



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

## MINUTES

### GENERAL ASSEMBLY / AGM

#### The Main Conference Centre – Dublin Castle Wednesday 14<sup>th</sup> of September 2016 09:00 – 10:30

##### 1. Welcome and introductions

The Chairman of the General Assembly and President of the NWWAC, Olivier Le Nezet, welcomed the members and the observers to the meeting. The full list of participants is included as an annex to these minutes. Apologies for absence were received from: Jesús Angel Lourido García (Puerto de Celeiro, OPP-77), Siobhán Egan (Birdwatch Ireland), Dominique Thomas (OP CME), Sean O Donoghue (KFO), Despina Symons (EBCD), Kevin McDonnell (WSFPO), Lydia Chaparro (Fundació ENT), Paul Françoise (CDPMEM 14), Alain Coudray (CDPMEM 22), Paul Trebilcock (CFPO) and Glenn QUELCH (observer from EFCA). The Chair of the Executive Committee had indicated that he would be late due to delayed flights.

The Chairman therefore proposed to adapt the agenda<sup>1</sup> to postpone item 2 to a moment where the Chair of the Executive Committee was available. With this note, the agenda was adopted. The following action points from the last meeting in Dublin (15<sup>th</sup> September 2015) had been completed:

2. Decision: Both the annual report of Year 10 and the annual workplan for Year 11 were approved by consensus by the AGM and members of the General Assembly.
3. The AC will write to the Member States supporting the NWWAC to request an increase in their annual contribution.
4. Decision: The AGM and members of the General Assembly fully endorsed the proposed budget for Year 11.

The following action remained in progress:

1. Following clarification from the Commission, the Secretariat will update the rules of procedures based on the Delegated act and circulate for the approval of the GA by electronic procedure, once complete.  
This point would be discussed under agenda item 6.
5. The Secretariat will instruct the Company Auditors to action the requirements of the Irish Companies Act 2014 to make changes to the Company name should this be required. Requirements of such action will be communicated, as appropriate.  
This point would be taken care of as instructed.

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<sup>1</sup> All relevant documents to the meeting can be found on the NWWAC website: [link](#)

## 2. (Former point 3) Report on membership and budget

The Secretariat (Aoibhín O'Malley, Financial administrator and Events manager) presented an overall budget update and an overview the membership on behalf of the Chairman and the Secretariat, in accordance with articles 38 and 47 of the NWWAC Rules of Procedure.

### Review of Income and Expenditure for Year 11

#### ❖ Year 11 Income

- The NWWAC received the following eligible income in Year 11: €200,000 from the European Commission; €26,400 from the contributions of six Member States; €57,250 from membership fees and a small amount of interest accrued on the NWWAC deposit account.
- The final instalment of the EU grant (i.e. €50,000) will be paid at the end of 2016 and is dependent on the submission and approval of the final, audited financial accounts, as well as receipt of the final Year 11 substantive report from the NWWAC.

#### ❖ Year 11 Expenditure

- The NWWAC is on target to spend as close as possible to 100% of the Year 11 budget.
- The main differences between the original budget and the expenditure to date are due to costs associated with today's meetings, for example interpretation, technical costs and reimbursements.

Ms O'Malley advised the General Assembly of the remaining steps in completing the financial procedures relating to Year 11 specifically the submission of the audit certificate of the company accounts and the submission of a final financial and substantive report to the Commission by 30 November 2016.

### Proposed Budget for Year 12: Ratification

The General Assembly were informed that the provisional budget for Year 12 had been adopted, in principle, by the Executive Committee by electronic procedure and was expected to be submitted to the Commission, along with the grant application, before 30 September 2015.

The following financial summary was presented by the Secretariat (Ms O'Malley):

#### ❖ Year 12 Income

- **Non-eligible:** €80,286 in benefit-in-kind was provided by Member States in support of the NWWAC. This includes the nominal cost of meeting facilities provided by Member States, as well as the financial contribution from BIM towards overheads and rental costs of the Secretariat, and the time of the Executive Secretary and other BIM staff. These contributions-in-kind are an essential element of funding for the NWWAC. An amount of €3,500 from the Commission represents reimbursements for AC staff attendance at Commission meetings.
- **Eligible:** The six member states supporting the AC provided individual contributions of €4,400 resulting in a total of €26,400. €300,000 was received under the Commission's Specific Grant agreement and €56,950 in Membership fees was received from 68 members.

## ❖ Year 12 Expenditure

- **Non-eligible:** Income from this source was estimated to be similar to that of year 11.
- **Eligible:** Estimated as being similar to last year, with the most notable differences being the €50,000 from the Commission being distributed to Interpretation, reimbursements and meeting costs to be able to keep up the meeting attendance for topics such as the landing obligation, and to be able to organise additional short meetings.

**Decision:** The presentation ended with a request from the President of the NWWAC (Mr Le Nezet) to ratify the Year 12 budget. The AGM and members of the General Assembly fully endorsed the proposed budget for Year 12.

## Overview on changes in membership

The Secretariat (Ms O'Malley) proceeded with a presentation on the members of the NWWAC. Although there were 4 new members that joined in the Years 11/12 (Rederscentrale VZW, Plateforme de Petite Peche Artisenale Francaise, Oceana, Irish Islands Marine Resource Organisation), 1 Organisation left the AC in Year 12 (WWF). Around 63% of the AC members had paid their fees for Year 12.

Members were informed that there were 22 members in the Executive Committee, the size and composition of which was due to be discussed later in the meeting.

### 3. (former point 4) Executive Committee size and structure

The Secretariat (Barbara Schoute, Deputy Executive Secretary) presented an overview of the regulations deciding on the membership and composition of the Executive Committee. It is the General Assembly that is responsible for decisions on membership applications for the Executive Committee, and the meeting was asked to consider applications from small-scale fisheries organisations.

In year 11, the Executive Committee had 21 members (14 fisheries organisation representatives, 7 other interest groups, 67:33). The application for membership of the Executive Committee by the Rederscentrale VZW (Belgium) was agreed by the General Assembly by correspondence in July 2016, increasing the number of members to 22 for year 12.

The Secretariat had received applications from two small-scale fisheries representatives: The New Under Ten Fishermen's Association (NUTFA) indicated their interest in joining the Executive Committee in 2014, when all fishing industry seats were filled. As forwarded to the General Assembly on the 31 August 2016, the Irish Islands Marine Resource Organisation (IIMRO) also applied for membership of the Executive Committee. The meeting was informed that another new member of the General Assembly, Oceana (Spain) had shown an interest in applying for a seat on the Executive Committee as other interest group, but the formal application was not available yet. The Secretariat would follow this up by correspondence once this application was received.

According to the Commission Delegated Regulation (2015/242), Art 4.3, the General Assembly shall appoint an ExCom of up to 25 members. After consultation of the Commission, the General Assembly may decide to appoint an Executive Committee of up to 30 members to ensure appropriate representation of small-scale fleets. The General Assembly was asked to

consider the applications of NUTFA and IIMRO in the light of the size of the Executive Committee and the 60:40 share of seats allocated by the Delegated Regulation 2015/242:

	Year 12	Composition options for the Executive Committee					
Share	(71 : 29)	(60 : 40)	(62 : 38)	(59 : 41)	(61 : 39)	(59 : 41)	(60 : 40)
Fishing Industry	15	15	16	16	17	17	18
Other Interest Groups	6*	10	10	11	11	12	12
<b>Total</b>	<b>21</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>

\* Could be 7 once an application of Oceana is formalised and agreed by the General Assembly.

Irish members indicated they were in favour of increasing the representation of small-scale fisheries, stressing that although some members of the NWWAC represent both small- and large-scale fisheries, the typical issues relating to small-scale fisheries were currently insufficiently tabled.

Some French members questioned if options other than an Executive Committee with 25 or 30 members would be acceptable with regards to the legislation requiring a 60:40 representation. The Commission (Ms Georgitsi) indicated that although implementing the regulation in a strict sense would require either 25 or 30 members, the Commission would look favourable upon applications from Advisory Councils that can explain why a different size (between 25 or 30) of the Executive Committee is chosen. The main important factor is that the representation of small-scale fisheries should be sufficient, while remaining 'as close as possible' to the 60:40 composition. The Advisory Council should demonstrate that the AC is as close as possible to the required composition and the reasoning for applying for a number of seats based on appropriate representation of all legitimate interests.

French members further indicated that since 85% of fishing vessels in France are small-scale, most organisations in France feel they represent all sides of the sector already and that increasing the number of members of the Executive Committee specifically for small-scale fishermen would create an unbalance. The representativeness of smaller organisations was also questioned: would representatives of, say, 10 vessels, have enough experience to be able to fill a role in the Executive Committee? They indicated the need to comply with the 60:40 rule strictly.

The Chair indicated the need for the Executive Committee to represent all fishermen, and that between national differences, a solution was not obvious. He noted the need for experienced representatives to be able to bring forward the opinion of the General Assembly.

From the side of the other interest groups it was pointed out that increasing the number of seats on ExCom to 30 in order to accommodate additional fisheries representatives, there would not be enough other interest groups to fill the seats.

Spanish representatives agreed that small-scale fisheries should be represented, but it should be noted where these were already represented by existing members of the Executive Committee. A comment was made that for industry representatives in Spain there was a problem with some associations concentrating on representing their own interests, without thinking in a more international way. The results of the UK referendum will also influence the composition of the Executive Committee regarding the national balance.

The Chair proposed to look into the level of representation on a Member State level, and ask the Member States for their opinion on the right representation of small-scale fishermen to be able to validate what the Executive Committee composition should look like. The General Assembly should look for consensus on a solution, and stressed the possibility, put forward by the Commission, to go beyond an exact 60:40 composition.

The Commission indicated that consensus would be the best outcome, but that proposals from a majority of the Advisory Council would be acceptable as long as a justification was provided to improve the representation of small-scale fishermen could be provided.

The Chair of the Executive Committee, Mr Armstrong, apologised for being late and indicated the number of seats depended on two factors: the prescription of the number of seats by the Commission, and the willingness of representatives to participate. He recognised the NWWAC had relatively few small-scale fisheries representatives, but agreed that many industry members represent organisations with both small- and large-scale fisheries members. He also noted that topics relevant to small-scale fisheries, such as non-quota species, would often be regulated on a national basis, not through regional management.

A number of Irish members indicated that although it was very good that French industry had a balanced representation of different fisheries within their organisations, the NWWAC should take into account that this was not the case in the UK and Ireland. It was mentioned that in case other interest groups indicate they have problems with increasing the share of fisheries representatives, this should be listened to.

The Chair concluded that it was not possible to decide on an expansion of the Executive Committee on the basis of the discussion, and that the Executive Committee should continue on the basis of 25 members for now. ExCom was asked to look into the matter of balanced representation of all stakeholders, and the Member States should be asked their opinion.

**ACTION:** ExCom to look into the matter of balanced representation of all stakeholders, and Member States should be asked for an overview of the different fleets per nationality.

#### **4. (former point 2) Annual report from the NWWAC Chairman**

The NWWAC Chairman (Bertie Armstrong), presented the annual report for Year 11 (1 October 2015 – 30 September 2016) and the annual strategic plan (i.e. work programme) for Year 12 (1 October 2016 – 30 September 2017), in accordance with articles 19 and 38 of the NWWAC Rules of Procedure as amended in January 2013.

##### **Work completed in Year 11**

The Chairman provided a review of the meetings, actions and products from the NWWAC in Year 11. The Chairman highlighted the fact that, although anticipated, the preparation for the Landing Obligation (LO) and drafting of the Joint Recommendation for the discard plan together with NWW member states, had put great pressure on the schedule and budget of the AC. The Secretariat had enlarged by the hiring of a Project Development and Communications Manager in January, and after Joanna McGrath left the Secretariat in January, a new Financial Administrator and Event Manager, Aoibhín O'Malley, started at the end of March.

## Work priorities for Year 12

The Chairman summarised the main body of work for the NWWAC in the following key areas:

Priority:

1. Landing obligation (LO)
  - Implementation and Advice for 2018 and beyond;
  - Control and enforcement;
  - Choke species toolbox.
2. EC proposals (Technical measures, NWW Multi-Annual Plan)
3. TACs and quotas
4. Management measures by species:  
Northern Hake, Anglerfish and Megrim, Nephrops, Sole (VIlId), Skates and Rays complex, Seabass
5. Preparation for the revision of the CFP in 2022

General work areas:

- a) Improving the quality of scientific and economic data
  - Irish Sea benchmark
  - MAREFRAME project
- b) Control and compliance
  - Technical Measures revision
  - EFCA
  - Cooperation with the Control Expert Group of Member States
- c) Regionalisation
  - The implications of the UK leaving the EU (Brexit)
- d) Working procedures
  - Improving the efficiency of the AC,
  - Communications and Outreach

The NWWAC Chairman encouraged all members to provide their input and contributions as early as possible and assist the Secretariat with the necessary preparatory work in relation to their ideas or proposals to streamline NWWAC finances and expertise.

## Proposed calendar of meetings for Year 12

The NWWAC Chairman presented members with a preliminary calendar of both confirmed and planned meetings for Year 12. This calendar is available on the NWWAC website ([link](#)). The AGM and GA members approved the provisional calendar as a part of the annual strategic plan for Year 12. It was a decision of the AGM and GA members that next to three general meetings, short meetings (for example Focus Groups and Advice Drafting Groups) will be established, according to work priorities and limited by budget availability.

**Decision: Both the annual report of Year 11 and the annual strategic report for Year 12 (i.e. Work Programme including the calendar of meetings) were approved by consensus by the AGM and members of the General Assembly.**

## 5. Consequences of the UK referendum

The NWWAC Chairman (Bertie Armstrong), informed the meeting that since the decision by the UK referendum to leave the EU (Brexit), not much had changed. The UK is still considering the possibilities regarding the implementation of policy changes and at present there is no basis for the Advisory Council to adapt to the new situation.

Regarding the ultimate consequences for the NWWAC, the Chair noted that implementation of Article 50 can result in a default position where the UK becomes a Coastal State, with corresponding rights and responsibilities for its own EEZ. This meant that UK representatives within the Advisory Council should reconsider their position. The Chair considered that although it was still important for UK members to remain part of the advisory process, it would not be opportune to be part of the leadership. As announced at the meeting of the Executive Committee in July 2016, the Chair officially announced he would resign as office bearer because he did not feel that his Chairmanship could be reconciled with his position as representative of a UK organisation.

As for other UK members of the NWWAC, the Chair noted that the period between implementation of Art 50 and Brexit would be a period where the Advisory Council should watch carefully that the UK members should not unduly influence the opinion of the Advisory Council. Looking at the future, the Chair encouraged the Advisory Council to look at the region for which the Advisory Council would be responsible.

The Chair of the meeting concluded that although the consequences of Brexit would be important for the future of the Advisory Council, it was important to also read the message that was sent by members of the public, and he urged the Commission and EP to take note of the message that fishermen do not agree with the norms of the EU, and to take this into account when drafting legislation proposals.

The French industry specifically noted that it would take at least 2 years for the UK to exit the EU, and that this would be of arranged not only in the EU but bilateral discussions would play a big role as well. Although the UK may be leaving the CFP behind, it should be remembered that international conventions such as the UN convention on the law of the sea (UNCLOS) had also been signed by the UK, and the UK would still have to comply with these conventions. Mr Lefèvre had drafted an extensive document for his organisation, in order to look at the consequences of Brexit, including options for the Advisory Council to open up possibilities between all the related fisheries.

There was general agreement with the point that many international conventions still applied to the UK as well as the EU and that the position of the UK on these conventions would not change due to Brexit. The Other Interest Group representatives hoped that the UK industry would maintain that attitude, and would show commitment to work towards shared goals for mutual benefit.

The Spanish industry underlined the importance to address mutual benefits in the negotiations, but also considered that the Advisory Council needed to prepare for the enacting of Article 50, and agreed that the Chair of the Executive Committee should be replaced by somebody from outside the UK, as had been the case in the Pelagic Advisory Council.

The Chair of the meeting concluded that the topic should be further developed during the Executive Committee.

## 6. Rules of Procedure – update by Secretariat

The Secretariat (Barbara Schoute) mentioned that, as decided at the last meeting, the Secretariat had been working on the updating of the Rules of Procedure. The intention was to adapt the rules to the latest Delegated Regulation (2015/242), and to streamline the text to improve the transparency of processes and procedures, without changing the actual rules. This was still in progress and members with an interest in this matter were invited to contact the Secretariat in case of questions or suggestions.

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

Decision	
1	Both the annual report of Year 11 and the annual strategic report for Year 12 (i.e. Work Programme including the calendar of meetings) were approved by consensus by the AGM and members of the General Assembly.
2	The AGM and members of the General Assembly fully endorsed the proposed budget for Year 12.
Action	
1	Following clarification from the Commission, the Secretariat will update the rules of procedures based on the Delegated act and circulate for the approval of the GA by electronic procedure, once complete.
2	The Secretariat will instruct the Company Auditors to action the requirements of the Irish Companies Act 2014 to make changes to the Company name should this be required. Requirements of such action will be communicated, as appropriate.
3	ExCom to look into the matter of balanced representation of all stakeholders, and Member States should be asked for an overview of the different fleets per nationality.

NWWAC Document  
Chairman: Olivier Le Nezet  
Rapporteur: Barbara Schoute  
Contributions: Sara Vandamme



## Annex 1 – List of Participants

NWWAC members	
Olivier Le Nezet	Comité Régional des Pêches Maritimes et des Élevages Marins de Bretagne
Emiel Brouckaert	Rederscentrale
Louis Vantorre	Rederscentrale VZW
Marina Le Gurun	Blue Fish
John Crudden	European Anglers Alliance
Dinos Kokosis	European Bureau for Conservation and Development
Bruno Dachicourt	European Transport Federation
Debbie Crockard	Seas at Risk Organisation
Vera Coulho	The Pew Charitable Trusts
Julien Lamothe	Association Nationale des Organisations de Producteurs
Emmanuel Kelberine	Comité Départemental des Pêches Maritimes et des Élevages Marins des Côtes d'Armor
Serge Larzabal	Comité Local des Pêches Maritimes et des Élevages Marins de Bayonne
Caroline Gamblin	Comité National des Pêches Maritimes et des Élevages Marins
Pascal Coquet	Comité Régional des Pêches Maritimes et des Élevages Marins de Haute-Normandie
Dimitri Rogoff	Comité Départemental des Pêches et des Élevages Marine: CDPMEM 14
Olivier Lepretre	Comité Régional des Pêches Maritimes et des Élevages Marins du Nord / Pas de Calais / Picardie
Francois Hennuyer	FROM Nord
Franck Le Barzic	OP COBRENORD
Marc Ghiglia	Union des armateurs de la pêche en France
Sinéad Cummins	BirdWatch Ireland
John Lynch	Irish Fishermen's Organisation
Francis O'Donnell	Irish Fish Producers Organisation
John Woodlock	Irish Seal Sanctuary
Hugo Boyle	Irish South and East Fish Producers Organisation
Patrick Murphy	Irish South and West Fish Producers Organisation
Irene Kingma	Dutch Elasmobranch Society
Geert Meun	Stichting van de Nederlandse Visserij / Dutch Fisheries Organisation (2)
Purificación Fernández	Asociación Nacional de Armadores de Pesca de Gran Sol
Severino Ares Lago	Fundación Rendemento Económico Mínimo Sostible e Social
Lydia Chaparro	Fundació ENT
José Luis Otero Gonzalez	Lonja de La Coruña S.A.
Luis Francisco Marín	Organización de Productores de Pesca de Ondarroa
Mercedes Rodríguez Moreda	Organización de Productores Pesqueros de Lugo (OPP-7)
Juan Carlos Corrás Arias	Pescagalicia-Arpega-Obarco
Liane Veitch	ClientEarth
Thomas Bryan-Brown	Mallaig and North West Fishermen's Association
Barrie Deas	National Federation of Fishermen's Organisations
Alan Coghill	Orkney Fish Producers Organisation
Alex Kinninmonth	Royal Society for the Protection of Birds, representing Birdlife International
Bertie Armstrong	Scottish Fishermen's Federation (1)
Paul Fletcher	Scottish Fishermen's Organisation
Jim Portus	South Western Fish Producer Organisation
Mike Park	The Scottish White Fish Producers Association (1)

<b>Observers</b>	
Daniel Lefèvre	Comité Régional des Pêches Maritimes et des Élevages Marins de Basse Normandie
Dana Miller	Oceana
Evangelia Georgitsi	European Commission
Robert Griffin	European Commission
Jonathan Shrives	European Commission
Brendan Price	Irish Seal Sanctuary
John Richardson	The Shark Trust
Mathieu Vimard	OPN
Paul Duane	Sea-Fisheries Protection agency
Richard Brouzes	OPBN
<b>NWWAC Secretariat</b>	
Conor Nolan	Executive Secretary
Barbara Schoute	Deputy Executive Secretary
Sara Vandamme	Project Development and Communications Manager
Aoibhín O Malley	Financial Administrator and Event Manager