

**Minutes of the North Western Waters Regional Advisory Council
Executive Committee Meeting**

**Brussels
22nd of November 2006**

Welcome and adoption of the Agenda

The Chairman welcomed Jorgen Holmquist (Director General Fisheries and Maritime Affairs) and all the Members to the meeting. The Chairman informed the meeting that he would ask the Director General to address the meeting first and allow questions before discussing the report of the last meeting. The Agenda was adopted with this change.

Jorgens Holmquists address

The Chairman invited the Director General to address the Executive Committee on general issues of how the NWWRAC has functioned so far and in particular on its working relationship with the Commission.

The Director General thanked the Executive Committee for the invitation to attend the meeting and began by informing them of the outcome of the Directors General Seminar (28/9/2006) and the recent RAC Co-ordination meeting (7/11/2006)of both of which he felt had been very positive. He informed Members that much work had been done by the RACs and the Commission together on reviewing the budgets and on ensuring adequate input from scientists into the RAC processes. He noted that of all the comments from the RACs about the ICES MoU only one request (concerning RACs seeking advice from ICES independently from the Commission) from this RAC and the Pelagic RAC had not been included in the MoU.

He stated that the RACs had been involved in an early stage of the Commissions work on the proposed TACs and Quotas for 2007 and that although the process had not been perfect and the Commission were not in a position to give concrete figures for the proposals- he felt that it was useful to have input at an early stage. For 2007 he hoped to see a more timely publication of the frontloading document and stated that the Commission was now planning to release the Frontloading Policy Statement in April. With regard to the review of the RACs he stated that the Commission were planning to release a Questionnaire early in 2007 and asked that the NWWRAC to feed into this process.

He stated that the Commission looked forward to working with the NWWRAC and NSRAC on the Cod Recovery Symposium to be held in March and hoped that the conclusions would be useful.

With respect to the 'translation problem' he noted that although it was important for the Commission to ensure that their papers were available in the three languages of the RAC, it was not always possible for various reasons, but he hoped that the forthcoming changes in the budget allocations for the RACs would go some way to alleviate this.

Finally he said that the Commission have found the RACs to be very important and by giving good advice they will play an important role in the decision making process.

The Chairman thanked Mr Holmquist and opened the floor for comments:

The following issues were raised:

The timing of a TACs and Quota meeting held on 9/11/2006 at which ACFA and the RACs were informed of the Commissions initial proposals for 2007 was criticised for occurring at the same time as STECF were reviewing the ACFM advice for 2007. It was felt this undermined the value of discussions.

Disappointment was expressed that the Commission had not accepted all of the RACs final proposals for the ICES MoU. In particular both the NWWRAC and the Pelagic RAC had requested a clause to cover the event in which the Commission and the RACs had different scientific research priorities or disagreed about a specific scientific proposal. Some Members felt that under the current regime there was a danger that the RACs request(s) to ICES might be ignored.

Overlap of issues between the RACs with ACFA was also raised and Mr Holmquist was asked for the Commissions view on this.

The work of the Commission on reforming the budget was acknowledged and welcomed as it underpinned a strong foundation for the work of the RACs.

The availability of Commission papers in French and Spanish as well as English was raised. Many Members felt that the work of the NWWRAC was disadvantaged when this did not occur.

The practice setting of TACs and Quotas to match recent catch levels was criticised because it undermined relative stability, threatened the quality of fisheries based scientific data, and could cause problems with discarding.

The importance and the need for the Commission to work closely with the RACs on Long Term Management Plans for different stocks was emphasised.

The problem of the NWWRAC meeting deadlines for responses to the Commission was raised as an issue largely related to the language difficulties. It was repeated that to ensure good quality advice the Commission must consult in all the working languages of the NWWRAC

Director Generals Response

The Commission has a great deal of work to do in November and December each year and it was sometimes difficult to get the timetable right. The process is under constant review and hopefully a better system will be in place next year with the further development of 'frontloading'. In the meantime a balance has to be found between the importance of having input from the RACs at an early stage and not having the benefit of all subsequent scientific advice.

Regarding the ICES MoU the Commission will always look favourably on proposals from the RACs but the particular proposal that was not accepted posed the potential for a lack of co-ordination of limited scientific resources.

With reference to the overlap of the work of ACFA and the RACs, there is no clear division of function, but in general RACs should deal with issues that are of interest to the area, and ACFA should deal with horizontal issues. However, ultimately it was for the RACs to set their own agendas. The Commission has made a website page available (http://ec.europa.eu/fisheries/cfp/governance_en.htm) to the RACs and ACFA which contains information on timetables etc but maybe the opinions of these organisations could be included as well.

The Commission recognises the problem with translation and it will always be difficult when the RACs and the Commission are under pressure to respond quickly on an issue, but hopefully new funds for the RACs will alleviate this somewhat. In addition the Commissions aim to have one staff member dedicated to work with the RACs in future, and hopefully this will lessen some of the scientific and language problems.

Potential difficulties arising from setting TACs to match recent catch levels are noted, but in the case of Deep-sea species the recorded catches are very much lower than the TACs for all Member States.

The need to work closely together on long-term management plans is accepted

Finally Mr Holmquist informed the meeting that he is due to leave DG Fisheries in January 2007. He told the meeting that his replacement will commence work in January 2007. He told members that he had very much enjoyed working with the RACs and would miss his work with DG Fisheries.

The Chairman and all Members joined in a round of applause to thank Mr Holmquist for all the time, energy and assistance which he had given the RACs over the last few years and wished him every success in his future position.

Mr Holmquist left the meeting.

Adoption of Minutes of the Meeting of the 27/6/2006 and matters arising:

Mr Victor Badiola requested that the text be changed to reflect his intervention regarding observers attending NWWRAC meetings with the Commission, to ensure that observers shall not be permitted to voice their personal opinions at such meetings in future.

Ms Helen McLachlan asked that the minutes be changed to note her organisations difficulty with the proposed rolling over of the Cod TAC and quota levels from 2006 to 2007.
The minutes were adopted with these changes

Matters arising from the minutes

Gear marking:

The Chair noted that this was one of the issues arising from the last meeting and tabled a draft letter for consideration.

It was requested that a sentence be added suggesting a temporary moratorium until the issue is resolved. It was agreed that this would be done and the letter would be re-circulated for ratification.

Reports from Working and Focus Groups

Working Group 1

Bertie Armstrong (Chairman of WG1) informed the meeting that the following proposals were made as a result of fruitful deliberations with ICES at the November Working Group meeting:

Rockall Haddock :

- An internationally agreed management plan be implemented
- An annual survey covering the full distribution range of Rockall Haddock be supported
- ICES recommendations for the Commission to provide data on the Rockall EU zone to NEAFC should be supported, in order to progress a Long Term Management Plan for Rockall Haddock involving all stakeholders.

Rockall

- The release and collation of all available spatial data for Rockall, to contribute to the development of long term management plans. There is a need for finer scale resolution data, for example VMS data, with appropriate safeguards for commercially sensitive information.

Long-term management Plans:

- To collate and examine available data on Area VI fish stocks and fishing fleets, to assist in formulating proposals for long term management plans, and identify gaps in key data.

Crab management in Area VI

- That the NWW RAC establishes a forum to discuss the crab fishery in Areas VI and VII.

The Chairman concluded his report by requesting that the Executive Committee consider a proposal for Cod in Area VI because it had not been possible to discuss it at the November Working Group meeting. The Chairman of the Executive agreed to examine the issue under AOB.

Comments:

Members expressed support for a meeting on crab management in 2007.

At recent NEAFC negotiations in early November proposals for closures for parts of Rockall were tabled by the Commission without being discussed in any detail with Member State stakeholders. Although the proposals were not accepted by the members of NEAFC it was agreed that this lack of consultation would be raised with the Commission by the NWWRAC to prevent this sort of thing happening again.

It was suggested that because new stock advice had been released since the Working Group meeting in November relating to TACs and quotas for Nephrops and Monkfish, the Executive Committee should now make recommendation on these fisheries. An extensive debate followed. It was reaffirmed that the NWWRAC has agreed a process through which proposals come from the Working Groups to the Executive Committee for ratification. The Executive Committee has the authority to agree which of those proposals should go forward to the Commission and which should not, but the detail and content

of those proposals are decided by the Working Groups. The Chairman reminded Members that it is the function of the Working Groups to formulate advice on TACs and Quotas relevant to their areas and to ensure that it is carried out.

As a result it was agreed that only the proposals presented by the Working Group would be considered by the NWWRAC Executive Committee

Working Group 2

Hugo Crisanto González García and Paul Trebilcock (Chairman and Rapporteur of WG2 respectively) presented the following proposals:

Cod VII e-k

There must be a full scientifically credible evaluation of the existing Trevese Closure that has been in place for the last two years.

The industry/ICES/ Commission should develop proposals to improve data collection using all means possible (i.e. fishing vessels and fishermen as well as conventional sources) to ensure that there is an improvement in the assessment of this stock.

There should be a status quo both in terms of management and TAC until a thorough evaluation of the Trevese Closure has taken place for the following reasons:

- The closure must be evaluated before any changes are considered.
- Extension of Annex II (NS cod recovery scheme) seems totally illogical as it is going to be reviewed early 2007 as it has been unsuccessful in many ways.
- A reduction in TAC could comprise a proper evaluation of the closure and furthermore it was felt that any reduction in TAC could compromise the scientific data that will be required for a robust assessment.
- The closure was proposed by the fishing industry itself following a full scientific validation process and therefore should be given the credibility it deserves.

The reputation of the NWWRAC, Commission and the collaborative working relationship of fishermen would be jeopardised if points raised above are not taken fully into account.

Megrin, Sole VII hjk, Plaice hjk and Pollock VII

The ICES advice for these stocks (there are other stocks where this principle is also valid) is that although there is limited scientific data and the stocks do not appear to be in decline there should be no increase in effort. Their proposal is to cut the TACs to average recent catch levels. This approach is not suitable for the following reasons:

- Unintended effects on relative stability:
- Potential increase in discards within individual member states.
- Potential increase in the practice high grading within individual member states.
- Prejudice fishery dependent scientific data due to the above.

TAC represents Total Allowable Catch and not Total Catch therefore it is proposed that TACs should remain the same for stocks covered by this type of advice.

Northern Hake

The Commission should follow the advice in line with the hake recovery plan. This would equate to an increase in the 2007 TAC of 15%. It was also proposed that the hake recovery plan should be transitioned to a long term management plan during 2007.

Deepwater Gillnet

This issue was discussed at length at the Working Group meeting but no consensus was reached and the Executive Committee was requested to consider it today.

Comments:

The proposed 'roll over' of the Cod TAC was discussed at length. The NGOs expressed reservations about the integrity of the science underlying this proposal, but apologised for not attending the Working Group meeting at which this was discussed and agreed. It was agreed that the proposals

presented by the Working Group would be adopted by the NWWRAC Executive Committee; however one of the NGOs- WWF- would abstain from recommending the roll over of the TAC for Cod.

Working Group 3

Daniel Lefreve and Jim Portus (Chairman and Rapporteur of WG3 respectively) presented the following proposals:

Plaice VIId

Unless ICES advice can be given in terms of a TAC tonnage, then the Commission should propose a TAC that is neither reduced from the preceding year nor based on average catches.

Plaice VIIe:

The combined TAC VIId,e Plaice for 2007 should be no lower than for 2006.

Sole VIIe:

A Multi-annual management plan for this stock is supported. Its long-term target should be a Fishing Mortality corresponding to Maximum Sustainable Yield, $F_{max}=0.27$.

Scallops

- A seasonal and spatial study to ascertain in various white-fish fleets of Belgium, France, Ireland and the UK, the levels of by-catch of scallops taken, be conducted
- Trials on scallop ring sizes and to examine the pros and cons of harmonisation across the EU be co-ordinated
- A study of the French proposal to close seasonally Area 7d and parts of area 7e to scalloping, to determine the likely impacts, costs and benefits of such a proposal on the fleets affected and the stocks of scallops involved be initiated.
- The questions arising from the practice of soaking scallops prior to sale and to determine whether this is a matter for the RAC or for some other forum be considered.

In addition to the proposals above it was agreed at Working Group 3 that a paper for cod in area VIId would be tabled at this Executive Meeting for consideration..

Comments:

After a lengthy discussion it was decided that a number of issues relating to Cod in VIId were more appropriate for individual Member States to deal with, the following three elements were adopted by the NWWRAC:

- Métiers maintaining less than 5% cod bycatch should not be included in the cod recovery plan. The text in point 8.1 d) Annex IIa of current TAC and quota regulation should be amended to read “the history of catches represents less than 5% of cod”
- The margin of tolerance for the weight of fish retained on board and entered in should be increased from 8% to 10% and should apply only to the target species subject of the recovery plan.
- Boats equipped with a VMS should be excluded from notification obligations when entering and exiting a zone.

In addition the proposals presented by the Working Group on Sole, Plaice and Scallop were adopted by the Executive Committee

Working Group 4

Lorcan O’Cinniede and Allan McCulla (Chairman and Rapporteur of WG4 respectively) presented the following proposals:

Nephrops in VIIa

Due to the positive science for Nephrops, which confirms that the stock is being fished sustainability the TAC for this area should be realigned for 2007.

The following was proposed for Cod in VIIa

The Discards Project, which has the support of the industry, Fisheries Administrations and scientific institutes in the UK and Ireland, should be implemented in 2007. In brief the project would see greatly enhanced voluntary co-operation between fisheries scientists and the industry, in return for some concession in days at sea for those vessels taking part in the project whilst conceding that there should be no overall increase in effort for this area.

Comments:

The Executive adopted the Discards Project unanimously and congratulated all those involved in progressing the project over the last year. While it was recognised that a committee has already been established to oversee this project which has representatives from the Member States administrations, scientists, and industry, the Executive recommended that an NGO representative should also be considered. Details of the project are attached in Annex 1.

Action: The adopted Proposals above will be collated into one paper and circulated to Members before being presented to Reinhardt Priebe and Ernesto Penas Lado of the Commission on the 29th of November 2006 by the Chair and Vice Chairs of the Executive.

TCMs Focus Group

Jason Whooley (Chairman) presented the results of the Focus Group meeting on the 2nd of November 2006. The general conclusion was that, because the Commission non-paper had only been provided in French and Spanish at the beginning of November, a detailed submission at this stage was not possible. The Group proposed that a workshop between the Industry and technical experts be held in early 2007 to decide the best way forward for this very complicated legislation.

It was agreed that the Chairman of the Focus Group draft an initial preliminary response to the Commission underlining the need for simplification of TCM regulations.

RAC Coordination Meeting 7 November 2006 and Commission TAC and Quota Proposals 2007 Meeting 9 November 2006.

Jacques Pichon (Vice-Chair Executive Committee) briefly reported on the above meetings and stated that at the TACs and Quota meeting he was informed by the Commission not to circulate the information presented, and questioned the usefulness of representatives from the RAC attending such meetings if they cannot report back to the Members.

The Commission clarified that they intended this information to be circulated internally, but not released to the Press.

Deepwater Gillnets

An extensive discussion was held on this issue but no consensus was reached. In brief some Members supported the managed reopening of all of the fisheries, others supported further trials and others supported the opening of the hake fishery only and further trials for the monkfish and deepwater shark fishery. Overall Members felt that they could not make a consensual decision on this issue for a number of reasons:

- Some Members felt that the NWWRAC could support a managed reopening of this fishery as it was the NWWRAC who had assisted in the partial reopening of this fishery and the instigation of trials in the first place. These Members felt that the fishery should remain open for Hake but that trials should continue for monkfish and deepwater crab.
- However other Members did not feel that the results of any of the trials were conclusive enough to allow a reopening of the fisheries. They felt that trials had been carried out by Member States on issues where there had been no discussion or agreement amongst NWWRAC Members, such as lower mesh sizes. These Members felt that further trials were needed; the details of which would be agreed by all Members and co-ordinated by a central agency such as ICES or STECF and which would be conducted in an open and transparent way.

In response to the trials conducted to date, the Spanish administration informed the meeting, that colleagues had advised the NWWRAC of the proposed trials on undersize mesh at a meeting on the 7th of April. The Chairman stated that the information that had been provided to the NWWRAC was a

brief oral overview and was not a detailed report by any means and under no circumstances had the NWWRAC sanctioned these trials as suggested by the Spanish administration recently in the press. The Chairman stated for clarification that unless the NWWRAC Executive Committee gives explicit approval for a proposal or recommendation, then that proposal or recommendation does not have the approval of the NWWRAC. This will be added to the NWWRAC Communications protocol.

The Chairman concluded that the NWWRAC could not reach consensus now and that Members needed to reflect on how to progress this issue next year.

MSY

On behalf of the NWWRAC, and after consultation with the Working Group Chairs, the Chairman informed Members that he had accepted an offer from DEFRA and CEFAS to work with the NWWRAC and collate and examine available data on Area VII fish stocks and fishing fleets, to assist in formulating proposals for long term management plans, and identify gaps in key data. It will be for the Working Groups to drive this process as a priority in 2007.

European Control Agency

Jacques Pichon briefed members on the work of the European Control Agency and was confirmed as the NWWRAC representative.

ICES and timing of Advice

It was agreed that Sean O'Donoghue would consider these papers with the secretariat and draft a response for consideration by Members and then sent to the Commission before the end of January 2007.

Eco-labelling and MSC

It was agreed that a small group would be set up to consider this issue with Helen McLachlan as Chair. An email will be circulated by the Secretariat to seek membership.

Cod Symposium

Barrie Deas updated the Members on the work of the organising committee. This is ongoing and the agenda has been set and has been circulated to Members for comment. The speakers will be invited in the coming weeks and it is anticipated that these will include the Commission, ICES, Environmentals, technical experts and gear technologists. The Symposium is planned for the weekend of the 9th and 10th of March 2006 in Scotland and the Secretariat will keep Members informed of progress.

AOB

Proposals for changes to the Cod recovery programme in Area VI

This proposal was tabled because exceptional circumstances had prevented debate at the Working Group 1 meeting on 2 November 2006. It recommended the removal of 3 statistical rectangles from the current recovery zone in which little or no cod had been caught in recent years.

Comment: As some Members considered the scientific evidence supporting the proposal to be too weak it was not supported. However it was agreed that this should be considered further as part of the review of the Cod Recovery programme in 2007.

Close of Meeting

The Chairman thanked Members and Observers for attending and reminded them that the next meeting of the NWWRAC will be the Working Group meetings in Bilbao on the 24th, 25th and 26th of January.

IRISH SEA ENHANCED DATA AND ALTERNATIVE MANAGEMENT PILOT PROJECT AS AGREED BY THE NWWRAC

Background

1. This proposal for a pilot project to test a new approach to improving the accuracy of fisheries catch and discard data in the Irish Sea has been developed jointly by the Anglo Northern Ireland Fish Producers Organization (ANIFPO) and the Irish Fish Producers Organization (IFPO) fishing industry representatives from Ireland and the UK with the support of the two fisheries administrations, the Marine Institute, BIM and CEFAS.
2. The proposal as hereby stated has been agreed by the NWWRAC Executive Committee.

Proposal

3. The purpose of the scheme is to secure a dramatic improvement in the quality of data on commercial catches and discards available to scientists and managers, with the objective of contributing ultimately to accurate and credible stock assessment and advice by ICES. By doing so it also aims to contribute to the review of the Cod Recovery Plan during 2007 and to the Commission's initiative on discarding.
4. The proposal has three elements:
 - a fisheries self-sampling scheme involving as wide a participation as possible among Irish Sea fishermen,
 - enhanced observer coverage and discard sampling of Irish Sea fisheries to ground truth the results from the self sampling, and
 - examination of alternative management measures to reduce discarding and fishing mortality of cod, including promotion of more selective gears.

Each is described in summary below.

Self sampling

5. Fishermen operating in the Irish Sea will be invited to participate in the pilot project on a voluntary basis. Those who agree to participate will sign up to following a standard protocol for sampling and recording discarded fish, which is being drawn up by the Marine Institute on behalf of the project partners. Scientists from the partner Institutes will undertake training of skippers and crew in the self-sampling protocol at a series of port training days in January and February 2007. Self sampling returns will be collected by fishery officers of the fisheries administrations or by producer organisations on behalf of the scientific Institutes. The Institutes will collate, analyse and report the results, cross-referencing them with the results of the enhanced discard sampling programme. It is anticipated that an annual joint meeting of industry and scientists (and administrations) will review the data and progress of the programme.

Enhanced Observer coverage

6. Fisheries administrations in Ireland and the UK (Northern Ireland and England) commit themselves to undertaking observer trips / discard sampling in the Irish Sea in excess of the levels required by the Data Collection Regulation. The results will be reported as part of the two Member States' discard sampling programmes in the normal way, but will also be used as a cross-check on the credibility of the self-sampling data.

Alternative management measures

7. The project partners agree on the need to explore alternative management measures to deliver cod recovery as part of the review of the Cod Recovery Plan. The precise measures to be investigated will be agreed among the partners and with the NWWRAC in early 2007, but could include, for example, promotion of more selective fishing gears and trialling of potential new gears. This would also include trialling of alternative management measures to address discarding such as, for example, real time 'moving on' of vessels or temporary closures on a voluntary basis where vessels are reporting significant catches of juvenile fish, on the lines of the trial conducted by the Dutch fishing industry and administration to address discarding of young plaice in the southern North Sea in 2005.

Timetable

8. The project partners consider this an urgent initiative which needs to be in place for 2007 in order to be already contributing improved data to influence management measures for 2008. We are

working towards launching the self-sampling and enhanced observer elements of the project from January 2007.

The Irish Marine Institute is working on drawing up the self-sampling protocol during October/November 2006, so that it will be available for review by the end of November. Training of vessels in using the self sampling protocol would be rolled out over a period of 2-3 months through a series of fishing port events in January and February 2007, so that the project would start to be operational from January 2007 from some ports but would not be fully operational from all ports until March 2007. Additional days at sea for vessels participating in the self sampling scheme would apply from 1 February 2007.

9. The pilot project would last for 2 years (January 2007 – December 2008), but it is recognised that, if successful, there may be a case for continuing it for a period of 5 years to build up a time series of data capable of being used by ICES. The project partners will review the case for this during 2008.

Conclusion

10. The project partners believe it is necessary to act decisively to address the problems repeatedly highlighted by ICES of unreliable catch and discard data in Area VIIa, which leads to uncertainty in stock assessments and a lack of trust from industry in the advice. This proposal aims to transform the reliability of the data available to science, and hence ultimately to lead to better assessments and more trusted advice and management measures.

11. Although supported by the two administrations, the initiative came from catching sector representatives through the NWWRAC. It is an essential feature of the pilot project that participation by individual vessels is on a voluntary basis and that wide buy-in from the catching sector is secured. The project partners see a significant bonus in terms of additional days at sea, in the context of current EU Commission proposals as the most appropriate incentive to recognise and encourage widespread participation in the project although an overall increase in effort in the Irish Sea is not envisaged.

Prepared by:

Working Group 4 of the NWWRAC

Irish Fish Producers Organisation Limited

Anglo North Irish Fish Producers Organisation

National Federation of Fishermens Organisations

Defra, on behalf of Department of Agriculture and Rural Development / Northern Ireland

Department of Communications, Marine and Natural Resources

Marine Institute, Galway

BIM, Dublin

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