



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
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ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
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## Draft minutes

### HORIZONTAL WORKING GROUP

Ghent, 02 July 2024

#### 1. Welcome and introductions

The Chair Emiel Brouckaert welcomed all participants to the meeting. Apologies were received from Oliver Lepretre and the agenda was adopted as drafted.

Action points the last meeting on 13 March:

1	Reported FGs proposed work and planning approved. FG Chairs to plan actions.
	<a href="#">Work ongoing</a>
2	Comments made based on the Inter-AC presentation to be taken forward to DG MARE at AC Secretariats' meeting once scheduled
	<a href="#">Addressed in prep meeting on 11 April – follow up during bilateral 27 June</a>
3	Address topic of 'CFP Reform after COM reform' (Food Commissioner?) in FG CFP and prepare advice, including ACs direct contact with EP and Council
	<a href="#">Focus Group CFP standing by to address topic following election</a>

Action points from the joint HWG with the PelAC on 14 March:

#### Part 1 – Spatial Dimension

1	<del>Both ACs to formally write a letter to Department in Ireland to object to decision ORE subgroup</del>
	<a href="#">NWWAC Secretary attended meetings in Galway and Dublin, follow up taking place with decision expected end of July 2024</a>
2	Put UK MPAs on agenda of next Inter-AC Brexit Forum as a priority issue to address
	<a href="#">Discussed, to be addressed under agenda item 7</a>
3	Write a letter to understand which groups to engage with fisheries in the Special Member States Groups under marine action plan, to break the silo approach now happening. ACs to write letter to the COM to encourage to not work in silo but to bring environmental and fisheries topics in these groups. See if fisheries has a place in special MS groups, now all focused on environmental topics.
	<a href="#">Submitted on awaiting response.</a>
4	Deltares reports are available in EN by googling 'WOZEP ecosystem effects'. Collect reports and circulate to members.
	<a href="#">Link included in minutes as there are too many large files to circulate</a>
5	Circulate Richard Cronin's notes to HWG participants



	Email sent 14 March and included in minutes
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## Part 2 – Control & Compliance

1	Add concerns on point system and sanctions to list of common PelAC/NWWAC issues. We can see there are different procedures being developed, questions level playing field. Action to ask clarification on layers of sanctioning systems.
2	Add article 38 on requirement for continuous monitoring of engine power applicable to 'high risk' vessels to list of common issues. Important to add this to the list of how high risk will be defined in the context of engine power, when implementing acts will be developed.
3	Important to look at the objective harmonised control and enforcement. In the new control reg, there is no provision to take into account pre-existing arrangements, retrospective for individual MS. Without this, it's impossible to achieve a level playing field. New layer will not help harmonisation.
4	Ask Commission for another meeting on CR as matter urgency. Meetings so far too overarching. We need a technical in-depth meeting with the key people involved in the unit. Submit request through a joint letter co-signed by other ACs. Should be in-person meeting. 1 draft for all ACs with this general request.
	Letter submitted on 24 May with support from LDAC, MAC, PelAC, MEDAC and SWWAC
5	Draft another specific NWWAC/PelAC letter on the CR raising key points presented and discussed during the meeting (check slide with basis for joint advice). Request to members: draft letter will be circulated, please be alert on the points you have brought forward to see if it has been captured correctly.
	On hold awaiting outcome from request for meeting (action point 4)

It was agreed that the first three are to be considered as aspects to keep in mind.

## 2. ICES Advisory Process & MIAC/MIACO follow up – Joanne Morgan, ICES ACOM Vice-Chair

Before giving the floor to Joanne Morgan, the Chair provided an overview of the discussion items brought forward by the NWWAC at MIAC and MIACO meetings. He asked Morgan if she could give any updates on the following:

- Stability clause for more stock categories
- Improving scientific knowledge for deep-water stocks
- ICES work on climate change impacts in NWW cod stock assessments (ref WS last month)
- ICES work on inclusion/consideration of stakeholder information, including fishers' perceptions, in stock assessments
- Application of the precautionary approach



- Avoidance of unwanted catches in stock assessments

Morgan started her presentation by explaining that there are 10 principles used to guide the entire advice process. They are meant to ensure that the process is open, unbiased and uses best peer reviewed science available. She quickly touched upon the 6 assessment categories. The precautionary approach is built into the whole advisory framework. Any management plan or ICES advice framework itself has to have a high probability for keeping the stock above  $B_{lim}$ . Right now, there is no way to be precautionary beyond the current methods. Work is ongoing especially for data limited stocks (categories 5 and 6) by WKLIFE.

She mentioned the main points raised at MIRIA, MIACO and MIAC and gave an update on their state of play:

- Following stakeholders' input, the title of the conservation status section in the advice was changed to "Non-fisheries conservation considerations" and standard language of the section changed to reflect this new emphasis
- ICES has developed new guidelines on mixed catch of stocks of the same species. She pointed out that in some cases ICES advice is for reproductively isolated populations that mix spatially for part of the year and are caught in the same fisheries during that time. Hence, these fisheries impact multiple stocks of the same species at the same time. Advice should be consistent with the ICES advisory framework and should be precautionary for all stocks in the fishery. That is, advice for a stock below  $B_{lim}$  should be for zero catch where there is no  $F$  that will recover the stock to above  $B_{lim}$  with  $> 50\%$  probability in the year after the year for which the advice applies. Information on the existence of a concurrent fishery on stocks should be included in the headline advice. Finally, information on concurrent fisheries should be included in the advised catch levels in the headline advice to the extent possible.
- A link to the Transparent Assessment Framework is included in the advice sheet if the assessment is in TAF.
- Regarding the expansion of the use of the stability clause for more stock categories, ICES is instituting an early warning system starting this year with benchmark stocks. The use of a stability clause for category 1 stocks was discussed at meetings between ICES and advice requesters. It was thought that because of the larger amount and robustness of information available for category 1 stocks, the stability clause would not be needed. However, large changes in the advice can happen for those stocks too and that can cause difficulties for both the industry and management. The discussion is beginning in ICES for more broader use of the clause, but it will likely need to be tested.
- It is clear that climate change affects the assessments, and to a certain extent its impacts are already included in the assessment in terms of growth, maturity, fecundity etc. However, ICES recognises the need to do more. Morgan mentioned Feco, which is included in the catch



options but is not advice per se. Work is ongoing in ICES to plan for operationalisation for including climate change impacts.

- In terms of inclusion of stakeholder perceptions/information in assessments, Morgan reminded the meeting of the work conducted to date, including several workshops, and stated that this remained a priority for ICES.
- In terms of avoidance of unwanted catch Morgan pointed out that this would be reflected in the catch at age and catch weight at age used in the assessment. As such, if the catch composition changes, then this should be accounted for in the advice.

### 3. MSFD – the work of TG Seabed – Laurent Markovic, DG ENV

Laurent Markovic, policy officer with DG ENV, presented on the work of the Technical Group Seabed (TG Seabed), which he is chairing. TG Seabed is a Technical Group under the Commission's Common Implementation Strategy (CIS) of the Marine Strategy Framework Directive, whose task it is to progress the implementation of the MSFD on descriptor 6 of the MSFD (seabed integrity). The Chair explained that the NWWAC started following the work of the Marine Strategy Coordination Group (MSCG, which is the steering group of the CIS process) and was admitted as an official observer to both TG Seabed and the Marine Strategy Coordination Group.

The Chair also referred to the launch of a call for tender for a study on natural seabed carbon sequestration and impacts of human activities. The study should start in 2024<sup>1</sup> and last for 18 months.

The MSFD was adopted in 2008 and ultimately aims to reach a Good Environmental Status (GES) of the EU marine waters, which should be attained for 11 descriptors (e.g. biodiversity, commercial stocks, seabed integrity, eutrophication, contaminants, underwater noise) and the work of TG Seabed on threshold values, i.e. the maximum allowable impact that ensure that seabed use is sustainable, started after the Commission Decision was adopted in 2017 ([link](#)). Threshold values apply to each of the 22 Broad Habitat Types listed in the Commission Decision. A healthy seabed provides nursery and spawning grounds for many species including commercial species, therefore they are essential to the fishing sector and also contribute to food security. Seabed habitats are under pressure from many human activities, including fisheries and other new activities such as offshore renewable energy. 79% of coastal seabed is considered to be physically disturbed by human activities. Descriptor 6 concerns preserving the integrity of the seabed so that the structure and the functions of the ecosystem reach and remain in Good Environmental Status (GES) over the long term and provide ecosystem services. There are links with the Nature Restoration Law (NRL) which requires the restoration of habitats, including marine habitats. Under Descriptor 6 there are five criteria according to the relevant Commission Decision.

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<sup>1</sup> ([CINEA/2024/OP/0010](#)), [TED notice](#); The call for tender and procurement documents are available in the Funding & Tenders Portal at the following link: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/tender-details/26f37bca-6563-43ec-87ab-ff9d9b17f00c-CN>



The Decision prescribes that two of the five threshold values must be set at Union level:

- Habitat loss (D6C4), defining the maximum allowable extent of habitat loss
- Adverse effects on habitats (D6C5), defining the adverse effects on the condition of the seabed (quality) and the maximum allowable extent of adverse effects (extent)

The first one relates to where the habitat is lost altogether, permanently destroyed or there is a permanent change that affects the habitat. This is determined by taking into account historic data going back to (at least) 1992, the year the Habitats Directive entered into force and the Earth Summit took place in Rio, at which time the cumulated impacts on the seabed was presumably lower and therefore the seabed was in a better state. This threshold value was adopted in June 2023. Following a scientific process and involvement of many scientists, the maximum 'loss' that was adopted is 2%, therefore for each of the 22 broad habitat types 2% can be lost. Regarding the second criterion, the 'extent' represents the maximum extent that can be adversely affected. *"This is important because it allows for sustainable use of marine goods and services and that of course includes fishing, which means we are not aiming at a pristine state, but at a deviation from the pristine state which does not affect too much the processes that are natural in the ecosystem"* said Markovic. This was also adopted in June 2023 following a scientific process at TG Seabed, and in that case the maximum extent that was set is 25% or less. The "quality" element of D6C5 is still being discussed and there is still quite substantial work to do. No more than 25% of the seabed can be adversely affected but what should be the level of quality, in other words, what should be the acceptable deviation from a pristine state that still ensures a Good Environmental Status? Work is still ongoing with Member States' experts within TG Seabed.

The threshold values according to the Commission Decision of 2017 should be consistent with EU legislation, based on the precautionary principle and making use of the best available scientific advice. The threshold values established by MS in accordance with this Decision may be periodically reviewed in the light of scientific advice. Finally, the Commission Communication that was published on 11 March 2024 clarifies the legal status on the thresholds values([link](#)).

The Chair thanked Markovic for this presentation and asked if he could comment on the carbon sequestration study mentioned earlier. He then asked what the future work and planning of TG Seabed is and how the AC can contribute to it other than being an observer to the TG.

Patrick Murphy referred to the statement made in the presentation that the "EU seafloor is over 1.8 times larger than EU's land area" and if that related to the 25%, i.e. the mass of the entire area, and how that is broken down between MS. He wondered if the calculations of the impact of fishing on seabed in coastal waters refer to territorial zones or is this stretching out to EU waters. He also queried if the impact of single vessels is based on the rectangle area where the vessel operates or actual contact with the seafloor. Murphy asked if there are data on benthic communities back to 1992 and what the baseline is for evaluating the state of the benthic communities. Finally, he enquired about the evaluation of seafloor damage and the features that are being considered in need of protection.



Markovic explained that the EU seabed area refers to the widest extent of EEZ. ICES was asked to work out the trade off with the impact of fisheries and what it means in terms of potential losses of landing value. The first advice was published in 2021 ([link](#)), there is now a second version available ([link](#)). There is consistency as the advice shows that when 10% of each habitat type is closed to bottom fishing, figures in terms of landing value loss are very small (in the Baltic 0%, in Celtic Seas 1-2%). ICES did take into account fisheries displacement, and this would potentially render the impact even smaller. Stakeholders were observers of this process in ICES. The data are at C-square level, both habitat and VMS data. He mentioned the Greater North Sea Initiative doing similar work to ICES in this regard and expecting first results in October. He hoped that all these elements will enable MS administrations, ICES and stakeholders to get together and choose the best trade-off, acknowledging that this process will take time. Regarding 1992 data, he felt that historic data on benthic communities should be available, but that the mapping of the seabed habitats is not perfect.

Alexandra Philippe asked if Markovic could elaborate further on the new threshold value of 10% of seabed habitat without pressure, as mentioned at the last meeting of the Marine Strategy Coordination Group (MSCG).

Markovic explained that there was a proposal by one of the MS to set an additional threshold value of 10%. The name and definition still need to be agreed, but it would refer to an area that is free from manageable pressures (mobile bottom fishing, offshore windmills and telecommunication cables for example, but not climate change-induced alterations). This was presented at the MSCG recently. MS are still in consultation with stakeholders and need more time to make a decision. *"The NRL has now been adopted and we need to work out what the links are."*, explained Markovic. There is the need to better explain the rationale of this proposed threshold value and how it links with the objectives of the NRL.

Philippe pointed out that this would be a threshold not foreseen by the Commission Decision. Since the MSFD is undergoing evaluation, it would be interesting to address that there is a lot of power given to the administration on binding decisions. She wondered if this kind of level of political decision is the right one and felt the appropriate level of stakeholder engagement is missing.

Markovic clarified that the evaluation of the MSFD will be finalised soon. The next step could be a possible revision, but that will be a decision of the new Commissioner. He clarified that the threshold values are adopted by the Marine Directors with a political mandate, that the process is science-driven and discussions are not happening behind closed doors. MS should involve stakeholders.

In relation to the 79% figure of coastal seabed considered to be physically disturbed, John Lynch asked if other disturbances such as submarine cables are part of the assessment. He enquired if the length of ecosystem recovery would be considered in the assessment.





Markovic referred to a report published in 2020 in accordance with Article 23 of the MSFD and covering all impacts<sup>2</sup>. He assured participants that all impacts together are considered in the thresholds and that the 79% figure does not refer to fisheries alone but to impacts from all activities. Regarding the recovery time, it will be different depending on seabed types and this will need to be taken into consideration, as some habitats are more sensitive and take longer to recover.

Going back to the 10% value, Jean-Marie Robert felt that if the objective is to achieve recovery, areas where recovery is already happening should be examined. *“Is the 10% value to sample and understand the status of the habitats?”* He felt that areas that have already been closed should be checked first and wondered what the scientific basis is for the 10% value.

Markovic explained that the Commission is not trying to set workshop areas where the reconstitution of seabed areas can be observed, but that is absolutely not the purpose of the 10% value. EU international commitments, the Marine Action Plan and the Biodiversity Strategy compose the rationale for this threshold. Protected areas have spillover effects and are more resilient to climate change. Providing a quicker recovery of seabed habitats and considering the role in carbon capture, these areas could also serve as colonisation areas for habitats that were lost or degraded. He felt that more precise data, better than C-square level, and work are needed to understand the impact at regional level and the trade-off for fisheries. ICES indicated that they could provide a more precise assessment if they were provided VMS data coupled with data on catches.

José Beltran felt that the reference to the 79% figure and the 1992 data provide a picture that has nothing to do with the current situation adding that there have been a lot of changes and other agents need to be added to the equation that are pushing aside the fleet. *“What we see is we are talking about pressure from fishing all the time and we feel that sometimes you are not focusing on other actors. In 1992 we did not have all those actors involved”*. He added that all regions and areas cannot be compared as there are different situations.

Markovic felt the 79% figure should not be the focus as it covers all activities impacting the seabed. He pointed out that the MSFD comprises 11 descriptors and is meant to address all impacts that affect the marine environment such as pollution, underwater noise, etc. If seas are clean, healthy and productive, this is better for the sector. He agreed that the situation is not the same across EU sea basins and pointed out that the 10% figure has flexibility (5-15%), but more work is needed. The MSFD is flexible to take variability of fisheries and reality on the ground into account.

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<sup>2</sup> [EUR-Lex - 52020DC0259 - EN - EUR-Lex \(europa.eu\)](#); The report comes with three staff working documents ({SWD(2020) 60 final} - {SWD(2020) 61 final} - {SWD(2020) 62 final}) and the 79% comes from: [EUR-Lex - 52020SC0061 - EN - EUR-Lex \(europa.eu\)](#) *‘Physical disturbance to the seabed: The physical disturbance to the seabed is caused by nine human activities that often overlap and damage the sea bottom by abrasion or siltation. About 23 % of entire Europe’s seabed is under ‘physical disturbance’ pressure ( Figure 39 and Figure 40 ), markedly concentrated in the coastal strip (79%) and the shelf/slope area (43 %).’*



Markovic then referred to the study to be launched on carbon sequestration, which is a deliverable of the Marine Action Plan. The task for the contractor/consortium is to look at what is the impact of activities disturbing the seabed regarding its carbon sequestration potential. *“Once we have an understanding of the main impacts, we will be able to work out where to act first together with the sectors involved”*.

Markovic concluded that the next meeting of TG Seabed is scheduled for 04 October and will focus on discussing the next steps towards D6C5 “quality”.

**ACTION:** FG Climate & Environment to evaluate TG Seabed work and determine if any advice is needed.

#### 4. Nature Restoration Law - Laurent Markovic, DG ENV

The Chair thanked Markovic for providing an update on the Nature Restoration Law (NRL), approved at the last EU Council meeting, and how this might reflect on the NWWAC work.

Markovic started by explaining that the NRL was just adopted by the Council on 17 June. It will now need to be published in the Official Journal and will come into force 20 days after that. This legislative initiative came as a response to address the ongoing global biodiversity crisis. In the case of the marine environment, at global level, sea use change and direct exploitation have been identified as the two main drivers of this crisis. Direct exploitation relates to activities such as fishing and sea use change to e.g. offshore renewable energy. The NRL is also connected to the international commitments of the UN: the global biodiversity framework (GBF) specifies the vision for 2050: the integrity, connectivity and resilience of all ecosystems are maintained and hence are restored substantially increasing the area of natural ecosystems by 2050. That is what the NRL aims to do. The more immediate commitment under the GBF is that by 2030 at least 30% of areas of degraded terrestrial and coastal and marine ecosystems are under effective restoration. The NRL aligns with these international objectives and is also in line with the objectives of the EU Biodiversity Strategy, as part of the EU Green Deal.

At EU level, the Green Deal was put in place by the Commission in 2019 as the EU strategy for sustainable growth, trying to address the whole range of impacts affecting not only on biodiversity, but the triple planetary crisis: climate, biodiversity loss and pollution. Markovic added that the existing legislation such as the Birds and Habitats Directives and the Marine Strategy Framework Directive resulted in few marine restoration efforts. According to the European Environmental Agency the state of EU seas is not ideal nor good, so it requires substantial marine areas to be restored. Moreover, the Habitats Directive entered into force in 1992 but has no deadline for the end result, which is restoration or protection of protected species and habitats in Natura 2000 MPAs. This is why the Commission thought that for nature restoration some time bound targets were needed. In addition, the habitats listed under the Habitats Directive are too broad. It is important to know where





exactly to put effort and on what the precise habitat is. Annex 2 of the NRL lists the marine environment that must be restored, based on agreed classification of habitats.

Markovic pointed out that ecosystems have continued to degrade not only because of direct exploitation of resources, but also due to pollution and climate change. The NRL builds on existing policies in this regard as well, for example the Water Framework Directive, which covers coastal waters pollution.

Markovic then talked about the structure of the NRL which has an overarching objective, followed by restoration targets and finally the implementation framework. This includes national restoration plans that the Member States need to prepare to define what they will restore, when, how and where, and their monitoring and reporting to track progress towards the targets.

The key objective of the NRL aims for increased biodiverse and resilient nature across the EU through restoring degraded systems. It will also contribute to climate change mitigation and adaptation, food security and delivering on the EU's international commitments. The restoration measures should cover 20% of EU land and sea by 2030. This 20% target is at EU level, so it is not broken down by Member States. By 2050, measures should be in place for all ecosystems in need of restoration. Restoration targets focus not only on marine habitats but target all ecosystems, which includes terrestrial ones. At the same time, all human activities that have some impact on marine habitats are considered, so this is not restricted to fisheries.

In terms of measures, the objective is to gradually improve habitats' quality. Until 2030, Member States shall prioritise areas in Natura 2000 sites. Member States shall also reestablish habitats that were lost or substantially degraded, such as the oyster beds in the North Sea.

The definition of lost habitats is based on historic data, maps, scientific information, etc. Another facet of restoration concerns the habitats of species. For instance, migratory species depend on specific habitats and their connectivity. In terms of results, there is an objective for continuous improvement and non-deterioration. There also needs to be an increasing trend towards sufficient quality and quantity of habitats of species. Markovic pointed out that no situation is ever perfect, and this is why there are derogations and flexibilities for Member States in cases where it is too difficult to restore, as long as this is properly explained and justified. There are also derogations provided for causes of force majeure, such as natural disasters and unavoidable habitat transformation directly linked to climate change, action/inaction by third country and projects or plans of overriding public interest. For the marine environment, the latter would be linked for example to the deployment of offshore energy. The obligations are effort-based (Member States must put in place measures), not outcome-based.

As mentioned, Annex 2 includes a list of marine habitats which need to be restored, based on the Birds and Habitats Directives and the MSFD. Habitats below 1,000 metres depth are not included as there is much less activity, and therefore impact, at those depths.



Regarding the implementation framework, Member States will need to prepare national restoration plans. The preparation phase should start after the adoption at which time MS will need to quantify and map the areas that need restoration, first focusing on areas which are best known and in which the most ecosystem services are delivered. MS will also need to identify synergies with climate mitigation and renewable energy development. Once they have mapped these areas and identified synergies with other plans or actions carried out under EU law or national law, they will need to quantify and describe the restoration measures. They will also need to specify how they intend to finance those measures and support affected activities and stakeholders. The interplay with the CFP and climate and energy plans is also included in the NRL. Member States will need to consult and ask stakeholders and the public to participate in this work. They will have two years to submit their national restoration plan to the Commission. The Commission will not adopt these but make observations and suggestions. Three months after the entry into force of the NRL, the Commission will publish an Implementing Act to establish a format for the national plans to make sure that they are comparable. The plans will be finalised three years after the entry into force of the regulation.

2032 will see the first exercise to evaluate the results. Member States will need to take stock and see if they can improve their national restoration plans and also, building on the experience and the knowledge acquired in the meantime, look beyond 2042.

Markovic stated that the NRL is an investment rather than a cost. The impact assessment for the law shows that the benefits are far higher than the costs and every 1 euro invested leads to a return of at least 8 euros. Under the current Multiannual Financial Framework, € 100 billion are available for biodiversity and across all the EU funds. There is a provision under the MFF that for 2024 and 2025, 7.5% of the EU budget across all funds should be spent on biodiversity. For 2026 and 2027, it should be 10%. The most pertinent funds are the LIFE programme, the EMFAF, the Cohesion Fund, and Horizon Europe. Member States are responsible for setting their priorities under those funds. Research is also an important component in the implementation of the NRL.

He mentioned the strong links the NRL has with the 10% strict protection, which is one of the objectives of the EU Biodiversity Strategy. There is also the pledge to reach 30% of marine protected areas by 2030, of which 10% should be strictly protected.

Finally, as regards regional cooperation, which also relates to the CFP, there is a provision in the NRL that requires joint recommendations to be presented after a set deadline.

The Chair opened the floor for questions.

Jan Kappel asked whether the 30% MPA target is regional or refers to each single MS. Markovic offered to get back to the AC in writing.

Kappel then asked for clarification regarding the definition of food security, whether it is equal to self-supply and how it links with issues of public overriding interest such as fisheries.

In Markovic's view, food security is not defined in the NRL but in terms of self-supply, if habitats are restored there would be more domestic production, with benefits on employment and food security.



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**ACTION:** Members to send queries on the NRL to Secretariat for resolution by DG ENV, specifically on definitions within the NRL.

Murphy commented on the practicalities of the NRL. *“If there should be more fish in the areas that are not fished, why aren't fishers fishing in those areas? Because they go to the to the transects that they go to regularly and protect those transects, because there is fish there.”* He felt that the theory on which the NRL is based does not stand up to actual practicalities of what a fisher does and wondered if in this case there was anything in the NRL that allows for it to be changed or adapted. *“Moreover, it is really important that we know how the areas are going to be defined. Will one country have to give more area because that area is identified as being more, conducive with the legislation or protecting more habitats?”* Murphy enquired if areas are to be defined at regional or EU level, if that is built into the legislation and how the budget is going to be managed.

The Chair agreed with Murphy that it would be useful to get the sources supporting the claims that not fishing is increasing fishing opportunities.

Markovic replied that he would need to check the scientific references but did not see a contradiction between what he presented and what AC members were saying.

José Beltran felt that it was not appropriate to apply logic to fish behaviour. Fish behave because they look for something to feed or they look for different temperatures in the water. In his presentation, Markovic said that the state of marine ecosystems in Europe is not at the right level, but Beltran wondered if the EU level was known for example in comparison with third countries or other continents. *“How do we involve the rest of the world? The EU needs to take actions and measures because the goal is to have better ecosystems and we are fighting for that, but this should not happen in isolation as ecosystems are not closed. There are other actors who have an impact on whatever happens within the EU bubble. We need to balance our effort in light of this.”*

Markovic replied that the EU does not regulate third countries which is why international commitments are in place. The EU has chosen to implement the global biodiversity framework, if other countries do not do it there are different leverages in terms of diplomacy that can be used, but it is never going to be perfect. 10% of EU funds will go to this work. *“It is also up to you to talk to your administrations to put fisheries and transition on the agenda”*.

## 5. SEAwisE – Jochen Depestele, ILVO

The Chair introduced Jochen Depestele from ILVO, who gave an insight on the progression of the SEAwisE project. The NWWAC has been involved in this project since its beginning in 2022 with the last update from the SEAwisE project provided as part of the pan-regional co-design workshop in 2023 which was attended by several AC representatives.

The objective of the SEAwisE project is to effectively implement ecosystem-based fisheries management (EBFM). In collaboration with stakeholders, the project identified four key challenges,



one of those is to understand what EBFM actually means, and set priorities on the topics in need to be addressed. Then, the relevant available scientific knowledge was reviewed as well as methods to develop to address the knowledge gaps. The project is organised in 5 work packages: socio-economics, effect of the ecosystem on fish productivity, effect of fisheries on the ecosystem, and spatial context. Most of these work packages are near to finish and the next step will be to move towards end user driven advice on management measures in the final core WP.

The project started with a scoping workshop involving stakeholders, including NWWAC members, who were able to submit topics they found of importance for EBFM. Last year a co-design workshop was held to design the EBFM tool for each of the case studies in SEAWise.

Depestele then gave an update on the progress on the different topics, starting with “external human drivers”. Offshore renewables and MPAs were mentioned quite extensively by stakeholders and the biggest issue identified is the lack of standardised information in terms of fisheries restrictions. This made it difficult to accurately estimate the effect on fisheries. SEAWise aligned with another project called MAPA Fish Project<sup>3</sup>. For the Celtic Seas area, restrictions are below 1% However, if fisheries are restricted in the areas which are designated under the Habitats Directive, for example trawling fisheries or the mobile bottom contacting gears, and if other areas that are designated under the Birds Directive are restricted as well, i.e. long line fisheries and gill netting, then the percentage of the lost fishing grounds increases to 12%. If this is then added to the impact of windfarms, the percentage increases. Depestele pointed out that these results are dynamic and based on the information available.

The next topic covered was “governance”. This is still an ongoing research topic, trying to understand how the different actors within the realm of the fisheries policy work together. A survey was designed that AC members should also have received. *“We want to better understand how your concerns and remarks on fisheries management at regional level are being taken into account or not by the different responsible authorities. We also will do in depth interviews where we will zoom into designated MPAs where restrictions on fisheries will be taken, and we want to see how the interaction is between the environmental and fisheries national agencies”*. The selected case studies are a French MPA in the Bay of Biscay, two Danish MPAs in the North Sea and a Belgian MPA in the North Sea.

Another topic which came forward during the scoping workshop is “livelihoods”. Social objectives are included in the CFP, but they are not operationalized. The project is going to contribute to this process, working with case demonstrations and mapping the social system by linking at sea activities to community profiles on land. For example, three coastal communities in France were studied, describing the linkage between the fishing fleets, the fishery, the community of the fishers and the cultural heritage. They also tried to link this information to make sure that it is taken up by STECF as an advisory body for the Commission. There is another example mapping the social engagement and the reliance of the English and the Welsh districts on fisheries which looked at how much employment opportunity that fishery is providing for the different districts.

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<sup>3</sup> CINEA/EMFF/2020/3.2.6 Specific Contract Lot 1 No.09; CINEA/EMFF/2020/3.2.6 Specific Contract Lot 2 No.10



Depestele then moved to the external ecological drivers impacting fisheries, for example the impact of climate change on the spawning stock biomass. SEAwisely particularly looked at recruitment, growth and natural mortality and how productivity changes because of climate, taking into account zooplankton community and temperature at different depths in both the Celtic and Irish Seas. The regime shift was strongest for Irish Sea cod and less so for sole and whiting, where there are probably other factors that also play an important role. A study on the Irish Sea was published following these results. He mentioned the webinar organised by the NWWAC on climate change impacts on cod survivability in the Celtic Sea and pointed out that the main question is what the climate effects on the cod Celtic Sea recruitment are. Similarly to the Irish Sea study done by the project, SEAwisely is looking at zooplankton productivity and sea temperature changes. The key element is that there are correlative relationships between cod recruitment and ecological drivers. The question is how to take this information into management. SEAwisely is developing a model simulating mixed fisheries effects and will take this forward, also with a discussion with stakeholders in spring next year. The aim is to see how to forecast the growth of the stocks.

The final topic is “general ecosystem”, with a focus on the benthic ecosystem using sensitivity maps. The longer the species lives, the more vulnerable it is and the slower it recovers from trawling disturbance. The project then estimated what the effect would be on the benthic state if the fishing effort is displaced from within the MPAs to outside. *“Looking at the effects on a regional level, we see an improvement in the relative benthic state, but only a modest one.”* They also used the indicator of relative benthic states for each of the marine broad habitat types at regional level. There are 6 habitats and for two of them the quality objective has been met (23% adversely affected).

Coming to the next step, Depestele put forward a request for having a more in-depth workshop with NWWAC members in Spring to present the simulations of their models, fisheries management measures, the effect of climate change on the fish stocks and also the mixed fisheries scenarios.

**ACTION:** Secretariat to liaise with SEAwisely project on the organisation of a workshop in early Spring and specifically on how to arrive at EBFM using the work carried out within the AC.

The Chair asked whether in Depestele’s opinion the workshop would lead to advice in terms of ecosystem-based management. Depestele replied that the workshop still needs to be shaped but it is important to keep in mind that this output would be interesting and useful and that the project needs to work in that direction.

Murphy agreed on the importance of including EBFM in decision-making as there are many different variables and changes involving the marine environment and thus fisheries. He thanked Depestele for the presentation which was highly appreciated.

Lynch wondered if when using EBFM there is a model to feed in the different data from different areas. *“Would you need a new model every time or would there be a template model from this project working on all areas?”*



Depestele replied: *“We have different models for different questions, and I do not think that we will have one model that answers all questions. They are all developed for specific things, but the insights from multiple models together can jointly address specific aspects to move towards EBFM.” The insights should ideally combine results from multiple project, not only SEAwis, but also, for instance, our sister project Ecoscope”.*

## 6. AC FishMap Update - Secretariat

Following the establishment of the ACFishMap tool, the Secretariat decided to do a brief review of the usage of the tool as well as the various layers provided. To do so, a live questionnaire was carried out with in person participants through the use of menti.com. This will be followed up by an electronic survey of all members.

## 7. Focus Groups update

### Inter-AC Brexit Forum (Chair)

- Established between PelAC, NWWAC, NSAC, MAC and LDAC
- 5 meetings in Year 18 hosted in rotation by the PelAC, NWWAC, NSAC, MAC, LDAC
- 3 meetings in Year 19:
  - 09 October chaired by the PelAC
  - 05 February chaired by the NWWAC
  - 17 May chaired by the NSAC
- Commission attendance and updates (confidential)
- Topics at SCF:
  - Technical measures (working on a EU-UK report answering some of NWWAC issues)
  - UK Discard Plans & FMPs
  - King Scallops multi-year strategy
  - Skates & rays
  - Guidelines for special stocks (Roundnose Grenadier, TAC alignment,...)
  - Control & enforcement issues
  - Pollack – commercial, recreational – coordination of experts
  - Spurdog MCRS
  - (Avoiding topics for EU-UK bilateral)
  - ACs horizontal topics listing to be reviewed
  - Provisional EU – UK calendar
  - 31 July, SCF Working Group
  - 24 September, SCF Plenary
  - Next meeting: September (tbc), chaired by the MAC





ACTION: Secretariat to circulate list of horizontal topics for Inter-AC Brexit Forum for feedback to see if the topics are still relevant.

Jan Kappel asked if the NWWAC is collaborating with other ACs on pollack. The Chair clarified that this is a topic on the SCF agenda as the Commission is aware of the importance of the management of this stock and is discussing this with the UK.

#### CFP (Alexandra Philippe)

- Chair Alexandra Philippe, EBCD
- Vice-Chair Manu Kelberine, CRPMEM de Bretagne
- Members attended second meeting of joint special group on implementing the Marine Action Plan on 18 June
- Next steps:
  - Follow-up on COM replies to advice and on actions stemming from Action Plan and CFP Communications
  - Prepare for review of CFP – provide feedback to call for evidence for an evaluation of the CFP (deadline 6 September)

#### Landing Obligation (Chair)

- Chair Emiel Brouckaert
- Next meeting 24 July 2024
- Response to MRAG/Deloitte questionnaire on the evaluation of the LO submitted on 28 June 2024
- Letter on relevance and suitability of MRAG/Deloitte questionnaire submitted to DG MARE on 28 June 2024
- Next tasks:
  - Advice on Fishing Opportunities 2025
  - Follow-up on UK approach to discards
  - Follow-up on EFCA report on evaluation of compliance with the LO
  - Continuation of choke analysis / tool

#### Climate & Environment (Alexandra Philippe)

- Chair Alexandra Philippe
- 1 meeting (Oct 2023)
- Terms of Reference approved October 2023
- NWWAC advice on the Communication from the Commission “On the Energy Transition of the EU Fisheries and Aquaculture sector” COM(2023) 100 final submitted 28 November 2023, response received 19 March
- Support group energy transition – involvement of ACs



- Next meeting: tbc

### Skates & Rays (John Lynch)

- Led by the NWWAC
- Chair John Lynch, IS&EFPO
- 2 virtual meetings (Dec 2023, Feb 2024)
- Request received from Commission for advice on splitting up of group TAC
- NWWAC/NSAC letter on TAC setting for skates & rays submitted on 03 April 2024, awaiting response
- Next meeting tbc

### Control and Compliance (Patrick Murphy)

- Chair Patrick Murphy, Irish South & West FPO
- Vicechair Arthur Yon, FROM Nord
- Last meeting on 10 January 2024 July in preparation to workshop with EFCA
- Workshop with EFCA and MS Control Expert Group on 16 January in Copenhagen on evaluation of compliance with the LO
- Joint HWG with PelAC on 14 March – correlation table on new control regulation
- Multi-AC letter requesting a meeting with DG MARE on the new control regulation sent on 24 May
- Next steps:
  - Correlation table new control regulation – discussion at joint HWG with PelAC on 14 March 2024
  - Follow-up on workshop with EFCA
  - Follow-up on UK approach on REM
- Joint workshop with DG MARE and other ACs – important to agree how ACs will be grouped, one workshop for all ACs would not be appropriate

**ACTION:** Secretariat to follow up on organisation of control workshop as proposed by DG MARE.

### Social aspects (Tamara Talevska)

- Led by NSAC since 01 October 2022
- Chair Kenn Skau Fischer, Danmarks Fiskeriforening
- Trilingual (EN, FR, ES)
- 3 meetings held in Year 19 (Oct, Nov 2023, 11 Mar 2024)
- Joint NSAC/NWWAC advice on generational renewal, response received 12 April
- Joint NSAC/NWWAC advice on recreational submitted on 04 January, awaiting response
- Next meeting tbc



#### Fishers of the Future

- Phase 2 finalised by end of June
- Phase 3: develop set of profiles of fishers for 2050 reflecting future world scenarios developed during Phase 2 through discussion with the Commission.
- Feedback from ACs requested during September, material to be distributed by end of August
- Invitation to online meetings: 5 members per AC to attend one meeting together
  - Monday 16 September, 2-5 pm
  - Tuesday 17 September, 2-5 pm
  - Wednesday 18 September, 2-5 pm

**ACTION:** Secretariat to circulate request for expressions of interest for participation at Phase 3 workshop of Fishers of the Future study.

#### Spatial Dimension (Secretariat)

- Chair: Gonçalo Carvalho, PelAC OIG Vice-Chair
- 3 meetings held in Year 19: 31 January, 14 March, 29 May
- Response to public consultation on South Coast DMAP submitted to Department of Environment, Climate and Communications on 14 June, awaiting response
- Call for increased policy coherence between environment and fisheries dimensions submitted to the Commission on 20 June, awaiting response
- Proposal to organise webinar on impacts of offshore renewable energy developments including various ICES WGs, BIM study on coexistence – joint with PelAC and other interested ACs (November 2024)

**ACTION:** Proposal to organise joint webinar with PelAC on impact of ORE on fisheries.

**MAC FG Product Environmental Footprint CR (Pedro may join online, otherwise I can give the update, or Jean-Marie as he is a member of this FG)**

- First consultation on Product Environmental Footprint Category Rules in 2021
- AAC and NWWAC joint meeting with DG ENV and DG MARE on 26 August 2021
- NWWAC decided not to develop advice as it was deemed too technical
- MAC and AAC submitted advice
- Training provided by the Commission in February 2022
- Second public consultation launched from 12 June to 10 July
- 1<sup>st</sup> meeting of MAC FG PEFCR 24 June: Terms of Reference; Drafting of advice
- Les Pêcheurs de Bretagne FG member, NWWAC Secretariat observer
- Previous advice focused on policy aspects; aim of upcoming advice is to focus on the technical aspects of the Technical Secretariat's report
- Proposal to support MAC advice "as is"



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**ACTION:** Support MAC FG PEFCR and potentially advice “as is”.

### Update European Maritime Day – (Tamara Talevska)

- Workshop “EU Advisory Councils: Stakeholder engagement in policymaking for sustainable fisheries & aquaculture production and value chains”
- Moderated by Mark Dickey-Collas, panel discussion with Antonia Leroy, WWF EPO Head of Ocean Policy; former PelAC Chair Jesper Raakjær; and social researcher Marta Ballesteros, Instituto Español de Oceanografía; break out sessions facilitated by the BSAC, NSAC, LDAC, MEDAC, MAC, CC RUP, SWWAC, AAC Secretariats
  - Over 100 participants
  - 4 break-out groups
  - Final result: policy recommendation to European Commission and Members States based on results from interactive session
- EMD 2025 to be held in Cork, Ireland.

## 8. AOB

Mathies introduced the EU Agri-Food Chain Observatory (AFCO):

- Chaired by the Directorate General of Agriculture of the European Commission in association with other relevant Directorates, including the Directorate-General for Maritime Affairs and Fisheries.
- Up to 80 members, representing national authorities in charge of agriculture, fishery and aquaculture producers or the food supply chain, as well as organisations representing stakeholders active in various stages of the chain – from producers, input providers, food industry, traders, to transport, logistics, retail and consumers.
- Invitation to join sent by MARE D3 April 2024
- MEDAC and AAC have received observer status
- Concern expressed regarding lack of interest from ACs

The Chair asked whether the NWWAC should apply to become observer, if possible for the Secretariat, or if there are members available to regularly reporting on that.

Robert felt that the subject and the scope of this Observatory seem more appropriate for the Market Advisory Council. Maybe the two ACs who are already members could keep the NWWAC informed.

**ACTION:** Secretariat to follow up if there is any volunteer for this observer ship for the EU Agri Food Observatory, check with MAC.

Mathies announced the publishing of a short video on the NWWAC 20<sup>th</sup> anniversary, which was shown in the room and appreciated by all participants. Murphy felt that more video content, or



communication materials overall, should be done on the work of the AC to promote it. Mathies agreed but pointed out that budget needs to be set aside for these initiatives.

Dominique Thomas proposed to relaunch the Focus Group Seabass to contribute to the management of the stock with advice.

The Chair replied that the FG LO will address seabass in the preparation of advice on fishing opportunities. He felt that a new FG with new terms of reference might be useful to look into detail at technical measures having an impact on seabass management.

**ACTION:** Secretariat to contact members regarding establishing the FG Seabass following discussions in the FG Landing Obligation.

Before closing the meeting, the Chair announced that, with a new AC Chair being elected, the HWG would also need to have a new Chair.

**ACTION:** Election of WG Chair at next meeting.

## 9. Summary of actions agreed and decisions adopted by the Chair

1	FG Climate & Environment to evaluate TG Seabed work and determine if any advice is needed.
2	Members to send queries on the NRL to Secretariat for resolution by DG ENV, specifically on definitions within the NRL.
3	Secretariat to liaise with SEAwisE project on the organisation of a workshop in early spring and specifically on how to arrive at EBFM using the work carried out within the AC.
4	Secretariat to circulate list of horizontal topics for Inter-AC Brexit Forum for feedback to see if the topics are still relevant.
5	Secretariat to follow up on organisation of control workshop as proposed by DG MARE.
6	Secretariat to circulate request for expressions of interest for participation at Phase 3 workshop of Fishers of the Future study.
7	Proposal to organise joint webinar with PelAC on impact of ORE on fisheries.
8	Support MAC FG PEFCR and potentially advice “as is”.
9	Secretariat to follow up if there is any volunteer for this observer ship for the EU Agri Food Observatory, check with MAC.
10	Secretariat to contact members regarding establishing the FG Seabass following discussions in the FG Landing Obligation.
11	Election of WG Chair at next meeting.



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## 10. Participants list

NWWAC members	
José Beltran	OPP-7 Burela
Emiel Brouckaert	Rederscentrale
Falke de Sager	Rederscentrale
Gérald Hussenot Desenonges	Blue Fish
Franck Le Barzic	COBRENORD
Jan Kappel	EAA
John Lynch	ISEFPO
Geert Meun	VisNed
Patrick Murphy	ISWFPO
Aodh O'Donnel	IFPO
Philippe Perrot	CRPMEM Bretagne
Alexandra Philippe	EBCD
Corentine Piton	France Pêche Durable et Responsable
Irene Prieto	OPPF4
Erwan Quemeneur	CDPMEM 29
Dominic Rihan	KFO
Jean-Marie Robert	Pêcheurs de Bretagne
Pauline Stephan	CNPMEM
Doninique Thomas	OP CME MMN
Arthur Yon	FROM Nord
Experts and Observers	
Marta del Avellanal	Ministerio de Agricultura pesca y alimentación
Jochen Depestle	ILVO
Manu Kelberine	CRPM de Bretagne
Kylie Kronal	Department of Agriculture and Fisheries
Laurent Markovic	DG ENV
Joanne Morgan	ICES
Tamara Talevska	NSAC Secretariat
Dirk van Guyze	Department of Agriculture and Fisheries
NWWAC Secretariat	
Mo Mathies	Executive Secretary
Matilde Vallerani	Deputy Executive Secretary