



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

# MINUTES

## EXECUTIVE COMMITTEE

**Room 21.04 “Jacob Van Artevelde” - Virginie Lovelinggebouw (VAC)  
Koningin Fabiolalaan, 9000 Gent**

**Tuesday 3<sup>rd</sup> of July 2018  
9:00 – 13:00**

### 1. Welcome and Introduction

The Chair, Emiel Brouckaert, opened the meeting and expressed his gratitude to the Belgian authorities who enabled the NWWAC July meetings in this facility in Ghent.

Apologies were received from Javier Lopez (Oceana) and Johnny Woodlock (Irish Seal Sanctuary).

Two additional items were added to the agenda:

- The COMs request for advice on eel management (received 6<sup>th</sup> June)
- The Parliament request for advice on the COMs non-paper on selectivity performance indicators and mesh size (received 2<sup>nd</sup> July) in relation to COM's proposal for a new technical measures framework.

The Secretariat updated the meeting on the action points from the last meeting in Madrid (8<sup>th</sup> March 2018):

1. Secretariat to distribute the ICES request to collate ideas on the information forum between ICES and ACs (email sent to the GA on 12<sup>th</sup> March and 3<sup>rd</sup> April).

As the Secretariat had not received any input from the membership, the Secretariat had been in touch with ICES to provide some ideas. The membership will be kept informed if there is any update.

2. Secretariat to follow up with EFCA on the February 2018 meeting and review the meeting report to determine if further action by the NWWAC is needed.

Due to an airstrike announcement the day before the EFCA advisory board meeting (23<sup>rd</sup> February 2018) there was no NWWAC representation. Following requests from the Secretariat to submit input by correspondence, EFCA informed us that participants have to attend the meeting in person. If the issues that were meant to be raised at this meeting were still relevant, the NWWAC can raise them at the next meetings (9<sup>th</sup> October in Vigo).



3. Secretariat to first distribute the draft advice on the landing obligation to the member of the ADG LO. Once the draft text is agreed, it will be send to the Executive Committee for finalisation.

The NWWAC advice on choke issues has been finalized after two rounds of Executive Committee comments. The publication is available on the website since 17<sup>th</sup> April 2018 ([link – lien- enlace](#)).

4. Secretariat to distribute the results of the Choke Mitigation Tool from the Pelagic AC.

A link has been included to the NWW choke mitigation tool publication of 31<sup>st</sup> October 2017 ([link](#), in English only)

5. The Executive Committee agreed on the proposed action points from the Focus Group and Working Groups.

Overview of the action points are provided in the minutes of the relevant working groups meetings

6. The COM to inform the NWWAC on the timeline for submission of their proposal on the revised Fisheries Control System to the Council and Parliament.

The COM adopted and published its legislative proposal for the Revision of the Control Regulation on 30<sup>th</sup> May 2018. The membership was informed through the monthly reports on 15<sup>th</sup> June 2018.

7. The Secretariat to distribute the revised funding proposal on Brown crab for the approval of Executive Committee.

The Chair of the Focus Group had revised the proposal with assistance of relevant scientists. Despite scientific support for the original project proposal, which aimed to develop and fund a uniform data sampling scheme across UK, Ireland and France, there was no longer a requirement as Member States have increased sampling efforts. The FG chair will re-evaluate the need for this project and provide an update at the next NWWAC meeting.

8. Sean O'Donoghue to assist the Secretariat to draft a new letter to the EC requesting an ICES evaluation of the AC advice on management measures for Nephrops in the Porcupine bank.

The letter was approved by the ExCom and sent to the COM on 13<sup>th</sup> June ([link – lien- enlace](#))

9. The Secretariat, with the assistance of WG1, will draft a letter to the COM requesting to introduce genetics in the Data Collection Framework.

This action remains in process and will be discussed with the chairs of the WG. The Secretariat has remained in contact with the relevant ICES WG and experts at JRC to inform them of the aims of the WG and discussion options.



10. The Secretariat to draft a cover letter to accompany individual members' input in response to the advice request on post 2020 funding mechanisms

The cover letter and individual responses from NWWAC members had been sent to the COM on 29<sup>th</sup> March ([Link – lien- enlace](#))

11. Members are invited to inform the Secretariat if they wish to attend the EFARO meeting on the reformed CFP (24<sup>th</sup> May, Brussels).

EBCD represented the NWWAC. A report from this meetings was distributed to the GA and uploaded on the website as background information to this meeting ([link – lien –enlace](#)).

12. The Secretariat to inform CDPMEM that their application for the General Assembly has been approved.  
Action completed.

As the meeting of the Executive Committee had taken place before the Working Groups meetings, the ExCom agreed that procedures to finalise advice would be discussed under agenda item 6 and action points arising at Working Groups will be approved by ExCom via written procedure.

## 2. Secretariat

The Executive Secretary (Dr Conor Nolan) informed the meeting that there will be changes in the oversight and running of the NWWAC Secretariat as a result of a structural reorganisation of the Irish Sea Fisheries Board (BIM). Dr Nolan informed members that two days after returning from the NWWAC meetings in Madrid, he had been told of the decision by BIM to remove him from his position as Managing Director and Executive Secretary of the NWWAC and move him to an undefined training role within the new BIM structure. Mr Michael Keatinge and Mr Dominic Rihan had been assigned by BIM to act as Managing Director and liaison with the NWWAC, respectively.

Dr Nolan considered his personal change of role to be professionally inappropriate and as a result, he had been left with no choice but to take early retirement and leave BIM once he had completed the transition period required to transfer the Company duties and the education and training of the new management team and new staff, in the corporate governance and internal working of the NWWAC. Although the exact timeline of the change of NWWAC management had not yet been determined, Dr Nolan assured members that he would not leave his position until he was certain that the transition had been satisfactorily completed, with the consideration of the staff of the Secretariat of personal importance, in this process.

After 13 years of involvement with the NWWAC, Dr Nolan extended his best wishes and support to the new management team and wished the Secretariat and the membership of the NWWAC a productive and successful future.

Several ExCom members and the COM representatives expressed their gratitude to Dr Nolan for his dedication, responsibility and hard work.



The meeting was informed of a new member of staff Ms Monica Negotia, who will be responsible for finance and event management. Her personal email address is: [Monica.negotia@bim.ie](mailto:Monica.negotia@bim.ie).

### **3. Policy Statement (Norman Graham, European Commission)**

The COM provided a presentation on the policy statement (COM(2018)452 final). It is a legal requirement for the COM to report on the process of the implementation of CFP. The full presentation is provided on the webpage of this meeting ([link](#) – [lien](#) – [enlace](#)).

### **4. Western Waters Multi Annual Plan (presented by Jonathan Shrives)**

COM presented an update on the Western Waters Multi Annual Plan. COM clarified their intention to adopt the proposal in trilogue before March 2019 (Brexit) as it remains part of the acquis body which provides the EU a better negotiation position when the UK leaves.

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

- In the future, the TAC proposal will only deduct De Minimis exemptions
- In relation to management closures and avoidance measures, the COM explained that according to chapter 5 of Article 8 of the TCM regulation, the COM can adopt Joint recommendations. In other words, Regional Member State Groups can propose measures which the COM can legally put in place. Closures are regarded as technical measures and therefore could be proposed through this Article 8.
- The list of target species included in the MAP was discussed with the MS. The list of species that were ultimately included was based on the relevance of the species in relation of tonnage and/or economic yield. Seabass is the only controversial species, so this species might be taken off the list after trilogue negotiations.

Concerns were raised by OIG members that the list of target and bycatch species in the MAP seemed to have been decided on a political as opposed to a scientific basis.

Mr Oscar Sague introduced himself as this is his first NWWAC meeting as a member. He represents members from different countries that focus on recreational underwater activities e.g. submarine fishing. He wanted to stress on the variety of recreational fisheries. As indicated in the ICES advice different mortality rates apply for different recreation fisheries, this does not seem to be taken forward in the COM fishing opportunities.

COM used the occasion to inform the meeting about a change in terminology for the next COM proposals on the TAC: there will be no specification of 'wanted' and 'unwanted' catch and 'TAC top-ups' as all fleets will be part of the Landing Obligation from January 2019. STECF will be asked to calculate the deductions as a result of the exemptions. These calculations would be shared with the Member States, internal discussion will have to clarify whether or not these will be shared with the ACs.



## 5. European Maritime and Fisheries Fund (presented by Norman Graham)

COM gave an overview of the proposal on the new European Maritime and Fisheries Fund. He clarified that this dossier is not in his remit, so if there are any specific questions, he will ask his colleagues and inform us at a later stage.

In response to the advice<sup>1</sup> provide by this and other ACs, Mr O'Donoghue asked for a written statement from the COM on the funding options for the Advisory Councils.

The chair commented that modernizing means becoming more sustainable, means creating more possibilities to achieve the CFP objectives. Supporting the continuous revamping of old material can never achieve the same results as using the funds to obtain new modern material, always taking into account avoiding the increase in capacity. The COM rep replies that per fleet segment the criteria for balancing capacity takes this into account. There is a delicate balance between modernization and capacity.

Furthermore, in response to questions raised by members at the meeting, the COM responded by written procedure after the meeting that:

- The scope of support in the EMFF proposal is unchanged compared to the current regulation as regards the functioning costs of ACs. In theory, ACs can be potential beneficiaries under other strands of the funding. However, the ACs would have to put in place a separate accounting system between operating costs (covered by the grant) and any other specific funds they might receive, as Union financial rules prohibit double funding.
- Financial support for modernization is a delicate subject as they do not want to increase the capacity. Capacity refers to the definition used in the Policy Statement and is based on the STECF reports on balance capacity ([link](#) in English only), illustrating that there is still excess fleet capacity for certain segments. There are precise conditions for engine replacement/modernisation and for the acquisition of a second-hand vessel, both reserved to small-scale vessels. For other investments there are two requirements:
  - 1) They shall contribute to the achievement of the objectives of the CFP (Article 14.1)
  - 2) They shall not be ineligible under Article 13. Recitals 20, 21 and 22 provide non exhaustive examples.
- The proposal introduces strict safeguards for permanent cessation to ensure that support is targeted to the structural adjustment needs of the fleet. This will be ensured by making payments conditional upon the fulfilment of certain conditions set in advance and incorporated in the national programmes. For this purpose, a new implementation mechanism ('financing not linked to costs') will be used.
- The input from ACs was duly taken into account when preparing the proposal and the impact assessment accompanying it. In particular, strong attention was given to the call for simplification and for a targeted support to the achievement of the conservation and socio-economic objectives of the CFP.

## 6. Advice process

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<sup>1</sup> NWWAC response response to the request for advice on post-2020 EU funding for fisheries and maritime sectors Link – Lien - Enlace



### 6.1 Landing Obligation

The Joint Recommendations by the NWW MS Group were sent in time to the Commission ([link](#), in English only). STECF has evaluated the JR. The outcome will be discussed at the next Technical Group meeting on 11<sup>th</sup> July in The Hague. This is the first MS meeting under the Dutch chairmanship, who took over from Ireland on 1 July.

The chair informed the meeting that he is not available to attend the TG meeting due to other commitments. Vice-chair Ms Hamilton has confirmed she can attend via video conferencing as well as the other vice-chairs.

**ACTION:** Secretariat to look into video conferencing facilities to attend the NWW Technical Group meeting on 11<sup>th</sup> July

Even with the exemptions included in the new Joint Recommendations, not all choke risks will be resolved. Based on this, the chair recommended providing a second round of AC advice on how to address the remaining choke risks. The Secretariat has been in touch with members of the Focus Group on LO to look for the most suitable date for this meeting. Although several members are unavailable to attend the meeting, the chair emphasized that this should not hamper the progress and a follow-up meetings will be organised early-September to allow the membership to contribute to the advice.

The Terms of reference for the meeting are:

- To establish the state of play with the application of the NWW MS Group Joint Recommendations
- To get a clear outline of the unresolved choke risks in the NWW
- To get a picture of possible measures by stock to resolve its choke risk
- To obtain a draft advice that achieves sustainable fishery activities in the NWW, avoiding choke situations.

ExCom decided that:

- A meeting will be organized on 19<sup>th</sup> July in Dublin from 09:00 to 15:30.
- Options to participate via web-based facilities will be investigated
- In preparation of the meeting, the Secretariat will:
  - o update the Choke Mitigation Tool and set up a sheet for sprat 7.de
  - o include the exemptions of the Joint Recommendations and ICES advice for relevant stocks for 2018
  - o Assess the remaining choke risks and identify possible measures to resolve remaining chokes.
- The meeting will discuss options to mitigate all choke risks, not only category 3 chokes.
- The potential of the study on underquote utilization by Ms Fernandez will be discussed at the meeting

**ACTION:** A Focus Group on the Landing Obligation will be organized on 19<sup>th</sup> January



**ACTION:** Secretariat to set up web-based facilities to join the meeting remotely and prepare the appropriate background documents for discussion.

**ACTION:** A follow-up meeting should be organised in September.

#### 6.2 EC Policy Statement + ICES advice 2019

Similar to previous years, the NWWAC will prepare advice on the Fishing Opportunities for 2019 after the presentation of the ICES advice. ExCom decided that the Secretariat will draft advice based on this meetings discussion. This draft advice will be distributed the different Working Groups for further input, before ExCom approves the advice by mid-September.

**ACTION:** The Secretariat to draft advice on the Fishing Opportunities for 2019. ExCom will approve the draft advice after further input from the Working Groups is collated by mid-September

#### 6.3 WW MAP proposal

Based on the timeline of both Parliament and Council who aim to adopt their position by mid-July, the ExCom decided that the time to produce AC advice is too restricted. However, the membership is invited to send their comments and suggestions for AC advice on the WWMAP to the Secretariat. If appropriate the Secretariat can evaluate whether the AC will produce advice, preferable in conjunction with the SWWAC.

**ACTION:** The Secretariat to contact the SWWAC for information on their plans for advice on WWMAP.

**ACTION:** Members are invited to send their comments and suggestions for AC advice on the WWMAP to the Secretariat

#### 6.4 Control proposal

Mr O'Donoghue provided an overview of the work that had been done in the FG to draft advice to the COMs request for input on their proposal on Implementing Decision establishing Specific Control and Inspection Programmes for certain pelagic and demersal fisheries in the Baltic Sea, North Sea, Western Waters of North East Atlantic, East Atlantic, Mediterranean Sea and Black Sea.

By the time the FG on Control and Compliance was planned to meet on 31<sup>st</sup> May to draft advice, the Commission adopted on 30<sup>th</sup> May 2018 and published its legislative proposal for the Revision of the Control Regulation. The COM declined the request for extension of the deadline by the NWWAC as they planned to discussion on the topic with the MS on 9<sup>th</sup> July.

A Focus Group web-meeting was scheduled on Friday 8<sup>th</sup> June and the response was sent to the COM on 26<sup>th</sup> June 2018 ([Link](#) – [Lien](#) – [Enlace](#)). The Chair asked the approval of the ExCom to organise another meeting to discuss the EC proposal on the Revision of the Control Regulation early October.

**ACTION:** A Focus Group on Control and Compliance will be organized to draft advice on the EC proposal for the Revision of the Control Regulation early October.

#### 6.5 EMFF proposal

The ExCom decided that the NWWAC should produce advice in response to the EC proposal on the





European Maritime and Fisheries Fund, emphasizing that ACs should be able to get funding separate from the administrative financial support. It was suggested to contact the other AC Secretariats to potentially write joint advice. This is the opportunity to influence EP and Council

**ACTION:** The Secretariat to draft advice on the EMFF proposal for the Advisory Councils and contact the other Secretariats to verify if a joint position could be submitted.

#### 6.6 Seabass

The NWWAC has received a request from the COM to provide advice on potential measures to take for 2019 in order to promote the recovery of sea bass on the 14<sup>th</sup> June (see website). The ExCom agreed that a joint meeting with the NSAC would be a good approach, however the deadline of 28<sup>th</sup> August is unrealistic considering holiday time.

**ACTION:** The Secretariat to contact the NSAC to organize a joint meeting on seabass, if approved by the NSAC

**ACTION:** Request an extension of the deadline for the advice

#### 6.7 Entry-Exit fleet scheme

The COM sent a consultation on the 5<sup>th</sup> June on the evaluation of the entry-exit fleet scheme (deadline response 3<sup>rd</sup> September). Members were informed via the June newsletter.

The ExCom decided that AC members will respond to the consultation individually. The NWWAC will inform the EC that this consultation was distributed to the membership.

**ACTION:** The Secretariat to inform the COM on the procedure taken

#### 6.8 Eel

The EC sent a request on the 14<sup>th</sup> June (see [website](#)) to the NS and NWW AC and MS Group on measures to take for 2019 in order to promote the recovery of eel.

The meeting agreed that there is limited commercial interest amongst the membership in eel fisheries. Members are invited to provide their comments and suggestions for AC advice to the Secretariat.

**ACTION:** Members are invited to send their comments and suggestions for AC advice on eel management to the Secretariat. A response to the EC will be drafted by the Secretariat depending on the input.

#### 6.9 TCM dialogue negotiations

The ExCom was informed about a request from Gabriel Mato (European Parliament) for advice on the recent Commission alternative proposal on article 4 of the technical measures proposal – targets in relation to the draft regulation on the "conservation of fishery resources and the protection of marine ecosystems through technical measures", which is currently under negotiations between co-legislators.

This topic was discussed in detail in a meeting the following day. ExCom decided after the meeting





on the actions.

## 7. Functioning of the ACs

The meeting was informed that a second Inter-AC meeting on the Functioning of the ACs was organized by the PeIAC. The report is available as background information to this meeting ([link – lien –enlace](#)). The questionnaire developed by the PeIAC in preparation of this meeting is still available for members.

Due to restricted time available for discussion, the ExCom decided that members can inform the Secretariat of their view on:

- Involvement of third countries in the ACs
- What procedure could fit for the NWWAC
- Alternative funding options for the NWWAC
- Advantages and disadvantages of the different models for stakeholder consultation

This input will be further discussed at the September meetings in preparation of the next Inter-AC meeting hosted by the LDAC in November 2018 in Madrid.

Following concerns from different members on the position of the EC on the status of UK stakeholders in the AC during the transition period, ExCom decided to write a letter to the COM to ask clarification.

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

1	Secretariat to look into video conferencing facilities to attend the NWW Technical Group meeting on 11th July
2	A Focus Group on the Landing Obligation will be organized on 19th January
3	Secretariat to set up web-based facilities to join the FG LO meeting remotely and prepare the appropriate background documents for discussion.
4	A follow-up meeting of the FG LO should be organised in September.
5	The Secretariat to draft advice on the Fishing Opportunities for 2019. ExCom will approve the draft advice after further input from the Working Groups is collated by mid-September
6	The Secretariat to contact the SWWAC for information on their plans for advice on WWMAP.
7	Members are invited to send their comments and suggestions for AC advice on the WWMAP to the Secretariat
8	A Focus Group on Control and Compliance will be organized to draft advice on the EC proposal for the Revision of the Control Regulation early October
9	The Secretariat to draft advice on the EMFF proposal for the Advisory Councils and contact the other Secretariats to verify if a joint position could be submitted.
10	The Secretariat to contact the NSAC to organize a joint meeting on seabass, if approved by the NSAC
11	Request an extension of the deadline to the COM for the advice on seabass
12	The Secretariat to inform the COM on the procedure taken on the consultation on the of the entry-exit fleet scheme



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| 13 | Members are invited to send their comments and suggestions for AC advice on eel management to the Secretariat. A response to the EC will be drafted by the Secretariat depending on the input. |
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## Annex 1 – List of Participants

<b>NWWAC members</b>	
Rederscentrale	Emiel Brouckaert (Chair)
Asociación Nacional de Armadores de Pesca de Gran Sol (ANASOL)	Purificación del C. Fernández Alvarez (Vice-Chair)
ClientEarth	Heather Hamilton (Vice-Chair)
Association Nationale des Organisations de Producteurs (ANOP)	Jean-Marie Robert
European Bureau for Conservation and Development (EBCD)	Despina Symons / Maria Aira
Seas at Risk	Debbie Crockard
Comité National des Pêches Maritimes et des Élevages Marins (CNPMEM)	Caroline Gamblin
France Pêche Durable et Responsable	Pascal Coquet
Irish South and West Fish Producers' Organisation	Patrick Murphy
Killybegs Fishermen's Organisation	Sean O'Donoghue
Stichting van de Nederlandse Visserij (Dutch Fisheries Organisation) (2)	Geert Meun
National Federation of Fishermen's Organisation (UK)	Barrie Deas
<b>Observers</b>	
BirdWatch Ireland	Fintan Kelly
Cornish Fish Producers' Organisation Ltd.	Paul Trebilcock
Dutch Elasmobranch Society	Irene Kingma
International Forum for Sustainable Underwater Activities (IFSUA)	Oscar Sagué
Irish Fish Producers' Organisation (IFPO)	Francis O'Donnell
Irish Fishermen's Organisation	John Lynch
Irish Islands Marine Resource Organisation	Sheamus Bonner
Irish South and East Fish Producers Organisation	Hugo Boyle
Scottish Fishermen's Organisation	Paul McDonald
South Western Fish Producers Organisation Ltd.	Jim Portus
The PEW Charitable Trusts	Jean Christophe Vandeveld
West of Scotland Fish Producers' Organisation	Kevin McDonnell
Fundació ENT	Lydia Chaparro
Organización de Productores Pesqueros de Lugo (OP-LUGO)	José Manuel Fernández Beltran
Comité Départemental des Pêches et des Élevages Marins du Calvados (CDPMEM 14)	Lionel Bottin
Comité Départemental des Pêches Maritimes et des Élevages Marins du Finistère (CDPMEM 29)	Guy Le Moigne
Comité Départemental des Pêche Maritimes et des Elevages Marins du Morbihan (CDPMEM 56)	Manu Kilberine
Comité Régional des Pêches Maritimes et des Élevages Marins (CRPMEM) Hauts de France	Stéphane Pinto
Coopérative Maritime Bretagne Nord	Franck Le Barzic



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(COBRENORD)	
FROM Nord (Fond Régional d'Organisation du Marché du poisson)	Delphine Roncin
Organisation de Producteur Coopérative Maritime Etaploise Manche Mer du Nord (OPCMEMMN)	Dominique Thomas
Organisation des Pêcheurs Normands (OPN)	Mathieu Vimard
European Anglers' Alliance	Anna Szczodrowska