

Minutes

GENERAL ASSEMBLY / AGM

Virtual

Thursday 24 September 2020 | 14:00 - 16:30

1. Welcome and introductions

The President of the NWWAC, Olivier Le Nezet, welcomed all particpants. Apologies were received from Delphine Roncin, Jim Portus and John Lynch. The agenda was adopted.

2. Annual report from the NWWAC ExCom Chairman (Emiel Brouckaert)

The Chairman of the NWWAC Executive Committee presented on the work completed in Year 15 as well as the work priorities for Year 16 and adoption of the work programme, including a proposed calendar of meetings for Year 16. The presentation can be found on the NWWAC website (link).

Comments: In the presentation, the meetings of the ExCom Chair, Vice-Chairs and the Secretariat (CHARM) are missing, as is the Focus Group Whelk.

COM: I want to congratulate the NWWAC for the work done and the increasing number of recommendations which have generated a lot of work for us regarding providing you with a response. I wanted also to confirm that there will be an Inter-AC meeting, but this will need to be discussed with the new head of unit at the beginning of October. We will certainly discuss again the programme of organization, and also how the functioning of the ACs can be improved.

The NWWAC work programme for Year 16 was approved by the General Assembly (link).

3. Report on the budget (Secretariat)

The Secretariat presented a review of the income and expenditure for Year 15, an overview of the funding following Brexit, as well as the proposed budget for Year 16 (link) which was subsequently ratified by the members.

Q: Due to the restrictions around COVID-19 it seems likely that we will continue with online meetings for a while, has the Commission indicated that there is flexibility in the subheads of the budget? Since there is a significant reduction on travel costs due to virtual meetings, the AC should



investigate other areas of spending to enhance the work of the NWWAC so that the budget does not remain underutilised.

A: There has always being flexibility to move monies between the different budget lines. With the new financial year, the Commission has given the ACs new financial guidelines, which will make it easier and far more flexible than before to move money around in the budget. The budget overall amount is set in stone, but how the money is distributed in the different headings of the budget is very flexible come the new financial year. The Secretariat welcomes any and all suggestions on how we can utilize any monies that may be surplus in next year's budget if we can actually not meet face-to-face, however, I think we are all hoping that face-to-face meetings will be possible again, and that we will all see each other in Madrid in March. Hiring experts to support the work of the Focus Groups is an excellent suggestion, but we also do not want to overspend on our budget just in case we can actually have physical meetings again, so this will need to be looked at carefully to identify exactly how we best can balance this in the future.

4. Report on membership (Secretariat)

The Secretariat gave an overview of changes in membership for Year 16 including changes expected due to Brexit by 01 January 2021 (link).

Q: This decrease of membership must be stressed. This is in particular the case for the Executive Committee. In terms of governance, it is important to make sure that all seats on the ExCom are filled but I do see that there are vacancies for the time being. Regarding the UK members, did you take into account the organizations representing the industry, but also, the NGOs that have their headquarters in the UK?

A: The NWWAC has 25 seats on the ExCom, 15 are industry and 10 belong to the other interest group. The 15 industry seats are filled at the moment, and they will remain filled until 31 December 2020, because our UK ExCom members have extended their membership until that date, where they can still actively be still participating.

The two ExCom members from the UK will be leaving us on 01 January, which will mean that two seats are free at that time. On the OIG side in year 15, we had 10 seats available and 6 taken. Overall, we only have 11 OIGs, and only six of them felt that they were able to take a seat on the ExCom. The ExCom Chair will give an overview in a minute of the OIGs that are actually leaving the AC at the end of this financial year, three of whom are ExCom members, so their seats will be vacated.

This AC is losing five OIGs from the 11 that we have, which will only leave us overall with six OIG members for the next financial year. That is something that will need to be discuss within the AC, how this will be addressed with the changes due to Brexit. This is probably not something that can be discussed fully today in this GA, but the AC has a focus group on Brexit which will look at the structures and the implications of Brexit on the structure of this AC.

After the end of this financial year, we have no OIGs with an office in the UK. However, a lot of the OIGs are European OIGs. Even though they may have an office in London, they would actually have



been registered also in Brussels or in another MS of the NWWAC. None of the OIGs are leaving due to Brexit.

Discussion on OIG participation

The Chair of the ExCom presented on the OIG involvement in the NWWAC (link). Conclusions from the discussion of this topic at ExCom level included that while the NGO members considered this topic was already amply discussed within this AC, the ExCom members felt that only two weeks ago on 11 September was actually the first discussion on the issue. It is clear that those issues have not officially been addressed in correct forum and there is a chance that work could possibly have been done. That forum for discussion is now obviously limited to as the five NGOs are leaving on 01 October. An action point here is to look at keeping open the possibility for a discussion and to see how we can act upon the situation. The AC also needs to find a forum for discussion and evaluating the Secretariat's analysis on the OIG involvement in this AC over the past year and how this can be used t to maybe step forward? At the ExCom, I did ask members and also the departing OIGs to send their suggestions to the Secretariat on how to further investigate this and specifically on the points I've just mentioned. I would certainly like to extend such a request and the opportunity for input to all the GA members and to share their views along this whole thing with the Secretariat to then ultimately, decide on how to act or follow up on this. Finally, many AC Secretariats and other members see a possibility in requesting a joint meeting between the Secretariats, ExCom chairs, vice-chairs, perhaps other members of the ACs and specifically, the NGOs who have written the previously mentioned complaints to discuss the issues and to see how we can jointly find the way forward. Again, I wish to express the hope that with these proposed actions, a constructive approach to continuing and to working together as a whole, can be achieved.

President: I fully support the Secretariat and the ExCom Chair as well in this. It is important to make sure that in this house, there are some internal rules that are followed and that before any letter is sent, we make sure that we have answered these questions within the AC. This is really important also in view of defining some solutions.

What I take from the presentation is that there is a lot of criticism toward the industry, but I believe the Secretariat has tried to find solutions and to make what was possible to work with the OIGs. I really hope that this approach did not question the staff of the AC or even, I would say, the integrity of this staff. It is important for us to find sustainable solutions even if five NGOs will leave this group as of 01 October.

Q: As one of the NGOs leaving the AC on 01 October, I wanted to say that the ExCom Chair's presentation was very comprehensive, but what was missing is the fact that we believe we need a kind of referee in the ACs when things are not functioning well, as it is the case right now. We believe that the European Commission should play a more active role in those situations. We believe this is fully in line with what is foreseen in appendix three of the CFP that defines the basic functioning rules of the ACs. Our recommendation would be to have more involvement from the Commission and a more active role by the Commission to make sure that the rules are fully implemented. I do not believe the NGO letter is against the industry. I believe the industry is playing its role within the AC. Maybe they did not realize that the complaints of the NGOs were so serious,



but we are not trying to undermine the industry. The NGOs made objective assessments, there are things that are not working within the AC, and therefore, we cannot meet some of the objectives we have as NGOs, such as the proper implementation of the CFP.

Q: I believe that one of the difficulties we agree upon is the involvement of the European Commission in our work. I am not necessarily saying that the role of the European Commission is to be a referee between the industry and the NGOs, but the Commission should support the ACs in the implementation of the CFP so that we can draft advices fostering debate on the implementation of the CFP. I believe in this framework, what the AC did in the past year actually met these objectives. However, what is lacking is a much stronger presence to make sure that the Commission is more involved in the AC, to make sure that the Commission representation always attends our meeting. There seem to be several contradictions in what has just been presented to the General Assembly. Not all NGO seats were taken on the ExCom, and some representatives within the GA did not invest themselves because they did not have a seat on the ExCom which is a bit surprising. Then, some organizations make the choice to just leave because they are not satisfied with the AC. It seems the AC does not meet their expectation, but the work of the AC is not to answer each member's expectation, the whole point is to be able for us to work together to work collectively towards the implementation of the CFP. Though some NGOs are leaving, there will be other representatives from the civil society that will be ready to support us in our work. Other Advisory Councils also experienced difficulties in the past and got through them.

Sec: Bluefish has again put forward an application for a seat on the ExCom through the OIG College. The OIG College is currently going through the procedure regarding this application has not reached a conclusion yet. The Secretariat will inform Bluefish and the rest of the GA as soon as a final decision has been reached.

Q: I would like to take this opportunity to thank the Presidents, the ExCom chair, the Secretariat, and all the members for the constructive engagements over the years. We remain open to working constructively with all stakeholders moving forward. The ExCom Chair's presentation was missing an important communication. There was a letter from the Secretariat on 31 August to the Commission and Ms Vitcheva, an OIG involvement in the work of NWWAC. My own reflection on that, respecting the rights of the Secretariat to clarify their own situation in relation to the OIG exit, is that is a bit unfair because, on analysis, a lot of the tasks that are highlighted in the table are actually communications that only went to ExCom, which as a GA member our input is not reflected in that table because we worked in many cases with our ExCom representatives to basically feedback our points to the ExCom. I think the letter misrepresents and underrepresents the OIG input, which is unfair given the amount of time and effort we have invested in some of those positions.

Q: I would like to thank you all for our work in the last few years. Our cooperation has been very positive in this AC. We have had the opportunity to mutually learn from each other and to build the necessary trust amongst stakeholders within this fisheries management world. Sometimes it has been difficult for us or we have found obstacles to defend our interests. This might also be due to the difficulty of some of the subjects that were being debated, such as the landing obligation or the fishing opportunities within the CFP. There were very clear deadlines and sometimes, these complex issues have been difficult to debate and to reach a consensus on. This has not met our expectations, which is why we have questioned the effectiveness of this forum or our participation in this forum.



As resources are very limited, our goal is to work in the most efficient way. We have not met our goals, which is why we decided to leave the NWWAC. One of the goals of the ACs is to work jointly hand-in-hand to promote fishing sustainably and other CFP goals. However, we need to take into consideration the cost of our being here and our participation. This is not a coordinated action against the ACs. I would like to confirm that this has been an individual decision by each of the organizations. Each of the organizations has assessed what they want to prioritize in their work for the next year. Unfortunately, the NWWAC in the case of Oceana has not been assigned as a priority. We continue to be in other ACs, and we continue to believe that this kind of fora has a very important role to play in the implementation of the CFP. I hope that this decision does not affect the credibility or the functioning of this Advisory Council.

Q: It is disappointing that this has happened, and I would ask those that have resigned to reconsider the position. Having said that, it is important that we do deal with a few facts here as I see as a member of ExCom in the NWWAC, the first thing that we need to note here is that, he last ExCom meeting was the first discussion we had in the AC in relation to this. The NGOs' view is that this was known in all these letters, but this was not brought forward to the deciding body of AC, which is ExCom. That is not paying the respect to the AC that it should be in relation to this. In addition, the letter sent by the NGOs sent to the Director-General in July was a general letter referring to problems and specific problems. It did mention that the letter did not apply to all the ACs. It was only made clear at the ExCom meeting that the letter did apply to NWWAC but did not apply to some of the other ACs. There are two very specific things that I have difficulty with. One is that the letter makes specific reference to the impartiality of the chairperson, and second in relation to derogatory remarks. I certainly cannot question the impartiality of the Chair in relation to the NWWAC. Accusation such as this cannot be made without substantiating same. Secondly, I am not aware of any derogatory remarks that were said at Working Groups are at ExCom. There is an onus on those that are resigning to spell out exactly what the problems are in relation to both of those.

The whole purpose of having the ACs is that we should try and reach a consensus. I believe we have had huge cooperation between all the stakeholders in developing positions on very difficult topics. It meant that everybody had to be prepared to look and see if there a way of resolving this. I thought we were quite successful in relation to that. I am really disappointed to hear that people feel that all of their suggestions were ignored or that we were not pursuing the CFP as we should have.

I fundamentally disagree with that. I would ask those who resigned to reconsider because it is much better that they are part of the AC than outsiders.

COM: I would like to thank the ExCom Chair for the exhaustive analysis and the conclusions. I think he has been very objective and impartial. At the meeting of the Director general with the NGOs on 16 September, Ms. Vitcheva identified that the key is to open a broad discussion among the AC members, how can you imagine finding solutions, how do you plan to reach solutions and to better cooperate, if that many NGOs are leaving the AC?

Ms Vitcheva is requesting the NGOs to sit around the table and to contribute to finding a solution. Otherwise, it will be very difficult to come up with solutions. The NGOs were reminded that the operating rules of the AC could be reviewed, and they have been asked many times for their ideas, suggestions, and some proposals to improve the functioning of the AC were received in past years,



however, nothing new following recent discussions. The Director-General has said that the CFP regulation will not be modified but the delegated act can be, but on the grounds that proposals are received. If these proposals aim at increasing NGOs' participation, we must be sure that making such changes in the delegated act is worth it, because we understand that NGOs are tired, are exhausted, lack time to work for the AC, so we do not want to be overloaded with work if there are any issues that have not been expressed openly, for example, a lack of resources.

Of course, we do need NGOs to commit themselves in trying to attend the meetings and to come forward with suggestions. I've heard you when you said that you want Commission to be more active, but as NGOs, we lack financial means, however, the Commission is doing its best. In addition, the ACs, and as the Director-General said, are no experts group. Advisory Councils have been set up not to be experts group, and all the ACs that have different types for know-how, of course, they have good expertise, but ACs are not supposed to be made up of experts. The Commission also has limited resources, and we do our best to attend as many meetings as possible, however, it is not our place to organise meetings or develop documents as some have suggested. For this, the ACs receive an operating grant. It is of the utmost importance to keep the NGOs around the table, as the Director-General has said, to enable us to move forward toward an organization that works better

President: I know that the European Commission is overloaded with work, but this is the case for each and every one of us. COVID-19 has only made things worse. As President of the Fishery Committee in Brittany, we have a lot of work in Brittany and many meetings going on. As for the lack of financial means, I represent many professionals in Brittany, we also do not have unlimited means. We are also faced with financial difficulties, as it is the case with the NGOs. Of course, industries and NGOs have to sit together around the same table to address the issues at hand.

Q: This withdrawal of some NGOs while we were trying to improve the functioning of the AC is a shame. We are an association, there might be problems arising, but it is up to us to come up with a solution. I think this withdrawal is premature. If the situation persists, the legitimacy of this AC might be undermined, and this will have consequences on the leverage that we can have with the European institutions. The best way forward would be to continue to work informally with the Secretariat, and with those NGOs who are wishing to leave us, to try and find solutions together informally, and then during official meetings to see if we can validate these alternatives and/or solutions.

I understand the viewpoint of environmental NGOs and their wish to withdraw the AC, but having direct access to the European Commission and having an efficient dialogue means that perhaps they no longer need the AC.

Q: The NGO letter to the Director-General was a very broad letter that was meant to cover a broad range of issues across multiple ACs, a very long time span, and also reflecting views of several different NGOs.

It was a deliberate decision to not single any person or situation out, as the main purpose was to explain the rationale behind the choices made and the different reasonings will have been different with different NGOs. Just to remind everyone, there have been presentations from the NGO side on these issues as early as 2017, for example, in the Parliament, and whenever issues arose in this



necessity or other issues, they have been brought up. Collectively maybe we could have identified the severity of the issues sooner and put them on the agenda for an ExCom or GA meeting.

However, we noted that throughout the handover from the previous Secretariat to the current Secretariat some of these issues had not been translated over so that the current Secretariat was taken aback a bit by the presentation given by some of us at the Inter-AC meeting a year ago. As soon as we realized that we did share the previous exchanges and we did have several bilateral discussions between Secretariat and me, for example, or other people as well, such as the meeting in Madrid. All of this was cut short by the COVID situation. Had it been different, had there not been the crisis, there might have been more discussions between March and now which would have maybe shed a different light on the situation.

The NGOs are very dependent on funding, and we have to justify what we spent our time and resources on, and we have to conclude that the time and effort invested is not proportionate to the outcomes that we achieve according to our priorities. However, some good progress has been made on some issues.

5. NWWAC Company update (Secretariat)

The NWWAC is a company set up under the Irish law under which this company has to have two directors. Until now this has been Michael Keating both as a Director and Company Secretary, and Michael has very kindly agreed to remain in both positions. The other Director has been Margaret Campbell, Corporate Director of Bord Iascaigh Mhara. Margaret Campbell has moved on to a different semi-state body in Ireland and has left BIM so with agreement with the CEO of BIM, her successor will take on the second post in the Directors' group of the NWWAC Company. We have also agreed that we will take on a third Director. This directorship is currently being finalized and the third Director of the company will be Sean O'Donoghue.

6. Confirmation of mandates (Secretariat)

The Secretariat made a proposal first at the Working Groups in July during the virtual meetings followed by a written proposal circulated by email to which no comments were received. The proposal put forward that the mandates of all the officeholders within NWWAC would be extended for one year until the General Assembly next year, September 2021, due to the ongoing uncertainties in relation to the COVID pandemic as well as Brexit. The Secretariat felt that it would be better to keep a stable and constellation of all the officeholders in place. This was discussed again at the Working Group Meetings at the beginning of September. The president, the ExCom chair and the vice-chairs have been confirmed, Chair and Vice-Chair of Working Group 4 have also been confirmed, while the members of WG 1-3 felt that it would be better to wait for the update from the focus group Brexit later in this meeting to make their decision as they have UK Chair and/or Vice-Chairs.



7. Report on communication strategy

The Secretariat provided an overview (<u>link</u>) and update on the communication strategy (<u>link</u>) which was first presented at the Horizontal Working Group Meeting in Madrid in March 2020 and approved in May 2020 via written procedure.

The main aim is to carry out an evaluation every year (01 October – 30 September) to identify what has been achieved, what has been worked on, and what needs to be improved as well. The idea is that the results of this evaluation would be presented at the General Assembly every year in September with a view to amend and revise the strategy where necessary. Since this was only approved in May 2020, it has not been possible to implement the full strategy yet.

The NWWAC press releases (<u>link</u>) were sent out to the available media contacts and picked up by several publications.

Meeting evaluation questionnaires were sent out following the meetings in July and in September, to help the Secretariate understand what can be improved in the organization of the meeting and what works and what is not working. 12 meetings were held across the Woking Groups of this AC and only 13 completed questionnaires were received afterwards. We feel that this can be a very effective means of evaluating what the members think about the meetings but might be more effective if the questionnaires are handed out physically right before a meeting is ending which is why we will put this procedure on a hold for now, because clearly, virtually, this is very successful.

The Secretariat also established a members' area on the NWWAC website where documents relevant to members only could be uploaded to cut down on the number of emails sent. The video on how this works is available here. The Secretariat is gong to send out the password for this area in due course.

Topics that could not be addressed yet include an evaluation of the AC collaboration with the Commission and the MSG, and it would be very useful if we could get more precise feedbacks from the Commission and the MSG on the pieces of advice that we produce. This could be done through establishing a list of criteria and a feedback questionnaire for example.

The Secretariat is considering getting support from an external expert as communication is key, and since none of us in the Secretariat is strictly a communication expert, we would benefit from the input from someone who is.

8. Brexit and the Functioning of the NWWAC

FG Brexit update (Sean O'Donoghue, Chair)

The first meeting of the FG Brexit took place on 23 June, where the terms of reference and the duration of the focus group were agreed. Those were subsequently approved at the ExCom in July.



During the second meeting on 18 September, a number of issues were discussed and action points agreed including the writing of a query to the Commission seeking clarification on for example Annex 3 of the CFP in relation to the NWWAC set up. The group examined the workings of the four geographical Working Groups and the potential impact of Brexit on those.

The sustainability of the stocks is what the NWWAC is all about, and the group is working on a definitive list in terms of joint stocks between the UK and the EU. There seem to be only two stocks so far that are exclusively within the remit of the NWWAC.

The group also discussed the relevancy of this AC going forward including other issues, such as the landing obligation, technical measures, control and enforcement, which will be even more complex now with a new boundary between the UK and the EU.

Finally, the group looked at this in terms of the chairmanship of the Working Groups from September of next year as the current set up has been approved by ExCom already However, there is a difficulty with the chairmanship of Working Group 1 which is chaired by the UK at the moment and that will cease on 31 December. I agreed to put forward my name for only for the nine months from 01 January to 30 September next year on the clear understanding that I am not taking the role on after that.

I am confident that when we come to the next meeting, that we will be able to bring forward some concrete suggestions to our Horizontal Working Group and then on to ExCom.

Sec: On a different topic, the AC has seen slight change in the membership and in the re-joining of various members into the various Working Groups. At the moment, the general rule within this AC is that you must be a member of one of the geographical Working Groups to access a focus group. Now, we have a few members that are only members of the General Assembly but we also have some members that are members of the General Assembly and the Executive Committee so the question that is put forward is, would it be possible for members of the General Assembly to join Focus Groups.

ACTION: Secretariat to circulate written proposal for GA members to join Focus Groups.

Summary of actions agreed and decisions adopted (President)

Actions:

1	Members to contact Secretariat with proposals on how to spend remaining budget in Year	
	15 and proposals for diversified spend for Year 16	
2	Members to contact the Secretariat with their views, comments, improvement suggestions	
	regarding the OIG involvement in the NWWAC	
3	NWWAC request to the Commission for a joint meeting with AC Secretariats, ExCom	
	Chairs/Vice-Chairs and E-NGOs to identify a way forward.	
4	Identify internal NWWAC forum for discussion on OIG involvement and include NWWAC	
	Secretariat overview	



CONSEIL CONSULIAITE POUR			
IFS	EAUX OCCIDENTALES		
	SEPTENTRIONALES		

5	Members can ask questions to follow up on use of Members Area to Secretariat
6	Secretariat to circulate written proposal for GA members to join Focus Groups.

Participants

NWWAC members				
Olivier Le Nezet (Président)	Comité Régional des Pêches Maritimes et des Élevages Marins de			
	Bretagne			
José Beltran	Organización de Productores Pesqueros de Lugo			
Hugo Boyle	ISEFPO			
Emiel Brouckaert	Rederscentrale			
Enda Coneely	IIMRO			
Bruno Dachicourt	ETF			
Puri Fernandez	ANASOL			
Caroline Gamblin	CNPMEM			
Jenni Grossmann	ClientEarth			
Gerald Hussenot	Bluefish			
Jan Kappel	EAA			
Fintan Kelly	Birdwatch Ireland			
Stavroula Kremmydiotou	EBCD			
Julien Lamothe	ANOP			
Franck Le Barzic	Coopérative Maritime Bretagne Nord (COBRENORD)			
Javier Lopez	Oceana			
Luis Francisco Marin	Organización de Productores de Pesca			
Marine LeGurun	Bluefish			
Patrick Murphy	ISWFPO			
Sean O'Donoghue	KFO			
Norah Parke	KFO			
Jacopo Pasquero	EBCD			
Jean-Marie Robert	Pecheurs de Bretagne			
Despina Symons	EBCD			
Dominique Thomas	Organisation de Producteur Coopérative Maritime Etaploise Manche Mer du Nord			
Jean-Christophe Vandevelde	The Pew Charitable Trusts			
John Ward	IFPO			
Johnny Woodlock	Irish Seal Sanctuary			
NWWAC Secretariat				
Mo Mathies	Executive Secretary			
Monica Negoita	Deputy Executive Secretary			
Matilde Vallerani	Executive Assistant Finance and Administration			
Observers				
Pascale Colson	DG MARE			



CONSEIL CONSULTATIF POUR
LES EAUX OCCIDENTALES
SEPTENTRIONALES
NORTH WESTERN
WATERS
WATERS
ADVISORY COUNCIL
CONSEIO CONSULTIVO PARA
LAS AGUAS
NOROCCIDENTALES

Michael Keatinge	Director NWWAC
Rosa	MEDAC
Marina Illuminati	MEDAC
Marzia Piron	MEDAC