



CONSEIL CONSULTATIF POUR
LES EAUX OCCIDENTALES
SEPTENTRIONALES

NORTH WESTERN
WATERS
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA
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MINUTES

WORKING GROUP 1 – WEST OF SCOTLAND

Virtual meeting (Zoom)

Wednesday 10 March 2021

13:30 – 15:00 CET

1. Welcome and introductions

The Interim-Chair Sean O'Donoghue welcomed all participants informing the members that he was only a stand in until September 2021 and depending on the restructuring of the AC. Apologies were received from G erald Hussenot (BlueFish) and from Pauline Joyeux from the NWW MSG. The agenda was adopted as drafted.

There was an action point from the last Working Group meeting (02 September 2020):

- Regarding the confirmation of the chair and vice-chair positions, members deferred this decision until after the update by the FG Brexit at the General Assembly on 24 September.

Sean O'Donoghue accepted to chair this group until new elections in September 2021. Members have the possibility to agree on an interim vice-chair under item 2 on this agenda.

2. Election and appointment of interim Working Group Vice-Chair

Patrick Murphy volunteered for this position and members approved the nomination. This is an interim position until elections in September 2021.

3. Review of TACs in area 6 in light of bilateral EU/UK and Tri-lateral negotiations & comparison with NWWAC advice

Chair: When preparing the agenda for this meeting, it had been hoped that the TCA negotiations would have been finalised. Unfortunately, that is not the case. However, some more time can thus be spent on the proposals on the restructuring of this AC.



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The AC does not consistently look back over its advice and compare it to the results of the December Council and I would like to add this as an item to WG1 for future meetings. We are now in a new scenario: the bilateral with the UK is going to be a key element in deciding on TACs and stocks relevant to area 6. Looking at the TCA in terms of number of stocks covered, there are 124 stocks in total covered, of those 76 are jointly managed with the UK, 8 are EU-Norway-UK, at coastal states there are 3, ICCAT 4, NAFO 1 and special cases 1. The rest are 31 stocks which are in the TCA but in one parties waters. Of those, 21 are in EU waters and 10 in UK waters. In WG1 we do not have any of those 21 stocks that are just in the EU waters. The plenary of the EU-UK negotiations restarted on Monday this week, this is the third formal week and there was also an informal week before that. We are led to believe that there will be a closing plenary this week. I personally have great doubts that an agreement on TAC levels will be reached, as I believe there is a huge divergence of opinion between UK and EU in terms of flexibility and of the so-called footnotes, which are a key part of the TAC and quotas. I presume what will happen then is that each side will set its own autonomous quotas. For us it is important to have an outcome before 1 April, as only 25% of the quotas for 2021 have been allocated, especially on the demersal side. On the other bilateral between EU and Norway was stalled, but there seems to be an extra momentum at the moment in relation to that. There is a possibility that EU and Norway may reach agreement within the next two weeks, but that is also uncertain.

The progress on trilateral negotiations is also uncertain: there seems to be considerable uncertainty especially regarding the UK-Norway bilateral, which will of course spill over in to the trilateral. It may be decided to start negotiations for 2022 early instead of focussing on resolving the issues for 2021.

4. Review of by-catch provisions cod and whiting in 6a

(Slides reassuming the by-catch provisions in Reg (EU) 2021/92 are available on the NWWAC website)

Chair: In the three-month agreement there are bycatch provisions for cod and whiting in area 6. Given that we had a zero-catch advice from ICES for these stocks, the same approach as in 2020 was adopted for 2021. Without these bycatch provisions a vast array of very sustainable demersal and pelagic fisheries would be closed prematurely. Quota exchange arrangements are included which were available in 2020 as well.

Jean-Marie Robert: I think that in this group we all agree that the real issue regarding cod in the Wets of Scotland comes from the scientific assessment, for example the stock ID issue and its relationship with cod in the North Sea. According to the latest ICES assessment, the stock's biomass has been evaluated between 3000 and 4000 tons and since 2011 scientists have evaluated that predation from seals each year is at about 10000 tons. I think that we are waiting for new regulations that reflect more accurately the reality of catches and the real change that happened in 2018/19 with the 0 TAC and the keeping on board of 0.5% catches. Thus, the scientific assessment is



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posing a lot of problems. I hope that we will be given a status quo for managing the quota levels, though the issue is becoming more complicated due to Brexit. The assessment could use more reliable data and I hope that a new modelling approach would be used, reflecting the year-on-year biomass evolution.

Chair: Over the past years, this WG has looked at cod natural mortality, which is quite significant in the assessment. I think we should resume these discussions in relation to both cod and whiting and include them again in our work programme. Jean-Marie just raised important topics: there is an assessment issue as well as a natural mortality issue and a stock ID issue. We may not have discussed these over the last year, due to Covid and Brexit, but I really feel we need to put these back on the agenda, particularly when we have meetings with ICES. The one issue that is really relevant to this group is the cod stock ID issue and its relationship with cod in the North Sea. We did not get very far with the cod genetics project previously and this is even more difficult now as cod 6a is now mostly in UK waters, thus it would now have to be a joint project with the UK.

ACTION: Members to resume discussions on issues related to cod in 6a (assessment, natural mortality and stock ID) at the next WG meeting in July.

Patrick Murphy: I think the group should also consider the issue related to Article 27 of the Technical Measures Regulation and Article 15 of the Common Fisheries Policy, because there is a move here to follow MSY advice and zero tac which will close out our fisheries, so I think we cannot ever lose sight of that.

Chair: This matter applies to all working groups and will be part of the ExCom discussion on Friday.

5. Arrangements for giving TAC recommendations 2022

Chair: The TAC recommendations for 2022 will be under the TCA, which will have a huge effect. The timetable that is built into the TCA, with 76 stocks involved in the bilaterals, establishes that the roadmap in terms of the agreement of TACs for 2022 should have been agreed by the end of January 2021. My understanding is that as soon as we know the outcome of the bilateral negotiations, both parties will be turning their attention to that roadmap. The indication at this stage would be that that bilateral on TACs for 2022 would be starting in September, if not before. The parties need to have an agreement by 10 December 2021, with the possibility of a further 7 day extension. If there is no agreement, autonomous TACs would be set, in accordance with the ICES advice.

The NWWAC normally get the ICES advice at the end of June each year. Our meeting is then at the beginning of July and over the last few years we have had advice drafting groups to put together advice on fishing opportunities, which we usually submit to the Commission in September. I am not sure that that timetable is going to be effective for us this year if we want to have an input. There is



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obviously going to be the fishing opportunities document which the COM will presumably still circulate and then there are the bilaterals, which will take over from the December Council.

It would seem to me that we may need to finalise our recommendations by July to have meaningful input in this new context. The bilateral with the UK is going to be the critical entity from an NWWAC point of view.

ACTION: 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.

Chair: This is relevant for all WGs. We need to consider a new timeframe as to how we consider providing advice. In addition, in the Focus Group Brexit we fully defined all of the TAC and quota stocks that the NWWAC is dealing with, which is 52 stocks in total. There are an additional number of stocks that this WG should be dealing with once ICES is giving advice this year. The WG could go through all the stocks systematically and assess if any comments are needed.

ACTION: Secretariat to circulate the TAC analysis prepared by the Focus Group Brexit to all members in the NWWAC.

ACTION: 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.

6. Input on how to improve the structure/functioning of the NWWAC

(Proposals prepared by the Focus Group Brexit on restructuring of the AC are available on the members area of the NWWAC website)

John Ward: In my opinion, option 3 looks best, combining WG 2 Celtic Sea with WG 4 Irish Sea but adding ICES 7b,c to WG 1.

Jean-Marie Robert: This decision seems to be complicated as there are many parameters that need to be considered. We can look at this from a membership fees point of view for example, or consider other pragmatic aspects such as the need for language interpretation. I think the most important aspect to keep in mind is having a balanced breakdown of the stocks among the groups, that also ensures consistency with the management units as defined by the TAC & quota regulations or the ICES advice. I have not had the time to look at this in detail, but I am a bit concerned when considering option 3, which takes part of area 7 and adds it to the West of Scotland: I guess there are only a few stocks in 7b,c for which TACs are fixed uniquely, but many more stocks have TACs that are set for all of area 7, which is a matter of concern for me. It would be odd to have stocks falling into both groups. Also, with regards to the need to prioritize a balanced break down of the stocks amongst the groups, option 2 would be the best one.



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Chair: By taking out 7b,c we are not creating an overlap, we are basically taking out plaice and sole which are specific management areas in 7 b,c. It is mainly Irish fishers that have interest in those stocks. There is no duplication in stocks so that there are not two groups dealing with the same stocks. I note your preference is for proposal 2.

John Lynch: We have looked at all different scenarios here and to my knowledge most of the options involve finding a new home for WG4 as it is the smallest WG. But did we look at the possibility of combining WG4 and WG1? There are a lot of similarities though there are no common stocks. The technical measures in both areas are very much alike, so would it be worthwhile having a look at this?

Chair: This option was not considered at the FG Brexit, but it can certainly be looked at and be mentioned when reporting to the ExCom from WG1.

Puri Fernandez: My preference is to combine group WG1 and WG2, which have common issues, common stocks and common interests (for example, hake).

Patrick Murphy: I feel we have no choice but to reduce the number of working groups and, looking at stocks which have to be considered, option 3 is the one I would choose.

Chair: The only thing that the FG agreed to not include in the restructuring proposal, and that even here today that nobody is suggesting, was to use a completely different approach, which would have involved scrapping the geographical WGs altogether.

7. Review of progress, summary of actions agreed and decisions adopted (Chair)

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.
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.

8. List of participants

Name	Organisation
Caroline Gamblin	CNPMEM



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Dominic Rihan (observer)	NWW Member States Group (IE)
Jean-Marie Robert	Pêcheurs de Bretagne
John Lynch	ISEFPO
John Ward	IFPO
Jose Beltran	OP-Lugo
Juan Carlos Corras Arias	Pescagalicia-Arpega-Obarco
Luis Francisco Marin	OPPAO
Matilde Vallerani	Secretariat
Mo Mathies	Secretariat
Norah Parke (observer)	KFO
Patrick Murphy (Vice-Chair)	Irish South and West Fish Producers' Organisation
Puri Fernandez	ANASOL
Sean O'Donoghue (Chair)	KFO
Suso Lourido Garcia	Puerto de Celeiro S.A. OPP-77