



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

## MINUTES

### HORIZONTAL WORKING GROUP on Fishing Opportunities

Ghent, Tuesday 2<sup>nd</sup> of July 2019  
9:00 – 12:30

#### 1. Welcome and Introduction

The Chair, Emiel Brouckaert, opened the meeting and welcomed the members, observers, ICES and DG MARE representatives to the meeting. A special thank you to the Flemish government who kindly provided us the meeting facilities.

Dirk van Guyze from the Vlaamse Overheid welcomed participants for their second year in these facilities.

The Chair welcomed and invited the two new Deputy Executive Secretaries Matilde Vallerani and Mo Mathies to introduce themselves to the NWWAC members.

Apologies were received from Alex Kinninmonth, Johnny Woodlock, Alan McCulla, Bruno Dachicourt and Debbie Crockard in advance of the meeting. The agenda was adopted with a small change of moving agenda item '6 Technical Conservation Measures' forward to dovetail with agenda item '3 EC Policy Statement' as Ms Dovile Vaigauskaite DG MARE is presenting on both items.

Action points from the minutes of the last meeting (12<sup>th</sup> March 2019 Madrid)

1	The Secretariat to pull together a document on the BReP collating the individual comments document and listing the issues. Discussion Paper was developed and sent to the MSG. Need for review after this meeting with the aim of developing consensus advice
2	The AC to discuss the use of CCTV and identify the benefits for the industry to support buy in. Presentation tomorrow by John Hederman (Inspector Fisheries, DG MARE) and discussion to continue FG Control with remit on REM
3	The AC to recommend to the Commission that ICES carry out a study on ray species relevant to the NWW on the prohibited species list to reach conclusion regarding their abundance. To be done
4	The Secretariat to distribute the tables developed by the FG Skates & Rays for comment. Members to supply suggestions on best handling practices to the FG Finalised advice published and sent to MSG and COM on 07 June
5	A Focus Group to be established to further discuss and define the role of the NWWAC in the COM legislation on marine litter, single use plastic and the circular design of fishing gear. First meeting to be held today.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

## 2. Evaluation of the EU marketing standards – focus on the sustainability dimension (Chiara Bacci, Laurène Jolly, DG MARE)

The CMO review in 2013 focusses on the sustainability dimension, but do the existing marketing standards enable the market to be supplied with sustainable product as provided by the CMO Regulation?

A public consultation was carried out, which received over 155 responses. In general, it can be seen that there is a mistrust in standards that have been set up by operators, increased trust in private standards, but that the highest level of trust is attributed to standards developed by public authorities.

Sustainability is one of the main reasons why people favour standardisation so as to reduce the risk that unsustainable products might enter the market and compete unfairly with certified products.

Comments from the consultation:

*"It is important to inform better the consumers about the sustainability and real environmental cost of each product. If the market is open to foreign products, the marketing standards should be equal to all the products in order that all follow the same minimum standards before they reach the supermarket or selling point."*

*"When buying fish/seafood, It is hard to find products whose fishery had no negative impact on the environment because the conditions are mostly not clear."*

The current marketing standards in the EU do not conflict with conservational rules, as minimum marketing sizes are the same as MCRS. If there is no MCRS then the minimum marketing size can ensure that undersized fish does not enter the market. However, real sustainability of the stock is delivered by other measures in the CFP, for example TCM.

However, it is a problem that the CFP applies only to seafood fished in the EU, but two thirds of the seafood on the EU market is supplied by imports. All marketing standards apply to imports as well, but there is no legal sustainability requirement on this large amount of imported product, the private sector looked for other solutions, i.e. private standards on top of marketing standards. Marketing standards, however, don't look at other aspects of sustainability, for example social aspects.

Environmental sustainability claims have increased the most (slide), as shown by two studies published by COM. Corporate sustainability choices seem to be a main driver more so than consumer demand, and retailers don't use the labels quite often on the final package, on the one hand to avoid providing unneeded consumer information, and on the other to avoid having to pay royalties. Emphasis seems to be more on general sustainability communication from individual brands or supermarkets with Sweden being the exception.

As regards consumers, with the exception of Sweden, sustainability is not necessarily a driver for buying seafood, as more focus is placed on personal benefits of seafood and the expectation that sustainability issues have been solved beforehand.

The Commission's objective is that standards should enable the market to buy sustainable products, but as there has been no update on marketing standards there is a reliance on private standards.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

One of the problems is that private standards don't cater for issues further down the supply chain, as well as relying on private definitions of what sustainability is which is not always coherent with EU policy.

A number of questions and issues were raised by NWWAC members, including:

- The conflict of the LO/MCRS and the fact that undersized fish must now be landed and an increasing market for undersized quota fish (for example for crab bait) which is in direct conflict with common market organisation.
- The fact that the MAC moved a step ahead of Commission by deciding a year ago that common marketing standards were no longer fit for purpose and developed new proposals. How could sustainability be covered in the marketing standards if it is at the core of the CFP and how does the Commission hope to cover this in proposal?
- The problem with private labels such as the MSC is that on the pelagic side, MSC has a monopoly across the NE Atlantic including Norway, Faroe and Iceland?
- All forms of food production have an environmental impact. Fishing in general has a lower impact because it doesn't require a fundamental change to the ecosystem as it is equivalent to hunting and gathering. When it comes to consumer choice, should this be highlighted? Should there be visibility regrading certain forms of food production?
- Compliance with the LO has created an extra problem for vessels, as no trade of undersized species is allowed, so either these are used for donation or waste is created. While the use of Ecolabels is increasing, and the Commission is in favour of labels, the industry does not support private ecolabels. Compliance with the current legislation makes the fleet sustainable already so all products should be considered sustainable if the fleet complies with current legislation. Ecolabels lead to extra costs that cannot be covered by sales prices. Seafood production in Non-MS does not have to comply with EU legislation which provide for basic sustainability within the EU fleet, however, additional private labels can be lost despite the fleet complying with EU legislation.

The Commission is fully aware of the problems around landings and utilisation of undersize fish, however, the goal of the LO is to reduce catches at source, not to find new markets. In the absence of any sustainability provisions, keeping minimum marketing sizes has kept imports of small fish low, for example Japan products of juvenile fish could be blocked from entering EU market due to the fact that minimum marketing size was in place, as the EU has no MCRS in place in the Pacific. There is a need to find utilisation opportunities for undersize fish, for example donations. Currently, the instruments are not in place to deliver, and clarity is needed on what is sustainable. There is no black and white scenario, which is the biggest problem with eco labels which is why COM is looking at standards. There are different levels of sustainability and adherence, 60% adherence is not the same as 100% adherence to a standard or label.

*(Insertion Secretariat: The Commission has no specific view in favour or against labels. The usefulness of any instrument needs to be assessed on a case by case basis and can only be concluded having regard to its expected impacts and costs.)*



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

Discussions have been held on the comparison of product footprint, and it is recognised that fish is much more environmentally friendly in production which may be included and assessed in the Commission's revision and can be discussed with industry.

EU rules are not the same rules everywhere else, and the sustainability outcome of compliance with the CFP is different from compliance with national rules elsewhere. The impact of eco labels around the world on stock sustainability has been evaluated. Certified and non-certified product show the exact same performance environmentally in the EU, so it can be concluded that the CFP is working for stock sustainability.

Measuring sustainability with a standard will increase transparency.

The NWWAC appreciates this detailed update. Advice from the NWWAC on the EC Policy Statement and fishing opportunities 2020 will include comments on the marketing standards as per the Policy Statement with a view on the needs for a revision of marketing standards. The NWWAC recognises that the MAC is carrying out work on this already.

**Action:** The Secretariat to contact the Market AC and identify potential for collaboration in view of the workshop the MAC is organising.

### 3. EC Policy Statement (Dovile Vaigauskaite, DG MARE)

The policy coordination unit prepares the annual Policy Statement which has two objectives:

1. To report on state of play of CFP (legal plus additional elements)
2. To launch public consultation ahead of the Commission's proposals for fishing opportunities for 2020

It is also a good opportunity to take stock of how the basic regulation is performing, and to explain to the stakeholders what the EU is doing, why the EU is doing it and how.

Regarding fishing pressure and state of stock in the NE Atlantic, the medium fishing mortality has stabilized, TAC setting made progress, 59 TACs are now in line with Fmsy, and biomass also shows a positive trend. Overall, the NE Atlantic is moving towards sustainability.

The Annex of the Communication contains all the graphs, plus a chapter on how fishing opportunities were set for 2019 and how the AC advice has been taken into account.

The state of the EU fleet shows positive trends. While fleet capacity is decreasing, fleets are operating more profitably, salaries are increasing, and there are positive trends in fleets that are fishing sustainably.

The overall situation in the Mediterranean and the Black Sea is not as good and international cooperation is vital.

Progress has been made in terms of governance with the completion of a series of Multi Annual Plans. Four MAPs are now in force:

- Demersal stocks in Western Waters
- North Sea



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- Baltic Sea
- Western Mediterranean

Progress has also been made with the discard plans. Four new discard plans were adopted in 2018, though there is only slow progress in relation to the Joint Recommendations under Art 11.

The ACs can be seen to be more and more active having submitted 73 recommendations in 2018, and it is identified in the Annex how the advice is taken into account by the Commission.

The LO entered into force fully in January 2019. The Policy Statement presents the main elements based on the replies from the MS (and contributions from EFCA), and it is recognized that a level playing field is vital for LO to work.

Most previous discussions were around the choke situations. These discussions and cooperation among all the stakeholders led to the solution of bycatch reduction plans developed for five zero TAC advice stocks.

Slight progress has been made on EMFF spending on LO, though further progress is needed as much more money is available.

Compliance with the LO is very weak and must improve though this is difficult with the tools that are currently available.

Regarding International Ocean Governance, the EU is recognized as a strong international player. The Commission has adopted the Communication on International Ocean Governance back in 2016. Good progress has been made in implementing this, with the EU viewed as an ocean champion internationally. Main achievements include:

- FAO Voluntary Guidelines on the marking of fishing gear (July 2018)
- Agreement to prevent unregulated fishing in the High Seas of the Central Arctic Ocean (October 2018)
- Active player in RFMOs;

And on bilateral relations:

- Ocean Partnerships with China and Canada
- 11 sustainable fisheries partnership agreements
- IUU yellow card lifted for Thailand
- Introduction of IT system CATCH;

as well as the introduction of the Single Use Plastics Directive and port receptions facilities Directive to address the issue of marine litter.

Guidelines on fishing opportunities

2020 will be an important year when the MSY target must be achieved as identified in CFP.

Predictive TAC setting based on best available scientific advice, with three Commission proposals to be prepared, of which the Atlantic/ North Sea proposal is to be adopted in October and discussed in December Council.

Main elements of the proposal for the Baltic/North Sea and Western Waters are based on relevant MAPS, TAC adjustments for the landing obligation which includes the reduction of *de minimis* and high survivability exemptions from catch advice.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

### Summary

Progress continues but more work has to be done. This year will require significant effort from everyone. The situation in the Black Sea and Mediterranean remains worrying. For the LO, effective control and enforcement is of paramount importance.

Following the presentation, NWWAC members raised a number of queries, including:

- The possibility of identifying a percentage of the number of AC recommendations that have been adopted by Commission.
- The improvements that regionalisation have brought but that it needs further improvement. Fleet segments and specificities need to be studied and individual solutions identified as different basins and different fleets have different requirements.
- The misleading wording in the conclusion stating that a lot of stocks remain overfished as the situation in the NE Atlantic has improved. So, this statement may be more appropriate to the Mediterranean or the Baltic.
- Basically, mixed fishery Fmsy is impossible. It seems impossible for all fisheries in a mixed fishery to be fished at Fmsy. Should fishing below Fmsy be considered in the same right as fishing above Fmsy and how does the Commission envisage dealing with this for the new proposal.
- That Management options for mixed fisheries and the framework of intra-species management should be based on scientific advice and there doesn't seem to be anything regarding ICES opinion included so far.
- That the Policy Statement mainly focusses ecological view of things and dynamics of the stocks. The view of the status of the fleet is more microscopic, and while benefits and profits can be seen overall, things may differ between the MS. Capacity management may not be the best measurement. Energy transition needs to be looked at. All stakeholders need to be supported in renewing their production tools to ensure overall sustainability and so that the sector remains attractive. Vessel capacity is not a panacea and should not hamper fleet renewal and better increased sustainability
- A proposal as to improve the Policy Statement over the next years regarding the way the numbers of stocks that need to be fished at MSY are put forward. All stocks are part of the CFP rules, "precautionary approach stocks" should not be forgotten despite no MSY assessment available and it would be a good idea to have a list of stocks that have to comply with MSY so that ministers are aware and perhaps more eager to make the right decisions.
- Regarding the language used in the communication stating "*control and enforcement is of paramount importance.*" Different language might be more appropriate, for example "high levels of compliance are of paramount importance." How can the Commission make state that compliance is weak, when only a patchy picture is available. The purpose of the LO is to reduce unwanted catch, and in this member's personal view a lot have as been done with a view to avoidance. The communication suffers because it was probably written before the LO seminar in Brussels on 14 June as movement and progress has been made. It is important to move away from the top down approach.
- That MSY reporting in tonnages should be considered versus number of stocks. For example, now 78 stocks are at MSY, but how many tonnes of catch does this represent?





CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- The query is if the Commission could investigate the fact that TACs are set in line with MSY approach but the same fishery may also have Cat 3 stocks, where the tonnage set for catch is significantly lower. What would need to be investigated is the MSY approach in Cat3 but also overall in terms of scale. For example at Rockall, TAC for Haddock is currently 10,500 t, yet for Cod the TAC is only 74 tonne based on Cat 3 approach. This would trip up fishing of the significant commercial species in any good year. Is it reasonable to treat everything the same in terms of approach or scale.

The Commission advised that identifying percentages of AC advice taken into account is difficult as the 73 AC recommendations received would need to be split into their various elements. Also, different aspects may be weighed differently. The Commission is open to suggestion on how to further objectivise this assessment in the future.

Regionalisation is very important to be used as a tool to account for regional differences. It is a privilege given to the MS, but also a duty given to the MS to act upon and to work on how different they are. Discard plans are good example to reflect the differences between basins.

Regarding the state of the fleet, the objectives of the CFP are threefold and include environmental, economic and social sustainability. But the co-legislators decided that the overarching objective was MSY which in the end would ensure social sustainability as well. So even if fleets are decreasing but profits are going up this is going in the right direction.

With regards to top down control, yes progress has been achieved and is not being ignored, but we are not there yet so all the tools must be used and control is one of them. It is also important that all the data is available so as to ensure the best way to proceed.

Regarding the discard plans it is useful to go over how the process works. Once the Commission writes the delegated act which is reliant on the Joint Recommendations from the MS, the Commission has to either accept or reject the entire JR as it cannot modify individual aspects. The MS are asking ACs as part of the cycle of producing the JR. This year the timing has been very tight for everyone. The STECF plenary is going on simultaneously to the NWWAC meetings meaning there is no position yet for the Commission. A discussion needs to happen around the process with AC and MS.

Regarding MSY and how the Western Waters MAP is going to be used, there are not a lot of new aspects being introduced and it will be used for TAC setting. The ICES advice came out last Friday and the Commission is currently going through advice for all TACs.

It is difficult how various criteria are applied regarding the Fmsy ranges. Conditions apply to various fisheries that need to be followed to identify if TAC can be set.

Mixed fisheries advice is key and has been received for several sea basins. The Commission realises this advice needs to be improved and has initiated the project ProByFish drawing together scientists from across Europe to develop tools to look at interactions in mixed fisheries so that mixed fishery advice becomes more sophisticated.

Regarding MSY, the precautionary advice is a bit different this year to the wording, and a reference to the MAP is included. Some stocks still maintain MSY Cat 1 or Cat2 analysis and the MSY point value will be used to identify fishing opportunities. Category 1 and 2 have analytical TACs, Cat 3 and 4 have MSY proxies and % and 6 are precautionary as they are very data poor.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

The list in the current annex will provide information with the TAC table. Even if a PA principle is on the top line, the options on the other lines will also be considered.

Rockall could be discussed in a Working Group as choke may be discussed as well.

A clarification was sought by an AC member to identify if AC meetings should be held later so that AC can give better advice and have ICES STECF advice available.

The Commission explained that the AC has two parts to play in discard plan. Firstly, the MS ask for input and there were definite timing constraints this year, so the COM/MS/AC need to discuss on how to better integrate.

Secondly, this draft document then goes to STECF and after that point the AC can react to the STECF evaluation. The Commission will look at the draft report and discuss with MS until end of month at which point there will be a final JR which will go to the MS experts. If the draft is complete and the AC provides advice after completion, that advice will probably go into the following year.

NWWAC will respond in similar fashion as previous years, 20 August deadline for public consultation. AC would like to ask for extension for deadline as an AC instead of member of public to be able to provide could advice.

**ACTION:** The Secretariat to contact the Commission to ask for an extension to the deadline for providing comments on the public consultation on fishing opportunities for 2020.

**ACTION:** The Secretariat to start the process of advice drafting.

#### 4. Technical Conservation Measures

The new TCM regulation has been signed by both EU Council and Parliament and will be published on 25<sup>th</sup> of July in the Official Journal and come into force twenty days later on 14<sup>th</sup> of August.

The objective is to simplify the existing framework while intending to maintain the core elements.

The full text of the new Technical Measure Regulations can be found here:

<http://data.consilium.europa.eu/doc/document/PE-59-2019-INIT/en/pdf>

<http://data.consilium.europa.eu/doc/document/PE-59-2019-INIT/fr/pdf>

<http://data.consilium.europa.eu/doc/document/PE-59-2019-INIT/es/pdf>

To avoid a legal vacuum the Commission plans to adopt a number of Implementing Acts as set out in Article 24(1).

These will be discussed on 24 September (TBC) with the Committee for Fisheries and Aquaculture, and a seminar with the Member States will be organised for the 23rd September. If deemed useful a similar seminar might be organised with stakeholders.

The following existing regulations will be repealed:





CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- *Commission Regulation (EC) No 2056/2001 of 19 October 2001 establishing additional technical measures for the recovery of the stocks of cod in the North Sea and to the west of Scotland. Official Journal L 277, 20.10.2001 p. 0013 - 0016*
- *Commission Regulation (EEC) No 3440/84 of 6 December 1984 on the attachment of devices to trawls, Danish seines and similar nets. Official Journal L 318, 7.12.1984, p. 23(In force)*
- *Commission Regulation (EEC) No 955/87 of 1April 1987 amending Regulation (EEC) No 3440/84 on the attachment of devices to trawls, Danish seines and similar nets. Official Journal L 90, 1.04.1987, p. 29 (In force)*
- *Commission Regulation (EEC) No 2122/89 of 14 July 1989 amending Regulation (EEC) No 3440/84 on the attachment of devices to trawls, Danish seines and similar nets. Official Journal L 203, 15.07.1989, p. 21 (In force)*
- *Council Regulation (EC) No 1434/98 of 29 June 1998 specifying conditions under which herring may be landed for industrial purposes other than direct human consumption. Official Journal L 191, 7.7.1998, p. 10–12 (In force)*
- *Commission Regulation (EC) No 1922/1999 of 8 September 1999 laying down detailed rules for the application of Council Regulation (EC) No 850/98 as regards conditions under which vessels exceeding eight metres length overall shall be permitted to use beam trawls within certain waters of the Community (In force)*
- *Commission Regulation (EU) No 724/2010 of 12 August 2010 laying down detailed rules for the implementation of real-time closures of certain fisheries in the North Sea and Skagerrak. Official Journal L 213, 13.8.2010, p. 1–5*
- *Commission Regulation (EC) No 146/2007 of 15 February 2007 amending Regulation (EEC) No 3440/84 as regards conditions for certain trawls for vessels operating pump aboard systems. Official Journal L46 16.02.2007, p.9*
- *Commission Regulation (EU) No 686/2010 of 28 July 2010 amending Council Regulation (EC) No 2187/2005 as regards specifications of Bacoma window and T90 trawl in fisheries carried out in the Baltic Sea, the Belts and the Sound. Official Journal L 199, 31.7.2010, p. 4–11*

Article 15 explains the regionalisation process where the Joint Recommendations have to be submitted to the Commission, which are then assessed by STECF and, if found useful, will then be adopted.

- An NWWAC member raised a specific query regarding the catch composition rules identified in Art. 27 of new TCM regulation. This article makes it very clear that the catch composition rules are without prejudice to the LO. So legally it says that the catch composition rules will be superseded by the LO rules. But the catch composition are co-decision and cannot be changed unless this goes back to EU Parliament and Council. The annexes relating to those catch composition rules give a derogation to use a smaller mesh size, which raises the question if that is superseded by the LO, does that mean the catch composition rules do not have to be met to use the smaller mesh size or does it mean that the smaller mesh size cannot be used at all? As this is a key question and very important to the industry a written answer is desirable.

**This could be one of the technical queries regarding the new Technical Measures Regulations that NWWAC members can send to the Secretariat who will collect and collate these and forward to the Commission.**



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

The NWWAC would welcome the opportunity to participate in a stakeholder seminar beside the one to be organised for the MS.

**Action:** NWWAC members to send queries regarding the Technical Measures Regulations to the Secretariat by Friday 12 July 2019.

## **5. Introduction to the ICES Advice for the North Western Waters (Ghislain Chouinard, ACOM-Vicechair)**

The latest ICES advice was released on Friday 28 June. The Principles of ICES advice for this morning are taking into account the management plans that are in place followed by a quick snapshot of results, while the details on individual stocks will be presented in Working Groups.

Some advice is due to come in later, for example *Nephrops* in the Celtic Sea will be released in autumn as well as megrim and anglerfish, and skates and rays. Some advice is delayed due to issues with the assessment, e.g. sole.

The ICES advisory process is based on a framework, and ICES continue a constant dialogue with their clients in terms of their needs.

The work for recurrent advice includes benchmark meetings, audits during assessments, peer review and external reviews.

There are over 1500 experts who participate annually in the ICES advice development process. Special request advice is developed during workshops. All advice needs to be approved by the Advisory Committee before it can be released.

The MSY approach is used for Cat 1 and 2 where an analytical assessment can be made, Blim and Btrigger can be estimated.

All ICES advice is precautionary in terms of MSY, and the Fmsy gets checked as well to ensure that it is also precautionary.

Advice will be 0 unless Blim can be attained by the end of the projection year. This can happen if the stock biomass is below Blim and is not predicted to increase above Blim because of recruitment.

The advice rules applied by ICES in developing advice on fishing opportunities depend on:

- management strategies agreed by relevant management bodies, and
- the information and knowledge available for the stock.

There are a number of stocks for which Fmsy is not available.

The hierarchy of ICES advice can be found here:

[http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/2018/Introduction\\_to\\_advice\\_2018.pdf](http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/2018/Introduction_to_advice_2018.pdf)

This document also includes the definition for the harvest control rule used for providing ICES MSY advice.

Approaches for providing MSY advice for category 3-6 have been developed through the WKLIFE



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

series workshops. The last workshop (WKLIFEVIII) was held in October 2018 (see [http://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/acom/2018/WKLIFEVIII/WKLIFEVIII\\_2018.pdf](http://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/acom/2018/WKLIFEVIII/WKLIFEVIII_2018.pdf)) and focused on methods for categories 3-4. As a follow-up, a workshop to look at advice rules for short-lived species (Workshop on Data-limited Stocks of Short-lived Species (WKDLSSLS) will be held in Sab Sebastian (Spain) from 16–20 September 2019.

New this year for the ICES advice for the NWW is the inclusion of the MAP. ICES gives advice on the status of the stocks and exploitation for all stocks, as well as the fishing opportunities for stocks for which TACs are set.

Occasionally, there are problems with a stock assessment when results from successive assessments result in revised estimates of stock biomass that are consistently lower (or higher) than those of the previous years. Causes for this bias are often not entirely clear and may be linked to a number of factors such as: additional mortality (either natural mortality or fishing mortality if some catches are not being accounted in the evaluation) or assumptions in the model that do not capture the full dynamics of the fishery. ICES will hold workshop later this year to evaluate these biases and propose a way forward in dealing with biased assessments.

All advice available online at: <http://www.ices.dk>

Click on: **Follow Our Advisory process → Latest advice**

In addition to advice items, the “Introduction to ICES Advice” document describes principles and advice basis.

For advice release dates, follow link: **Follow Advisory process → Advice requests and advice release dates**

Following the presentation NWWAC members raised a number of questions and issues, including:

- Regarding defining reference points and the recent study on integrated growth mechanisms by Henrik Sparholt. (*Insertion Secretariat: This is a study estimating new FMSY values trying to take into account ecosystem interactions. It does not include all multispecies interactions, but includes density dependent growth, reproduction and cannibalism, and is still based on single-species stock assessments.*) What is the view of ICES and is this taken into account.

The analysis made shows the potential for higher fishing rates for the various stocks. Density effects on growth can be seen in some cases but it is not known if that is the sole factor or if there are other factors that have influence and should be included. So, for now ICES continues to integrate ecosystem changes based on recently observed weights at age and maturity if no other information on ecosystem impacts on the stock is available.

If it can be assumed that there is a reduction in growth or change in maturity perhaps the approach could be adopted but additional analyses are required. The ecosystem impact needs to be quantified properly before it can be applied. It is an issue that requires further study.

Examined in many expert groups of ICES.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- Regarding density dependency: ICES is taking one parameter into account but not the others so when a holistic approach is taken, a different picture is arrived at. In a lot of ICES advice using Blim, rebuilding plans are included. It is very difficult to rebuild stocks if the advice remains within 5% probability. It seems that ICES needs a holistic approach to quality assurance. In addition, it is regrettable that the NWWAC does not send representatives into the relevant advice drafting groups, which is vital and should be looked at.

ICES assesses management plan to determine if they are precautionary on the basis that there is less than a 5% probability of falling below Blim. A rebuilding plan evaluation is different as the stock is below Blim and the question is whether it will recover from that level.

Clear guidelines are needed on how to evaluate rebuilding plans. There is a workshop coming in February 2020 WKRebuild to look at the broad range of approaches that are being used worldwide and identify what approaches should be used by ICES. There are some general criteria regarding recovery that need to be developed: timeline for recovery (e.g. over one or two generations), biomass targets, how long the recovery should take, taking into account species biology etc. ICES has sometimes made recommendations for rebuilding plans but the guidance to evaluate them is lacking.

ICES has been looking at Quality Assurance. A lot of data comes from national research but most surveys in the EU are now included in the ICES database.

When data is received there is some Quality Assurance and checks with MS, and the overall aim is to hold all the surveys and databases used in the assessment in ICES.

On the catch side, databases often reside with the MS and summaries are provided to the ICES expert groups. This is now moving to regional database estimation systems for more transparency. ICES is trying to ensure the quality of all data through the Transparent Assessment Framework (TAF) where all calculations are being documented. Additional audits are conducted within expert groups, however, some issues still arise.

ICES work is ongoing on making improvements to the quality assurance with a comprehensive plan and a review provided in January. ICES has a policy in place on responding to errors. When an error is discovered, it is reported, the impact is evaluated, and advice is reissued as necessary.

Regarding the inclusion of stakeholder information, the original intent was that any data or information that was relevant to the assessment of the stock would be included in this section. This relates to factual information only and this section is not to be used to advocate for a particular position.

Ultimately, the ICES Advisory Committee (28 members) approves the final document.

- The evaluation of hake is not ready yet, and neither is the evaluation of southern hake, comments have been submitted to the Commission. Is ICES going to take into account the MAP or the Fmsy?

The ICES X assessment of Northern hake has been completed but the advice has not been released as the stock includes Area 4. As there is no agreement in terms of using the MAP in the North Sea, ICES provides Fmsy approach advice in the top line. The catch options include MAPs. The advice is due to be released on Friday 5<sup>th</sup> July.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

## 6. Choke Mitigation Best Practice

Following the meeting held with MS HLG on 23 June the AC was asked to look into best practices for choke avoidance. This topic is also included in each working group and will have related presentation tomorrow by Elsa Tudal at ExCom.

The NWWAC still needs to work on what has been done on LO and exemptions for NWW.

One of the conclusions from the COM seminar on the LO on 14th June is the lack of compliance with LO, and that the MS have monitoring control for example via REM linked to risk-based approach. EFCA's role in aligning the MS approaches was also emphasised.

It was felt that in the seminar conclusions the Commission agreed that in the end the LO is not the objective but that is about encouraging the reduction of unwanted catches and use of TCM and tools that are in place.

The MSG is interested in cooperating and getting AC advice on STECF report and exemptions. It was identified that the discussion on high survivability is not up to the legislators but to scientists. Proposal are welcomed from the AC to interact with MSG and STECF.

The BCRéP still with Commission. The NWWAC has not put formal advice in place for the JR and BCRéP but it remains discussion document for the HWG. This document and update of choke mitigation tool should lead to new advice.

The timing and organisation of this will need to be discussed and it is important that the Working Groups provide technical input and that they prepare regionally to feed into the final advice.

**ACTION:** Secretariat to be asked to start preparations for putting together advice.

## 7. Update Focus Group Brown Crab (Norah Parke, KFO)

At the last NWWAC meeting in Madrid in March 2019 it was decided to keep FG Brown Crab in existence.

The problem in the fishery currently is the huge increase in fishery in EU waters and the need to assess what the drivers are.

One driver is the market in China which is assumed to continue. This has negative effects on the traditional markets back in EU. Another driver is the LO with possible displacement of traditional whitefish fishermen into the brown crab fishery.

Also, a large number of additional large vivier vessels is under construction in addition of converted whitefish vessels, plus, apparently there is now a waiting list of two years for new pots from some of the major pot manufacturers.

2 video conferences were held in May and June which is positive as easy, cheap and flexible.

However, it has been difficult to get commitment from AC members to participate in this FG.

It has been established that the problem goes beyond the use of traditional management schemes as we see them in UK, FR and IE, and an amalgamated management plan can't be developed.

There are some steps that can be taken, some of it is need for accurate and timely data, e.g. how many vessels are active in the fishery, what impact do the new vessels have, and an update on the markets is vital to identify where the crab is going and as what product, for example live, cooked etc.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

One of the problems is that the people attending this NWWAV meeting in Ghent are not necessarily the same people who are experts in the brown crab fishery in the respective parent bodies. It would be much appreciated if representatives here today can encourage their own expert members to engage in this FG.

Please contact Norah for questions and input.

#### **8. Summary of actions agreed and decisions adopted by the Chair**

1	The Secretariat to initiate the advice drafting process on the fishing opportunities for 2020 and to request an extension to the 20 <sup>th</sup> of August deadline. The process includes the nomination and election of Chair and the inclusion of input from the discussion held in the Working Groups 1 to 4 over the two days in Ghent. This advice to include the sustainability dimension of the marketing standards.
2	The Secretariat to initiate the process of setting up of an Advice Drafting Group including selection of Chair and timeline on the finalisation of consensus advice on the Discard Plan and the BCReP. This also includes an update of the Choke Identification Tool (previously Choke Mitigation Tool).
3	The Secretariat to contact the Market AC and identify potential for collaboration in view of the workshop the MAC is organising.
4	NWWAC members to send queries regarding the Technical Measures Regulations to the Secretariat by 12 July 2019.





CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

**NORTH WESTERN  
WATERS**  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

## Annex 1 – List of Participants

NWWAC members	
Emiel Brouckaert (Chair)	Rederscentrale
Chiara Bacci	DG MARE
Laurene Jolly	DG MARE
Jonathan Shrives	DG MARE
Dovile Vaigauskaite	DG MARE
Matthew Clarke	Department of Foreign Affairs, Ireland
Elsa Tudal	Ministère de l'agriculture et de l'alimentation
Juana Porza	Ministerio de Agricultura, Pesca y Alimentacion
Dirk van Guyze	Vlaamse Overheid
Ghislain Chouinard	ICES
Pedro Santos	EBCD
Purificación Fernández	Asociación Nacional de Armadores de Pesca de Gran Sol (ANASOL)
Jenni Grossman	ClientEarth
David Vertegaal	European Anglers' Alliance
Julien Lamothe	Association Nationale des Organisations de Producteurs (ANOP)
Caroline Gamblin	Comité National des Pêches Maritimes et des Élevages Marins (CNP MEM)
Pascale Coquet	France Pêche Durable et Responsable
Norah Parke	Killybegs Fishermen's Organisation
Sean O'Donoghue	Killybegs Fishermen's Organisation
Geert Meun	Stichting van de Nederlandse Visserij
Barrie Deas	National Federation of Fishermen's Organisation (UK)
Fintan Kelly	BirdWatch Ireland
Patrick Murphy	Irish South and West Fish Producers Organisation
John Lynch	Irish Fishermen's Organisation
Francis O'Donnell	Irish Fish Producers' Organisation
Ciaran Whelan	Irish South and East Fish Producers Organisation
Paul Trebilcock	Cornish Fish Producers' Organisation
Seamus Bonner	Irish Islands Marine Resource Organisation
Irene Kingma	Dutch Elasmobranch Society
Paul Macdonald	Scottish Fishermen's Organisation
Jim Portus	South Western Fish Producers Organisation Ltd.
Kenny Coull	The Scottish White Fish Producers Association Ltd.
Mike Park	The Scottish White Fish Producers Association Ltd.
Paul Fletcher	Scottish Fishermen's Organisation
Jean-Christophe Vandevelde	The PEW Trusts
José Manuel F. Beltrán	Organización de Productores Pesqueros de Lugo (OP-LUGO)
Luis Francisco Marín	Organización de Productores de Pesca (OPPAO)
José Luis Otero Gonzales	Lonja de La Coruña S.A.



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

Juan Carlos Corrás Arias	Pescagalicia-Arpega-Obarco
Lydia Chaparro	Fundació ENT
Oscar Sagué	IFSUA
Lionel Bottin	Comité Départemental des Pêches et des Élevages Marins du Calvados (CDPMEM 14)
Erwan Quemeneur	Comité Départemental des Pêches Maritimes et des Élevages Marins du Finistère (CDPMEM 29)
Thierry Kerzerho	Comité Local des Pêches Maritimes et des Élevages Marins (CLDPMEM) de Bayonne
Dominique Thomas	FROMNord
Mathieu Vimard	L'organisation de producteurs de Basse-Normandie (OPBN)
Delphine Roncin	FROM Nord (Fond Régional d'Organisation du Marché du poisson)
Jean-Marie Robert	Les Pêcheurs de Bretagne (LPDB)
Franck Le Barzic	Coopérative Maritime Bretagne Nord (COBRENORD)
Dominique Thomas	Organisation de Producteur Coopérative Maritime Etaploise Manche Mer du Nord (OPCMEMMN)
Olivier LeNezet	Comité Départemental des Pêche Maritimes et des Elevages Marins du Morbihan (CDPMEM 56)
Stephane Pinto	CRPMEM Haut de France
Jerome Jourdain	UAPF
<b>Observers</b>	
Sara Vandamme	Universiteit Gent
<b>Secretariat</b>	
Michael Keatinge	Executive Secretary NWWAC
Mo Mathies	Deputy Executive Secretary NWWAC
Matilde Vallerani	Deputy Executive Secretary NWWAC
Monica Negoita	Executive Assistant (Finance and Administration) NWWAC