



## North Western Waters Regional Advisory Council

# MINUTES

### EXECUTIVE COMMITTEE

CNPMEM HQ - Paris

Thursday, 7<sup>th</sup> November 2013

16:00 - 18:00

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

The Chairman informed the meeting that as 18 members of the Executive Committee were present (without counting the Chairman and the Honorary President), there was quorum for the purposes of decision making in case voting was necessary

- **Apologies:** Apologies were received from the following members:  
Kara Brydson (RSPB represented by Philip Taylor), Anton Dekker (one seat of the Dutch Fisheries Organisation represented by Pieter Louwe van Slooten), and Luc Corbisier (SDVO – NWWWRAC Chair of Discards Working Group). Apologies were also noted from Jane Sandell (Scottish Fishermen's Association – NWWWRAC WG1 Chair) and Jesús Lourido (Puerto de Celeiro – NWWWRAC WG2 Chair).
- **Adoption of the agenda:**  
The agenda was adopted without any comments or changes.
- **Adoption of the minutes of the last meeting (Dublin, 18 September 2013):**  
The minutes were considered to be a true record of the meeting and were formally adopted without comment or change.

## 2. Working Groups Actions

It was noted that the meeting of WG 1 – WEST OF SCOTLAND AND WESTERN APPROACHES was scheduled to take place on Friday 9<sup>th</sup> November (i.e. the day following the Executive Committee meeting). It was agreed that any recommendations from this working group would be submitted to the Executive Committee for adoption or endorsement by email procedure.

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

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

**Acting Chair and Rapporteur: Paul Trebilcock**

#### DEEPWATER (ANGLERFISH) GILLNET FISHERY

- The Chair informed the meeting that there were a substantial number of significant objections raised by several WG2 fishing industry (Irish and Spanish) and NGO (Seas at Risk) representatives to the proposal to increase the depth limit for gill nets to 800 metres, on a gradual basis, for a defined subarea of the Celtic Sea. This proposal was made in April by PESCALICIA-ARPEGA-OBARCO (Juan Carlos Corrás) and revised two times to address comments and questions received. However, due to the lack of consensus, it was decided that this proposal would be dismissed and put on hold for the time being. The reasons for the concerns are explained in detail in the WG2 meeting report<sup>1</sup>. The Deputy Chair thanked Juan Carlos for his valuable work and efforts to draft a proposal on this issue through the NWWRAC.

#### MANAGEMENT PLAN FOR CELTIC SEA DEMERSAL FISHERIES (VIIIfg)

- A Focus Group will be convened sometime in early 2014 to orientate the work once the kick-off meeting between DG MARE and LOT1 Project coordinators has occurred. The Terms of Reference and objectives of the next Focus Group meeting would be to continue with the development of a MAMP mixed fisheries for the Celtic Sea in ICES subdivisions VIIIfg. It was noted the following:
  - That any of the proposals made should not be discriminatory against any part of the fleet;
  - That selectivity measures (insertion of a square mesh panel) have been introduced in 2012 aimed to reduce by-catches of whitefish in VIIIfg for TR2 fleet;

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<sup>1</sup> [www.nwwrac.org/Meetings/Meetings\\_ENG/Navigation.php?id=712&language=English](http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=712&language=English)

- The NWWWRAC Secretariat and the Steering Group will liaise with Michael Keatinge to follow the developments of an application made by BIM under the Irish national EMFF programme to fund a project coordinator to work in coordination with the NWWWRAC on this subject matter.

#### FISHING OPPORTUNITIES FOR 2014

- The NWWWRAC Secretariat will collate all comments received from members on several stocks in ICES VI and VII and will prepare evidence-based advice on the EC Proposal of Regulation on Fishing Opportunities for 2014 focusing on policy directions, general principles and comments on the scientific evidence that underpins the advice rather than lobbying for changes to TACs (which is not the role of the RACs). Members were invited to submit any further comments they may have to the Secretariat in writing within a week following the Executive Committee meeting. This advice will be addressed to the Member States and the European Commission to inform the discussions at the Fisheries Council meeting, in Brussels, on the 16<sup>th</sup> and 17<sup>th</sup> of December.

#### UK RULES ON THE USE OF ACOUSTIC DETERRENTS FOR CETACEANS (“PINGERS”)

- The Secretariat will circulate a suite of documents from the Marine Management Organisation (UK) and invite dedicated researchers from the University of St Andrews (Scotland) to present the outcomes of their studies at the next WG2 meeting. A question posed by the RSPB representative regarding potential displacements of dolphins and porpoises from their habitat due to the use of “pingers”, will be passed on to the researchers for clarification.

#### NEPHROPS MANAGEMENT IN AREA VII

- It was noted that this topic would be specifically discussed at the Nephrops Focus Group meeting, to be held on the day following the Executive Committee. The Focus Group will aim to agree in principle the content of RAC advice commenting on management measures (seasonal closure and of which restriction for quotas) in the Porcupine Bank area (FU16) and circulate its proposal to the members of the Executive Committee for endorsement and adoption, by email procedure, prior to the December Council.



### **WG 3 – CHANNEL**

**Chair: Daniel Lefèvre**

**Rapporteur: Jim Portus**

#### **MANAGEMENT FRAMEWORK FOR THE CHANNEL / FISHING OPPORTUNITIES FOR 2014**

- Similarly to WG2, WG3 agreed that a single NWWRAC advice on fishing opportunities should be produced by the Secretariat including a specific analysis of some Channel stocks such as VIIe Common Sole and rays (e.g. blonde ray, cuckoo ray, undulate ray) in VIId.

#### **NON QUOTA SPECIES**

##### **BROWN CRAB – ACRUNET PROJECT**

- The Secretariat will continue to invite ACRUNET project coordinators to provide regular updates at future NWWRAC meetings. The NWWRAC will also be willing to provide comments and feedback to any consultations and questionnaires addressed to stakeholders on various aspects or activities of the project (e.g. industry-science interface, European quality standards and certifications, marketing and product promotion, characterisation of European crab industry).

##### **SEA BASS**

- An Inter-RAC workshop will be proposed by the NWWRAC for the first quarter/half of 2014 to discuss management options for seabass fisheries (including a management plan) with the participation of relevant scientists, Member States, fishers and fisher's representatives and other stakeholders. The NWWRAC Secretariat will contact colleagues from other RAC Secretariats and will act as coordinator of this initiative. The Secretariat will also begin the drafting of a Terms of Reference for discussion, with the assistance of a steering group of experts and professionals from this fishery;
- The basic agenda for this workshop will consist of a series of presentations followed by an exchange of views, from the floor, on the following topics:
  - Scientific assessments on the state of sea bass populations;
  - DG MARE proposals for management measures;
  - Member State positions and national measures;
  - Existing initiatives from the fishing industry on sea bass management;
  - How can the RACs help? The Way forward.



## SCALLOPS

- In principle, the NWWRAC will support the proposal from the GAP2 Project to organise a dedicated Workshop on Regional Management Measures for Channel Scallops in the first quarter of 2014. The event will be funded by GAP2 but the NWWRAC will help with several aspects in relation to organisation and logistics. A proposed outline of contents and terms of reference will be circulated to WG3 members by the Secretariat, seeking their comments and input. This will allow a common approach and agreement by fishermen's representatives from France, UK, Belgium and Ireland on the content, objectives and items for discussion.

## WG 4 – IRISH SEA

**Chair: Alan McCulla**

**Rapporteur: John Crudden**

### MIXED FISHERIES MANAGEMENT PLAN FOR THE IRISH SEA

- The Chairman and the Secretariat will follow up with Michael Keatinge (BIM) on the status of the appointment of an economist and coordinator for the development of the Irish Sea Management Plan, together with the one for the Celtic Sea region.

### FISHING OPPORTUNITIES FOR 2014

#### PLAICE VIIA

- The NWWRAC will seek clarification from the European Commission why the NWWRAC had not been consulted regarding the maintenance of VIIa Plaice as a data poor stock with no TAC proposal.
- The NWWRAC will seek clarification from the Commission on the source of its figures for discard rates in the Plaice fishery, in the Irish Sea.

#### HADDOCK VIIa

- The Executive Committee was asked to make a request to ICES, through the EU Commission, to re-evaluate the assessment methodology for Haddock in Area VII, bearing in mind the assessment methods used in other fisheries (e.g. Iceland).



## COLLABORATION BETWEEN SCIENCE-STAKEHOLDERS

It was agreed that:

- Concerns with regard to the inability of ICES to deliver timely advice for some stocks would be communicated to the Commission by the Secretariat;
- The Secretariat would follow up on an agreed action point in the Irish Sea Focus Group to ask ICES, through the Commission, for clarification on its advice in relation to the negative impact that certain activities such as offshore marine constructions may have on spawning habitats for pelagic species and other stocks in the Irish Sea;
- The Secretariat and designated data coordinators will ensure adequate participation of NWWWRAC representatives in all ICES meetings.
  - The RAC will also propose to have a half-day meeting with scientists either before or after ICES Expert Working Group meetings as Expert Working Groups are closed to observers.

## COD MANAGEMENT PLAN

- The NWWWRAC will seek clarification from the EU institutions on the current status of the Cod Management Plan.

The Secretariat informed the meeting that some of the Horizontal Working Groups/Focus Groups proposed above (e.g. Celtic Sea, Sea bass) could fit into the next round of NWWWRAC meetings, which would be held in March/April, 2014.

**DECISION:** The members of the Executive Committee of the North Western Waters RAC, that were present at the meeting, approved the recommendations requested by WG2, WG3 and WG4.

The actions requiring endorsement and adoption, generated by Working Group 1 and the Focus Group on Nephrops in their meetings on 9<sup>th</sup> November 2013, will be forwarded to Executive Committee members by e-mail procedure, in compliance with the NWWWRAC rules of procedure.

### **3. CFP Reform: regionalization in the EU decision making: Role, composition, functioning and funding of the Advisory Councils (ACs)**

#### **3.1. Report from the Chairman and the Secretariat:**

The Chairman (Bertie Armstrong) and the Secretariat (Alexandre Rodriguez) provided a report to the members on the following, recent events:

- Coordination meeting between DG MARE-RACs (Brussels, 24 October)

The Basic Regulation on the CFP Reform has now been agreed by the co-decision procedure of the European Parliament and the Council and it cannot, therefore, be modified at this stage. The CFP will enter into force on the 1<sup>st</sup> of January 2014. The basic rules on the composition and functioning of the Advisory Councils are laid out in Articles 52 to 54 and Annex III of this text. Clarification on a number of issues was sought by several RACs at the meeting, a report of which will be uploaded on the NWWWRAC website once available<sup>2</sup>.

- EC Workshop on CFP Reform (Brussels, 25 October)

The two main subjects discussed at this meeting were: (1) recommendations on conservation and management measures at regional level (i.e. “*regionalisation*”) and (2) the means and mechanisms for collaborative work between Advisory Councils and Member States to help the later to issue widely supported joint recommendations on management plans at regional level including the implementation of the landings obligation through fisheries discards plan. A written report of the main conclusions reached at these meetings will be uploaded on the NWWWRAC website<sup>3</sup>.

- Composition of the Advisory Councils (ACs)

The change in the composition of membership of Advisory Councils from the present 2/3 (66.66):1/3(33.33) to a 60:40 ratio of fishing industry to other groups of interest representatives will increase the proportion of non-fishing sector representatives (i.e. environmental NGOs and representatives of civil society).

However, without any indication of implementing measures other than those stated in the Basic Regulation on the CFP Reform, there is no mention or restriction to the maximum number of seats on the Executive Committee. In practice, therefore, each AC will decide if they wish to increase the number of Executive Committee seats.

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<sup>2</sup> [www.nwwrac.org/Meetings/Meetings\\_ENG/Navigation.php?id=726&language=English](http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=726&language=English)

<sup>3</sup> [www.nwwrac.org/Meetings/Meetings\\_ENG/Navigation.php?id=727&language=English](http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=727&language=English)

- Legal framework of the Advisory Councils: operational and financial rules

The adoption of specific rules for establishing (and modifying) areas of competence for Advisory Councils as well as the composition and functioning of the Advisory Councils is now a legislative act delegated to the Commission in accordance with article 290 of Lisbon Treaty and article 55 of the Basic Regulation on CFP Reform. DG MARE are currently drafting the future basic operational implementing rules laid out in Annex III of the CFP Basic Regulation which will replace Council Decision No 585/2004/EC, currently in force. A first draft should be available sometime in early 2014. Ideally, the NWWWRAC would like to be consulted and have some input in the process.

Regarding financial support, the ACs will retain their EU status as bodies pursuing an aim of general European interest, but will now draw their funding directly from the European Maritime Fisheries Fund (EMFF).

### 3.2. Exchange of views from the members (and some observers)

NFFO (Barrie Deas) said that Commission's message was clear: it is up to the Member States and Advisory Councils to work together to find ways to develop the management of fisheries at a regional level with the Commission acting as a facilitator of the process, where required. Mr. Deas explained his experience as part of the North Sea RAC delegation at the Scheveningen Group meeting, in September. The stakeholders at that stage were told by Member States that they should prepare their advice and send it to the Member States. This seems like a mixed message, as it is encouraging the ACs to work in parallel with the Member States rather than in unison. Mr. Deas stated that doubts and concerns about the exact role of the ACs in the context of cooperation with Member States must be resolved quickly.

It also appeared evident that Member States seem to be struggling with resources to face this enormous challenge. This offered the RACs an opportunity to assist in the process and work jointly and pro-actively with Member States. As such, the RACs should provide a strong and positive message to the Member States to be involved in the process from the outset.

Regarding the preparation and drafting of discards plans, STECF will work, both in the Plenary Session and in a dedicated Expert Working Group on Discards in November, to obtain an unambiguous interpretation and common understanding on what the landings obligation means in terms of implementation. Its work will be crucial for the success of this flagship policy of as part of the CFP reform.

ANASOL-ARVI (Hugo González) was surprised to see a lack of clarity and ideas from the Commission when presenting specific elements of the implementation of the discards plan. A lot of uncertainties remained regarding how regionalisation is going to be made fully operational.





The NWWWRAC Chairman (Bertie Armstrong) indicated the need for the RAC to find the right structure or platform for positive engagement with Member States and added that the NWWWRAC was committed to providing ideas to Member States for this to become a reality.

NFFO (Barrie Deas) encouraged NWWWRAC members to do their utmost to be part of this process and to hold informal discussions with their own national correspondents.

The Secretariat (Alexandre Rodriguez) noted that the Member States dealing with North Western Waters (BE, FR, ES, UK, IE, NE) were planning to hold a Regional Working Group meeting, in Dublin, in the near future and that some interesting conclusions or protocols for defining a regional forum might arise from there.

KFO (Sean O'Donoghue) agreed with NFFO (Barrie Deas) that the NWWWRAC needed to formulate well constructed proposals on the practicalities of working with the NWW Member States. As the Irish administration appeared to be leading and coordinating the North Western Waters regional group, it was suggested that the RAC might establish communications with this group as soon as possible.

IS&WFPO (Eibhlín O'Sullivan) stated that it was essential that the ACs are central to the regional process.

Client Earth (Observer; Liane Veitch) added that, although it may have been an angle that would have been included in the NWWWRAC's correspondence with relevant Member States already, it could be quite persuasive to highlight the benefits of collaborating with the ACs to Member States, instead of relying on their obligation to do so. The most significant benefit perceived would be greater compliance with management measures, both as a result of greater practicality of discard and management plans, and because the industry may be more likely to feel that their views have been heard and interests considered. Aside from the inherent benefits of increased compliance by fishing vessel operators and other industry actors (i.e. achieving the objectives of the CFP), it may also mean less monitoring, control and enforcement resources are required from Member States.

The Chairman agreed with the approach proposed by NFFO and KFO and made a request to the Secretariat to initiate contact with Ireland and all concerned Member States requesting that the NWWWRAC be engaged by the developing regional group. He also invited the NGOs to join the industry members in a sensible and gradual approach to reduce discards at the lowest possible levels and a certain degree of flexibility and proportionality in the implementation mechanisms of the landings obligation rather than a restrictive "zero tolerance" compliance policy.

#### **ACTION:**

**The NWWWRAC will submit a letter to the Irish Administration and all concerned MS including some of elements of the NFFO (Barrie Deas) paper as ideas for developing regional fisheries management.**

#### 4. CFP Reform: Implementation of the landings obligation in North Western waters

Further to comments made in discussion on item 3, it was noted that a number of questions/uncertainties remained i.e.:

- Interpretation of articles in the CFP;
- Lack of clarity from the Commission on components of discards ban;
- How “*de minimis*” rules were going to be implemented? What would the frequency be (annual, monthly, per fishing trip)?
- Control and compliance.

It was agreed that these were all fundamental questions that needed to be resolved before working on the plans themselves. Members were informed that the Pelagic RAC had already exchanged correspondence with the DG MARE in relation to these points.

The Chairman (Bertie Armstrong) warned members of the potential for perverse impacts should there be a blunt application of the landings obligation and advocated a pragmatic approach providing, as an example, the experience of the Scottish trials of CCTV (i.e. close circuit television cameras) on vessels to monitor discards. It was advocated that unless some degree of flexibility was allowed, a prescriptive approach based on “choke species” might effectively shut down sustainable fisheries within a short period of time.

ANOP (Jacques Pichon) stated that more refinement and precision was needed on how the landings obligation was going to be applied in practice. There was a need to select implementation areas that have geographical coherence in terms of exploitation patterns (species targeted) and fleet distributions (directed fisheries).

KFO (Sean O’Donoghue) reminded members that when designing and applying regional measures “one size does not fit all” and a careful definition of fleets and métiers was needed in advance. Fishermen will be the only stakeholders affected by this policy and their voice must be heard and taken into account when proposing measures to implement the landings obligation.

RSPB-Birdlife (Phillip Taylor) directed member’s attention to a comprehensive study made by RSPB-Birdlife on the impact of a landings obligation on seabird populations and offered to share it with the members through the Secretariat.

#### **ACTION:**

**The NWWWRAC Secretariat and Chairman will review the Annual Work Programme of the NWWWRAC to ensure that all issues relating to discards plans take priority.**

## 5. Report on non-RAC Meetings and forthcoming events

- ICES ADG on Nephrops - Copenhagen, 21<sup>st</sup> and 22<sup>nd</sup> October 2013  
The conclusions of the ICES ADG NEP will be presented by IS&WFPO (Eibhlín O’Sullivan) and SFO (Jane Sandell) at the Nephrops Focus Group meeting on the 9<sup>th</sup> November.
- ICES WG on Maritime Systems (WGMARS) – Stockholm, 4<sup>th</sup> and 5<sup>th</sup> November 2013  
The NWWWRAC was invited to participate at ICES WGMARS and was represented there by a delegation composed of the Secretariat (Alexandre Rodriguez), IS&WFPO (Eibhlín O’Sullivan; Skates, Rays and Sharks; and Nephrops VII data coordinator) and CNPMM (Caroline Gamblin; Anglerfish VII data coordinator). At request of ICES WGMARS organisers, the delegation provided a joint presentation on the data deficiencies initiative lead by the NWWWRAC and the work complete to date, as well as a reflection of future challenges ahead. The WGMARS meeting report will be circulated and made available once available under the correspondent site of the NWWWRAC website.
- STECF EWG 13-17 on Discards – Dublin, 26<sup>th</sup> to 28<sup>th</sup> November 2013; NFFO (B. Deas)  
The STECF EWG meeting on the landings obligation has already been covered in some extent earlier on and within the Working groups.

## 6. Fishing Opportunities for 2014 and data limited stocks

This item was discussed at the Working Groups and the actions presented and agreed under item 2.

## 7. Report on the actions of a previous meeting – Query on Sprat VI-VII

Members were informed that a reply had been received from the Commission on the query made by the NWWWRAC on whether sprat in VI-VII was considered a species within the remit of the NWWWRAC. The Commission stated that, given the wide distribution and the semi pelagic nature of this stock, any advice on management measures on European Sprat management should be coordinated between the North Western, the North Sea RAC and the Pelagic RAC. However, the NWWWRAC might decide to produce autonomous advice if the measures were only concerned to ICES areas VI (West of Scotland) and VII (West of Ireland, Channel and Irish Sea).



## **8. Summary of actions agreed and concluding remarks by the Chairman**

The Chairman thanked all participants for their attendance, the Irish Government for hosting the NWWRAC meetings in such a nice venue, Dublin Castle staff for their professionalism and competent services, the Secretariat for looking after the content and logistics and the interpreters for their excellent level of communication.

**The Chairman closed the meeting at 15:00**

## ANNEX I

### LIST OF PARTICIPANTS

EXECUTIVE COMMITTEE MEMBERS		
FIRST NAME	LAST NAME	ORGANISATION
Bertie	Armstrong	<b>NWWRAC Chairman</b>
Marc	Ghiglia	<b>NWWRAC GA Chair / Honorary President</b>
Víctor	Badiola	Organización de Productores de Pesca Ondarroa
Victoria	Beaz	European Bureau for Conservation and Development (EBCD)
Emiel	Brouckaert	Rederscentrale
Kara	Brydson	Royal Society for the Protection of Birds / Birdlife
Alan	Coghill	Scottish Fishermen's Federation
Debbie	Crockard	MCS UK (representing Seas at Risk)
John	Crudden	European Anglers' Alliance
Bruno	Dachicourt	CFTC-ETF ( <i>replacing Jacques Bigot</i> )
Barrie	Deas	National Federation of Fishermen's Organisation
André	Gueguen	Comité National de Pêches Maritimes
Hugo	González	ANASOL-ARVI
Pieter	Louwe van Slooten	Dutch Fisheries Organisation
Eduardo	Míguez	European Association of Ports and Auctions
Geert	Meun	Dutch Fisheries Organisation ( <i>replacing Anton Dekker</i> )
Sean	O'Donoghue	Kyllibegs Fishermens Organisation
Eibhlín	O'Sullivan	Irish South and West Fish Producers Organisation
Jacques	Pichon	Association Nationale Organisations Producteurs
Philip	Taylor	RSPB Scotland-Birdlife ( <i>replacing Kara Brydson</i> )
John	Woodlock	Irish Seal Sanctuary

OBSERVERS		
Giles	Barlett	World Wildlife Fund UK
Stephen	Cederrand	European Fisheries Control Agency
René-Pierre	Chever	CRPMEM du Finistère
Ramón	de la Figuera Morales	Ministerio Agricultura - Gobierno de España – MS
Paul	Francoise	FFSPM
José Manuel	Fernández Beltrán	OPP-07-LUGO
Caroline	Gamblin	CNPMEM
Robert	Griffin	DG MARE – European Commission
Daniel	Lefèvre	CRPMEM Basse Normandie – <b>WG3 Chair</b>
John	Lynch	Irish Fishermen’s Organisation
Laurent	Markovic	DG MARE – European Commission
Alan	McCulla	ANIFPO – <b>WG4 Chair</b>
Kevin	McDonnell	West of Scotland FPO Ltd.
Rémi	Méjécaze	DPMEM – France – MS
Jennifer	Mouat	Scottish Whitefish Producer’s Association
Francis	O’Donnell	Irish Fish Producers’ Organisation
Jim	Portus	SWFPO
Paul	Trebilcock	Cornish Fish PO
Liane	Veitch	Client Earth



SECRETARIAT		
Conor	Nolan	NWWRAC Executive Secretary
Alexandre	Rodríguez	Executive Assistant - Policy and Communications and Rapporteur
Joanna	McGrath	Executive Assistant – Administration and Finances