



**SUMMARY MINUTES OF THE JOINT ACFA/RAC MEETING ON THE FISHING
OPPORTUNITIES FOR 2009**

16 October 2008

ATTENDANCE LIST

ADVISORY COMMITTEE ON FISHERIES AND AQUACULTURE (ACFA)

EUROPÊCHE: Messrs LIRIA, BRECKLING, GHIGLIA, VAN BALSFOORT

COGECA: Messrs KENNEDY, EVIN

ETF: Mr BIGOT

EAPO: Mr PICHON

NGO (environment): Ms PHUA

NGO (development): Ms FORDHAM

STECF: Mr CASEY

Secretaries-General of the member organisations of the ACFA:

Mr VERNAEVE (EUROPÊCHE/COGECA)

Observers: Mr IANI (COGECA), Mr FOURGON, Ms CATOR (NGOs),
Mr KALAMANTIS (EBCD), Ms BERTELSEN, Ms OVENS (ICES)

REGIONAL ADVISORY COUNCILS

NSRAC: Mr PARK, Mr DACHICOURT

NWWRAC: Mr PORTUS, Mr CORBISIER

PELAGIC RAC: Mr OLESEN, Mr O' DONOGHUE

SWW RAC: Mr KAPPEL

Observers: Mr MAC SWEEN (PELAGIC RAC), Mr GUERIN (SWWRAC),
Mr ALDEREGUÍA (LD RAC), Mr ANDERSEN (BS RAC)

CHAIR OF MEETING: Mr GARAT (EUROPÊCHE – WG 1)

INVITED BY THE COMMISSION: Mr LASSEN (ICES)

The COMMISSION:	Messrs PRIEBE, PATTERSON, THERET, LINDEMANN, HOPKINS, Ms CANDELA, TANKINK, Ms VIALLON, Ms ZARADNA, Ms PICCIRILLO (DG MARE)
Secretariat:	Mr PAPAIOANNOU, Mr SCHIRRA, and Ms RUIZ MONROY

1. PRESENTATION OF THE ICES ADVICE FOR 2009

The ICES representative reported on the new advisory process launched in 2008. He said that the two key elements of this new process were transparency and integration. He explained the main trends in the advice and detailed the status of the stocks in the Northeast Atlantic Waters (Annex 1). In conclusion, he said the ICES advice indicated that further reductions for the majority of stocks would be needed.

The Commission reminded the participants that the aim of this meeting was to consult ACFA and RACS on the Commission's approach to establish the fishing possibilities for 2009, and said that this consultation had been preceded by an earlier consultation with both bodies on the Policy Statement. Finally, it was pointed out that the consultation was being held earlier than in previous years in order to improve stakeholders' involvement throughout the process.

The Commission added that the proposals for TACs relied on the principles set out in the Policy Statement, and recalled that the scientific advice and the long-term recovery or management plans were integral parts of that Policy Statement. Moreover, the proposal was being prepared in parallel with negotiations with Norway and coastal States. It was expected to be adopted on 7 November 2008.

In addition, the Commission highlighted some specific measures currently being discussed with Member States that were intended to be included in the 2009 proposal:

- An extension to the south of the current ban for using deep sea gillnets. The existing exemptions for hake and monkfish would continue to apply.
- The introduction of two protection areas for blue ling spawning aggregations, applicable from March to May, during which specific conditions would apply (such as entry-exit regime, limitation in total catch per vessel, etc.).
- A closure of whitefish fishery west of Scotland in waters shallower than 200 m as a result of the scientific advice for whiting, cod and haddock. Some exceptions would be included for fisheries catching such species (pots, creels and nephrops).

The Commission also gave an overview of the state of play concerning the Cod Recovery Plan review which was being discussed in the Council and was intended for political agreement at the November Council. It explained how this would affect the allocation of effort in 2009: the main principle would be to transfer from a system of "days-at-sea" to a system of "kW-days" in which more flexibility would

be given to Member States to administer their effort allocations, thus allowing a simpler system with a lesser amount of derogations.

The Commission distributed a non-paper to the participants with a table indicating, for the different resources covered by the Fishing Opportunities regulation, the category proposed for each stock according to the Policy Statement and the consequent % of change that this would require. It was recalled that the identification of the suitable category in which to place a stock was based on the precautionary approach and that the limit of 15% of variation proposed by the sector would apply in numerous cases. The Commission indicated that in a few cases (stages and rays, sharks) new TACs would be introduced for areas not yet regulated, whereas in others (Cod) area changes would be considered. Finally, the Commission underlined that this primary information was the result of compiling the ICES Advice, the Policy Statement principles and the first thinking of the Commission.

It was noted that the final Regulation on fishing opportunities for 2009 would depend on the outcome of the negotiations on the Cod Recovery Plan and on a number of international negotiations. The Chairman expressed high appreciation of the transparency approach followed by the Commission in distributing this non-paper and therefore, asked the participants to treat this information with discretion.

In the debate that followed, participants posed a number of questions to the ICES representative regarding the 2009 advice. These included questions on Blue Whiting stock status and management recommendations and on the incorporation of marine environment factors and risk evaluation in the development of management advice, to which the ICES representative replied. Finally, the ICES representative recalled that all the advices were accessible on the ICES website (<http://www.ices.dk/advice/icesadvice.asp>).

Following the presentation by the Commission of its intended approach to technical measures, TAC settings and effort management, various participants intervened to present views or request clarifications.

The participants said they would like to see a socio-economic impact assessment of the consequences for the fleet of closing whitefish fishery west of Scotland. They were also concerned about the overall comprehensibility of the approach used in advices, notably regarding the need to ensure a better interface between the sector and those involved in the delivery of scientific advice and the need to ensure the consistency of policies to protect the sustainability of both stocks and sector. Specific concerns were expressed regarding the assignment of certain stocks to a given Policy Statement categories and the corresponding % TAC of change in the non-paper, such as the sole in the English Channel.

Various interventions dealt with the rules of fishing effort in Annex II. In response, the Commission representative said that the intended changes were essentially the result of the review of the Cod Recovery Plan. The Commission considered that the Celtic sea also needed to be included in the management of fishing effort. He also indicated that the reason for switching to a system of “kW-days” was that the current effort system was complicated, had numerous exceptions and had no real impact on

reducing over-fishing. Although no impact assessment was formally required concerning the proposed measures to protect cod, haddock and whiting west of Scotland, the Commission had made an internal evaluation on this topic and concluded that the impact on fisheries would be small, because the value of the whitefish is only a very small percentage of the value of the Nephrops fishery in this area.

In reference to the consultation process, it was stated that the sector would have expected some late changes in the Policy Statement as a result of the earlier consultation with the stakeholders, and it was suggested that in the future the Commission should revise the Policy Statement after consultation. The Commission stated that the process was meant to allow the views of the stakeholders on the Policy Statement play a role in the way in which the Commission developed the fishing opportunities proposal later in the year, and subsequently on possible revisions of the statement for the following year, if appropriate.

Concerning the changes relating to management areas, it was proposed that TACs for newly regulated areas would be determined on the basis of the Member States' involvement in each fishery. It was also suggested that the problems of transfer and the consequences for smaller vessels be taken into account.

The NGOs asked the Commission for more clarification on the management areas for spurdog, on the advice concerning shark stocks and on the difference between data and landings in the Cod Recovery Plan.

2. OTHER BUSINESS

None.

The Chair closed the meeting.

MARIA JESUS RUIZ