suggested for the letter regarding measures adopted in TAC & Quotas Regulation, where it was proposed that the following text be omitted from the third paragraph of the letter: '*Whereas there was some warning in non-papers about the direction of Commission thinking*'. It was felt by members that this was not the case for most involved and these had been extraordinary measures taken by the Commission. With this minor change it was agreed it should be sent to the Commission.

Action: Secretariat to make slight amendment to the relevant letters and send both of them to the Commission immediately.

Working Group 2

The Chairman of Working Group 2, Hugo González provided the meeting with a brief overview of the outcomes of Working Group 2 and asked the Executive Committee to endorse the following:

- A position paper of the NWWRAC on discarding in the Nephrops' fleet in area VII
- A letter on EU Market Policy Regulations
- A proposed way forward for Celtic Sea Cod

The position paper on discarding in the Nephrops' fleet in area VII was discussed in some detail. In particular a point was raised regarding the addition of new text from some of the eNGOs. Although changes in general are welcome, to improve or clarify a point, these changes introduced new initiatives and concepts into the text which had not been raised or discussed at the working group.

It was agreed by the eNGOs that this was not acceptable and that in future attempts will be made to ensure that appropriate representation be at the meeting so that inputs made can be suitably debated. It was agreed that the text be retracted and the text be sent to the EU Commission.

The letter on EU Market Policy Regulations was adopted without change, however it was agreed that it should be sent to ACFA in the first instance and copied to the Commission and the European Parliament. It was agreed that this should be sent to the EU Commission immediately.

Regarding the proposed way forward for Celtic Sea Cod, the Executive Committee was informed that it was agreed at the working group that as this issue was being dealt with at EAPO, and so as to prevent doubling up of work, the NWWRAC should wait for these proposals before formulating an opinion.

The Chairman therefore asked Gerard O'Flynn to brief the members on the discussions held by EAPO on this matter. Gerard informed the meeting that they have produced a draft paper outlining a future plan for this fishery and that it should be ready for circulation in the coming weeks. In summary the following points are on the table for consideration:

- The plan should focus on managing the exploitation rate (mortality) rather than the biomass
- A target F of 0.4 by 2015 is being considered which will entail a reduction of 7% per annum
- A new methodology of industry science partnership and self sampling programme similar to that being used in France is also being discussed
- The plan should ensure no discard problem and should include a proposal to address technical measures improving selectivity
- This plan will apply to areas VII f&g
- It is thought that capacity should be capped.
- Area and spatial closures should also be considered, including the potential use of real-time closures, but there should monitoring of these closures to assess the effectiveness of them.
- Concern was expressed about the lack of scientific analysis.

Gerard repeated that a detailed paper will be available to the RACs in the coming weeks, and noted that as it is still in draft phase it may alter somewhat from the points above.

The chairman thanked Mr O'Flynn and opened the floor for comments:

- The representatives of the Spanish fleet at the Executive Committee stated that they would not accept the point referring the limitation on effort in areas VII f&g for those vessels that have had activity and presence in the area within the period 2000-2005. This is due to the following reasons:
 - In the preliminary discussions and the working in the development of this proposal, it was not considered that some Spanish vessels have entry rights to this fishery. Therefore, the Spanish representatives fear that these rights may be prejudiced by measures contained within a future LTMP for Celtic Sea Cod restricting access to those vessels having had activity in 2000-2005.

- The representatives of the Spanish fleet will not accept a reduction in fishing effort ceilings in VIIIfg for their fleet, as they do not have quota nor target or catch cod. They remind that the Spanish fleet has been awarded with fishing days at sea in areas VIIIfg as a result of the Treaty of Accession of Spain in the EU and the Regulation on fishing effort currently in force. They want to keep both their historical access rights and their fishing opportunities in these areas for other species.
 - The ill-fated precedent of the reduction of fishing effort (days at sea) in VIa has been deemed as very negative so they do not want to pass through the same experience again.
 - The application of the non-discriminatory principle among MS national for access rights.
- The representative from the Commission (Fuensanta Candela) pointed out that although the plan proposed by the Commission for Celtic Sea Cod was not adopted at the end of 2008, this does not mean that the Commission and Council intend to go back to the drawing board. Instead it is intended to use that plan as a base to be worked on and improved. She noted that the current presidency wishes to move this issue forward, so time is of the essence here. She also noted that the Commission will not be pursuing an effort regime for this fishery in this area, but will be focusing on harvest control rules. Finally she stated that the Commission would be happy to work with this group and look forward to the proposals coming in, but would stress that these proposals need to be developed, agreed and sent to the Commission sooner rather than later.

It was agreed that the NWWRAC members being part of EAPO would move forward with this issue and would involve representatives from Spain, the Commission and the scientific community. A paper will be produced for circulation by mid May among the Executive Committee members for comments, assessment and, if agreed, endorsement as a NWWRAC Opinion.

Action: Secretariat to make slight amendments to the letter and position paper and send both of them to the Commission immediately. EAPO will finalise their draft proposal with their agreed position by mid-May and the Secretariat will circulate it among the Executive Committee members for comments, assessment and, if agreed, endorsement as a NWWRAC Opinion.

Working group 3

The Chairman of Working Group 3, Daniel Lefèvre provided the meeting with a brief overview of the outcomes of Working Group 3 and asked the Executive Committee to endorse the following:

- Working Group Paper on Scallop management and proposed way forward
- Letter to the Commission seeking clarification on the management of VIId Cod
- Letter to Commission regarding prohibition of fishing for certain species of Rays

The members discussed these items and agreed that the second two letters should be supported and the sent to the Commission with no change. However the Belgian representative expressed difficulties with the proposals in the paper on scallop management and in particular the proposal to maintain the MLS for scallops in VIId at 11cm as it was felt there would be ramifications for some vessels from a control point of view. For instance those fishing in both the Irish Sea (VIIa) and Channel (VIId) in the same trip would have difficulties with this change. It was therefore agreed that the letter on scallop management would not be endorsed, but requested that it be sent back to Working Group 3 for further considerations. The Chairman of Working Group 3 expressed disappointment at this decision but agreed to review the matter at his working group

Action: Secretariat to send the two letters to the Commission immediately. The Chairman of WG3 to revert to the Working Group to reconsider the management proposals for Scallops in VIId&e.

Working Group 4

The Chairman of Working Group 4, Lorcan O’Cinnéide provided the meeting with a brief overview of the outcomes of Working Group 4 and in particular the following two points:

- NWWRAC response on the review of the functioning of the RACs
- Proposed workshop on science industry collaboration in Irish Sea

Regarding the NWWRAC response on the review of the functioning of the RACs Lorcan noted that, following an electronic consultation with the NWWRAC Executive Committee members, the NWWRAC had already submitted its comments on the functioning of the RACs to the Commission. A response was received in French on the 16th of April from the Commission which agreed with many of the suggestions made to improve the set up and functioning on the RAC. However it was noted that the Commission did not agree with any of the suggestions made to help improve the financial managements of the RACs, which at present is proving to be an onerous task. This response will be translated into Spanish and English and circulated following the meeting.

Regarding the proposed workshop, Lorcan noted that contacts had been established with colleagues from Northern Ireland and Ireland and that a proposal has come forward from one of the members (NFFO) to host this workshop and it is hoped that the NWWRAC can provide a facilitating role. A meeting room is being sourced from relevant Member States; in addition key participants from the scientific and industry community are being identified. It is foreseen that this meeting will be held in May. Lorcan will revert with more information in due course.

Action: Lorcan to revert with information on dates and venue for the meeting in due course.

3. Report from members on Non-RAC meetings attended on behalf of the NWWRAC:

The following Non RAC meetings were reported on:

- Joint meeting between RACs and WGDEEP, the report was made by Julien Lamothe
- Marine Natura 2000 Seminar, the report was made by Lorcan O’Cinnéide
- EC seminar on Cetaceans, the report was made by Paul Trebilcock

Reports of all the meetings are now available on the meetings section of the website.

4. EC Green Paper on Reform of CFP: proposed way forward

The Chairperson noted that the Green Paper on the CFP had yet to be released but asked the Commission to brief members on the Commission proposed road map for the reform. Fuensanta Candela of the EU Commission informed the meeting that the review paper was due out on the 22nd of April; that the Commission is launching a wide scale consultation process and will expect comments by the end of December; and that, without discussing the Commission proposals, she understood a thorough reform was what was intended by the Commission. On the basis of this the Chairman asked those present for general comments or suggestions on how the NWWRAC should tackle this issue.

The floor was opened for comments and the following were made:

- The fact that the Commission want to see real change being effected as a part of this reform was welcomed.
- Some form of meeting (focus group / interRAC) was suggested to help the NWWRAC form this opinion

- It was proposed that the NWWRAC consider issues relevant to governance, the RACs and their role in the CFP.
- It was also recommended that the RACs concentrate on making proposals that are relevant to the grass roots and identify areas where policy can be regionalised
- The efficacy of effort control as a management tool at member state/vessel level was also raised. It was suggested that this was an area where the NWWRAC could do work immediately and it was agreed by the meeting that a useful way forward would be to draft some questions to be put to STECF regarding the relationship between effort control and F.

Actions:

- It was agreed that Barrie Deas would consider the last issue above and would draft some questions to be put to STECF which will be endorsed by the Executive Committee via electronic consultation.
- It was also agreed that a horizontal working group be set up to discuss this issue and that the first meeting be held with the next working groups in July.

5. Control & Enforcement

The Chairman noted that the NWWRAC had submitted detailed comments to the Commission in May of 2008 following the consultation and the Non-paper, but considering the proposed regulation was quite controversial and didn't take many of these points of view into account, he wondered whether the NWWRAC should develop a further opinion for the Council of Ministers on the proposed regulation. He asked the Commission to provide some information on the status of the current proposed legislation.

Emmanouil Papaioannou from the EU Commission, informed the meeting that this proposal was published by the Commission in November 2008, following a stakeholder consultation. He noted that the Commission produced these proposals in response to the Court of Auditors report on the status of compliance within EU fisheries but also because the Commission is of the opinion that the current framework is not adequate. The proposals are currently subject to discussions by the EU Parliament and a Council working group. The Resolution from the EU Parliament on the proposal is expected imminently. Although it is too early to say Mr Papaioannou noted that as it is the case with many major Commission proposals, there may be changes to the original Commission's proposal (such as on article 47 on recreational fisheries). It is expected that the Czech Presidency will have a discussion on the proposal at the June Council.

The Chairman thanked Mr Papaioannou and opened the floor for discussion. In particular he asked members to confirm whether we should provide further advice and/or opinion on this proposed regulation.

The following comments were made from the floor:

- Members noted that they had already submitted detailed comments to their relevant MS authorities on the proposed regulation via their PO groups or other groups such as COGECA. It was suggested that these comments be sent to the NWWRAC secretariat for circulation.
- Other members felt that rather than a general response on the proposal, one or two priority items should be targeted by the NWWRAC and an opinion issued regarding these specific points. One example taken was the margin of tolerance and the inclusion of incentives for compliance. It was unanimously agreed that the current proposal to reduce this margin to 5% was just not feasible to comply with or to enforce. Numerous examples were given on the impracticality of this rule, especially for smaller non-targeted by-catches.

- The potential discrepancy between this proposed regulation and that for TCMs was suggested as a point to rise. The Commission noted that this point may no longer be valid, as it was the intention within the Commission to suspend further work on TCMs until the Lisbon Treaty is adopted. To date it had proved impossible for the Commission to reconcile the large number of different views received.
- Another point noted was the lack of incentives proposed in the legislation. In general there was disappointment that the current proposals did not incentivise the development of a culture of compliance nor encourage the industry to take responsibility. Instead it took the tone and content of command and control.
- Some members show their concern in relation to the constraints and consequences that some of the rules stated in the proposal of Regulation might have for the EU fleet when being complied with: obligation of requesting authorisation to land; electronic transmission of data from the landing declaration within two hours after completion of the landing; real time closures by Member States; loss of economic grants by MS if the Commission detects certain infringements; penalty point system and loss of licence.
- Hugo González proposes that the formal adoption of the Regulation on Control is postponed until the extent, scope and changes of the new CFP are clearly defined and known.

Action: It was agreed that having taken note of the points raised, the Chairman, with assistance from the secretariat, would write a draft response to be circulated among the members of the Executive Committee for electronic consultation and endorsement. Once agreed and formally adopted, the response will be addressed to the EU Commission and Council of Ministers, stressing the points above.

6. Overview of remaining work programme for year 4

- Dates of forthcoming Working groups and Executive Committee

The secretariat informed the members that the following meeting dates had been booked:

- Working groups, the 8th and 9th of July, Paris
- Executive Committee, the 8th of September, Madrid
- General Assembly, the 28th of October, Dublin

- Proposed Focus groups to be agreed

The secretariat informed the meeting that focus groups on the following topics had been proposed:

- Marine Spatial Planning, proposed by Kara Brydson, date and venue TBA
Considering the ongoing developments in this area, in particular in relation to Marine Protected Areas, it was agreed that this group should be supported.

Colin Faulkner of the Scottish Executive vouched support for this group via the provision of meeting rooms and/or interpretation, if required. This offer was accepted with thanks.

- Haddock LTM, proposed by Ian Gatt, date and venue TBA
Considering the real need to develop appropriate LTM for haddock in area VI, this group was supported. Again the Scottish Executive vouched support for this group via the provision of meeting rooms and/or interpretation, if required. Again this offer was accepted with thanks.
- Hake Management, proposed by Hugo González, Víctor Badiola and Jesús Lourido, date and venue TBA
It was agreed that this group should be established to discuss the proposal of Regulation presented in March on a LTMP for Northern Hake. The Commission gave a brief overview of these and stated that it is their intention to get the new proposal adopted by the Council by October/November of this year.

They also stated that they would welcome the chance to have a meeting with the NWWRAC on this matter as soon as possible. Hugo González informed the meeting that the Galician Government could support the NWWRAC in hosting this meeting in May. He would revert with suggested dates ASAP.

Action: It was agreed that these meetings should proceed and that the secretariat will work with the Group proponents and support agencies to get the meetings established.

- Request of Collaboration from SWWRAC for Interreg project on LTMP for Hake

The secretariat informed the meeting that the SWWRAC had contacted the NWWRAC with details of an INTERREG project that was currently being developed on LTM for different stocks. The NWWRAC has been invited to participate in the discussions on Hake as a supporting partner. The NWWRAC agreed to support this project in principle. Mr. Papaioannou remarked that this project had been submitted today to the Commission and that it was still awaiting evaluation and approval by the Commission.

- Update on progress of Commission work programme

Emmanouil Papaioannou from the EU Commission updated the meeting on the Commission's new work programme and noted that the most up to date work programme was available on the NWWRAC website. However one conference on the Maritime Policy on the 18th-20th of May was highlighted as there will be a relevant workshop hosted on the reform of CFP.

- Update on other meetings proposed with ICES and/or Commission.

This item was taken in conjunction with item 7 on the agenda

7. Discussion on Scientific input at RAC meetings and proposed way forward

Barbara Schoute from ICES gave an overview of the processes agreed between ICES, the Commission and RACs on appropriate scientific input and support at RAC meetings. She also updated members on a number of forthcoming meetings within ICES that RACs are welcome to participate as members (in benchmark meetings) or observers (in the advisory review / advice drafting process). Invitations for meetings relevant to stakeholders will be sent to the RACs. The presentation and details of the meeting will be launched on the NWWRAC website by the NWWRAC secretariat.

Action: The NWWRAC asked the ICES Secretariat to provide the final report from the Seminar held on Copenhagen last January on Long Term Management Plans¹ together with those of the relevant Benchmark Workshops with NWWRAC participation². ICES informed the NWWRAC Secretariat that all participants of meetings should receive the links to the group report when finalised.

8. Management of working groups

It was agreed that due to time limitations this item would be postponed until the next Executive Committee meeting.

¹ Full report available at ICES website:

<http://www.ices.dk/reports/ACOM/2009/WKOMSE/WKOMSE09.pdf>

² Report of the Benchmark and Data Compilation Workshop for Roundfish (WKROUND) – Copenhagen, January 16–23 2009:

http://www.ices.dk/reports/ACOM/2009/WKROUND/wkround_2009.pdf

Report of the Benchmark and Data Compilation Workshop for Flatfish (WKFLAT) – Copenhagen, February 6-13 2009: http://www.ices.dk/reports/ACOM/2009/WKFLAT/wkflat_2009.pdf

9. Administrative issues

- Budget

The secretariat informed the members that according to the mid term assessment and projections done for the current year accounts (year 4), income and expenditure are on track. However a small amendment may be required due to some unforeseen costs in overhead expenditure.

The secretariat also informed the members that the Commission had submitted their initial proposal for final grant payment for last years grant agreement (year 3). Unfortunately due to new guidelines regarding the implementation of financial management rules, the Commission will only agree to pay €13,000 of the expected €50,000 outstanding. This will leave the NWWRAC with a deficit of €37,000. The secretariat and the Chairman informed the members that there have been discussions with the relevant personnel within the Commission to try and appeal this decision. Unfortunately the Commission could not change its position at this stage; therefore the Chairman proposed that this matter be escalated to the Commissioner. Finally, it is suggested the possibility of asking for upfront payment of membership fees for NWWRAC financial year 5 (October 2009-September 2010)

Action: It was agreed that the Chairman should write to the Commissioner and the Director General of DG MARE to appeal this calculation. It was also agreed that the presentation of the report of the accounts be made available to members. It was agreed that the Secretariat will circulate an e-mail asking the members for their views about the possibility of demanding an upfront payment of the membership fees for financial year 5.

- Reimbursement

The secretariat informed members that a number of small changes were being proposed to improve the efficiency and efficacy of the reimbursement process. In short the following changes were proposed:

- To remove the necessity for boarding passes
- To have a cut off period for submission of reimbursement claims (one month after a meeting)

Action: These new changes were agreed to in principle, but it was agreed that the secretariat circulate these changes to the members in general before implementing them.

- Additional representation at CFCA

It was noted that the NWWRAC representative to the CFCA is Jacques Pichon, but since the agency has moved to its permanent head office in Vigo, Mr Pichon has sometimes had difficulty to get to the meetings. Therefore it was agreed that Mr Hugo González be nominated as a second NWWRAC representative.

- Presentation of the website forum

The secretariat presented the forum to the members. It was noted that the intention is to allow open and transparent communication between the members on various issues and items, rather than communication via the secretariat. It was stressed that privacy and confidentiality will be ensured as the Secretariat will be the exclusive administrator of the forum and the forum will be password-protected and restricted by levels of permission depending on the type of membership.

It was also noted that the secretariat anticipates that, following a trial period the NWWRAC members will be able to discuss all correspondence on opinions and recommendations via the forum by November 2009. Currently the secretariat is at the last stage of trials on the forum and it is now ready for members to log into. The secretariat will circulate a detailed e-mail containing clear instructions and a user guide for the forum.

- Communications strategy: extension of validity and set up of a review board

The secretariat informed the meeting that the Communications Strategy adopted in November 2007 must be reviewed for update and that a board of at least 3 representatives who will assist with the production of Press Releases, provide quotes or speak to the media on behalf of the NWWRAC should be established.

Action: The secretariat will send out an email in the coming weeks seeking approval of extension of Community Strategy together with interested members to come forward for the review board.

10. AOB & Close of meeting

There were no issues raised under AOB, the Chairman therefore thanked the participants, Commission, ICES, secretariat and the interpreters and closed the meeting at 5.15pm.

-----END OF THE MEETING-----

ANNEX I. LIST OF PARTICIPANTS

NWWRAC EXECUTIVE COMMITTEE MEETING - PARIS 21 APRIL 2009, 10AM-5PM			
<u>First Name</u>	<u>Last Name</u>	<u>Organisation</u>	<u>Status</u>
Bertie	Armstrong	Scottish Fishermen's Federation (SFF)	Ex.Com. Member - WG1 Chairman
Lloyd	Austin	RSPB Scotland	Ex Com. Member (replacing Kara Brydson)
Víctor	Badiola	Organización de Productores de Pesca de Ondarroa	Ex.Com. Member
Iwan	Ball	WWF-UK	Ex. Com. Member
Emiel	Brouckaert	Rederscentrale	Ex.Com. Member
Fuensanta	Candela	DG MARE	European Commission
Patricia	Comiskey	NWWRAC Secretariat	NWWRAC Secretariat
Luc	Corbisier	Stichting voor Duurzame Visserij Ontwikkeling	Ex.Com. Member
John	Crudden	European Anglers Association	Ex.Com. Member
Barrie	Deas	National Federation of Fishermen's Organisations	Ex.Com. Member
Colin	Faulkner	Scottish Government - UK	Member State representative

Marc	Ghiglia	UAPF	Observer
Hugo	González García	ARVI-ANASOL	Ex.Com. Member - WG2 Chairman
Sam	Lambourn	NWWRAC Chairman	Ex. Com Member - NWWRAC Chairman
Julien	Lamothe	FROM Bretagne	Observer
André	LeBerre	CRPMEM Bretagne	NWWRAC President
Daniel	Lefèvre	CRPBN	Observer - WG3 Chairman
Delphine	Leguerrier	MAP - DPMA - BAEI	Member State representative
Eduardo	Míguez López	European Port and Auctions	Ex.Com. Member
Viktoria	Nikolaou	DG MARE	European Commission
Conor	Nolan	BIM	Observer
Lorcan	O'Cinnéide	IFPO	Observer - WG4 Chairman
Sean	O'Donoghue	Killybegs Fishermen's Organisation (KFO)	Ex.Com. Member
Gerard	O'Flynn	Irish South & West FPO	Ex. Com. Member
Emmanouil	Papaioannou	DG MARE	European Commission
Jacques	Pichon	Association Nationale des Organisation des Producteurs (ANOP)	Ex.Com. Member
Brendan	Price	Irish Seal Sanctuary	Ex. Com. Member
Alexandre	Rodríguez	NWWRAC Secretariat	NWWRAC Secretariat
Barbara	Schoute	ICES	Scientific Observer
Stéphanie	Tachoures	CNPMEM	Ex. Com. Member (replacing A. Gueguen)
Valérie	Tankink	European Commission	European Commission
Paul	Trebilcock	CORNISH FPO	Observer