

**Minutes of the North Western Waters Regional Advisory Council
General Assembly Meeting**

Monday 9th October 2006

Fishmonger's Hall, London, UK

Welcome from the President

The NWWRAC President, André le Berre, opened the meeting by welcoming all present and thanking everyone for attending.

The Chairman of the meeting proposed a small change to the agenda, to postpone the President's address, to enable Minister Bradshaw to depart the meeting early as requested. This was adopted and the meeting commenced

The President introduced Minister Ben Bradshaw, Parliamentary Under Secretary, Department of Environment, Food and Rural Affairs, UK and welcomed him to address the meeting.

Welcoming Speech by Minister Ben Bradshaw, Parliamentary Under Secretary, Department of Environment, Food and Rural Affairs, UK

The Minister thanked the NWWRAC for the invitation to speak at the meeting and congratulated members on work completed to date, pointing out that RAC reports have indeed influenced policy makers, governments and the EU Commission, though perhaps not as much as some would have liked. Minister Bradshaw stated that he felt that the situation in the fishing industry overall was 'not all bad news' and pointed out that while some stocks being fished were sustainable, others were not, hence the RAC holds an important role to encourage sustainable management. He stressed the importance of finding common ground between those who engage in fishing and those concerned about the marine environment and offered what he called a 'Friendly piece of advice' to the NWWRAC, to not simply respond to EU proposals, but to work to come up proposals which pro-actively address the more long-term issues. The Minister expressed his confidence that the NWWRAC could rise to this challenge.

Address by the NWWRAC President

The NWWRAC President, André le Berre addressed the meeting, expressing his thanks to the NWWRAC Secretariat, EU Commission, Member States and NWWRAC members for their support over the course of the RAC's inaugural year. However, he stressed that the RAC must work to 'stay on course' for the future and continue to forge the link between the fishing industry and representatives of civilian society. To ensure maximum participation in the RAC forums, he welcomed all potential participants to notify the NWWRAC of important national meetings, to enable the RAC secretariat to organise RAC and avoid any overlaps. Acknowledging the budget limitations of the RAC for interpretation and translation of RAC proceedings, he stressed the importance of the EU Commission's funding to the RACs for these areas, to enable maximum participation of all stakeholders.

The President finished by expressing his wish that the RAC might aim to diversify its activities further, to accommodate the diversity of the fisheries it represents.

(A copy of the President's speech is available in Annex 1 of these minutes.)

Address by Emilio Mastracchio – EU Commission

Mr. Mastracchio expressed apologies on behalf of Mr. Jorgen Holmquist of the EU Commission but state that to date Mr Holmquist and members in the EU Commission in general had found the RACs experience so far has been a very constructive and positive one.

However, following the first complete year of the NWWRAC's work, Mr. Mastracchio outlined his sentiments on some outstanding issues pertinent to the RAC's functioning:

- RACs should aim for greater consensus when formulating advice for the Commission. United voices hold more weight.
- RACs can have more influence at all levels when they focus on long term strategies.
- While short term issues are important, RACs have difficulty replying to short term decisions.
- It is important that RACs represent ALL stakeholders and avoid losing touch with those involved at grassroots level. It is essential that all RAC members participate actively in the debates.
- Funding: with regarding the proposed change, of RACs becoming '*bodies pursuing an aim of general European interest*', which will be presented to the December Council, Mr. Mastracchio stressed that future RAC policies should recognise this new definition. The aim

of this change in status is to enable the RACs to operate within a framework of permanent and stable funding.

- It is envisaged that the new RAC status would come into effect in early 2007. Mr. Mastracchio clarified that this change would not involve any other change in the overall structure of RACs, and it is preferable that any debates on this issue not be confused with other items being put forward for the December Council.
- Mr. Mastracchio recognised that, while some RACs prove difficult to manage geographically, with languages and translation proving a difficulty, it is essential that the same institutional framework remain in place for all RACs.
- In the case of the NWWRAC, new funding modalities, under the new RAC status, should allow for greater flexibility in EU funds and RACs would have greater access to funds for interpretation and translation. Access to these funds should be available before summer next year.

Mr. Mastracchio concluded by re-iterating the Commission's commitment to the RACs' functioning and expressing hope that we can continue with this positive collaboration.

Adoption of Agenda & Minutes of Previous Meeting

The Remainder of the Agenda was adopted by all at this time, and the President welcomed any comments/suggested amendments to the minutes of the previous meeting. As none were received, the Minutes were passed.

Report from Chairman of the NWWRAC

The NWWRAC Chairman, Mr. Sam Lambourn, thanked the President for his introduction and addressed the meeting. Rather than just making a speech, Mr. Lambourn proposed welcoming comments, feedback and discussion on his prepared presentation.

(A copy of the Chairman's presentation is available in Annex 2 of these minutes.)

The Chairman outlined the various NWWRAC meetings held to date, opinions published to date, and indicated the list of proposed topics contained in the RAC's future work programme, observing that the period between now and Christmas would be a particularly busy one in the NWWRAC calendar.

He outlined the 'Overall Opinion of the Working of the NWWRAC to date', as presented to the Director's meeting on 28/09/06 in Brussels.

Highlighting the issue of improved relations with the Commission, the Chairman felt that the willingness of Jorgen Holmquist to participate in the NWWRAC Executive Meeting in Brussels on 22nd November 2006 was a very positive initiative. He also felt strongly that Inter-RAC co-operation on various projects such as MSY is something that should certainly continue. While there was a good beginning in place to the understanding between stakeholders, there is some way to go yet. Being able to trust and understand each other's viewpoints will be central to all RAC forums.

Regarding RAC contact with Scientists, the Chairman stressed that, as scientific input was crucial at all stages in the RAC process, the formation of the ICES MoU is a welcome move which will formalise this input for the future.

He suggested that Socio economic inputs be considered at future RAC meetings.

The Chairman then opened the floor to the various issues raised in his presentation, and the following points were made from the floor:

- Commissions' expectations of the NWWRAC are extremely high. The NWWRAC is expected to respond on a variety of subjects in a short time-frame is difficult – we all have jobs. While the Commission would like NWWRAC members to think more 'long-term', it is difficult for some in the fishing industry to project activities over the next 5 years.
- Still lack of understanding between some stakeholders. Difficulty in achieving consensus. Many environmental NGOs, have a platform on a particular policy and find it hard to compromise without undermining their individual organisation objectives/remits. Perhaps consensus can never be realistically achieved on some issues as a result.
- Funding Difficulties – will the new NWWRAC status satisfy the translation/interpretation difficulties entirely? Non-English speakers remain limited in their participation until this is resolved.
- Size of the NWWRAC - is it too big, or simply under-resourced?
- It was agreed that working groups and focus groups should play a larger role in driving issues. More work needs to be done at WG level to formulate proposals for approval by the

Executive. NWWRAC should not become a 'top-heavy organisation'. Work should be carried out by WGs between meetings. As this work is limited due to budgetary constraints, the suggestion was made of appointing and funding a key person from each working group to co-ordinate issues/activities, write reports, between NWWRAC meetings. Could this fit in with the appointment of the NWWRAC Secondee? It was agreed that the number of Executive Committee meetings be reduced to 2 per year.

- Addressing the question of the NWWRAC Secondee, the Spanish Government representative apologised for the delay in the selection of the NWWRAC Secondee. He clarified that they would be able to make 3 candidates available for interview by the NWWRAC on the evening prior to the NWWRAC Executive meeting on 22nd November 2006. They confirmed that they foresaw this person being made available between NWWRAC working groups to 'lend their support' to the working groups.
- Many expressed concern at the 'great distance' between RACs and their stakeholders, and the meeting addressed the issue of how to improve Stakeholder participation. Holding meetings in ports / provincial centres / hasn't encouraged fishermen to attend. Meetings in capital cities makes so much more sense logistically, but how do we encourage grassroots participation at meetings? Perhaps the NWWRAC could consider a basic allowance that would enable both industry and other interest groups, and cover their subsistence?
- How to improve relationships within the RAC? Addressing the language issues will improve the situation, but respect of agreed protocols is also essential.
- Work plans for the coming year, a specific request was made from the Spanish membership to include the issues of hake recovery, cod recovery and deep sea gillnets in all projected NWWRAC workplans. Other members later added the following issues to the workplans:
 - MSY
 - Fuel sustainability
 - Relative Stability/Required flexibility of the TAC/Quota system; (transferability of TACs and Quotas) Consideration of cross-cutting effects on other species.
 - Socio Economic impacts on the Fishing Industry
- Re: General NWWRAC approach, NWWRAC should be more pro-active at all levels and indeed table their *own* approaches, rather than simply always reacting to Commission proposals. NWWRAC should not become simply a tool of the Commission, but remain at arm's length.
- A query arose regarding the actual structure of the RAC – would it be more beneficial for the NWWRAC to become 'species-based', as the Pelagic RAC is? A member proposed that the NWWRAC consider changing the structure of the working groups to become, for example, a Pelagic Working Group, Whitefish Working Group, Shellfish Working Group, and Horizontal Issues Working Group. The proposal was not adopted by the meeting as, after discussion it was felt that the NWWRAC should address all species in the various regions.
- Relevance & effectiveness of the RAC is a shared responsibility between RACs and the Commission. If the Commission does not respond to RAC opinions, this compromises the RAC's credibility in the eyes of the stakeholders. In some examples the Commission has responded swiftly to RAC opinion (*example of deepwater gillnets was given*), in other examples the RAC has received no response at all. (*example of gear marking regulations was given*) RAC must be seen to be effective in the stakeholders' eyes.
- The NWWRAC should not lose sight of the socio-economic measures affecting all in the fishing industry, and should consider these in the formulation of all future NWWRAC proposals.

Report from Secretariat

Budget Spend

The NWWRAC Secretariat presented details of the NWWRAC Budget Expenditure for the year September 2005 – September 2006, with the following points being highlighted:

(*A copy of the NWWRAC Budget details are included in Annex 3 of these minutes*)

- The 10,000 EUR surplus will be used up before the end of the current calendar year, due to outstanding costs of the remaining meetings.
- As the overall budget will ultimately be amended, when the change in the 'RAC Status' comes into effect after the December Council, the forecasts for Year 2 are very much in draft form and are subject to change accordingly.
- The Biggest changes in the proposed budget relate to 'Salaries & Meeting Room', but as this figure currently includes the salary of the proposed 'NWWRAC Secondee', this needs to be considered.

- As there was a significant increase in the foreseen 'Meeting Costs', the Commission has agreed that the cost of the equipment itself for interpretation can be transferred to another area.
- The EU Commission representative present at the meeting clarified that the proposed change in the 'RAC Status' is currently being formulated to be tabled at the December Council. If the motion is passed, it is hoped that the budget changes will come into effect for the NWWRAC by February. If this is the case, the Commission will allow the NWWRAC to submit a completely new budget proposal. However, if the change in 'RAC Status' does not take effect until closer to the end of the year, then the Commission will accept the NWWRAC proposed Year 2 budget as it stands.
- As the Translation and Interpretation Budget again stands at a maximum of 50,000 euros, it is essential that in future, Working Group chairpersons should play a greater role in vetting the submissions to be translated to ensure that they are appropriate to the Working groups work programme. This suggestion preceded a suggestion for the drafting of a new **NWWRAC Protocol regarding Submissions**. The Secretariat agreed to draft and circulate an initial protocol for all members to consider. The Secretariat also agreed to investigate the practicality and cost of translation software for use within the NWWRAC. The EU Commission responded to the issue of NWWRAC translation costs by highlighting the greater flexibility that will be available in the budget under the new 'RAC Status'. The Secretariat, while acknowledging this proposed new flexibility, requested that the Commission in future make any non-papers and discussion papers available in Spanish, French and English as much as possible.

Company Rules

The Secretariat presented the explanatory note on the required Proxy Vote.

(a copy of this note is included in Annex 4 of these minutes)

It was proposed that, as the NWWRAC is in fact an Irish Company established under Irish Law, that all future General Assembly meetings be held in Dublin. This motion was passed.

Regarding the Proxy Vote, while all members present agreed to the signing of the proffered Proxy Form, the Secretariat was requested to circulate a draft copy of the minutes of this meeting well in advance of the 'Annual General Meeting' which is proposed to take place in Dublin in November/December 2006. Additionally, the Secretariat was asked to circulate the audited accounts.

Reimbursements & Subscriptions

The Secretariat explained that at an Executive Committee meeting in January 2006 the following subscription rates were set:

€250 for membership of the General Assembly (all members *must* be GA members)

€200 per working group selected (all 4 may be selected, if desired)

€300 for membership of the Executive Committee

The minimum annual fee for any one member is €250 whereas the maximum annual fee is €350.

It was agreed that based on these fees the Secretariat would send each member the proposed, outline invoice, detailing the fees proposed for membership during 2005-2006, based on the number of committees or working groups they are members of.

Communications Protocol

The Communications protocol was introduced by the secretariat. Clarification was sought from the Chairman regarding the proposed ability of the Chairman to embargo a draft NWWRAC opinion until such time as it is 'signed off'. The Chairman clarified that this embargo would in fact be in place until such time as the *NWWRAC Executive Committee* 'signed off', or finalised the opinion. He also clarified that NWWRAC members are free to speak 'about' RAC proceedings and discussions, but *are not authorised to speak on behalf of the NWWRAC itself* unless the Chairman/Executive Committee appoint the member to do so directly.

It was proposed that the *prompt conveyance of notices from the EU Commission to the General Public, by the NWWRAC* be added to the current draft protocol.

The Protocol was otherwise passed as it is.

Protocol on Advice

As in the previous protocol, it was felt that the aspect of *timeliness of advice* needs to be added to this current draft. It was pointed out that, similarly, the Commission sometimes gives the NWWRAC a very short time-period to respond to a communication. The EU Commission clarified at the meeting that, due to their internal processes, the Commission require an average of 1 month to be able to respond to an opinion and it was suggested that the advice protocol be amended to reflect a similar timescale.

Protocol on Interaction with the Commission

After much debate on NWWRAC representation before the Commission, it was agreed that the protocol be passed exactly as it stands. (*a copy of this approved protocol is included in Annex 5 of these minutes*)

Observer Protocol

Some confusion arose over whether the proposed protocol applied to NWWRAC meetings, or EU Commission Meetings. The Secretariat clarified that the proposed protocol applied only to observers at NWWRAC meetings. As the Commission felt that this would limit access to the RACs and prevent from being open to the public, it was agreed that the NWWRAC would consider this protocol further with the Executive Committee.

Open Debate

Given that the Chairman had already addressed the topics of '*Review of Current Structure*', '*Improved Stakeholder contribution*' and '*Improved relationships within the NWWRAC*', these topics were deemed to have been sufficiently covered in the meeting.

In light of various interventions made at the meeting by members, including their grave frustrations over the current state of restrictions in the fishing industry, it was proposed that a strong message be formulated for the EU Commission, from the NWWRAC, at the next NWWRAC Executive Committee meeting in Brussels.

The President concluded the meeting with a special word of thanks to DEFRA for their hosting of the meeting venue and wine reception immediately following the meeting. A sincere word of thanks was also extended to the interpreters for their excellent services at the meeting.

FINISH OF MEETING