

The North Sea Regional Advisory Council



**General Assembly
Aberdeen, Scotland: 21 October 2010**

**Sixth Annual Report of the North Sea
Regional Advisory Council**

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The North Sea Regional Advisory Council (NSRAC) was the first Regional Advisory Council to be formed. It held its First General Assembly in Edinburgh in November 2004. This is the annual report on NSRAC activities to the Seventh General Assembly, to be held in Aberdeen on 21 October 2010.

General Assembly, 15th October 2009, IJmuiden

Patrice Leduc, the Chairman of the NSRAC General Assembly, opened the Sixth General Assembly of the North Sea Regional Advisory Council in IJmuiden. This had been his final year as the chairman of the General Assembly. He addressed a number of questions to the European Commission and in particular queried whether the new regulations on Control and Technical measures needed to be approved in such a hurry. He remarked that the future could only get better.

Jan Willem Wijnstroom, of the European Anglers' Alliance was elected unanimously as the new Chair of the General Assembly. Jan Willem thanked the members of the General Assembly for their confidence in him. It was a natural step to have a chair from the minority group. He hoped he could fulfil the expectations of the NSRAC, and would aim to be independent in the chair. He thanked Patrice Leduc for his dedication to the NSRAC and presented him with a plaque inspired by the idea of sustainable fishing.

Luc Corbisier was elected unanimously as the new Vice-Chair of the General Assembly.

The Strategic Plan for the NSRAC was presented by Hugo Andersson, chairman of the ExCom. The 'Vision', 'Mission' and 'Goals' of the NSRAC remained the same, and many features of the plan were similar to the previous year. Issues to be considered in 2009-10 included:

- Offshore Natura 2000 network
- Offshore wind-farms
- Science – fisheries partnerships
- Long term management plans – *Nephrops*, Demersal, Flatfish, Monkfish, Saithe
- Cod avoidance
- Control regulations
- Workshop which would include all North Sea stakeholders
- Technical measures and the elimination of discards
- Review of CFP – with regard to the NSRAC area
- Continued Inter-RAC cooperation, including a joint seminar on 'Decision-making within a reformed CFP'
- North Sea Fishers Survey
- To operationalise an eco-system approach in our work
- To consider the importance of social factors
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The Rapporteur Tony Hawkins presented the annual report of the NSRAC. A large number of meetings had been held during the past year and an unprecedented number of advisory papers and communications sent to the Commission. Over the year work had included:

- Preparation of a preliminary long term management plan for the *Nephrops* fishery
- Proposals on cod avoidance measures; cod recovery proposals; and an in-year review of the Cod Recovery Plan
- Position paper on the 2010 fishery for cod and opportunities to reduce discards
- Response to the Council Regulation concerning the conservation of fisheries resources through technical measures
- Position paper on specific technical measures for the North Sea
- Comment on new proposals from Commission for dealing with discards in the North Sea. Letter to the Commission on lack of progress in dealing with discards
- Comments on the new Control Regulation. Further comments on the new Control Regulation
- Discussion of TACs and Quotas for 2010. Response on fishing opportunities for 2010
- 2009 Fishers' Survey
- The CFP after 2012. First paper on Reforms to the CFP. Second paper on Self-Management
- Advice on the Commission's Non-Paper on Managing Fish Stocks without Catch Option Tables
- Discussion of selective fishing gears for whiting; and the whiting assessments
- The margin of tolerance on weighing catches
- Response to the Commission's review of the functioning of the RACs and of ACFA
- Liaison with ICES and reforms to the ICES advisory system.
- Attendance at ICES Benchmark Meetings

The NSRAC had also carried out an Internal Review. Doug Wilson gave a presentation at the meeting on the outcome of the internal review of the NSRAC carried out in Gothenburg. From a long-term view progress was being made. However, the NSRAC was perhaps finding it difficult to handle its different roles. The balance between fisheries and wider aspects of the marine environment had been difficult to get right. Some thought the scope of the work had become too wide and drifted away from fishing. The outputs of the RAC needed to be marketed, and new routes developed for dissemination of information. Relationships with member states governments could be improved, and there should be closer contact with the EU Parliament. Cooperation within the RAC was one of its strong points. The current composition was functioning. Regarding the knowledge base for NSRAC advice,

greater input from scientists was often needed. Feedback and funds for NSRAC interests within the ICES system were largely *ad hoc*. Research projects ostensible to assist the RAC were usually based on concepts developed by the research institutes and were simply presented to the NSRAC for a yes or no response.

It was now time for reflection and strategic thinking. There was over-dependence on key individuals, and succession planning was important. Three key strategies were identified:

- Build external relationships beyond the Commission
- Build legitimacy with the rank-and-file fishing industry
- Re-examine the division of labour among the various NSRAC bodies and members

It was pointed out that with reform of the Common Fisheries Policy and the possible de-centralisation of that policy we might have to consider a different role for the RACs. Each RAC would need to consider how it would fit into a new delivery system for the CFP.

Ann Bell introduced the draft budget and Annual Work Plan of the NSRAC. The primary role of the NSRAC was to foster the development of a sustainable exploitation of the demersal fish and shellfish stocks in the marine environments of the North Sea and Skagerrak/Kattegat. The NSRAC does this by preparing and providing advice on the management of these fisheries to the European Commission, the Member States and the European Parliament. The issues which the NSRAC would consider in 2009-2010 would include:

- Offshore Natura 2000 network
- Offshore wind farms
- Science – fisheries partnership
- Long term management plans – *Nephrops*, demersal, flatfish, monkfish-saithe
- Cod Avoidance
- Control regulations
- Workshop which will include stakeholders, consumers and retailers.
- Technical measures & how to eliminate discards
- Review of CFP – with regard to NSRAC area
- Continue Inter-RAC co-operation, which could include a joint seminar.
- North Sea Fishers Survey
- Create an online information booklet highlighting the sustainability measures taken by the North Sea Industry through e.g. Science /Industry Partnership, Voluntary Real Time Closures etc.
- To adopt an eco-system approach to our work

The Scottish Fishermen's Organisation and the Danish Fish Meal and Fish Oil Manufacturers Association were both welcomed as members of the GA. Living Seas' membership of the GA was terminated.

Executive Committee, 15th & 16th October 2009, IJmuiden

As the Chair of the NSRAC Executive Committee receives payment the Commission had instructed the NSRAC to re-appoint the Chair of the ExCom through a new procedure. Hugo Andersson had been nominated and was elected unanimously. Two nominations had been received for the two Vice-Chairs to the ExCom, Christien Absil and Michael Park. Both were elected unanimously.

Henrik Sparholt informed the ExCom of ICES initiatives. The International Council was going to review its policy for fisheries advice and identify an ICES policy for Maximum Sustainable Yield. Essentially, MSY would be the main focus of ICES advice in the future instead of the precautionary approach adopted previously.

Michael Park gave a presentation on the application of CCTV cameras on board Scottish fishing vessels. A new project would supplement the work of the Scottish Conservation Credits Steering Group in finding further innovative ways for contributing to a reduction in cod mortality. The aims of the project included setting up a reference fleet to provide reliable discard data to feed into the scientific model and providing proof to the Commission that avoidance and behavioural changes were real and having an impact. Niels Wichmann reported on a similar project in Denmark. Other fishers' representatives expressed their concern over this new approach.

Ernesto Penas gave an update on the Commission's position. The new Control Regulation was going ahead but some member states were unhappy with the financial sanctions within the regulation. The Technical Conservation Measures Regulation was also in a difficult position. The overall aim had been to obtain simplification and a degree of regionalisation. So far, member states had not accepted the structure proposed. They were not happy with 'comitology' being used to deal with regional issues and wished to continue to discuss such issues in Council. On TACs and Quotas, problems had been raised by member states over the mismatch between effort and quotas. This might be a major issue at the December Council. The Commission's position was that effort limitations had a value of their own. TACs were no longer the only mechanism for limiting fishing mortality. Revision of the flatfish management plan would take place during the year and required an impact assessment. Consultation was under way on CFP reform and this had already raised a number of issues. Many member states wanted a greater degree of regional management within the CFP. However the Commission's lawyers had said that powers cannot be devolved to regional bodies. Should the RACs develop into regional management organisations with the member states? Implementation of the Marine Strategy Framework Directive was also underway and by 2010 the member states had to turn this into national legislation. The Directive invited member states to coordinate their approach. This might again lead to regionalisation. Establishing the requirements of the directive for Good Environmental Status would have an impact upon fisheries and on the CFP.

The view of the NSRAC was that although the Technical Measures Regulation achieved simplification the Control Regulation did not; it just made things more complicated. The NSRAC would register its concern at the rushed process for adopting the Control regulation and the Technical Conservation Measures regulation. NSRAC members were also concerned about the adverse effects effort limitation was having upon the fishing fleets. A short paper to the Commission on TACs and quotas would be prepared.

It was agreed that the Commission would be approached regarding concerns over the new Omega meter.

Inter-RAC Conference on Decision-Making in the Reform of the Common Fisheries Policy, 3rd & 4th November 2009, Edinburgh

Participants and speakers at the meeting, organised by six of the RACs, agreed that there was urgent need for reform of the Common Fisheries Policy. The failure of the existing regime stems from the very nature of the policy. It was top-down, remote from those who make their living from the seas; yet enforced control on every aspect of fishing. It was a policy that sought to micromanage through detailed and prescriptive rules applied across all of Europe's very different regional seas. However several speakers emphasised that we cannot wait until 2013 for reform to take place. There was a strong case for changing some aspects of the policy now. This applied especially to the problem of discarding. We had a fisheries conservation policy that for 30 years had led to a monumental waste of valuable fish. It was unacceptable that fishermen, to stay within the law, were compelled to discard quality marketable fish.

A regional approach was essential for effective implementation of fisheries management. Some concern was expressed from the floor over who would participate in regional discussions. States with legitimate interests in a regional sea could not be excluded. We were not talking about the re-nationalisation of fishery resources. However, if we were to move to a regional seas approach then we were faced with the question of what needs to be done centrally under the Common Fisheries Policy. What are the "common" features within the Common Fisheries Policy? What are the main tasks for the Commission, Council, and Parliament? And what can be delegated to a regional management body?

There was general agreement on the answer. Overarching policy, setting the overall framework and defining the objectives is the responsibility of the Commission, Council and Parliament. Indeed, the Lisbon Treaty confirms exclusive Community competence for the conservation of marine living resources. However, the implementation of fisheries management measures is best achieved by a body which is much closer to the fisheries and to fishers. We must develop a system where fishermen together with scientists and other experts have a genuine stake in the development of the measures for managing their fisheries.

Throughout the meeting there was strong agreement on the need to involve fishers and other interests in decision-making. Fisheries stakeholders had to play a central role. They were the real experts on fishing and were already helping to bring forward technical solutions. Many of the most innovative ideas in fisheries management in recent years had come from the Regional Advisory Councils and it was already evident that bringing an element of co-management to the Common Fisheries Policy would yield substantial benefits.

A reformed Common Fisheries Policy should facilitate effective planning beyond the annual cycle. It should have the flexibility to adapt to local circumstances and to realities on the fishing grounds. Fishers and environmental interests both agreed that one key element in future decision taking was the development of management plans for particular fisheries. The work of regional management bodies must be built around the preparation of fishing plans. Such plans would be prepared initially by self-defined fisheries groups, perhaps based on the Producer Organisations. They would be multi-annual plans, developed with scientific input and they would define how vessels in the group would fish sustainably over the specified period. The plans

would handle fishing gear design and selectivity; would set out a discard reduction strategy and would operate in conformity with broad standards and principles.

There were resource implications both for fishers and e-NGOs if they were to extend their roles and tackle a wider range of tasks. The Regional Advisory Councils were already over-loaded. Fishers themselves wished to give priority to running successful fishing enterprises rather than engage in dialogue over broad maritime issues. Nevertheless it was important for RACs and for fishers to engage with these wider issues in an effective way. Additional resources in terms of staff and finance would be required to achieve this. One major question was how the Regional Advisory Councils could now be reshaped to deal more effectively with the wider tasks being allocated to them. Should their advice have greater strength? Should it become mandatory for regional management bodies to accept their advice except under specified circumstances? How much scope should there be for flexibility and differences between RACs and between different regional arrangements?

Demersal Working Group, 1st December 2009, Brussels

Dissatisfaction was expressed at the unwillingness of the Commission to meet the NSRAC to discuss the introduction of the new Omega meter. The Netherlands government had also been concerned and had asked to meet Commission officials but had been referred to the Control Agency in Vigo. The Dutch industry had commissioned an independent scientific agency (the National Institute for Applied Science; TNO) to report on measurements with the meter. It was agreed that the NSRAC would write to the Director General of DG Mare to question the refusal by Commission officials to meet with the industry to address the issues arising from the use of the new Omega meter and to raise the substantive issues surrounding the use of the meter.

It had been decided that the development of long term management plans was best pursued by concentrating on a particular fishery. The *Nephrops* fishery had been chosen as the one to take forward. A meeting of the *Nephrops* Development Group would be held early in the New Year and it would concentrate on setting objectives for the LTMP and developing a wide range of management options. Funding would then be sought for taking the plan around the ports.

Member states had shared the NSRAC's view on the Technical Conservation Measures Regulation and had deferred acceptance of the regulation. It would now have to go forward against a background of co-decision making.

Following the Inter-RAC Conference on Decision-Making within a Reformed CFP, a proposal for a three tier structure for the CFP had emerged. Ideas had also been developed on results-based management with responsibilities delegated to the fishing industry. A summary document would be prepared, setting out the views of the NSRAC on reform of the CFP for further discussion. The NSRAC wanted a new, adaptive, regional system of governance with built-in safeguards; it was proposing something ambitious and radical but realistic.

Discussions had been due to take place with the Commission of the evaluation of the sole and plaice management plan. In the event, a meeting had been called in Lisbon without ascertaining whether RAC representatives could attend. There was a view that there was insufficient data and insufficient protocols for the evaluation of the management plan. It was hoped that fishers would be informed of future meetings well in advance.

Demersal Working Group, 17th & 18th February 2010, Ostend

It had been agreed that the priority for developing fishery management plans was now preparation of management options for the North Sea *Nephrops* fishery. The *Nephrops* Long Term Management Plan Development Group would maintain momentum in the preparation of a management plan for the *Nephrops* fishery. A meeting would be held in March to pull the management options together before taking these to the industry for comment and further development. Funds would be sought from the JAKFISH project, set up to promote stakeholder participation, to take management options to meetings around the coast.

Revision of the sole and plaice management plan required an impact assessment and appropriate preparations had been made for this by the Commission. The STECF had met to discuss this issue in November but NSRAC participants had not been represented at that meeting and had been unable to raise their concerns. Downward trends in Fishing Mortality (F) had been evident for several years but the management plan had been implemented only recently. It was difficult to know whether reductions in F had resulted from adoption of the plan or whether they would have occurred anyway. The 2007 plaice assessment had subsequently proved to be unduly pessimistic about the stock. The plan itself had not been needed as an emergency measure and its review was perhaps premature. The TAC reductions for plaice arising from the plan had resulted in a loss of markets. It was agreed that there were fundamental issues over the impact of management measures on markets which we should return to at a future meeting. In the meantime, members would make their views known to the Commission on the evaluation of the flatfish management plan.

The introduction of the new Omega gauge for measuring mesh size had resulted in major problems at port level. The NSRAC had written to the Director General, seeking a meeting but his reply had been most unhelpful. It was clear that measurements with the new gauge were giving significantly different results to those obtained with the original certified wedge gauge. As a result, existing nets and nets in storage were yielding lower mesh measurements. This meant that many nets would be illegal with the new gauge, although they gave satisfactory measurements with the older gauge. There had been little forethought given to the introduction of the new gauge, resulting in a lack of equity and fairness for fishers, net suppliers and net manufacturers. A representative of TNO, a Dutch Research Institute specialising in scientific measurements, gave a presentation on his experience with the new Omega gauge. He emphasised that repeated measurement of the same mesh with the new gauge gave consistent lengthening of the mesh. One solution to the problem with the new gauge was to apply additional force with the new meter. Further independent measurements were necessary to establish statistical parameters for different levels of applied force. The NSRAC would contact the Expert Group on Control to query the unsatisfactory introduction of the new Omega meter.

The end of January had marked the end of the latest phase of the cod recovery plan, initiated in November 2008. Fishers now faced further reductions in effort. It was agreed that the NSRAC would produce a special advice paper on the impact of the cod recovery plan, drawing attention to the shortcomings of the effort regime, highlighting any positive features, and asking pertinent questions. A paper would be circulated, agreed and forwarded to the June meeting of STECF, and to the ICES Working Group on North Sea Demersal stocks.

Discussion with ICES scientists had focused on Maximum Sustainable Yield and how advice will take account of MSY through the development of trigger points. Concern was expressed over the setting of trigger points and the impact the new advice would

have on TACs and quotas. The NSRAC would write to ICES & the Commission to express its concern over the way in which scientific advice would be expressed in the future to match MSY targets. There was concern that major reductions in F might be required in a single year

There had been a meeting of the Expert group on Control and it had emerged that the new Control Regulation might be adopted as early as November 2010 or January 2011. The NSRAC would ask the Commission to clarify its position with respect to the new regulation.

A number of initiatives were now in place to reduce discards, and more were on the way. In many cases, however, there were only limited data available on discards. The NWWRAC had raised the issue of data deficiencies with the Commission. The RAC had been especially concerned that many of the ICES assessments were poor because of a lack of data on catches. The NWWRAC was asking the Commission to set up a Task Force to fill holes in the data. It was agreed that the NSRAC would join with this initiative being taken by the NWWRAC aimed at rectifying data deficiencies

Concern was expressed over the high level of whiting discards in parts of the North Sea. Despite the great abundance of whiting in some areas, including mature fish, quotas were still being slashed. This was madness. It was agreed that a NSRAC Focus Group would meet to look at the problems of reducing discarding in those fisheries where the quotas are not keeping pace with catching opportunities; starting with whiting and moving on to other species.

Executive Committee, 18th & 19th February 2010, Ostend

Concern was expressed over the process which had been adopted for defining Good Environmental Status for fishing activities under the Marine Strategy Framework Directive. The provisional definition which had been adopted would pose particular problems for the RACs. The deliberations about Good Environmental Status would have an impact upon the NSRAC, and we should therefore comment on this subject. However, so far the RACs had not been consulted. The Commission would be asked to provide a speaker on the subject of the Marine Strategy Framework Directive, and the adoption of indicators of Good Environmental Status, for the next Demersal WG meeting.

The UK had recently announced to outcome of the third round of bids for offshore wind farm developments around the UK coast, which would affect fishers. In addition to the Dogger Bank, wind farm developments were also proposed for the Moray Firth, the Firth of Forth, Hornsea, Norfolk and Hastings. There was also a need for the NSRAC to engage with the UK and other governments over proposals for Marine Protected Areas including extensions to the Natura 2000 network of offshore sites designated under the EU Habitats Directive. The NSRAC needed more resources to cope with additional pressures from both wind farm and MPA proposals.

There were major questions over what was happening to prices. Fewer fish were being landed by fewer vessels at the same number of ports. Operational costs were increasing, but prices were decreasing. Seafood has a greater future but we must sort out the problems over prices. We must consider why and how fishers buy fish. It was decided that the NSRAC would discuss with other organisations a one day meeting, aimed at promoting a pan-European approach to the marketing of fish.

Henrik Sparholt of ICES gave a presentation on the results of the Fishers' Survey based on a questionnaire issued annually through the NSRAC. The scores from the Fishers' Survey agree substantively with ICES estimates. That result leaves the way open for the Survey results to become part of the ICES assessment model as one out of several timeseries. It was agreed that Henrik Sparholt and Ian Napier should prepare a scientific paper on the Fishers' Survey, demonstrating its value in supplementing the ICES assessments. The NSRAC would also to publicise the success in applying the results of the Fishers' Survey.

A draft sustainability booklet had been prepared for the NSRAC. This now needed feedback from members.

The Technical Conservation Measures Regulation had failed to be approved by Council before the Lisbon provisions came in. The Presidency compromise had been withdrawn. New technical measures would have to be considered as part of the CFP reforms. In the meantime, interim measures would apply until 2011.

A non-paper had been produced on Deep Sea Access, following a communication in 2007 on deep sea stocks. Comment had been invited from stakeholders. The non-paper was quite critical of the management of deep sea stocks and proposed a review of the deep sea regulation. A draft document on Deep Sea Access would be prepared for circulation to members of the NSRAC.

Nephrops LTMP Development Group, 30th March 2010, London

The purpose of the meeting was to define clear objectives for the long term management plan, and develop a range of options for instruments to meet those objectives. There could be few actual decisions on the plan at the moment. That would await comment first by fishers and then by wider stakeholders. The actual 'plan' would be short and would be inserted at the beginning of a larger document which set out the arguments in more detail.

Initially a short version of the plan, including a range of management options would be prepared for taking around the fishing ports. Discussions at the ports would be led by local representatives of the industry, and would report back to the Development Group on the outcome. A set of generic slides would be prepared to aid the discussions. The meetings would be publicised beforehand.

Cod Recovery Focus Group, 7th April 2010, Brussels

It was appropriate and timely to consider how well the effort regime of the cod recovery plan had operated in the different member states of the EU, whether it was achieving its objectives and what its consequences had been.

The spawning stock biomass of North Sea cod was still low but the stock was increasing, demonstrating that cod recovery was taking place. Fishing mortality had shown a downward trend but the latest provisional assessment from ICES had now shown a sudden increase.

The NSRAC was committed to achieving cod recovery but the new cod recovery plan is not working as intended by the Commission and Council. Although unreported landings may have been eliminated there was still a major problem with the discarding of cod.

It was agreed that the focus must now be on reducing discards. The current plan was flawed in this respect. Effort control was supposed to limit the total removals of cod but had failed to do so. There was strong support within the NSRAC for a “land more and discard less” policy, and for fishers being provided with the incentives to enable them to achieve that aim. It was accepted that the Commission required fishers to adopt safe and secure ways of reducing cod discards, and that any claimed reductions would have to be verifiable. If effort reductions continued they would result in an overcapitalised and inefficient industry. Further effort restrictions could be taken off the agenda if fishers were made responsible for recording accurately all cod removals.

It was recognised that a review of the cod management plan with Norway was scheduled for 2011 and that an economic impact assessment would be an essential part of that review from a Commission perspective. It would be important to start assembling appropriate economic data now, with help from fisheries economists.

Whiting Focus Group, 7th April 2010, Brussels

The Focus Group meeting had stemmed from a discussion of discard initiatives at the Ostend Demersal Working Group meeting. This was the fifth year of heavy whiting discards. There was clearly a shortage of quota in relation to whiting abundance, especially on the western side of the North Sea and this was leading to heavy catches which could not be landed and had to be discarded. The background was one of a stock which was declining but also redistributing itself. The Focus Group was set up to identify the roots of this problem and to look for possible solutions, not just for whiting but for other stocks affected in the same way.

The whiting assessment was truncated and deficient. No reference points had been defined since 1991. The stock appeared to be at a low level. Because of the apparent declining abundance and poor recruitment ICES was recommending a strong reduction in fishing mortality (F). Despite these assessments, whiting were abundant on the western side of the North Sea and catch rates along the eastern coasts of England and Scotland were high. There were major differences in the TAC uptake rates in different regions. The problem was one of reallocating the quotas to where the fish were. The focus group concluded that:

- Discards of whiting are very high in some areas of the North Sea, representing unwanted fishing mortality and lost revenue, and undermining the industry’s reputation
- The presence of large concentrations of whiting on the west side of the North Sea, when the scientific message was of an overall stock in decline because of successive years of poor recruitment, had caused tensions between fishermen on the one hand and scientists and fisheries managers on the other
- There is mismatch between quota availability and the areas where fish are being caught
- Gear selectivity is not always being used to best advantage
- The overall TAC is not being taken

- International transfers are difficult to achieve

The NSRAC would aim to produce an agreed paper setting out a number of options to go forward to the EU/Norway negotiations.

Demersal Working Group, 26th May 2010, London

John Casey, the Chair of the Scientific, Technical and Economic Committee for Fisheries gave a presentation on the work of STECF. It was agreed that the NSRAC and STECF should cooperate more closely. The STECF would provide a calendar of meetings to the Secretariat and would periodically update the NSRAC on issues STECF was being asked to deal with. Participation of STECF members at RAC meetings was possible but had to be arranged through individuals. It would be especially important to ensure that any requests for advice from STECF were formulated at an early stage for transmission to STECF through a request to the Commission.

At the Focus Group meeting in Brussels it had been emphasised that cod recovery had been adversely affected by discarding of cod and that the cod recovery plan was failing to deal with this problem. There had been support for a “land more and discard less” adjustment to the recovery plan. The meeting had developed further the idea of landing more and discarding less. A paper on cod recovery had been prepared and would now be sent to the Commission, the Parliament, STECF and ICES.

The meeting of the Focus Group on whiting in Brussels had looked at the problems of reducing discarding in those fisheries where quotas were not keeping pace with catching opportunities. A draft paper had been prepared and was discussed. It was agreed that the paper would be revised and presented for approval by the ExCom before forwarding to the Commission

Following a meeting of the Development Group the draft LTMP for *Nephrops* had been revised. In particular it had been shortened to make it suitable for presentation at meetings with the industry. Much of the preparatory work had been useful and would be retained for future use but had been removed from the latest version. It was considered important now to involve fishers in the preparation and compilation of the plan. Meetings to discuss the *Nephrops* LTMP would now go ahead at several coastal locations. The outcomes would be reported back to the *Nephrops* LTMP Development Group and the Demersal WG.

The NSRAC had now been asked to engage in discussions with STECF regarding the impact assessments for the revision of the flatfish management plan. A meeting would shortly take place. A representative of MRAG gave a presentation on socio-economic aspects of the management plan for plaice and sole which had been sought by the Commission. Their report assesses the impacts on the North Sea fishery of several different long-term management scenarios suggested by the Commission. It was agreed that the NSRAC will need to continue to engage with STECF over discussions of the LTMP for plaice and sole.

A study had been carried out to quantify the role of the plaice box in conservation of plaice and other marine organisms. The results showed that the plaice box followed a natural border between benthic habitat types. There were no significant spatial differences found to be associated with the box. The overall trends were similar in all coastal areas. Changes in the diet and overall food supply for plaice were likely to be related to eutrophication, pollution and climate change within the coastal zone. The

plaice box had failed in its original objective. In spite of the decline in the densities of demersal fish, the structure of the fish assemblages inside the box had not changed significantly. Given the original objective of the box to reduce discarding of undersized plaice, re-opening of the plaice box was expected to lead to a small increase in plaice discards and a decrease in yield and spawning stock biomass. Extending the box would likely result in a moderate reduction in plaice discards and a moderate increase yield per recruit and SSB.

The annual Communication from the Commission on Fishing Opportunities for 2011 had been released. The rules for setting TACs had been modified. The current aim was to set TACs corresponding to the fishing mortality that would deliver the highest yield in the long term and to meet maximum sustainable yield by 2015. NSRAC participants thought that the report had improved this year. Concern was expressed over a number of the provisions and especially over the cutting of TACs year on year for stocks for which the information was poor. A response to the policy statement would be prepared on behalf of the NSRAC.

The Commission had remained intransigent over the flawed introduction of the new Omega gauge, and had refused to change its course. It had been agreed that the NSRAC would raise its concerns through the Control Group. That remained a priority.

Concern was expressed by some of those who had attended the major conference in La Coruña on reform of the CFP. There had been a perception that the conclusions drawn by Commission representatives had not reflected accurately the discussions during the conference. It was agreed that a short document on governance under a reformed CFP would be presented to the ExCom for further discussion and presentation to the Commission.

There was still disarray within the Commission over the Control Regulation and draft rules had yet to be published. It was noted that an expert group was being established to discuss the regulation. We would ask the Commission whether there would be an opportunity for stakeholder representation on that group.

Executive Committee, 28th & 29th June 2010, Boulogne

The Secretariat would contact the Marine Centre in Shetland and fishers' associations to arrange for the 2010 Fishers' Survey to take place.

The 'Good Practice in Fishing' booklet prepared by the NSRAC would be placed on the website.

Colin Mackenzie, the Chief Executive of Aberdeenshire Council gave a presentation on Aberdeenshire Council's continuing commitment to supporting the NSRAC. The Council was now proposing support from a new team, with greater strength in depth. The new NSRAC Team would take over at the General Assembly in October, with Ann Bell, the current Executive Secretary, available to provide advice and support until 31 December 2010. The Council was delighted to make this offer to continue to host the NSRAC. The NSRAC agreed to accept the offer from Aberdeenshire Council to host the NSRAC. Detailed arrangements for the new Secretariat would be decided following further discussion with the Commission. A meeting would also be arranged with the Commission to settle the rules for preparing the budget.

Those wishing to apply for the post of Chair of the ExCom should complete the appropriate tender form and submit it for consideration by the Board of Directors. Accepted nominations would be forwarded by the General Assembly and considered at the next ExCom.

Members of the NSRAC were concerned that we had still not had the terms of the new Marine Strategy Framework Directive presented to us by the Commission for discussion and comment. The Secretariat would ask the Commission to meet a small group from the NSRAC to discuss the Marine Strategy Framework Directive and to consider representations on issues which affected fishers directly.

A presentation on the Draft Implementation Regulation for Council Regulation 1224/2009 of 20 November 2009 was given by the Commission. The regulation establishes a Community control system for ensuring compliance with the rules of the common fisheries policy. Discussion on the provisions of the regulation would start in early July.

A letter had been sent from the North West Waters RAC to the Commission expressing concern that ICES was unable to provide analytical assessments for 57% of the stocks under its purview and that this percentage has gradually increased over the last decade. The NWWRAC had suggested the establishment of a Regional Task Force for North West waters involving the members, Member States and ICES scientists. The NSRAC had supported this initiative and had shared the NWWRAC's concern over the large numbers of stocks lacking analytical assessments. Director General Fotiadis had replied saying this was an important initiative. He had listed the steps taken by the Commission and STECF to improve the position. However, his letter made it clear that the Commission would not be taking the lead in resolving the issue. The subject would be raised again at the ICES Meeting in Galway in August.

A number of Spatial Planning issues were discussed. A meeting had taken place early in the year with the Forewind consortium to consider the Dogger Bank wind-farm development. The developers had been unable to answer a number of key questions on the clustering of the arrays and their effects upon mobile fishing gears. A clear indication was given of the consultation process, and the NSRAC had established its position as a key constituent. At a stakeholder workshop at the end of April the developers went into more detail on what they intended to do. They were planning 4 tranches for the Dogger Bank development. The array of turbines within each tranche was not yet decided but the individual turbines would be large and the spacing wide, so that fishing with mobile gears over large areas would be affected. It had been pointed out to the developers that they would need to coordinate with other Round 3 wind-farm developments and look at their cumulative impacts. Wind-farms were planned on the Dogger Bank, off Hornsea and off Norfolk. All the developers were consulting separately at the moment. The NSRAC would need to remain proactive. Fisheries mapping would be critical for defending fishing space.

Member states have to produce a coherent network of Special Areas of Conservation (SACs) by 2012. It is not the best planned process. In England, as well as the Natura 2000 areas (the SACs) there were additional plans for Marine Conservation Zones. A NSRAC meeting with the JNCC had been well attended and there had been lively discussion. However, subsequently the JNCC had not taken action as quickly as expected. Proposals were supposed to be submitted by October 2010 but this was an impossible timetable for stakeholders to work to. Engagement with France (CNP MEM) over MCZs in the Channel area had still to be taken forward. The Dogger Bank SAC proposal from the UK had still not gone out to consultation. A workshop on fisheries management within Dutch Natura 2000 sites (FIMPAS) was taking place over the next few days close to Boulogne to assess fisheries impacts on

the conservation objectives of the designated sites, and some NSRAC members would be participating.

Concern was expressed over the displacement of fishing activities which would result from both new protected areas and also from wind-farm developments. We had been optimistic at the beginning and had thought that we would be consulted on both types of development. However, it now appeared that there is only token concern over the impact on other users of the sea. We would need to challenge the JNCC to say how it planned to take forward the action points agreed at the earlier meeting with them.

A letter from the chair of the ExCom, together with an attached note setting out the views of the NSRAC on governance under a reformed CFP was agreed and would be sent to the Commissioner.

A presentation of ICES *draft* advice was given by Manuela Azevedo, the ACOM Vice-chair. This year the advice was based on the F_{MSY} framework with a biomass safeguard. The advice summary table now presented the advice for three Management Objectives:

- Transition to an MSY approach with caution at low stock size
- The adoption of a Precautionary Approach (the approach in previous years).
- Avoid impaired recruitment and achieving the other objective(s) of a management plan

Concern was expressed over several of the assessments and over the advice for cod, which in 2010 would reach an acceptable Spawning Stock Biomass and yet a reduction in the TAC had been advised.

Pim Visser reported on a meeting on the multi-annual plan for plaice and sole, which was being reviewed. STECF was seeking ways of developing the plan and the NSRAC members were helping them with this task. Much was still uncertain. The MRAG economic impact evaluation for the plan had been very difficult to carry out and there was uncertainty about its value. STECF would keep the NSRAC updated on progress.

A revised draft of the paper on Whiting Discards would be prepared and agreed by written procedure

An outline project proposal for mapping fishers' information in the North Sea was presented to the NSRAC. A small group would now be formed to prepare a more detailed project proposal on spatial mapping of fishing activity for presentation to the next ExCom.

A representative of the European Court of Auditors explained the content of a letter from the Court to the NSRAC seeking views on issues related to fleet overcapacity. Answers to the questions on overcapacity posed by the Court of Auditors would be considered by the Demersal WG at its next meeting.

Demersal Working Group, 15th September 2010, Brussels

ICES advice had been received in May, and a policy document on fishing opportunities had been received from the Commission, to which the NSRAC had responded. The response had pointed out that MSY was best considered as a range rather than a fixed value and that there were problems in applying MSY to mixed fisheries. It had also drawn attention to data deficiencies and the adverse impact these were having on TACs and quotas and on the livelihoods of fishers. A response had now been received from the Commission arguing that the differences between the MSY and Precautionary Approaches were not as great as the NSRAC had feared.

Concern was expressed about the provisions of the Real Time Closures Regulation which had recently been published. A Focus Group would be established by the NSRAC to address issues over Real Time Area Closures. It would prepare a summary of the existing rules, consider how well they were working in practice, and provide suggestions for the future.

The NSRAC had now received comments from the Commission on its paper on cod recovery and had prepared a draft response. Fishers' representatives suggested that the cod recovery plan was especially flawed with respect to the imposition of very low TACs at a time when the stock was increasing. Discarding was bound to increase. Doubts were also expressed over the Commission's notion that its effort reductions were responsible for the decrease in fishing mortality and that the original achievements of the plan had now been weakened by the introduction of alternative measures.

It was agreed that the draft letter to the DG on cod recovery would be revised. It would question the scepticism of the Commission over the measures adopted to reduce discards and avoid catching cod. It would include mention of discarding and draw attention to the new cod assessment which would be coming from ICES in October. The NSRAC would request a meeting with the DG to discuss cod recovery in greater detail and would mention the NSRAC's wish to participate fully in the 2011 review of the cod recovery plan.

The NSRAC would ensure that it was represented at an STECF Working Group meeting in Edinburgh on 27 September to look at the relationship between F and fishing effort.

A report evaluating Scottish pilot studies on catch quotas was now available and would be distributed to NSRAC members. Cameras onboard the vessels had proved adept at picking up any transgressions. The project had worked well from the standpoint of those participating. It had clearly delineated the time spent fishing and it was capable of providing additional information for scientific analysis. The trials had given confidence for a move to the next stage, proof of concept, where the programme would be extended to include all vessels – on a voluntary basis. The report showed that catch quotas had the potential to yield significant economic gains to fishers. Ideally, catch quotas should be introduced gradually and cautiously, but the advantages were so great that there might be a rapid mass-movement towards such systems.

Many fishers remained sceptical of the value of catch quotas. There were benefits but there were also disadvantages. It was agreed that the NSRAC would adopt a cautious step by step approach to catch quotas. Fishers would continue to exchange information on pilot projects.

Under the new 'comitology' arrangements the NSRAC did not seem to be involved in the discussion of quite important papers. This issue would be raised with the new Director General. There was also a need to meet the Director General and Member States to discuss cod recovery

The European Court of Auditors was seeking views from the NSRAC on issues related to fleet overcapacity. It was agreed that the NSRAC would respond to the auditors emphasising the need for a fishery by fishery approach and stressing the positive outcomes of de-commissioning in terms of higher profitability, more sustainable stocks and better compliance. There was a need to define over-capacity carefully.

There was a presentation to the NSRAC on proposals for a large wind farm off the English coast at Hornsea, awarded as a result of the third round of proposals to the UK Crown Estates. It was inevitable that there would have to be compromise with other users of the site. Zone characterisations were currently being prepared and environmental impact scoping was taking place. Potential impacts on fishers included:

- displacement of activity
- restriction of access
- change of habitat type indirectly by effecting ecology/fish ecology
- displacement of fish due to noise/vibration/disturbance
- increased transit, vessel costs
- increased competition for remaining available resource
- loss of earnings / quota
- potential creation of new fisheries
- cumulative and in-combination impacts

It was inevitable that there would be conflict with fishing activities and that fishing grounds might be destroyed. There would be losses on the part of fishers. The developers would be compensating fishers from the UK and other countries which would be affected. VMS data and other information on vessels fishing in the area would be important in establishing which areas were most important to fishers. Discussions are taking place with the Crown Estate over the establishment of a project to assemble fisheries data.

The NSRAC had now engaged in discussions with North Sea fishers to seek their inputs into the long term management plan for *Nephrops* fisheries. Meetings in the UK had taken place at Whitley Bay, Fraserburgh and Eyemouth and reports on the first two of these were already available. Further meetings were planned at Pittenweem and again in Fraserburgh. Meetings were also planned for Denmark and the Netherlands.

Some progress had been made in evaluating the management plan for plaice and sole. There had been general agreement that it was really too early to evaluate the plan. The initial results seemed to show that there had been very little influence of the plan on the long term changes which had taken place in the plaice and sole stocks. The panic in 2006 to introduce emergency measures for plaice had been ill-founded. The rebuilding plan had been based on false assumptions by scientists and had created unnecessary problems for fishers.

The Commission had remained intransigent over the flawed introduction of the new Omega gauge, and had refused to change its course. A representative of the CFCA was asked to take the views of the NSRAC on the introduction of the Omega Gauge back to the agency in Vigo with the message that the NSRAC would like a meeting with the person responsible.

The NWWRAC and the NSRAC should hold a meeting with ICES to discuss the data collection initiative further. The best forum might be the ICES Coordination Meetings attended by Committee Chairs

A short position paper would be prepared on topics to be discussed by the NSRAC with the new Director General and one of the items on that list will be the implications of the Marine Strategy Framework Directive. The Commission representative was asked to take a note back to the Commission on the NSRAC's wish to become engaged with the process of defining GES under the Directive

The NSRAC requested a short written paper from the Commission on the implications of the new Control Regulation.

A presentation was given to the NSRAC on proposals for new Marine Protected Areas from the UK. There was a European commitment to establish offshore networks of MPAs under Natura 2000 by 2012. In addition, the UK Government aimed to establish its own "ecologically coherent network of Marine Protected Areas". Fishers emphasised that there had been too little time for consultation and in particular to provide valid data on fishing activities within the proposed sites. Fishing data could not be collated quickly. There was also concern about the quality of the science being applied in the designation of sites.

Position and Advice Papers and other reports prepared and submitted during the year

1. Strategic Plan for the NSRAC; October 2010
2. Annual Work Plan of the NSRAC: October 2010
3. Letter to the Director General on the introduction of the Omega Meter, December 2009.
4. Comments on the Green Paper on CFP Reform, December 2010
5. Report of the Inter-RAC Conference on Decision-Making in the Reform of the Common Fisheries Policy, November 3rd & 4th 2010
6. Draft Long Term Management Plan for North Sea *Nephrops*, April 2010
7. Presentation for Meeting with Fishers to discuss the LTMP for *Nephrops*, April 2010
8. Evaluation of the Cod Recovery Plan, May 2010.
9. Comments on the Commission Communication on Fishing Opportunities for 2011, June 2010
10. Report of *Nephrops* Development Group Meeting with Fishers, Whitley Bay, June 2010.

11. Comments on discards of whiting and other species where there may be mismatch between scientific assessments and fish abundance, July 2010.
12. Future governance within a reformed Common Fisheries Policy, July 2010.
13. Good Practice in Fishing, July 2010.
14. Report of *Nephrops* Development Group Meeting with Fishers, Fraserburgh, July 2010.
15. EU Action Plan for Reducing Incidental Catches of Seabirds in Fishing Gears, August 2010.
16. Report of *Nephrops* Development Group Meeting with Fishers, Eyemouth, August 2010.
17. Report of *Nephrops* Development Group Meeting with Fishers, Pittenweem, September 2010.
18. Letter to the Director General requesting a meeting to discuss a list of topics, October 2010
19. Letter to the Director General on the Cod Recovery Plan, October 2010.
20. Letter to the European Court of Auditors on Overcapacity of the fleet, October 2010.
21. Fishers' Survey 2010

Membership of the Executive Committee of the North Sea Regional Advisory Council (October 2009)

Fisheries sector

Danish Fishermen's Association – Svend-Erik Andersen, Michael Andersen;
 Dutch Fishing Industry – Willem de Boer, Paula den Hartog
 Scottish Fishermen's Federation - Michael Park
 National Federation of Fishermen's Organisations - Barrie Deas
 Rederscentrale, Belgium – Emiel Brouckhaert
 Deutscher Fischerei Verband; Peter Breckling
 Swedish Fishermen's Federation - Henrik Svenberg
 Comité National des Pêches Maritimes et des Elevages Marins – Pierre-Georges
 Dachicourt
 Union des Armateurs à la Pêche de France - Patrice Leduc
 Confederación Española de Pesca - Javier Garat Pérez
 Polish North Atlantic Producers Association - Jarek Zielinski
 European Organisation for Fish Traders - Guus Pastoor
 European Association of Fishing Ports and Auctions – Pim Visser
 European Transport Worker's Federation - Karsten Kristensen

Other interests

Seas at Risk - Christien Absil

World Wide Fund for Nature - Giles Bartlett
BirdLife International - Euan Dunn
European Anglers' Alliance - Jan Willem Wijnstroom
North Sea Women's Network – Nicki Holmyard
European Bureau for Conservation & Development – Konstantinos Kalamantis
EUCC -The Coastal Union – Ate Oostra

Membership of the General Assembly of the North Sea Regional Advisory Council (October 2009)

Bundesverband der Deutschen Fischindustrie – Peter Breckling
Cooperative Maritime Etaploise – Dominique Thomas
Federatie van Visserijverenigingen – Geert Meun
Nederlandse Vissersbond – Derk Jan Berends
SDVO – Luc Corbisier
Union Nationale des Syndicats Marins-Pêcheurs CFTC – Bruno Dachicourt
North East of Scotland Fishermen's Organisation Ltd – Robert Stevenson
Seafood Choices Alliance – Elisabeth Vallet
International Sport Fishing Federation (FIPS-M) – Pierre Biever
From Nord – Laurent Nicolle
Aberdeen Fish Producers' Organisation Ltd – David Anderson
Assoc of Fishmeal & Fishoil Producers of Denmark – Jannik Schougaard
Scottish Fishermen's Organisation Ltd – Jane Sandell

Chairman Hugo Andersson
Secretary Ann Bell
Rapporteur Anthony Hawkins