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## Draft Minutes

### EXECUTIVE COMMITTEE

#### Zoom virtual meeting

Friday 12 March 2021 | 10:00 – 12:30 CET

#### 1. Welcome and introductions

The Chair Emiel Brouckaert welcomed all participants.

The following apology was received from Pascale Colson on behalf of the Commission:

*“Unfortunately, as this meeting coincides with the Expert Group on Fisheries and Aquaculture as well as with other meetings, we regret to have to tell you that will not be able to attend this meeting. Should you have questions arising during the meeting, do not hesitate to forward them to us.”*

Apologies were also received from the MSG.

A minute silence was held to honour the NWWAC’s longstanding member Hugo Boyle who sadly passed away earlier in the year.

The agenda was adopted.

#### Action points from the last meeting

1	ExCom members to advise the Secretariat regarding possibilities to spend remaining budget in Year 15.
	<a href="#">Suggestions to use the remaining budget to produce a map of the NWWAC remit area post Brexit and with information on regulations applicable. This map is being created under the FG Brexit, as presented on HWG.</a>
2	Members to send their views, observations, comments on the topic of OIG involvement to the Secretariat.
	<a href="#">Inputs received were used to prepare a letter to Director Vitcheva on addressing the current challenges regarding NGOs membership. The topic was further discussed at the Inter-ACs meeting in January.</a>

#### Action points arising from Working Groups

##### Horizontal Working Group (09 March 2021)

Presented by the Chair Emiel Brouckaert

1. Secretariat to draft a letter regarding the COM explanatory note on the fisheries control regulation revision, taking into account the Europeche open letter on the topic



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The explanatory note and Europeche letter are available on the website in the Members Area.

2. Secretariat to invite a COM representative to the ExCom meeting on 12 March to discuss the explanatory note

The Secretariat contacted the COM following the meeting and received a negative reply.

3. Secretariat to liaise with the COM on Inter-ACs meetings follow-up and preparation

The next Inter-AC meeting will be held on 05 May and the COM is hoping to present on the revision of the Delegated Act regarding the functioning of the ACs. The COM has asked for submissions from the AC on questions/topics that need to be discussed.

4. ExCom to decide on a reply to the request for feedback on the draft Joint Recommendation on Red Seabream prepared by the NWW MSG.

Chair: The JR have been sent to the Commission and will be reviewed by STECF later this month. The measures are an alignment with the measures in the SWW. The JR was circulated to the members of the HWG but no responses were received. The question to the ExCom is if there is any further action needed on this? Are there any views on this?

JL: This has been debated more extensively in the SWW, and we in the NWW have not discussed this properly. If an advice was to be sent to the MS, more detailed discussions would be needed.

Chair: I agree and suggest that the Secretariat respond to this MS request stating there will be no further comments from this AC on this subject.

5. Members are kindly asked to provide the Secretariat with feedback if and when attending ICES meetings.
6. Secretariat to start the planning of the MIAC 2022.
7. Secretariat to send a reminder to members regarding cetaceans bycatch project and further work on the topic.
8. Chair and Secretariat to decide a date for the next meeting of the FG LO
9. Proposal for the NWWAC to organize a meeting with EFCA to discuss the Joint Deployment Plans in progress this year.
10. Proposal for the NWWAC to organize a meeting with COM, EFCA and MS Control Expert Group to discuss the issue Article 27 TMR vs Article 15 CFP.
11. ExCom to approve the list of questions on control issues TCA as distributed by the Control Focus Group.



The list of questions was circulated on Tuesday 09 March.

An additional query arose from the meeting of WG4 regarding the management of closed areas in relation of the TCA.

12. Secretariat to add the draft NWWAC fisheries management chart prepared by the Focus Group Brexit on the website for members' review and suggestions.

The chart is available online in the Members Area.

13. Secretariat to add the presentation on restructuring of the AC prepared by the Focus Group Brexit on the website. Members are requested to provide feedback prior to the ExCom meeting.

The document is available online in the members area.

Suggestion of new proposal received in WG 4 (in presentation), combine WG 1 and WG4.

14. Proposal to create a task force for the revision of the NWWAC Rules of Procedure and Statutes.

Proposed task force members: ExCom Chair and Vice-Chairs, WG Chairs and additional NL member to balance MS representation.

15. Secretariat to distribute the document on the draft elections' procedures.

Available online in the Members Area.

16. Secretariat to send a request for expression of interest/opinions on the possibility of an AC performance review (external/internal review).

17. Secretariat to launch a written consultation on the functioning of the Members Area.

18. Discussion on UK observers participation at NWWAC meetings.

Chair: this is linked to the review of the AC structure as well.

**The Executive Committee approved all action points.**

SO'D: Two action items that were just approved require significant time to be set aside, 13 and 18.

Chair: This is also joined with action point 14 so not only a discussion for today under 3b but that is linked to the work of the proposed task force.

### **Working Group 1 West of Scotland (10 March 2021)**

Presented by the Chair Sean O'Donoghue



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WG1 has been in a state of flux with the departure of the UK. I am only acting as interim Chair until September 2021. Patrick Murphy has been appointed interim Vice-Chair until the GA in September.

1. Members to resume discussions on issues related to cod in 6a (assessment, natural mortality and stock ID) at the next WG meeting in July.
2. Proposal for ExCom to consider a new timeframe on how the AC will prepare advice on fishing opportunities for 2022 in light of the deadlines included in the TCA agreement.

The TCA has a huge influence on the decision of TACs and WG1 considers that the timeframe the AC has been operating on is no longer fit for purpose. The WG members feel that the advice on the fishing opportunities must be prepared earlier than previously, so by July.

3. Secretariat to circulate the TAC analysis prepared by the Focus Group Brexit to all members in the NWWAC.
4. Proposal to request ICES to present their advice on all the stocks in the NWW as identified in the analysis from the Focus Group Brexit.

**The Executive Committee approved all action points.**

#### **Working Group 2 Celtic Sea (10 March 2021)**

Presented by the Chair Suso Lourido

1. Secretariat to consolidate in a document all the comments on Celtic Sea Technical Measures that members put forward during the meeting. This should be circulated to WG2 members for further comments.
2. Secretariat to circulate any document/feedback received by the MSG on the Celtic Sea measures (expected on 16/17 March), for members to provide comments.
3. Secretariat to combine all the inputs received in a paper for discussion with the MSG at the Technical Group meeting on 26 March (Secretariat and ExCom Chair attending).
4. Secretariat and WG2 Chair to consider the need for a meeting after 26 March, for further discussion and preparation of advice.

INFORMATION POINT: Jean Marie Robert has been appointed interim Vice-Chair until the GA in September.

**The Executive Committee approved all action points.**

#### **Working Group 3 Channel (10 March 2021)**



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LES EAUX OCCIDENTALES  
SEPTENTRIONALES

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Presented by the Interim Vice-Chair Mathieu Vimard.

1. Proposal to draft a letter to the COM on the need to improve communication and engagement with the NWWAC, following the COM lack of involvement in the AC March meetings.
2. Secretariat to prepare a draft response on the Scallop JR, combining the comments put forward during the meeting, to be submitted to ExCom in written procedure after WG members have reviewed same.
3. Caroline Gamblin to circulate the draft management plan on flyshoot fishery in the Channel. Members will be asked to provide input on it for the preparation of an advice.
4. Submit question to the COM asking to clarify the implementation of capacity ceilings and fishing authorisations in the Channel (Art 12 Reg (EU) 2018/973)
5. Secretariat to liaise with WG3 Chair to organize a second meeting of WG3 in order to address items on the agenda that could not be discussed on 10 March for lack of time (seabass, whelk, improving functioning of the AC)

INFORMATION POINT: Mathieu Vimard has been appointed interim Vice-Chair

Chair: I have a suggestion for action point 1: under the HWG is an action point regarding the information to the Parliament and the AC needs to communicate on this. Would WG3 agree to combine these two action points so that only one letter is sent?

MV: I agree that many members did not participate in the HWG and thus may not be aware of what has been discussed. Yes, combining both is a good idea.

CG: I agree with what has been said with regards to the letter to the Commission. I just wanted to note regarding the Commission's apologies, they are asking for questions and comments. However, we were quite specific in our request for their attendance at this meeting and I guess this should be included in the letter to the Commission as we do not have their presence here today.

Chair: Yes, this can be included in the letter to the Commission

**The Executive Committee approved all action points.**

#### **Working Group 4 Irish Sea (10 March 2021)**

Presented by the Chair John Lynch

1. Secretariat to distribute draft Terms of Reference of webinar on WKIrish to Horizontal Working Group for comments. Forward invitation also to other ACs and to the COM.



2. Proposal to add a question to the list prepared by the Focus Group Control on control issues after Brexit, requesting clarification on agreements on fishing closures (for example the Irish Sea cod closure).
3. Secretariat to relaunch the request sent in April 2020 about TAC setting for haddock and cod once EU-UK negotiations are concluded.
4. Secretariat to relaunch letter on potential for whiting stock improvement in relation to new technical measures. Secretariat also to mention this at the next MSG meeting. BIM scientists involved in the gear trials will be asked to present the results to the WG.
5. Secretariat to include the Chair's proposal to combine WG1 and 4 to the restructuring proposals of the Focus Group Brexit. WG4 members agree that WG4 needs to be amalgamated with another group and should not continue on its own.

Chair: As mentioned regarding the listing on control issues queries list in the HWG, the action point 2 has been accepted and the Secretariat can recirculate the updated list.

SO'D: There is one action point which is relevant to point 5, as far as the membership of WG4 was concerned we also discussed the restructuring and there was agreement that the members did not see WG4 going forward on its own. There are obviously key stocks in the Irish Sea, but the members did not feel to continue with WG4 on its own.

Sec: This opinion has been included for consideration under point 3b today and thus does not appear as a standalone action point under WG4.

SO'D: Given that this was an action point from WG4 just for completeness this should be on the list.

**The Executive Committee approved all action points.**

### **3. Information points**

#### **a. Elections announcement**

The Secretariat gave a brief explanation of the process for elections of ExCom Chair and vice-Chairs and ExCom members.

Chair: One additional relevant point is that the Commission is looking at the Delegated Act at the moment and the functioning which were also looked into at the Inter-AC meeting last year as well as at the meeting on 18 January. We hope that the Commission will come back with some view on the next meeting on 05 May in the next Inter-AC meeting.

SO'D: In terms of the overall positions, I am not sure how we will be able to operate after September in terms of ExCom and WGs given that we are talking about an extraordinary GA to endorse the new



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structure proposals. We will be in a state of flux following the GA. As I understood we had an agreement there has to be at least one member each from the fishing industry per member State in the ExCom, and we had an allocation of seats for the ExCom but given that the UK has left we need to look at the structure that we have for ExCom. My understanding was that people put themselves forward and that getting this endorsed by other members was not a requirement, and if there were too many nominations there would be a vote at the GA. The last time this happened this caused a lot of issues as a lot of members did not want to vote on nationalities. The rules of procedure and the statutes need to be considerably changed which has a knock-on effect on the whole structure.

Chair: We already have a years' extension of the mandates so that is why we are now in the process of anticipating the events that need to happen. Yes, we need to have a system in place for operating after the GA in September. In that respect there is some evolution for example with the Commission and their review of the delegated act. In July we need to finalise the system how we are going to operate after the GA in September.

#### **b. Rules of Procedure**

Chair: Would any ExCom member like to comment on this, or should the Secretariat start a written procedure on this so that this can be presented to the GA?

PM (via the chat): I will retain my preference which is no 3.

PF: As a new option has been forward, I would request some time for the ExCom to consult with the other members. In any case we are going to establish the task force.

SO'D: I agree with the previous comment, this is a key issue for the AC. I think it would be important that we have some reflections today and discussion, but that going forward we ultimately have to come back to a special ExCom meeting in the next months, preferably before July, so that we would be in a position to make some concrete decisions. In terms of the proposals that are there, from my point of view, I can readily accept options 2, 3 and 4. Option 1 in my view is far too big in terms of number of stocks. The other two WGs left under this option would have one with a small number of members and both with small numbers of stocks. It would not make sense to have one WG with a large number of stocks and two WGs with only 6 stocks each, though I agree that the Channel needs to continue standing on its own. I would suggest drilling into these options more thoroughly. To me the stocks in the Irish Sea have more affinity with the Celtic Sea than with Area 6 but that should probably not be the deciding factor.

JL: I have a question. I am not sure what would be the best proposal amongst those, at least with regards to the activities that we present here in France. It is true that the link between Celtic Sea and West of Scotland is quite an obvious one, but we are not present in the Irish Sea so we would not be able to comprehensively understand the issues. In our reflection process should we consider how to recognise the groups on regional grounds or should we think about more thematic issues. We realise that there are many Focus and Drafting Groups so I wonder if we should consider a wider reflection in order to include other factors in the ACs restructure.



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Chair: I support that we should have an additional ExCom meeting before July and possibly even have a vote on the way forward. Regarding JL's suggestion the Secretariat had put forward a suggestion with functional working groups which was discussed in the FG Brexit but was not selected for presentation at the HWG. Should we look at more options than the ones put forward?

SO'D: I think it is important that we clarify that significant work was carried out on the thematic aspects by the FG Brexit. As Chair of the group the clear message from the FG Brexit which was carried forward to the HWG was that there was no appetite for going down the thematic route. There was a preference for the regional structure. There was quite a lot of work done on this by the Secretariat as well. Unless there are other people that feel we should look at a thematic structure I think we need to listen to the recommendations from the FG Brexit.

PM: We did discuss in the FG Brexit to split into thematic WGs, and I remain in my support of option 3.

JL: I understand that a lot of work has been done and I agree to not re-open the discussion.

JW via the chat: Stock interactions 4 and 1 and 4 and 2.

Chair: apart from this work on the restructure of the AC there is also the possibility to come forward with proposals for the ExCom. At the setup of the AC there was a clear indication as to the numbers representing the various Member States being represented in the ExCom. Is there a need to review the structure of the ExCom and the representation of the nationalities? The fee structure will be taken into account with the restructuring review. The task force could also look at the fee structure and work on suggestions to come up with a split regarding the financial distribution.

SO'D: Unfortunately, due to time and effort spent on the restructuring of WGs at the FG Brexit, the group did not get around to look at the restructuring of the ExCom. The Secretariat had some ideas regarding this. Would it be useful to bring these up to provide some background? Regarding the task force, I did not realise that the Rules of Procedure have not been revised since 2013. They are significantly out of date and I would suggest it is a small task force that is put together which needs to go through this on a paragraph-by-paragraph basis. We need to look at issues such as, if we do actually need a separate honorary president and ExCom Chair, and we need to put forward the pros and cons. There is a significant amount of work for this task force which should not have more than 5 or six members. There has to be significant input from the members and we should decide on the members and set out a roadmap today.

Chair: ExCom already approved the action proposed by the HWG to set up a task force with 7 people.

**ACTION:** Establish a task force to review the rules of procedure with the following members: ExCom Chair and Vice-Chairs, WG Chairs and eventually another member to balance MS representation.

c. Budget Status (Secretariat)





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SEPTENTRIONALES

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The Secretariat shared the budget overview on screen.

Chair: Everything is going as expected in the first part of this financial year.

SO'D: We obviously do not have financial problem. We have a gain issue as such. Assuming that we only may hold physical meetings in September there is going to be a significant surplus left over when we come to the end of the financial year. How much of that will we actually lose due to the unusual Commission accountancy and budgetary procedure? Are there other things regarding the surplus budget, any useful initiatives that the AC can get involved in between here and September?

Chair: One of the action points from our last meeting was to look into possible means of using the available budget. This led to the proposal to create a NWWAC chart. My suggestion is to ask a similar question for year 16. The Secretariat should establish what could be the reserves that we have and circulate a request to the members to make suggestions on how to use the available funds in a correct manner.

Secretariat: Members previously discussed the digitalisation of the fisheries management chart which was developed by the FG Brexit. Members of the group felt that it could be included in next year's work programme, however, this could be accelerated and pulled forward into this financial year.

PM (via the chat): I support this suggestion 100%.

SO'D: I really think this is an excellent suggestion that was also considered in the FG Brexit. The digitisation of this would be a huge step forward and I would advocate that ExCom give approval to this that the Secretariat would actively pursue trying to get a contract for this up and running. One issue that we forgot in the RoP is the UK observer status which I thought we would be dealing with.

Chair: My understanding was that the latter would be discussed in the task force.

SO'D: There is an immediate issue that we need to sort out. With the HWG we had a UK observer, and I am not sure how that transpired. We need to be very clear that at the moment the only provision for observers for third countries is under Annex 3 of the CFP. How are we going to operate in terms of FG and WG meetings, are we going to invite them as identified in the CFP or will we await recommendations from the task force?

Chair: The Commission clarified at the HWG how third country observers are involved in AC meetings. Last year as agreed by ExCom the Secretariat added the UK members to the observer list. I suggest that we should leave it to the Chairs of the WGs to decide if it is desired to have UK colleague attendance at meetings.

PM: I would like to go back to the suggestion of digitalisation. Our fishers are looking for clarification of the boundaries and rules in place and I support this proposal.



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LES EAUX OCCIDENTALES  
SEPTENTRIONALES

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CG: Regarding EU organisations that have representatives from the UK and that are also members of this AC, how can we ensure/ask that these organisations have also EU representatives and not necessarily only from the UK?

Sec: The Commission has promised to send information on this to all the ACs.

Chair: Thank you for that question. I think we can take a bit of time to look into this and get a point of view on the two questions that are on the table now. The first question is regarding the observer status of UK entities. Until we start work on the future Rules of Procedures and include what has been discussed in the meetings, I suggest that it is the meeting Chairs, who can decide if a UK presence is necessary. Secondly, what is the view of the ExCom on how to handle if our membership is putting forward a UK citizen, as a representative in any of the meetings?

PM: I have a question, if we have expertise from the UK and the Chair feels that it is necessary to have them join, is this the observer status we mean?

Chair: Yes, if the Chair decides that any UK observers' attendance is necessary, then the ExCom would give him/her the authority to invite the UK representatives as needed.

Sec: I think we have to be careful of how we phrase this as I do not think the issue raised at the Inter-AC meeting related to the citizenship of the representative, but to the fact that he was also the leader of a major UK fishing industry organisation.

SO'D: We need to be careful and precise in terms of what we are asking. The Commission is going to give us an answer and I am quite sure that the answer will be that if a UK person is part of an EU organisation there is no issue. I think there is an allied issue around that in that if you have a UK representative that is part of an EU organisation but is the leader of a seafood or other business there is an issue of conflict of interest. I think that is where the issue arises. This does not have to be the UK, many times in the PelAC we have invited Norwegian, Icelandic, or Faroese organisations as active observers. I do not think we can object if a UK person is part of an EU organisation and they put this person forward. The issue is if you have this person becoming a chair in the AC and he is a leader of the UK seafood industry. This has to be very carefully dealt with. The attention point should be whether there is a conflict of interest or not.

Chair: It would be good to see what the Commission is coming back with on this before making a decision here as to what would or would not be allowed. We somehow need to find a decision on how to look at the potential conflict of interest when it comes to membership.

JL: This is a complicated issue so it is true that we need to wait for the Commission's answer and see what clues they might give us. I do not think that all the items raised here will be addressed in that letter, but then we can continue a written communication with them. We know that the Commission pays attention to the good functioning of the ACs, and we need to agree on the measures that need to be taken and we need to establish clear measures. We may have UK citizens for other MS organisations or someone working for the British food industry also representing an EU organisation, so there are a lot of complications here, but we need to pay attention to what we are doing. The system is changing and now the UK is not participating in EU discussions anymore. The ACs try to



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define EU policy, and we need to be careful who we include in our groups as we may not have the same view as the UK.

Chair: Indeed, it is not going to be entirely clear with one answer from the Commission, so this may be a starting point for further discussions, and it is likely to be on the Inter-AC agenda in May. I think we have the agreement of the ExCom that the WG Chairs can decide to invite UK observers. On the second point regarding membership from third countries and avoiding a potential conflict of interest I would suggest that for the Inter-AC we ask the ExCom members for input and that this should be on the agenda.

**ACTION:** Secretariat to circulate query to members regarding budget use.

**ACTION:** Secretariat to ask members for input to the Inter-AC meeting 5 May agenda.

#### d. Work Programme report (Secretariat)

The Secretariat presented on the achievement of the AC since the beginning of financial year 16. This presentation is available online [here](#).

Chair: A big thank you to the Secretariat for all the work and support that have been given to this organisation.

PM: I wish to put in writing my appreciation for the Secretariat on the excellent work they are doing.

JW: I second that, thanks.

GM: I fully agree with Patrick.

#### 4. Upcoming meetings

March 22 STECF spring plenary meeting

March 26 MS TG

April 13/15 NWWAC webinar on WKIrish & ecosystem approach

April 16 MS TG

May 05 Inter-ACs

April 22 MS HLG

GM (Via he chat): Suggestion Dublin meetings: hold these in the second half of the month.

PF (via the chat): I agree too. Thanks a lot.

Sec: The dates for September are indeed confirmed and available on the website, the meetings are scheduled for 15-17 September 2021.

JW (via the chat): Commission attendance is very important.



## 5. Summary of actions agreed and decisions adopted (Chair)

### ACTION POINTS

<b>1</b>	ExCom to look at proposal in July to allow for contingency of operations of the NWWAC after the General Assembly in September 2021.
<b>2</b>	Establish a task force to review the rules of procedure with the following members: ExCom Chair and Vice-Chairs, WG Chairs and eventually another member to balance MS representation.
<b>3</b>	Secretariat to organize an additional ExCom meeting before July to discuss the work of the task force
<b>4</b>	Secretariat to investigate proposal for digitalization, Secretariat to contact members to positively use finances for the work of the AC.
<b>5</b>	Secretariat to contact members for input for the next Inter-AC agenda in May.

### Participants

NWWAC members		
Emiel Brouckaert (Chair)	Rederscentrale	Chair
Bruno Dachicourt	ETF	BC
Caroline Gamblin	CNPMEM	CG
Despina Symons	EBCD	DS
Geert Meun	VisNed	GM
Jan Kappel	EAA	JK
Jesus Lourido Garcia	OPP 77, Puerto de Celeiro	JLG
Johnny Woodlock	Irish Seal Sanctuary	JW
Julien Lamothe	ANOP	JL
Mathieu Vimard	Pêcheurs Normands	MV
Patrick Murphy	ISWFPO	PM
Purificación Fernández	ANASOL	PF
Sean O'Donoghue	KFO	SO'D
NWWAC observers		
Dominique Thomas	OPCMEMMN	DT
Enda Conneely	IIMRO	EC
Franck Le Barzic	Coopérative Maritime Bretagne Nord (COBRENORD)	FLB
Gérald Hussenot	BlueFish	GH
Jacopo Pasquero	EBCD	JP
Jean-Marie Robert	Pêcheurs de Bretagne	JMR
John Lynch	ISEFPO	JL
John Ward	IFO	JW



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José Beltrán	Organización de Productores Pesqueros de Lugo	JB
Juan Carlos Arias	Pescagalicia-Arpega-Obarco	JCA
Llibori Martinez	IFSUA	LM
Stavroula Kremmydiotou	EBCD	SK
<b>NWWAC Secretariat</b>		
Mo Mathies	Executive Secretary	Sec
Matilde Vallerani	Deputy Executive Secretary	Sec
Monica Negoita	Executive Assistant Finance & Administration	Sec

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