



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

# Draft MINUTES

## GENERAL ASSEMBLY

Virtual

Wednesday 27 September 2023

### 1. Welcome and introductions

The Chair Emiel Brouckaert welcomed all participants to the meeting. Apologies were received from Irene Prieto, Kenatea Chavez-Hey, Brendan Bryne and Geert Meun, who all appointed proxies. The agenda was adopted as drafted. Action points from the last meeting (28 September 2022, virtual) include:

- 1 The Secretariat will continue to pursue the Commission's participation in NWWAC work and meetings and feedback to AC advice.  
[Ongoing](#)
- 2 Secretariat to draft letter to DG MARE asking for support in promoting the role of ACs.  
[Pursued as a multi-AC item and submitted 03 February](#)
- 3 Secretariat to check validity of NWWAC logo following modifications proposed by MWC.  
[NWWAC logo usage from main NWWAC website applied to ACFishMap](#)
- 4 Domain name and logo proposals should be put forward for approval to NWWAC members via written procedure.  
[Logo usage did not need approval, domain name was approved 10 October 2022](#)
- 5 Secretariat to share meeting proposal agreed by the ExCom with the General Assembly for approval via written procedure.  
[New meeting policy agreed by GA on 20 October 2022](#)

### 2. Update DG MARE D3 – Julia Rubeck, Policy Officer MARE D3

The Chair welcomed Julia Rubeck, who is responsible for DG MARE's coordination with the ACs.

Slides are available [here](#).

Rubeck started by introducing herself and her role in DG MARE. She had previously worked in DG MARE as a policy officer for almost 7 years in the field of aquaculture, working closely with the Aquaculture Advisory Council since its set up. She is therefore familiar with how ACs work and with the constraints and difficulties that they might be facing. She believes ACs provide useful recommendations and are a key stakeholder forum for the Commission. Her new role is to coordinate the relations with the stakeholders at large, with most of her time dedicated to Advisory Councils. To do so, she works very closely with colleagues in DG MARE operational units, who have the technical expertise to answer ACs questions and who are joining ACs meetings upon request.



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Rubeck then provided an overview of how DG MARE works, showing an organogram on screen which she explained can also be found online and is regularly updated. Policy and technical expertise sit within the operational units. These are the colleagues participating in NWWAC meetings and answering to specific technical questions. She added that DG MARE colleagues are doing their best to accommodate the ACs' request for Commission's participation at meetings, however this is not always easy especially in the second half of the year when negotiations on fishing opportunities are to be prepared and followed. Rubeck added that DG MARE is also understaffed, which creates pressures on the operational units such as MARE C. She reiterated that ACs are DG MARE's primary source of contact with stakeholders and that AC advice is extremely important for policy making. *"The obligations stemming from the CFP on our side to provide detailed responses to your recommendations is something which is also organized in house and can be a bit more burdensome in some moments of the year"*, she explained. Recommendations have to be validated at different levels and sometime trigger inter-unit meetings. This process clearly takes some time, but DG MARE is always doing their best to provide a response in 2 months as foreseen in the CFP.

Rubeck reassured members that all AC recommendations are used for policy making.

Regarding attendance at meetings, Rubeck explained that some options are being discussed internally to agree on some regular dates in the beginning of the calendar year, which would be easier for directorate units, also depending on AC availability and based on upcoming topics on the agenda.

Rubeck's unit is also coordinating the Inter-AC meetings and dealing with ACs financial matters, such as the attribution of the funding for the functioning of the ACs.

She then mentioned European elections and explained how they will trigger a whole set of next steps for the Commission. First of all, every Member States will propose two nominees for the Commissioner role. The Commissioners-designate must then appear before the parliamentary committee responsible for their portfolio, to be evaluated on their suitability for the position. DG MARE is already working internally on proposals and scenarios in preparation for a new Commissioner to take office. Once the hearing and the Parliament plenary vote have taken place, the new Commission can enter into force. Officially, this is foreseen for 01 November.

The Chair thanked Rubeck for the extensive information presented. He mentioned a specific question pending from the Executive Committee meeting earlier that morning, regarding the possibility for ACs to reply directly to the UK public consultations, and asked if Rubeck could provide clarification.

Rubeck replied that she would check with her colleagues from MARE C5 before providing a final answer in writing. She added that it would be useful for the Commission to be informed of any response the NWWAC might submit to these consultations.

The Chair confirmed that if the AC does respond to an outside consultation, the Commission would be informed. He stressed the urgency of the matter, given the tight deadline of the UK consultations.

Mo Mathies confirmed that this query had already been sent to the MARE AC functional mailbox. She then stressed the delay in receiving the financing from the Commission for the upcoming financial Year 19, a matter that had also already been raised by the Secretariat via email. The grant application was submitted in early June, in line with Commission's requirements, but the Secretariat has not heard from DG MARE since. She expressed her concern regarding this delay, as it would not be



possible for the AC to function and for the Secretariat to operate without the funding after the end of October. She urged Rubeck to follow this up closely.

Rubeck confirmed that the grant application is on track. There might be a few questions on the work programme which will be flagged to the Secretariat in the coming days and then the whole procedure can start. She apologised for the delay on behalf of the whole team.

Patrick Murphy mentioned that in Ireland fishers are experiencing issues with the functioning of the EMFAF operational programme and asked whether the Commission could discuss this with the Irish administration. Then, speaking as Chair of the Focus Group Control, he mentioned that it would be useful to have a presentation on the revised control regulation and in particular on the changes in comparison to the previous system.

Rubeck replied that she would convey these messages to her colleagues and added that the new control system will be addressed at the next Inter-AC meeting on 10 October.

Jean-Marie Robert expressed his support to Mathies regarding funding and stressed the importance of the Secretariat's work in ensuring all the necessary paperwork was submitted on time.

Rubeck agreed that funding is fundamental for proper functioning of the AC and assured that the NWWAC application is on track and will be processed as soon as possible.

The Chair thanked Rubeck for her understanding.

### **3. Annual report from the NWWAC Chair (Emiel Brouckaert)**

Slides are available [here](#).

The Chair provided an overview of the work completed in Year 18 including meetings organised, external meetings attended, recommendations submitted to Commission and Member States and reports published from NWWAC workshops.

Brouckaert then presented on the NWWAC Work Programme and proposed submissions for Year 19. All details are available on the slides linked above. Similarly, the Chair presented on the planned meetings for Year 19, including the NWWAC-PelAC 20<sup>th</sup> anniversary event being organised for 14 March 2024.

He reported a proposal from the ExCom to change the AC plenary meetings calendar. According to this proposal, September WGs and ExCom would be moved to October, after the new financial year has started. This would allow a better distributed round of meetings, especially considering that the second and third round of WGs and ExCom meetings are very close and separated by the summer break. The following would be the new calendar:

- First WGs and ExCom in October of financial year to review new WP and direct work
- Second WGs and ExCom in March
- Final WGs and ExCom in July
- GA in September



He clarified that the Chair's report to the General Assembly on work programme, budget and membership can be approved by ExCom via written procedure before the GA meeting in September.

Mathies asked for clarification if the changes in meeting schedule would have implications for the Commission in terms of what was originally planned in the NWWAC grant application. Rubeck replied that as long as the change is justified and notified, there would be no issues.

The Chair mentioned the upcoming ExCom elections in Year 19, which will follow the same procedure as established in Year 16.

He then reported on the amendments to the Rules of Procedure regarding the non-consensus procedure, which have been approved by the ExCom. A comment was received during the approval procedure within the GA from the European Anglers Alliance (EAA). Mathies shared the proposed amendments on screen.

David Curtis took the floor on behalf of the EAA and expressed disagreement with the amendments approved by ExCom to the Rules of Procedure. In his opinion the aim of the AC is to provide consensus advice though the CFP explicitly recognises that there will be such situations when consensus cannot be reached. In those cases, dissenting opinions expressed by members should be recorded in the recommendations. He felt that the proposed amendments to the RoP would go against that principle. The dissenting opinions should be provided as part of the advice, they should not be suppressed or abbreviated. He added that the existing text of the RoP is in contradiction to that fundamental principle, because it states that where there is only one sort of dissenting opinion, it is restricted to a footnote. In his view, the dissenting opinion is to be heard equally as the majority opinion. According to Curtis, only members who worked on the advice should modify its text and there should not be any amendments from the Working Groups, ExCom or GA, as it damages the ability of members to get their voices heard. Finally, he mentioned the Focus Group Seabass and the issues encountered in the previous year when developing advice. According to Curtis, once the work had been done, the FG Chair unilaterally decided that there was no consensus and that the advice could not be put forward to the WG. The RoP should prevent this unilateral decision making from happening again.

The Chair pointed out that the three points raised by Curtis had already been addressed and worked on by the Executive Committee and the EAA agreed to the new amendments when the vote took place at ExCom level. He felt this discussion could not be reopened when a decision has already been taken. He pointed out that approval procedures in the AC cannot work differently, there is a hierarchy to be respected. Moreover, if a Focus Group does not come to a conclusion, then it simply cannot go further. In line with the NWWAC's Rules of Procedure, it is up to the WG to decide what to do with the advice, which means it is not a unilateral decision.

Anais Mourtada felt it is important to make sure that advice drafting does not become a competition on who is going to put forward the longest opinion. The text of a recommendation needs to be proportionate and reflect the composition of stakeholders who worked on it. She pointed out that dissenting opinions have indeed to be expressed but should follow this proportionality principle, otherwise the advice would just become very long, or indeed present as two position papers merged together.



The Chair felt that what Mourtada commented on is reflected in the revised articles of the Rules of Procedure that have been put forward by the ExCom.

Llibori Martinez Latorre commented that in his view the amendments are going against the provisions of the Delegated Act on the functioning of the ACs in relation to minority opinions. If consensus cannot be reached, the situation can be solved with a minority position which needs to be properly explained and motivated as much as the majority position. He supported the EAA in disagreeing with how the seabass advice was addressed last year, with the precedent it set and the solution that is being proposed.

The Chair recalled that the amendments have been approved by ExCom and are now being presented to the General Assembly for approval for adoption. He asked the Secretariat whether, procedurally speaking, a consensus decision is needed in the General Assembly. Mathies clarified that a simple majority is sufficient.

Sean O'Donoghue added that in other ACs dissenting voices are put in footnotes as well. He felt that a lot of work had already been done at this point and agreed that the discussion should not be reopened.

Curtis commented that the EAA opinion of the AC was very much impacted by what happened with the seabass advice. He wondered whether there was a lack of engagement because the EAA was just so appalled by what had happened. He stated that if this GA meeting approved the document as it stands, the EAA would see this issue as fundamental to the operation of the AC and would raise their complaint with the Commission. When limiting the expression of the minority position, the AC is failing in its remit. The EAA is a minority voice, and it is felt that the RoP are set to deliberately disadvantage them, which makes it pointless for them to participate in the AC.

The Chair felt that the last comment from Curtis was not appropriate. He reminded him that this discussion started following complaints from the EAA and that the amendments were approved by the whole ExCom, including the EAA. The EAA can, in fact, put forward again a proposal to reopen the discussion, but today the GA has to adopt or refuse the work carried out by ExCom. This is not a forum to discuss in detail a decision that has been made by the ExCom.

Mathies gave some further details on how this matter was discussed. Following the complaint made by the EAA, the issue was addressed at the meeting of the Executive Committee in March. It was again discussed in July at the Executive Committee meeting, and at neither of these meetings an EAA representative was present. The direction of how the AC was handling this complaint was made clear, it is reported in all the minutes, and it went ahead by the majority understanding of all the ExCom members.

The Chair opened voting and asked for the opposing votes to these changes in the rules of procedure.

**ACTION:** Amendments to the RoP put forward by the ExCom have been approved by the GA with two opposing votes from EAA and IFSUA.

The Chair asked the GA whether the AC should continue to provide the printed fisheries management chart. He pointed out that the management chart is an interesting piece of work, but the printed



versions have not been taken up by the members or by any other parties in a very voluminous way. Therefore, the ExCom proposal to the GA is to not continue with the printing.

Mathies added that now with the online ACFishMap there is a feeling that the AC could use the budget allocated to the printing on other expenses.

The GA agreed to not continue with the printed management chart.

#### **4. Report on the budget (Secretariat)**

Slides are available [here](#).

Mathies provided an overview of the income and expenditure for Year 18 and gave a presentation on the expected income and expenditure for Year 19. In relation to the latter, the Secretariat pointed out a discrepancy between proposed total and actual total due to a decrease in membership numbers and no new member applications following the membership drive.

Mathies provided an update on the BIM-NWWAC agreement. BIM will move to new premises in 2024 with new plans based on open plan office approach. According to the new agreement, the NWWAC will be provided with access to a hot-desk office on an occasional basis, car parking for staff and visitors, meeting rooms, reception service, BIM business centre and all associated equipment and IT support for same. BIM will cease providing Payroll for NWWAC from 01/01/2024. NWWAC Payroll will be outsourced to a specialist agency. The NWWAC will pay an annual fee of €15,000 for the duration of the contract. The agreement was signed on 25 September 2023 and is valid for three years.

#### **5. Report on membership (Secretariat)**

Slides are available [here](#).

Mathies provided an overview of changes in the NWWAC membership.

The AC lost some industry organisations in Year 18, due to consolidation of some Spanish members who felt it would be better for them to just be represented by one representative for all three organisations. The AC will also be losing the Irish Seal Sanctuary since the organisation has ceased operations. The Secretariat also had confirmation that one French industry organisation will not continue its membership in the AC because their interest lies more in the South Western Waters.

Mathies mentioned the membership drive exercise and that the replies received pointed at a lack of funding and capacity to join the AC. One organisation is ceasing operations. The AC will carry out another membership drive next year.



## 6. NWWAC Company update (Secretariat)

Mathies explained that the Company directors have remained the same. A directors meeting with the NWWAC management team and AGM is planned for November/December to approve the financial statement.

## 7. NWWAC Performance Review 2022- 2023 (Sara Vandamme)

The presentation can be found [here](#).

The Chair explained that over the course of the past year, Sara Vandamme and her colleagues Noémi van Bogaert and the team from KUL, were in touch with all AC members, representatives from the European Commission and the MSs and carried out an in-depth review of the workings of this AC. They already presented preliminary findings at the July meeting of the ExCom with the presentation today of the final results of the study including recommendations on how to improve the work of the NWWAC.

Vandamme stated that the final report in English will be forwarded by email to the Secretariat which will provide translation to Spanish and French. Once the layout is finalised, it will be made available to all members.

She reviewed the aims of the review and the process before presenting the results. According to the findings, the AC's strength lies in its commitment, attention to detail and experience.

The rules of procedures are very well understood by the members which contributes to the perception that the AC is representative of the relevant stakeholders. However, it was raised both during the focus groups as well as during the interviews that attracting new members could be identified from the wider blue economy sectors.

Conclusions highlighted that there is transparency in terms of budget spending as well as internal functioning and consultation process. The meetings are considered constructive and of good quality and scope. Trust has been established amongst the members over the years which allows to have an open exchange of views, and also an increased understanding amongst the membership. The Secretary and the Chairs play a key role in this, as they also maintain a respectful and good working environment.

It was raised that members prefer physical meetings, but they do acknowledge the benefits of an occasional virtual or hybrid meeting.

Overall, members were very pleased. *"We've had very good results on both the Secretariat and the Chairs and the main traits that were raised as being the reason why they are so pleased is that there is a high level of independency, diplomacy, and impartiality"*, explained Vandamme.

The membership does believe in the benefits of a participatory process and involving stakeholders in policymaking. However, the impact on governance remains weak, and one of the main reasons was the limited feedback from the European Commission. What also became clear from the data analysis,



not only from the members, but also from the Commission as well as the Member States Group, is that the high workload does pose a challenge.

AC members feels that the interaction with the Commission has decreased. The interaction with the Member States Group varies, depending on the Presidency and available resources, especially capacity of personnel.

Credits were given to the Secretariat for taking a lot of initiative to produce joint advice with other Advisory Councils, as it is seen as a way to increase leverage and strength of the advice, and reduce the workload.

Vandamme then presented some of the recommendations included in the report:

- In order to adapt to the changing landscape with fisheries no longer being the only user of the marine space, AC advice and membership should expand to emerging areas of the blue economy.
- The ownership and involvement of members in the advice drafting process should be enhanced and meetings efficiency should be improved. This could be done by providing interpretation services at all meetings.
- Continue collaboration with other Advisory Councils to produce advice.
- Explore opportunities to increase the collaboration with the Commission, also looking at more informal mechanisms to enhance dialogue, for example a short bi/trimonthly meeting, physical or online. This could help building the relationship with the Commission and the Member States and at the same time provide an opportunity to get feedback or inform about activities, or to develop priorities within the work plan.
- Use the various communication channels to showcase the success stories of the Advisory Council. This also includes increasing the NWWAC presence on social media.

The Chair thanked Vandamme for her presentation and added that the conclusions of the report will be taken up by the management team and in future NWWAC meetings to discuss on how to move forward and implement the recommendations from this review.

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

1	Amendments to the RoP put forward by the ExCom have been approved by the GA with two opposing votes from EAA and IFSUA.
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## 9. Participants

NWWAC members	
José Beltran	OPP-7 Burela
Emiel Brouckaert (Chair)	Rederscentrale
Juan Carlos Corras	FREMSS
David Curtis	EAA
Bruno Dachicourt	ETF
Gerald Hussenot	Blue Fish
Jan Kappel	EAA
Manu Kelberine	CRPM de Bretagne
Franck Le Barzick	OP COBRENORD
John Lynch	IS&EFPO
Llibori Martinez Latorre	IFSUA
Anaïs Mourtada	CNPMEM
Patrick Murphy	IS&WFPO
Aodh O'Donnell	IFPO
Sean O'Donoghue	KFO
Norah Parke	KFO
Alexandra Philippe	EBCD
Corentine Piton	France Pêche Durable et Responsable
Erwan Quemeneur	CDPMEM29
Jean-Marie Robert	Pêcheurs de Bretagne
Dominique Thomas	OP CME MMN
Johnny Woodlock	Irish Seal Sanctuary
Arthur Yon	FROM Nord
Experts & Observers	
Julia Rubeck	DG MARE
Sara Vandamme	Consultant
NWWAC Secretariat	
Mo Mathies	Executive Secretary
Matilde Vallerani	Deputy Executive Secretary