



CONSEIL CONSULTATIF POUR
LES EAUX OCCIDENTALES
SEPTENTRIONALES

NORTH WESTERN
WATERS
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA
LAS AGUAS
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Minutes EXECUTIVE COMMITTEE

Online meeting
Monday 23 March 2020
13:00 – 14:30 IE/UK | 14:00 – 15:30 BE/ES/FR/NL

Attendees

Emiel Brouckaert (Chair)	Rederscentrale	IND	BE
Sean O'Donoghue	KFO	IND	IE
John Lynch	(Observer, Chair WG4)	IND	IE
Geert Meun	VisNed	IND	NL
Jenni Grossmann	ClientEarth	OIG	EU
Johnny Woodlock	Irish Seal Sanctuary	OIG	IE
Irene Kingma	Dutch Elasmobranch Society	OIG	NL
Puri Fernandez	ARVI	IND	ES
Caroline Gamblin	CNPMEM	IND	FR
Norah Parke	KFO (Observer, Chair FG Brown Crab)	IND	IE
Matilde Vallerani	NWWAC Secretariat		
Mo Mathies	NWWAC Secretariat		
Monica Negoita	NWWAC Secretariat		

1. Welcome and introductions

The Chair welcomed the participants and thanked Everyone for joining during these difficult times. Nobody expected the situation to develop like this with most of us working from home.

Apologies were received in advance of the meeting by Julien Lamothe (ANOP).

The agenda was adopted as drafted.

- **Action points from the minutes of the last meeting** (06 September 2019, Dublin)

1	State Aid Framework consultation: Secretariat will prepare a letter to the COM stating that the AC will not provide a detailed response. Sent 16 September 2019, available on website.
2	Fishing Opportunities 2020: advice is being worked on. ExCom members will receive a final draft in three languages next week for quick approval. Final advice sent 18 September 2020, no response received.
3	The Secretariat to review, update when necessary and proposed rules for observers at FG meetings. Will be discussed under Point 2.c
4	The Secretariat to review and identify opportunities for restructuring the upcoming NWWAC



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	meetings including choice of venue specifically for Dublin.
	<p>The Secretariat investigated other meeting options for Dublin. However, due to budget restrictions it is not possible for meetings to be held in any venue where the NWWAC has to pay regular event rates.</p> <p>In addition, NWWAC meetings have been held for three consecutive years now in Madrid and in Ghent. Both venues have been kindly provided free of charge by the respective administrations.</p> <p>Should the NWWAC meetings be moved to new venues from next year onwards? If so, then the Secretariat would appreciate suggestions from members regarding meeting venues (free of charge).</p> <p>One consideration is proximity to Brussels for COM attendance.</p>

It was suggested that due to the current crisis the Secretariat should not start looking at new venues. Also, since tele-conferencing seems to be working well, should the other meetings be cancelled? It was agreed to keep monitoring the situation and see how it evolves, especially for Ghent in July.

Due to cancellation of all meetings planned for the second day in Madrid, the Secretariat has been in touch with all the Chairs of the Working Groups.

For some of these, tele/video conferencing is very complicated due to language barriers. The Secretariat has sent out all the details for discussions that should have happened in Madrid and asked for written comments in time to be included for discussion in this ExCom meeting. Probably due to tight deadline, very few responses were received by the Secretariat.

- **Actions arising from the Working Groups**

Working Group 1 – West of Scotland

One member of this WG commented that due to COVID-19 in several countries, workers' attendance in public administrations, including scientific bodies, has been restricted, which may affect the delivery in the agreed time (01.05.2020) of reports supporting the keeping of certain exemptions. Suggestion that the AC asks DG Mare for an extension for the delivery of such reports by national scientific bodies.

The participating ExCom members agreed that the Secretariat should send a letter to the COM asking for clarification on the impact of COVID-19 not only in relation to the reports mentioned above, but also regarding deadlines for example for Discard Plans and other proposed work.

ACTION (approval needed): Letter from NWWAC to COM with request to extend deadlines for the delivery of reports by national scientific bodies in support of existing exemptions.

ACTION (approval needed): Letter from NWWAC to COM with request to postpone MSG and COM work to prepare 2021 discard plan as focus now on health issues and COVID-19 crisis.



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Working Group 2 – Celtic Sea

No comments were received prior to this meeting.

ACTION (approval needed): Draft advice on remedial measures for cod and whiting in the Celtic Sea.

Working Group 3 – English Channel

Input has been received from CNPMM on the exemptions overview document prepared by the Secretariat.

ACTION (approval needed): Caroline Gamblin to prepare a proposal for an AC advice to the MSG to look into a Joint Recommendation on management of the flyshoot/seine fishery in area 7d (eastern Channel).

This action point had been proposed for discussion at the Madrid meeting. Caroline is drafting a proposal which will be addressed via written procedure.

Working Group 4 – Irish Sea

A written consultation on the JR was carried out with inputs from ANIFPO/Sea Source, Irish Seal Sanctuary and ISEFPO.

Members agreed to postpone Dave Reid's presentation on the work of WK Irish to a future face to face meeting where the subject can be given the attention it deserves.

ACTION: Reschedule Dave Reid's presentation on the work of WK Irish to a future face to face meeting.

The Chair of this WG put forward the following questions:

1. Is it legally possible to have 7a whiting removed from TAC if new technical measures as demonstrated by BIM gear trials are applied to reduce the below MCRS whiting in the Nephrops fishery?
2. Proposal to apply for a small % de minimis for haddock in the highly selective 120mm haddock fishery to allow for some unavoidable bycatch.
3. Proposal to ask the Commission to clarify the current terms of the Irish Sea cod closure including what derogations now exist.

This proposal was followed by a discussion on TAC removal as a suitable measure which is a contentious point with the OIGs who are not on board with this. If this was to be brought forward the OIGs would not consent to this, and as this point does not relate to JR work that is being carried out, maybe should be addressed separately.

The Chair of this WG clarified that details specifically in relation to his first point can be discussed



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and that it is not a carte blanche TAC removal for the whiting but linked to the work BIM has carried out, i.e. linked to specific gear usage.

It was mentioned that a similar request in WG2 was put forward in the past regarding the possibility of taking out Boarfish from TAC. Should each working group be asked if they have specific species in mind and combine the species in one letter to the COM? Should these issues be combined by area or by topic, i.e. regional topics or combination?

It was stated that the AC has had several discussions regarding the removal of TAC and that this would not get consensus in the ExCom. As there are a number of species, the question to be addressed is how to keep sustainable fisheries open if there are zero catch options. At the moment these are addressed by providing bycatches, but there is a need for long term solutions. Is there consensus that where we have 0 catch options there is a problem with mixed fisheries?

Should the AC provide advice on how to address 0 catch advice and cat 3 in the long term?

This would normally be addressed in the Choke ID tool which could be updated with all the species members are concerned about. This update could be done now before September when it is usually updated in response to the Fishing Opportunities consultation?

ACTION: Clear proposal of what WG4 is putting forward regarding the work that it wants to be done. To be put through ExCom written procedure. John Lynch to send these to Secretariat for circulation.

Horizontal Working Group

1	(approval needed) Draft advice to MSG on JR for Discard Plan 2021 + reporting on existing derogations (based on consolidation of WGs input). WGs Chairs to implement members consultation via written procedure, with the support of the Secretariat.
	The Secretariat got in touch with all WGs Chairs, whose decision was to have email consultations. Annotated agendas and specific requests for comments in particular to the JR were forwarded to members by the Secretariat. Considering the timeline prepared by the Secretariat, members can forward their input to AC advice on JR Discard Plan 2021 until April 3.
2	The AC should look at Article 31 of the Technical Measures at its next meeting in Ghent, together with a discussion on the implementation of the Landing Obligation (questionnaire received last year and there was no AC response, members were invited to reply individually).
3	(approval needed) AC to write to EFCA asking for the detailed full-length report on evaluation of compliance to the Landing Obligation.
4	(approval needed) Start preparation of advice to MSG on directed fisheries definition as per Article 27(7) of the Technical Measures Regulation. Secretariat to disseminate relevant information on directed fisheries definition and ask for input from membership (Article 27).
5	Secretariat to prepare a timeline including the different tasks, contributions needed and deadlines for the AC.



	Prepared and distributed to all members 16/03/2020
6	(approval needed) A Focus Group should be set up to work on AC functioning after Brexit. The Secretariat to forward an email requesting expression of interest in being part of the group.
	Expression of interest sought from all members, deadline 25/03/2020
7	Secretariat to review the relevant ecosystem overviews to identify if it is worthwhile to have a further analysis. Each member is also invited to have a look and express their opinion on whether it is important to discuss them at the next AC meeting.
8	(approval needed) Secretariat to write to ICES to ask for issuing of action points from MIACO meeting as a matter of urgency.
9	Members who attended ICES meetings are expected to send a summary report to the Secretariat for dissemination.
	These include: Angela Cortina for WKMIXFISH Jenni Grossmann for WK Celtic and WKDEM Sander Meyns for WK FlatNSCS Emiel Brouckaert for WKSHEAR
10	(approval needed) A Focus Group on Skates & Rays should be re-established jointly with the NSAC. The Secretariat to circulate call for expression of interest to participate in the group.
	ExCom approved setting up of this joint FG with the NSAC via electronic procedure on 13/03/2020 Deadline for Expression of Interest 20/03/2020, members: NWWAC: Caroline Gamblin, John Lynch, Johnny Woodlock NSAC: Irene Kingma, Paddy Walker, Manon Joguet ToR drafted Virtual meeting scheduled for 30/03/2020 ACTION: Secretariat to send reminder to all members this week.
11	Hugo Gonzales to forward the relevant information to the Secretariat in order for the FG to include discussion on whether the blue skate should be taken off the prohibited species list. ACTION: Puri to remind Hugo. (Clarification that RJB is two species, one of which is critically endangered.)

ACTION: The Secretariat to distribute action points and the timing added to these and to expand on the timing sheet.

2. Information points

a. Focus Groups' progress

i. Control and Compliance (Chair: Sean O Donoghue)

Action points from meeting in Madrid 10-03-2020

1	(approval needed) Draft letter/email to distribute the 2019 advice to new presidency of the
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	MSG.
2	The Secretariat to send out doodle for setting date for next FG meeting in June 2020.
3	The Secretariat to circulate the EFCA evaluation of compliance report.
4	(approval needed) Plan joint EFCA-NWWAC Workshop around Ghent meetings. The Secretariat to contact EFCA to set organization of workshop in motion.
5	(approval needed) The FG Control should be responsible for following the meetings and activities of EFCA on behalf of the NWWAC.

Concerning the last action point, the FG Chair explained that the FG was originally set up to handle control and enforcement issues should thus be active in following EFCA's work, including meetings and workshops, such as the Advisory Board meeting or the workshop to be planned on Landing Obligation. It was also made clear that he attended the Advisory Board meeting on 17 March as none of the usual participants (NWWAC vice-chairs) were able to attend. It was finally pointed out that representation of the AC in the different external meetings should be kept as it is, representatives' nominations should not change to keep continuity.

ii. Marine Plastics (Chair: Patrick Murphy)

Action point from virtual meeting 27-02-2020: The Focus Group to propose to NWWAC Executive Committee in Madrid that a series of media notes be drawn up, for example on the issue of microplastics in seafood.

These media notes should be a joint effort with all ACs and not be targeted only at industry media but at all types of media outlets to convince consumers that plastics in seafood are not a danger

iii. Scallop (Hugo Boyle)

At the meeting in Madrid, the main point of discussion was the proposal of a temporal closure for the fishery in 7d. It was unfortunately not possible to reach an agreement on the start date of such closure. The Secretariat is currently discussing with the Chair on the next steps to take and on the planning for the coming months. No action points were raised.

iv. Brown Crab (Chair: Norah Parke)

The Chair of this Focus Group gave an update from its meeting in Madrid which was the penultimate meeting of this FG and used the opportunity to review the *raison d'être* for the establishment of the FG. It was also a meeting of clarification – the membership list was finalised in advance, the presentation listed the meetings which had taken place and the particular emphasis on data collection systems in the three participating countries.

The fundamental differences in data collection and how that was used in developing management in the individual countries was identified as the greatest stumbling block to an integrated management approach. Attempting to provide an alternative approach set the FG on a path to find a tool which could provide such a "snapshot" which could possibly be further developed but this plan was eventually abandoned.

However, over the same period Ireland and the UK were developing inshore bodies (FIPs, RIFFs (IE), IFCA, Shellfish Inshore Advisory Group (UK)) which began, and continue, to have increasing bottom-



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up input to crab fishing management. It could be said there are no longer the substantial differences between the FG countries which were originally identified though possible jurisdictional changes (Brexit) may pose additional problems going forward. The landings data and export data from the three countries do not show widening gaps to any great extent so it could be concluded the increased demand and price is not the threat to stocks originally feared.

The attendees agreed the final meeting in Ghent would provide the most up-to-date data from the individual countries regarding management, data and trade to be delivered in a detailed SWOT analysis of the parallel regimes and indicating where further cooperation was possible and desirable.

One ExCom member felt that is very important to extend some recommendations from this FG not only to the NWWAC but also to North Sea which has seen an enormous increase of pressure on the fishery.

The FG Chair stated that if there was an extension or a joint FG, it would need to have much tighter Terms of Reference. This FG started out with a broad focus which became clearer nearer the end. One problem was that the membership which was not continuous. This can be discussed with members before Ghent, though a UK member had originally been identified as a liaison with the NSAC in 2017.

ACTION (approval needed): Secretariat to contact the NSAC to see if there is an interest in establishing a joint FG.

b. Update Rules of Procedure (Secretariat)

The Secretariat has updated the NWWAC statutes and Rules of Procedure. These will be circulated to the membership for discussion in Ghent and adoption in Dublin.

ACTION: The Secretariat to distribute the updated Rules of Procedure to all members for review.

c. OIG ExCom Vice-Chair update

An informal meeting was held on the fringes of the Madrid meeting involving the NGO representatives that were present (ClientEarth, Birdwatch Ireland, Oceana, Fundación ENT), the NWWAC ExCom Chair and one Vice-Chair and the Secretariat to talk about the ongoing difficulty of declining NGO capacity re: AC work and specifically of finding a permanent OIG vice-chair.

The OIGs are still not in a position to offer a more permanent solution; there are a range of issues re: AC work which are causing this difficulty currently to keep NGOs actively engaged in the AC work, plus Brexit considerations; capacity issues and considerations re: where our work has the biggest impact; similar considerations on the industry side.

Currently Jenni Grossmann (ClientEarth) has stepped in as the temporary emergency vice chair in order to function as a point of contact for the Secretariat; this mainly entails joining the CHARM calls and attending relevant meetings / delegating to colleagues where necessary.

However, Jenni cannot commit to anything firmly beyond this/next month because ClientEarth's current and future AC involvement needs to be discussed still with Jenni's manager who has just



returned from maternity leave. ClientEarth is also in the middle of a funding renewal.

After the informal meeting it was agreed that on the NGO side internal discussions would continue and the Secretariat would be kept in the loop about conclusions or invite them to join the discussion as appropriate; a more official meeting (probably involving the Secretariat, the Chair, OIG reps, industry vice-chair reps) further down the line will be needed to discuss identified issues and potential solutions/implications

The Chair stated that it is important when planning meetings are happening that all members feel represented.

d. Budget Status (Secretariat)

The Secretariat gave an overview of the operating budget which is on trend with spending and in line with what was expected for this time of the year.

As lives have been turned upside down due to the current COVID-19 crisis, it was suggested that it might be useful for the Secretariat to join with the other ACs to discuss emergency provisions to carry unspent budget forward.

The Secretariat informed the participants that it is participating in an extraordinary meeting with all other ACs on Thursday to address this issue amongst others

Due to time restriction the work programme and the communication strategy were not discussed. It is proposed to include the latter in the next meeting and to update the work programme linked to the action points from this meeting.

3. Upcoming meetings

European Maritime Day has been postponed.
SUMARIS has been postponed.

The list below has been resent to all AC members:

Acronym	Expert Group	start	finish
WGCSE	Working Group for the Celtic Seas Ecoregion	06 May 2020	15 May 2020
WGCSE <i>Nephrops</i>	Working Group for the Celtic Seas Ecoregion	21 September 2020	25 September 2020
WGEF	Working Group on Elasmobranch Fishes	16 June 2020	25 June 2020
WGMIXFISH- ADVICE	Working Group on Mixed Fisheries Advice	26 October 2020	30 October 2020

ACTION: Secretariat to contact ICES to check if planned meetings are going ahead.

Puri Fernandez explained that due to the COVID-19 crisis she is working from home until 11 April. While the situation is very difficult, she is not physically attending any meetings so there is time left for other tasks, which is one positive thing to come out of this crisis. This means she will have more



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time to assist the Secretariat.

4. Summary of actions to be agreed and decisions to be adopted

1	(approval needed) Letter from NWWAC to COM with request to postpone MSG and COM work to prepare 2021 discard plan as focus now on health issues and COVID-19 crisis.
2	Clear proposal of what WG4 is putting forward regarding the work that it wants to be done to be put through ExCom written procedure. John Lynch to send these to Secretariat for circulation.
3	Secretariat to distribute the updated Rules of Procedure to all members for review.
4	Secretariat to send reminder asking for participation in the Skates & Rays FG.
5	Puri Fernandez to remind Hugo Gonzales to forward the relevant information to the Secretariat in order for the FG to include discussion on whether the blue skate should be taken off the prohibited species list.
6	The Secretariat to distribute action points and the timing added to these and to expand on the timing sheet.
7	Secretariat to contact ICES to check if planned meetings are going ahead.