



CONSEIL CONSULTATIF POUR
LES EAUX OCCIDENTALES
SEPTENTRIONALES

NORTH WESTERN
WATERS
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA
LAS AGUAS
NOROCCIDENTALES

MINUTES

HORIZONTAL WORKING GROUP

Nuevos Ministerios – Paseo de la Castellana, 63 - Madrid

Tuesday 12th March 2019

09:00 – 16:00

1. Welcome and Introduction

The Chair, Emiel Brouckaert, opened the meeting and welcomed the members, observers, EFCA and COM representatives to the meeting. A special thank you to the Spanish government who kindly provided us the meeting facilities.

Apologies were received from Mike Park, Alan McCulla and Francis O'Donnell in advance of the meeting. The agenda was adopted as drafted.

2. Brexit

The Chair gave a brief overview of the current state of Brexit. A vote in the Commons is expected for today or tomorrow and the Prime Minister reported the results of the border discussion with Comm. Juncker overnight. The three options currently are deal, no deal or postponement. For the fishing industry a 'no deal' would trigger contingency proposals and compromises about reciprocal access, but to date there has been no contact between DG Mare and DEFRA. A second option would be a temporary cessation compensation though most stakeholders would prefer a continuation of operations. Regarding quota distribution, the December Council agreement stands but there has been no confirmation of statements in British politics that there will be no change in 2019, even in a 'no deal' situation. Also included in the COM contingency proposals are swaps between the EU Member States and the UK, basically a business as usual approach.

3. Landing Obligation

This section started off with an overview by the Commission of how the discard plans are taken into account for the TAC settings.

The system of Top-Up basically means that everybody needs an increase in quota as everybody needs to land all their catches, instead of counting all the vessels that are involved in the LO and IDing the vessels that are exempt of the LO).

For 2019 the figures in the proposal represent the total catch with everybody receiving a green arrow (total catch) and everybody receiving quota. The deductions are the exemptions (overview available that were shared with the MSs).



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A major novelty in 2019 is the introduction of the By-catch TAC in all the NWW based on a request to ICES. Target TAC are set at MSY identifying the unavoidable bycatches and taking a little of the TAC for the exemptions, as well as for the bycatch reduction plans. This represents a major breakthrough because it also involves an enhanced quota swapping system

This was followed by a presentation from Ms Elsa Tudal on behalf of the French presidency providing an overview of the Technical Group meeting on 20 February. Derogations and new proposals were discussed, amongst others the bycatch reduction plans (BReP) and the High Survivability and De minimis exemptions.

The MS have drafted a first version for the BReP strengthening the selectivity measures and taking into account the Celtic Sea TCM (start June 2019).

– we also need to at the implementation of the art 9 and 10 of the Delegated act – we first want to evaluate these before we introduce new measures.

- Closure measures (not too difficult for mobile stocks and scattered abundance/distribution) MSG is more in favour of moving on rules instead of closures.
26 march new MSG – AC invited as they want simple advice and they look at a more detailed consultation on the renewal and repeal coming up. Very short timeline for the BRP (end of April). So joint collaboration is preferred.

A question arose regarding the *de minimis* requirements for mackerel and horse mackerel under Art. 8 as the exemptions differ between the regional groups (NS – NWW - SWW). This approach had been agreed with MSG where the bycatches are so small that they cannot be deducted for mackerel.

For horse mackerel the PELAC discard plans are a problem. The working of the exemptions has a tangible effect. The PELAC is asking for a combined DM so that a large amount from the TAC can be discarded. The amount is much higher than what ICES would have recommended. So where the potential discards could be much higher, COM decided to cap it to 5%. The NS also had a combined *de minimis* for Cod and Whiting with the potential discards higher than what ICES recommends, so the wording slightly on these was changed slightly.

It was pointed out that the calculations that were carried out and included in the text in NWW discard plans in terms of *de minimis* stated 7% in 2019, and that the demersal discards cause a lot of problems in the framework in the absence of increase of total catches.

In 2019 evolution will take place especially for the Irish Sea where it may be difficult to propose even further selectivity measures. The COM will have to adopt the plans, but the additional measures should reduce the bycatches.

The deadline is very strict, however, because the AC is waiting for the exemptions and won't have very relevant information to assist campaigning for High Survivability rates. The results will not yet be available by the deadline.



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LES EAUX OCCIDENTALES
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ADVISORY COUNCIL

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NOROCCIDENTALES

The Chair identified 5 stocks in the BReP that need to be addressed. The AC will try to collaborate with the MSG by collating input on the reduction of bycatches – deadline 30 April – for the extra measures and extra measures deadline 30 March.

Action: The Secretariat to pull together a document on the BReP collating the individual comments document and listing the issues.

The Commission commended the AC on its efforts in providing consensus and documents and to engage in discussions about workable solutions. Certain aspects of the BReP are workable, but for example for Zero TAC measures are needed that show a commitment to reducing mortality for these specific stocks. The tight deadline is partly due to the upcoming European elections, however, since it is a multi-year BRP progress must be shown.

In relation to the discard plans, the discussion regarding high survivability becomes very technical with cuckoo ray a priority. This affords an opportunity to the MS to provide their research data on cuckoo ray as well as for the AC to identify better handling opportunities.

The issue was raised that the management unit 7hjk for plaice was not appropriate and that details of the ICES report are needed to prepare better discard plans in light of December Council's agreement concerning exchanges.

The Commission is of the opinion that stock distribution with 7e and 7fg and the correct division on these stocks will impact the high survivability exemptions. A wider declaration is needed to look into area flexibility regarding plaice. There are some footnotes in the TAC that allow interarea flexibility though this can only be considered where the stocks are the same based on ICES advice. The MS have asked for inter area flexibility for stocks that ICES give separate advice for, so the COM in return has asked ICES to look into this regarding the potential implications. There is no indication of when that advice will be available, however, based on this outcome the COM may have to change the ways stocks are managed.

For the AC the main issues seem to be the short deadline for the BReP by which replies are needed, despite the plans having been introduced at December Council and the first draft not coming into force until mid 2019. Though the plans are multi-annual, long term goals for the AC have not yet been established so that discussions around TCM, protection of certain species or the Landing Obligation can't reach far. In addition, the question was raised on how the MS are going to report on the unavoidable catches by October.

This was followed by a presentation By Mr Youen Vermard of IFREMER on the 'Uptake of the NWW Choke Mitigation tool in ICES mixed fisheries advice'. This tool is currently still in a test phase and reliant on data from the FIDES database. Advice is short term (one year) and does not take into account economic impacts. The tool cannot take into account Zero TAC species at the moment, however, work is ongoing to collect related information.

Pascal Savouret and Leon Bouts gave an overview of EFCAs work progress and the current state of play which was followed by a discussion on quality of recordings and data as well as the use of CCTV as for example in British Columbia.



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LES EAUX OCCIDENTALES
SEPTENTRIONALES

NORTH WESTERN
WATERS
ADVISORY COUNCIL

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LAS AGUAS
NOROCCIDENTALES

Further issues raised included the currently limited discard recordings and the development of a discard atlas, the possibility of monitoring only high risk vessels in a fleet, and the importance of communication with and uptake within the fleet.

ACTION: The AC to discuss the use of CCTV and explore the benefits for the industry.

4. Skates and Rays

The Commission identified that no significant changes are planned as to how the SKA are managed except for undulate ray which now has an individual TAC for 7de and no longer a sub-TAC. The main focus now is on the discard plans as well as High Survivability exemptions.

The STECF plenary will sit before the summer. New data has to be submitted and the roadmap for skates and rays will also be reviewed by the MS.

The NWWAC Focus Group meeting on 6th of February discussed the role and remit of the NWWAC in the development of fishing plans for the different fleets (which was requested per letter from the NL chair of the NWW MSG as received on 12th October).

AC Members pointed out that there is a high diversity of fleets between and within countries fishing in NWW. Developing such fishing plans is outside the remit and capacity of the NWWAC.

However, the NWWAC highlighted that they want to collaborate and be involved in the roadmap and provide stakeholder knowledge where possible.

The AC suggested that the different tasks within the roadmap should not be restricted to either the AC or the MS, for example, stakeholders can feedback on the prioritisation of survival studies, representativeness of fisheries in different areas, and can make proposals of what should be included in the fishing plans.

A question was asked if the Commission had any input on the committed plan of action on elasmobranch (from 2010) especially with regards to specific prohibited species. As there are currently no studies available regarding abundance of rays on the prohibited species list and specifically cuckoo ray, can the Secretariat make a recommendation to the COM to ask for ICES for a study on rays on the prohibited spp list to reach conclusions on their abundance.

The questions of the quota and management of undulate ray in 7e was not discussed at the FG and the quota is in the overall TAC according to the COM.

Following the NWWAC FG meeting, the Secretariat attended the MS meeting organized by the NL and UK administration in London (14th February).

The intention of this meeting was to review the planned roadmap and discuss with other MS the concrete action plan and conduct a gap analysis. The progress towards this objective was limited.



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SEPTENTRIONALES

NORTH WESTERN
WATERS
ADVISORY COUNCIL

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LAS AGUAS
NOROCCIDENTALES

Conclusions: Research should be **prioritised within MS focusing on the main choke species and important commercial species** (e.g. blonde ray) where there are significant data gaps. All MS agree on the need to **focus on cuckoo ray and to compile all relevant information to support the JR for 2020.**

The FG had decided that apart from the program of measures – the AC would write a letter asking support and commitment from stakeholders

Along with the letter, and following the discussions at the 2 meetings, the Secretariat has developed 2 tables:

- Gap Analysis: Input from members is required on the gears involved and the representativeness of the fisheries across areas.
And what criteria could be used to evaluate representativeness
- Draft programme of measures: input of measures to be taken by the industry and identifying responsibility of all actors.

ACTION: Tables to be distributed for comments followed by finalisation via web meeting and publication on web site.

5. COM policy on marine litter and plastics (Mr Maris Stulgis)

COM presented on the topic 'Marine litter in a European context'.

In response to questions raised by members, the COM clarified that:

In relation to the Directive on the reduction of the impact of certain plastic products on the environment there are still a lot of practical questions. Specific criteria will be required for the different plastics and their properties. Fishing industry and Advisory Councils should be kept in the loop, the progress and also if we can come forward with solutions.

Various members of the NWWAC pointed out initiatives on marine litter in their respective countries, e.g. Spain and Ireland.

ACTION: A Focus Group to be set up to develop advice.

6. Collaboration with ICES

Feedback was provided on the MIAC and MIACO meetings (17-18 January).

It was noted that in general the level of openness regarding the ICES process has improved, but that there are still issues with ICES quality assurance which is being worked on.



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A question was raised regarding the link between science and management and how science could be made more useful for management decisions. The current advice on Zero TAC does not include advice on recovery plans which are vital to rebuild stocks. For ICES drafting advice on stocks with limited data availability is extremely difficult and ICES are indeed looking at recovery plans to aid improved data collection.

The lack of notification to the AC of ICES for benchmarking meetings was identified. ICES are currently working on developing a prioritisation of benchmarking to identify when assessments require a major update.

The difference between conflict of interest and conflict of conduct at ICES meetings was discussed. Participants at ICES meetings have to identify whether there is a potential conflict of interest which will then be assessed by the relevant Chairperson.

A query was raised regarding an overview of the evaluation of fish stock which was last carried out in 2013 by Eskild (who has since moved on with Mark Dickey Collas her successor). ICES will look into this and also draw attention to their fisheries overview by ecoregion.

7. Summary of actions agreed and decisions adopted by the Chair

1	The Secretariat to pull together a document on the BReP collating the individual comments document and listing the issues.
2	The AC to discuss the use of CCTV and identify the benefits for the industry to support buy in.
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.
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
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.



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Annex 1 – List of Participants

NWWAC members	
Emiel Brouckaert (Chair)	Rederscentrale
Maris Stulgis	European Commission
Jonathan Shrives	European Commission
Pascal Savouret	European Commission
Leon Bouts	European Commission
Elsa Tudal	French Government
Juana Porza	Spanish Government
Ismael Yague Sabido	Spanish Government
Ana Maurer Bueno	Spanish Government
Jose Antonio Lopez Gonzales	Spanish Government
Ghislain Chouinard	ICES
Youen Vermard	IFREMER
Purificación Fernández	Asociación Nacional de Armadores de Pesca de Gran Sol (ANASOL)
Jesús Angel Lourido García	Puerto de Celeiro S.A. OPP-77
Jenni Grossman	ClientEarth
Anna Szczodrowska	European Anglers' Alliance
Debbie Crockard	Seas at Risk
Julien Lamothe	Association Nationale des Organisations de Producteurs (ANOP)
Caroline Gamblin	Comité National des Pêches Maritimes et des Élevages Marins (CNPMEM)
Pascale Coquet	France Pêche Durable et Responsable
John Woodlock	Irish Seal Sanctuary
Michael Armstrong	Irish Seal Sanctuary
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
Enda Conneely	Irish Islands Marine Resource Organisation
Hugo Boyle	Irish South and East Fish Producers Organisation
Paul Trebilcock	Cornish Fish Producers' Organisation
David Beard	Manx Fish Producers' 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.
Alex Kinninmonth	RSPB



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ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA
LAS AGUAS
NOROCCIDENTALES

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.
Juan Carlos Corrás Arias	Pescagalicia-Arpega-Obarco
Javier López	Oceana
Oscar Sagué	IFSUA
Lionel Bottin	Comité Départemental des Pêches et des Élevages Marins du Calvados (CDPMEM 14)
Manu Kelberine	Comité Départemental des Pêches Maritimes et des élevages Marins des Côtes d'Armor (CDPMEM 22)
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
Dimitri Rogoff	Comité Régional des Pêches Maritimes et des élevages Marins (CRPMEM) de Basse Normandie
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
Observers	
Mo Mathies	Bord Iascaigh Mhara
Secretariat	
Michael Keatinge	Executive Secretary NWWAC
Sara Vandamme	Deputy Executive Secretary NWWAC
Monica Negoita	Executive Assistant (Finance and Administration) NWWAC