

## **Report of the North Western Waters Regional Advisory Council Executive Committee Meeting**

**Paris**

**17<sup>th</sup> of April 2007.**

### **Welcome**

The Chairman opened the meeting by thanking the CNPMEM for assisting the NWWRAC by providing the venue for the meeting. The Director of CNPMEM, M. Pierre George Dachicourt formally welcomed the members of the NWWRAC to Paris and wished them every success in their meeting.

The agenda for the meeting was adopted

### **Actions and matters arising from the last meeting**

The Chair informed members that all actions from the last meeting had been executed. The Commission was informed of the NWWRAC opinion on the proposed TACs and quotas for 2007, the report of the discussions between the chair and the Commission have been circulated and are available on the website. The letter on gear marking was sent to the Commission and a response was received and he understood that the Commission would tender further work on the gear marking issue in the summer. The letter to the Commission on the ICES MoU was drafted and a response was received which had been circulated.

### **Report from the Working Groups and matters arising**

The four working group chairs, Bertie Armstrong, Hugo Gonzalez, Daniel Lefèvre and Lorcan O’Cinneide gave brief accounts of the working group meetings in Bilbao and outlined the action points arising from these meetings. An overview of the action points from the meetings and status of the item (as of 17/4/07) are attached in Annex 1 of this document. The next working group meetings will take place in June in Belfast.

With regards to the outcomes of Working Group 4 Lorcan O’Cinneide requested that the NWWRAC send a letter to the Commission and to the Member States involved in the discarding project. He noted that this project was very important to the industry and was a very positive outcome from the last year of work of the NWWRAC, however he felt that adequate resources were not available from the relevant Member States and he requested that NWWRAC write to the Commission and relevant Member States to request that these resources be made available. He also asked that the members of the eNGOs associated with the NWWRAC put forward a candidate to work on the steering committee of this project.

A general point was raised regarding the MSY project and the Chairman was asked to clarify if this project was repeating work already conducted within the member states. The Chairman stated that it was not the intention of this project to repeat work that has been done, but to use the data already collected to prepare this work. If during this period it becomes apparent that there are gaps in the data, the NWWRAC may recommend the collection of data but at present it is not foreseen. The Chairman reminded the members of the proposed forthcoming meeting in May on this issue and stated that the Member States should work to ensure that data is made available to the NWWRAC for this project.

### **Action**

It was agreed that a letter would be drafted to urge relevant member States and the Commission to provide the resources for the discarding project, it was also agreed that the NGOs would select a candidate to send to the steering committee meetings.

### **Report from Focus Group on TCM**

In the absence of Jason Whooley, Kara Brydson gave a brief overview of the activities of the TCM Focus Group. Kara informed the meeting that the reports of the meeting and the response of the NWWRAC had been widely circulated and she felt that the work of the focus group had been very good. She felt that it was a model that should be used in future by the NWWRAC to get reports done. In short the main recommendations of the report was that TCMs should be simplified and that a workshop should be set up to bring scientists, gear technologists and industry together to discuss current TCM regulations- what is working and what is not- also to consider work being conducted in the Member States on TCMs and to discuss future amendments to the regulations.

The Chairman thanked Kara and agreed that he felt this was a good piece of work done by the NWWRAC. He opened the floor for comments.

Members of the Spanish delegation stated that they strongly disagreed with the outcome of this paper. They stated that they did not think that this paper should have been adopted by email procedure but should have been adopted in the Executive Committee. They stated that they could not support the NWWRAC position on real-time closures and they also felt that the paper did not suggest all of the methods available to reduce discards. They requested that a letter be sent to the Commission to reflect this position.

The Secretariat responded stating that they felt that they had worked closely with the Spanish delegation on this paper to take these views into account and understood that the members were happy with the final compromise text. They told the meeting that they had amended the paper to reflect the Spanish position and the paper clearly states that 'most' of the members of the NWWRAC supported the position on real-time closures. The secretariat also included a line of text to reflect that although there are a number of methods to reduce discarding only two were discussed in the focus group- ie real-time closures and mesh size and so these were highlighted in the paper. The secretariat also informed the meeting that they had advised members numerous times that this paper was requested by the Commission before the end of March- as the Executive Committee meeting was not until April, it was understood that this paper would be adopted by the NWWRAC via email procedures as are permitted in the operating procedures of this RAC.

A lengthy discussion followed regarding email procedures, the possibility of sending a letter to the Commission to amend the position, the possibility of setting up a workshop and the relationship of this response to that proposal on the discarding paper.

### **Action**

The following actions were agreed:

- That the NWWRAC would not send a letter to the Commission as most members agreed a compromise text had been produced however it was agreed to reflect in the minutes that the Spanish do not support real-time closures.
- That a protocol would be established regarding the adoption of positions via email and electronic voting on issues.
- That the mandates of future focus groups should be set out clearly before work commences.
- That the secretariat would contact other RAC secretariats (in particular the NSRAC and SSWRAC) to consider the possibility of setting up the workshop as proposed in the paper.

### **Cod Symposium**

Barrie Deas summarised the outcome of the Cod Symposium. He informed the Executive Committee that the Symposium had been a great success and was attended by almost 200 people. The report from Tony Hawkins was in the final stages of completion and would be available soon. The summary of this report was sent to the Commission with a letter outlining one of the most important outcomes of the Symposium, the need to set up *ad hoc* regional groups to develop cod recovery measures for various areas. This initial letter and summary report was sent to the Commission to influence the non-paper on cod recovery, however once the final report is available it can be used by both of the RACs to draft more detailed position papers for consideration by the Commission. Further details of the symposium, presentations and the final report can be found on the website.

**Action**

Barrie Deas will draft a position paper based on Tony Hawkins report. The paper will be circulated in the coming weeks for comment.

**Presentations on Eco-labelling and MSC**

Helen McLaughlin introduced this item and informed members that she felt that this was something positive that the NWWRAC would work on and that she had asked the chair for some time at the meeting so that representatives from the Marine Stewardship Council, the processors and the industry could present their views on the various schemes they had been involved in. The following people made presentations to the Executive Committee: Chris Ninnes of MSC, Helen Taylor from Youngs Processors and Mike Park from the Scottish Fishing Industry and discussed their view of Eco-labelling and MSC. The presentations are available on the website.

A short discussion followed and a number of questions were raised, but as the meeting was running short on time, it was agreed that this was the start of the exercise and that discussions should continue online.

**Action**

It was agreed that the secretariat would set up a forum whereby members could discuss the questions raised here and more via the Internet.

**Discussion with Commission and ICES on Habitats Directive**

The Chairman introduced this item and stated that the NWWRAC had been asked to provide comment to the Commission on the proposed SAC sites in Irish waters off the porcupine bank. As a result of this request the NWWRAC invited ICES, DG Fisheries, DG Environment and the relevant Member State to this meeting to give a general background on the Habitats directive and to discuss these closures in particular.

The following made presentations:

Mark Tasker Chairman of the Advisory Committee on Ecosystems from ICES  
Michael O'Brian of DG Environment  
Leticia Martinez Aguilar of DG Fisheries

Presentations are available on the website.

Dr Eamonn Kelly of the Irish Government made an oral intervention and updated the members on the process followed by the Irish government to propose these sites as Special Areas of Conservation in Irish waters.

Dr Kelly informed the meeting that the Irish Government had already sent a presentation to the NWWRAC for consideration at the working group meetings in Bilbao last January. He told members that the Irish government is putting forward these sites in accordance with legal obligations under the 1992 EU Habitats Directive to propose sites not only in Territorial Waters but also in the Exclusive Economic Zone. He informed the meeting that the sites had been proposed following a 2-year collation and review of data from various sources across Europe. In total, some 16,000 data points of relevance were plotted. He stated that the Irish Government had followed the protocol in designating these sites and had consulted with the major fishing industry representatives in Ireland concerning management arrangements. He acknowledged that only the Irish fishing industry was contacted, as the Irish Government believed it had no jurisdiction to conduct a transnational consultation. He also outlined management measures to ensure that other site users such as the petroleum industry (through licensing) and the scientific community (through a permit process) would not impact the site. Following notification of the proposed sites, the Irish Government advised the Commission in November 2006 of its view that commercial fishing activities should not be permitted within the areas indicated.

The Commission subsequently initiated a process of consultation with the NWWRAC.

The chairman thanked the presenters and the floor was opened for comment.

A question was raised regarding a comment from the Commission that the SAC closures would be implemented via the TAC and quota process. The Commission was asked why the closures would be implemented in this manner and when would the amendment to the regulation likely to be put in place.

The Commission responded that as it was felt that these areas needed to be protected as soon as possible it was felt that the most appropriate way to get an immediate but temporary closures implemented would be via an amendment to the TAC and quota regulation. It is foreseen that this amendment should be implemented before the end of the year, but would be based on the outcome from this meeting and debate at the Council. If the NWWRAC wished to give an opinion on these particular sites, the opinion would need to be sent to the Commission before the end of May.

The chairman asked the Commission, that as the process had already been followed through by the member state and the consultation on the proposed sites was pretty much finished, could the NWWRAC in reality influence this process and in particular influence the boundaries of the current proposed sites.

The Commission responded that as the Council made the final decision on the designated sites that the proposed boundaries could indeed be changed, but that they could only be changed on the bases of new scientific data.

The consultation process was also raised and the possibility of input from the RACs at an earlier stage.

The Commission noted that the current process is not perfect and that they are learning. It was noted that the Commission receive the proposed designation at quite a late stage and that if the RACs wish to have input into the process at an earlier stage that this maybe should be done via the proposing Member State. The Meeting was also informed that the Commission had spent a number of years developing guidelines on implementing Natura 2000 sites in the Marine Environment and that these will be available shortly. However it was noted that this is something that should be looked at in detail, as the input from the commercial industry is always useful.

The size of the buffer zones in the current proposed sites was queried.

ICES noted that the buffer zone around the coral tended to be related to the depth the corals were located at and the radius of the buffet zone was generally twice the depth. The Commission also raised the point that it was important to note that these were very small percentage of waters and it was important to ensure that the area was large enough to protect the corals and to be adequately monitored and controlled.

Members from the floor also raised the issue of socio-economic importance of commercial activities in these areas. The Commission was asked whether socio-economic data was taking into consideration and whether negative impacts like displacement of fishing effort into other zones was considered.

The Commission confirmed that socio-economic activities or data is not taken into account when selecting sites. Only scientific information is considered.

Sam thanked the members, the Commission, ICES and the Member States for their comments and asked the members to consider what input the NWWRAC would like to make on this issue.

The French requested that members consider the proposal made in advance of the meeting to retain the boundaries on three of the sites, but to reduce one of the sites as this area was very important to the fishing industry.

The French Proposal was discussed in detail and it was agreed that the meeting should vote on whether or not it should be adopted as a NWWRAC position.

The Spanish requested that before the vote that some changes to the other sites are made.

This request was not granted as the Chairman reminded the Spanish that the secretariat had requested numerous times that they send their proposals to the NWWRAC membership before the meeting, so that members could consult with their relevant experts prior to the meeting. As this was not done, further recommendation could be considered here at the meeting.

A vote was taken at the meeting, whether or not to support the French proposal, but as a majority abstained from the vote, the French proposal could not be supported. However the Commission did state that they were interested in this proposal, but as they had only received it before the meeting, they could not comment on it, but would agree to consider it in detail.

The Chairman therefore recommended that other members who wish to propose any changes to the current boundaries of the proposed SACs do so via their own Member States administration.

**Action**

It was agreed that a letter would be drafted to the Commission regarding the consultation procedures on Natura 2000 sites.

**Deepwater Gillnet issue**

The chairman asked members to comment on the proposals from the industry regarding the set up of a focus group, the setting up of trials and the immediate amendment to the regulations, recognising that it is a contentious issue for this RAC.

A general discussion followed whereby it was agreed that work could be done to set up a focus group. Terms of reference for this group had been circulated, albeit quite late, to the Executive Committee. There was general agreement that it would be useful to set up a focus group, but that members should be given more time to consider the terms of reference for it. It was also noted that the setting up of trials should form part of the remit of this focus group.

Regarding the immediate change to the current regulation after a lengthy discussion and much confusion, it was agreed that the Spanish administration would provide a simple document showing what text it would like to amend in the regulation. This would be circulated for comment.

**Action**

It was agreed that the secretariat would circulate the ToRs for the focus group for consideration. It was also agreed that the Spanish administration would provide a simple document showing what text it would like to amend in the regulation.

**Procedural issues**

It was agreed that these issues would be circulated and agreed by email.

**Proposed new items of work**

***Discards Paper***

It was agreed that the Chairman would select a rapporteur to develop a position paper on this issue. The paper will take into account the position already developed on TCMs.

***Maritime Strategy***

It was agreed that the secretariat would request comment and opinion on this issue.

**AOB**

The Chairman informed the meeting that he and the vice chairman, Jacques Pichon, had been invited to meet with the French Administration to discuss support for the NWWRAC. The chair would report back to the members on the outcome of this meeting.

Before closing the meeting the Chair thanked the members, the CNPMEM and the Interpreters.

**ENDS**

ANNEX I

**Report to the Executive Committee Meeting on the 17<sup>th</sup> of April 2007  
Summary of meeting and actions arising from the  
NWWRAC Working Group meetings in  
Bilbao 25<sup>th</sup> and 26<sup>th</sup> of January**

**WORKING GROUP 1 (West of Scotland)**

- MSY project The Chairman presented and discussed the proposal to collate and examine available data on Area VI fisheries to assist in formulating proposals for long term management plans.

It was agreed that this project should continue but be open to full participation of national administration representatives and encompass all MS data of their respective scientific research institutes and fishing industry representatives.

**Current status:** Call for input into the project has been circulated and a workshop is proposed

- Change to Cod Recovery Programme in Area VI It was agreed that this proposal would not be adopted by the NWWRAC but be considered as part of the Cod Symposium.
- Rockall Mapping Project Jason Hall Spencer presented an update on his project and was requested to submit a written explanation of authorizations and permissions for access to VMS data to support this work.

**Current status:** Copy of letter received by chair of working group

- Blue ling closures: It was agreed Meeting of a WG1 that a small delegation would meet with the Commission to ascertain in detail what its plans and proposals for Blue Ling management are.

**Current status:** Seeking meeting date

- Crab management workshop The Scottish executive offered to provide support to set up this meeting and it was agreed that this would be kindly accepted.

**Current status:** Awaiting confirmation from the Scottish regarding dates venue etc.

## **WORKING GROUP 2 (West of Ireland and Celtic Sea)**

- Deepwater gillnets

This issue was broadly discussed and it was agreed that the Chair would work with the Secretariat to draft a paper on an agreed way forward.

**Current status:** The paper was drafted but an agreed consensus could not be reached. As a result it was agreed that it should be escalated to the Executive Committee for discussion. The Executive Committee will now examine this issue and in particular the following:

- An update on what has been agreed to date by the NWWRAC
- The possibility of developing Independent and trans-national trials based on a coordinated approach, under an agreed protocol and time frame.
- Modification on distance of 2.5 km between buoys for hake gillnets based on grounds of crew safety.
- Possibility of setting up Focus group on this issue to take it forward.

- Cod Recovery Strategy

The Working group agreed that some work should be done on the Celtic Sea Cod stocks to examine the impact of the Trevoise closure and to consider other initiatives for conservation. It was agreed that a small focus group meet to discuss this in advance of the Cod Symposium.

**Current Status:** Small working group met on the 6<sup>th</sup> of March to prepare for the Cod Symposium. Outcomes were considered and developed at the Cod Symposium on the 9<sup>th</sup> and 10<sup>th</sup> of April. Report of the Cod Symposium due out imminently.

- MSY project presented by Steve Mackinson (CEFAS)

CEFAS presented and discussed the proposal to collate and examine available data on Celtic Sea fisheries to assist in formulating proposals for long term management plans.

It was agreed that this project should continue but be open to full participation of national administration representatives and encompass all MS data of their respective scientific research institutes and fishing industry representatives.

**Current status:** Call for input into the project has been circulated

- Proposed SACs on West Ireland waters (EC Habitats Directive)

The Commission requested that the NWWRAC consider the proposed closures for the Porcupine bank off that were put forward by Ireland under the Habitats Directive.

It was agreed that a letter would be sent to the Commission demanding more time to debate this issue, and to invite the Commission representatives from DG Environment and DG Fisheries to attend the next meeting to give further explanations on the meaning and extent of this Directive (and to discuss a protocol for establishing a consultation procedure from now onward).

**Current Status:** the Commission has agreed to come and meet with the executive committee on the 17<sup>th</sup> of April.

### **WORKING GROUP 3 (English Channel)**

- Management and control of fisheries exploited by the inshore sector: It was agreed that this should be discussed at next WG3 meeting (paper to be presented by Barrie Deas).

**Current status:** On the agenda for working group meetings in June

- Cod Recovery Focus Group: It was agreed ability to comply with the “percentage” limits in the by-catches, logbook quantities, etc should be considered as part of the cod recovery review. Make proposals for change of these limits.

**Current status:** Should be raised at Executive Committee for discussion

- MSY project presented by Steve Mackinson (CEFAS)

CEFAS presented and discussed the proposal to collate and examine available data on Channel Sea fisheries to assist in formulating proposals for long term management plans.

It was agreed that this project should continue but be open to full participation of national administration representatives and encompass all MS data of their respective scientific research institutes and fishing industry representatives. In addition it was requested that the checklist developed by the NSRAC be re-circulated.

**Current status:** Call for input into the project and checklist has been circulated

- Invest in Fish Southwest (IiFSW) Project: Heather Squires from Invest in Fish presented to Working Group 3. It was agreed that this was a very useful tool and that a full simulation, run as a case study, to be rendered by the next WG3 meeting. The CEFAS and IiFSWmodels would be examined for compatibility with one another and to ascertain the part each might play in the future as tools for managers to use in the interests of achieving MSY.

**Current status:** Work ongoing.

- Non-TAC fisheries: The outcome of the meeting on scallops was discussed and it was agreed that the Executive Committee Chair would clarify the position of the NWWRAC on progressing the studies on scallops. It was also agreed that bass would be put on the agenda for the next working group meeting.

**Current status:** Sea Bass to be included on the agenda for the next meeting. Chair of the RAC to confirm on the status of the work on scallop and to invite tenders for work.

- Horizontal working Group It was proposed that there should be a horizontal WG established to consider overlapping issues between existing WGs.

**Current status:** To be examined at the Executive Committee meeting on the 17<sup>th</sup> of April.



## **WORKING GROUP 4 (Irish Sea)**

### Irish Sea Discard Project:

It was envisaged that the implementation of this project would really take place from March 2007 onwards. The Member States involved, organised a meeting on the 7<sup>th</sup> of February to progress the discard project further. The following actions were agreed by working group members:

- That the NWWRAC Executive Committee communicate to the Commission, on behalf of the RAC, it's very strong imperative that the required resources be made avail by the member states and by the Commission to enable the Irish Sea project to achieve it's goals.
- That the Irish Sea group ensures the establishment of an interim reporting mechanism, which can ultimately contribute to our deliberations.
- That the WG4 members commit to keeping informed all of those affected by the project in the coming months.
- That the Chairman of WG4 would revert to the Irish Seal Sanctuary regarding their query about representation on the Steering Committee, once the composition of this group was decided upon.

**Current Status:** Chairman to report to the Executive Committee on the 17<sup>th</sup> of April on the outcome of the meeting between the Member States and the project so far.

- MSY project presented by Steve Mackinson (CEFAS)

CEFAS presented and discussed the proposal to collate and examine available data on Irish Sea fisheries to assist in formulating proposals for long term management plans.

It was agreed that this project was very useful and should continue but that a 'dialogue meeting' with the scientists would enable RACS to frame the right questions for ICES. RACS need to define a 'shopping list' of needs for the scientists. Ultimately this would provide RACS with a scientific model that is more accessible.

**Current status:** Call for input into the project has been circulated

- AOB

The following items were tabled for the next meeting of the working group.

- Barrie Deas' suggestion of refining our RAC 'shopping list' of scientific needs, to enable ICES to help the NWWRAC
- A request by the Irish Seal Sanctuary that 'Fuel Management / Fuel Costs' be added onto the forthcoming agendas for this group. The ISS agreed to draft a paper for consideration at the next working group meetings.