



Demersal Working Group Brussels 17th November 2010

Rapporteur: Tony Hawkins

Draft

1. Introduction and apologies

- 1.1 Barrie Deas opened the meeting and the participants introduced themselves. Apologies had been received from Tony Hawkins, Emiel Brouckaert, Jane Sandell, Luc Corbisier, Hazel Curtis, Giles Bartlett and Christine Absil. The proceedings of the meeting were being relayed to Tony Hawkins via Skype.

2 Election of Officers

- 2.1 The first task was to elect the Chair of the Demersal Working Group. It was agreed at the ExCom that the current Chairs would be re-appointed to the respective WGs. That was not entirely logical and Barrie Deas asked whether there were any other nominations for the position of Chair. There being no other nominations Barrie Deas was elected unanimously as the Chair. Pim Visser was elected unanimously as the Vice-Chair.

3. Agenda and Action Points

- 3.1 The agenda was agreed with the addition of one item; the unhelpful new culture which seemed to exist within DG Mare; introduced by Peter Breckling. Action points from the last Demersal WG were then considered one by one:
- MRAG had confirmed that they had made full use of the data provided to them by Dutch fishers to assist with their analysis of the management plan for plaice and sole. The report had now been sent to DG MARE and would be circulated.
 - The NSRAC had replied to the Commission's response to its letter on fishing opportunities for 2011 by stressing the positive trends reported for North Sea stocks. The NSRAC letter had also referred to the need to reconsider the cod assessments in the light of new ICES advice.
 - A focus group meeting had been held to address Real Time Closure issues and a report was available for discussion and action later today.

- The NSRAC had not been represented at the STECF Working Group meeting in Edinburgh on the 27th September. However, a paper on the relationship between fishing effort and fishing mortality had been submitted.
- A new letter had been sent to the DG on cod recovery. It had questioned the scepticism of the Commission over the measures adopted to reduce discards and avoid catching cod.
- A further letter had requested a meeting with the DG to discuss cod recovery and a range of key topics in greater detail. The DG had offered a meeting with colleagues, but that opportunity had not yet been taken up.
- There had been concern about the new 'comitology' arrangements. The NSRAC is no longer involved in the discussion of quite important papers and proposals. This problem relates to the additional item placed on the agenda by Peter Breckling and will be discussed later.
- Bill Stewart of the CFCA had been 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. No response had been received from the Agency. The report from TNO on the Omega gauge, commissioned by the Dutch industry, would soon be available and that would prompt further discussion of this important subject.
- In the event, a meeting with North Sea Ministers to discuss CFP Reform in a North Sea context had not been possible to arrange at short notice.
- A meeting with ICES and the NWWRAC to discuss data collection initiatives was still being planned and would be discussed later.
- Edgars Goldmanis had been 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 MSFD Directive. The NSRAC had also requested through Edgars a short written paper from the Commission on the implications of the new Control Regulation. Edgars had nothing to report. Barrie Deas reported that there will not now be a vote on the Control Regulation at the Council meeting on December 3rd and it looked as if discussion on the regulation could be deferred to 2011.

4. EU/Norway and TACs and Quotas for 2011

- 4.1 Meetings with Norway had begun yesterday in Brussels and a further meeting would take place in Bergen on the 29th November. Michael Andersen, Mike Park, Arnold Locker and Geert Meun had attended the meeting yesterday. A surprisingly high level of agreement had apparently been reached on TACs for saithe, plaice and other stocks at an unusually early stage in the negotiations. The only major disagreement was on herring, where Norway wanted a larger increase in TAC than the EU was proposing. The increase was being argued on a technicality: that the TAC could be adjusted if you had better knowledge this year than you did last year when the TAC was set.

- 4.2 As expected, one of the major divisions was over RTCs for juvenile fish, and we would be discussing this issue later.
- 4.3 Over recent years there had been a progression from these meetings with Norway being completely closed, to a position where one or two fishers' representatives were allowed to attend. Now plenary sessions were open to a wide range of stakeholders. We should welcome this. Indeed, we would ask the ExCom to write to both parties welcoming the greater transparency this had brought and inviting them to take this process still further.
- 4.4 Norway had been disappointed that a draft management plan for whiting had not been developed by ICES. Chris Darby remarked that there was insufficient information on whiting to establish reference points and to develop a full management plan. It was agreed that the NSRAC would need to monitor developments with respect to whiting very closely. We had submitted a paper prepared by a NSRAC focus group, corresponded several times with the Commission over the high level of whiting discards and had urged that this problem be dealt with. However, the Commission had responded that it was simply setting TACs in accordance with the science. The problem was that the science was far from adequate for North Sea whiting and the management structure too rigid to develop solutions.
- 4.5 On the broader issue of TACs and Quotas for 2011, the ACFA/RACs meeting had been a serious non-event as no figures had come forward. We had not received the Commission's proposals until Thursday last week. Dramatic reductions in many TACs for North Sea species were being proposed at this very late stage, reflecting the Commissioner's determination to follow ICES advice. Chris Darby said that the advice had not changed significantly as a result of the latest scientific surveys, and a new estimate of fishing mortality for cod had not changed the actual forecast.
- 4.6 On whiting, a target F of 0.3 had been suggested by ICES as suitable in the absence of any agreed management plan with Norway. With ICES' previous advice this had led the Commission to seek a reduction in TAC of around 7%. The actual fishing mortality was around 0.33 and that might suggest that the TAC could be increased but to date the Commission had shown no sign of accepting this approach.. Arnold Locker emphasised that there was an opportunity here to increase the whiting quota and to reduce discards. However, the Commission was not prepared to go down this sensible path.
- 4.7 Barrie Deas drew attention to the DG's response to our most recent letter on whiting discards. We had put forward a range of ideas but Lowri Evans had singled out the suggestion that the TAC area for whiting in the North Sea could be split, with separate allocation keys between the new areas. In fact, we had not advocated this. She had also cast doubt on the results of the North Sea Fishers' Survey, which seemed to show increasing trends in abundance in all areas of the North Sea. She had suggested that that the participants in the survey were not a representative cross section of the quota holders in some areas.
- 4.8 It was evident that the DG, or whoever had written her reply for her, had not read our letter carefully. Indeed, their letter set out to answer points which we had not made. The letter failed to answer our criticism that the declining quotas for whiting were resulting in high levels of discarding in areas where whiting were abundant, and that a solution needed to be found to resolve this problem.
- 4.9 Barrie Deas thought that the best way forward was to persuade the EU and Norway to join with the NSRAC in preparing a management plan for North Sea whiting. We

should prepare a short paper outlining our views on whiting, addressing short term issues as well as pointing in the direction we would like to go. We should emphasise that a TAC reduction would simply cause discarding in areas where whiting were abundant – were discards no longer of concern to the Commission? In the meantime we should proceed to develop RAC advice on a management plan for whiting. Niels Wichmann announced that we would be reviewing the priorities for the NSRAC in January and could certainly place this objective high on our list.

4.10 Arnold Locker pointed out that it was not only whiting which were being discarded; turbot, brill and ling were being caught and discarded because there was insufficient quota. Barrie Deas reminded the meeting that under the previous Commissioner reducing discards had been of high priority. There appeared to be a different emphasis from the current Commissioner, who simply wanted to follow the science, regardless of how poor it was or the different options within “science”. The Commission should be asking itself what its current management proposals would do for discards and for fishing mortality. In our response we should emphasise the role that the regulations played in inducing discards, something that is in the Commission’s hands to address. Chris Darby was asked if he could assist by providing figures for the levels of regulatory-induced discards. Michael Andersen was reluctant to include any general statement that discards were increasing. It should be confined to saying that discards would increase compared with last year because of the move to an MSY approach.

4.11 Michael Park mentioned the review drafted by the STECF Working group presented during its meeting held in Cadiz, Spain, on the 11-15 October 2010. Referring to cod in the North Sea and Skagerrak, STECF had said:

- STECF agrees with the ICES assessment of the state of the stock and the advised forecast catch options for 2011.
- In accordance with the long-term management plan, the TAC for 2011 should be 32,240 t (a 20% reduction in TAC compared to 2010)
- The effort and catch information reported by member States to STECF indicates that fishing mortality is likely to have remained stable over the period 2008-2009
- Furthermore, STECF also notes that there is no evidence of a decline in fishing effort for the main fleets exploiting cod since 2008.

4.12 STECF went on to recommend that **fishing effort should be reduced by at least 33 % in 2011 relative to 2010**. It had said that ICES recognises that the assessment for cod this year is considered more uncertain than the assessment conducted in 2009. STECF noted that the uncertainty in the ICES assessment primarily relates to the imprecision and potential bias in the terminal estimates of F and SSB but that such uncertainty has no effect on the measures prescribed by the long-term management plan for 2011.

4.13 It is not certain that the 0.33 figure will receive emphasis by the Commission. The Commission is preparing a non-paper on the effort aspects for cod. Although there is uncertainty about the actual scale of the reductions in effort there is no doubt that effort reduction has taken place. The Commission’s view is that we now have to follow the cod recovery plan.

- 4.14 Barrie Deas stressed that decisions would be taken on these issues in only 4 weeks time. The evidence should have been presented earlier, and it should have been clearer. The reductions in TAC and effort being proposed would have a severe impact, and to implement the current suggestions with no understanding of the implications for fishing fleets would be quite wrong. In these circumstances we should repeat our request to meet the DG to present our views and acquaint the Commission with our concerns about the current position.
- 4.15 Geert Meun said that we were under a lot of pressure with respect to the timescale. Dutch fishers had written to their Minister last week. It would be important to form a coalition, and to send a strong signal to the Commission that they would have to stop these cuts. They will destroy the fleets. We need to send a letter to all the Member States.
- 4.16 Edgars Goldmanis pointed out that none of the Member States had used all the effort available to them last year. Barrie Deas explained that this was because effort was segmented with some underutilisation in some segments and shortage in others. Also, member states and fishing vessel operators had to ration out effort over the whole year to ensure that the fisheries were not closed prematurely because of lack of days at sea.
- 4.17 Barrie Deas concluded that it was regrettable that we were having to do all this fire-fighting rather than dealing with matters like the development of long term management plans.. But what could we do? Niels Wichmann said that these problems varied from area to area. They really required a regional approach. However, we should demand a meeting with the DG and should also encourage the national associations to contact their fisheries ministers. However, we have very little time in which to do this. Our priority must be a meeting with the DG.
- 4.18 With respect to other stocks, STECF agreed with ICES over assessment of the North Sea haddock stock and the advised forecast catch options for 2011. These gave human consumption landings in 2011 of 35,152 t (-5% in TAC relative to 2010).
- 4.19 With respect to sole, STECF notes that since the advice from ICES on North Sea sole was released in June 2010, new information on recruitment has become available from surveys carried out in September 2010. Taking into account the revised recruitment estimates for North Sea sole, STECF notes that in accordance with the multi-annual management plan, landings in 2011 should be 14,100 t (previously 13,600 t). (This figure is calculated on the basis of a 10% reduction of F in 2010, being within the 15% bounds of the management plan TAC change constraints). New surveys had made a difference in this case.
- 4.20 For *Nephrops*, STECF agrees with the ICES assessment of the state of the stock and the advised forecast catch options for 2011. STECF advises that for the Farne Deep *Nephrops* falls under Category 6. Accordingly STECF notes that the rule for this category would imply a TAC in 2011 of 2086 t if managed by a separate TAC. This is based on a 15% reduction on the 2010 partial TAC of 2454 t for this Functional Unit. However, STECF considers that application of that rule to be inappropriate given that this FU is considered to be in poor condition. Therefore STECF propose to replace the resulting value with 1,900 t (the ICES advice). STECF also recommends that the various *Nephrops* FUs are managed separately.

5. Maximum Sustainable Yield

- 5.1 A draft paper had been prepared on MSY with the informal help of scientists. The move towards MSY would require severe quota reductions over many years and it was important that we should understand the concept. The present focus on implementing maximum sustainable yield is based on single stock based fishing mortality rates. However, the different species are caught together in mixed fisheries, and as one species eats another single species targets may not be achieved simultaneously. It had long been recognised by scientists and economists that MSY was a flawed concept. The problem was that it had found its way into international legislation, and some way had to found to conform to that legislation. Some of the concerns of ICES scientists were outlined in the paper. Some studies had shown that single species MSYs are unlikely to be achieved through the simultaneous application of single species F_{msy} rates. The current proposals from ICES, endorsed by the Commission, fail to take account of major fishery and biological interactions, and the values themselves are subject to significant uncertainty. Essentially, even within a single species fishery there is considerable variation in the F relating to MSY. A range of values apply.
- 5.2 The answer suggested in the draft paper was to follow the approach already outlined by the NSRAC. Fisheries should be managed through carefully prepared long term management plans. We saw the process of developing these MPs differently from the approach of the Commission. We had emphasised the need to involve stakeholders in the preparation of MPs to facilitate better governance and greater buy-in from fishers. A regional or local approach was also required. Our vision had always been that LTMPs should be developed for the different fisheries within the North Sea, taking account of the mixed nature of these fisheries. We see sustainable (MSY) fishing rates being agreed that are appropriate for mixed fisheries and for multispecies assemblages with a complex of fleets. To achieve this aim the NSRAC would need to work regionally with scientists to explore the implications of the mixed and multispecies fisheries for maximum sustainable yields in a wider context than the current single stock advice.
- 5.3 The draft paper is interesting and coherent, and it matches the concerns of ICES scientists. Could we adopt this paper and submit it to the Commission as NSRAC advice?
- 5.4 Michael Andersen wondered how we could best use this paper. He would like to see it expanded a little. We do not want to endorse a policy with a single fixed target F , which would have to be adjusted year on year. He would rather see a target range of values. Caroline Gamblin agreed. We should not aim for a fixed value of F . There was some discussion of the importance of the size composition of the catch and F at age and how nets of different mesh size might influence the targets. It was agreed that it would be important to give consideration to these issues in the development of long term management plans that would establish long term targets.
- 5.5 There was general support for the approach outlined in the paper – which essentially followed the ideas set out in the NSRAC workshop on LTMPs. The new paper did not offer a single solution but was proposing that LTMPs would provide the necessary focus. Pim Visser thought that in practical terms we needed to develop this paper further, and for that we would need the help of scientists. This was something we had always found difficult because the EU was reluctant to fund the RACs to obtain scientific advice. The Pelagic RAC had encountered similar problems. Chris Darby thought that we might be able to obtain funding to prepare individual management plans – like the one proposed for whiting.

- 5.6 It was agreed that we would use the paper as a basis for the preparation of further NSRAC advice on the application of a coherent and logical policy on MSY. A draft NSRAC paper providing clarification on some aspects of the approach will be prepared and agreed if possible through written procedure before presentation to the Commission, Member States and the Parliament.

6. Data deficiencies and engagement with fisheries science

- 6.1 The NWWRAC had previously suggested a regional task force to look at data deficiencies and rectify them. The response of the Commission had been lukewarm. We had wanted to engage with ICES on this issue but so far an opportunity had not presented itself. However, at the recent Science Partnership Conference in Ostend Carl O'Brian, the vice-chair of ACOM had confirmed that ICES is reviewing its assessment models. The current models were data hungry but the provision of data is not improving; in fact it is getting worse. The future does not lie in obtaining more and more complicated data, to feed more and more complicated models. That implies a level of precision that we do not have and it suggests that our traditional age-structured models are becoming less useful for management. ICES was now investigating whether it could move to simpler models which required less complicated data and were capable of using data generated by the industry – for example through fisheries science partnerships. Simplified models were already used for deep sea stocks where data were scarce. This approach could also have relevance to the fisheries in the North Sea, Celtic Sea and Irish Sea. If scientists cannot supply the data for sophisticated stock assessment models, then perhaps they needed to refocus on more simple models. That process was already under way within ICES.
- 6.2 This is a significant departure for ICES. It suggests that improving fisheries assessments might be taken forward not just by improving the data but also by simplifying fisheries management models. The management of category 6-9 stocks is relevant here and may provide an indication of the approach to take.
- 6.3 It was agreed that the NSRAC should encourage ICES to go in this new direction. Lack of analytical assessments is currently used by the Commission as an argument for reducing fishing opportunities. Michael Andersen pointed out that the more sophisticated the assessments engaged in by ICES the worse things were. He strongly supported this new approach. It was agreed that we would prepare a letter to the Commission welcoming this approach and pointing out that management needs to adapt too. It was no good for the Commissioner to say that the Commission was following the science if that science was recognised by scientists themselves as being inadequate. We should also point to wide range of innovative science being carried out by the fisheries science partnership projects now undertaken across the EU.

7. Catch Quotas

- 7.1 The implications of the latest catch quota projects for the EU/Norway negotiations were significant. At present it appeared that an additional 5% of quota might be available to provide an incentive to those contemplating engagement in such projects. The NSRAC had taken a consistent view on catch quota initiatives. They had to be voluntary; required incentives; should be clearly documented; and should lead to discard reduction. Successful catch quota projects provided justification for the removal of effort controls and other restrictions. They were not appropriate for every

fishery, but were a promising development that ought to be taken further where appropriate.

- 7.2 Fisheries Ministers from the UK, Norway and Denmark had met in Aberdeen on the 1st October and called for fundamental changes to fisheries management, including measures taken to reduce discards¹.
- 7.3 A great deal now rested on the EU/Norway negotiations. The 5% incentive figure was presented in brackets and though the approach would not work without provision of adequate incentives, the actual figure was less important than the acceptance by Norway of the principle of catch quotas. The initiative is currently limited to cod, but there is no reason why it should not be extended to other appropriate fisheries on a voluntary basis. STECF had now been asked to evaluate the existing initiatives. Pim Visser raised a technical question on the reference point for the quota increase. Michael Park replied that in Scotland it was based on the average for that vessel over two previous years. However, this was not set in stone. It was for the Member State to decide. Derk Jan Berends asked whether catch quotas could be used in a mixed fishery. Michael Park saw it as an innovative approach to managing all fisheries. However, the approach still did not have strong support from the industry. Seventy percent of Scottish fishers still regarded it with scepticism. Evidence was needed to convince fishers of its merits. The meeting agreed that we could not take discussions on this issue much further until we saw the outcome of the EU/Norway discussions. Our earlier conclusions on catch quotas – that they offered an option for exploration on a voluntary basis but were not appropriate in all circumstances – still applied.

8. Real Time Closures

- 8.1 A focus group had met in Aberdeen on the 21st October to discuss Real Time Closures (RTCs). A report of that meeting had been produced by the rapporteur. The group had arisen from discussions at the last Demersal Working Group, held in Brussels. It had become evident that there was confusion over the establishment of Real Time Closures (RTCs). There were closures under European regulations in accordance with the EU/Norway agreement; and closures by Member States and parts of Member States. Some closures were binding on vessels from all Member States. Others were binding only upon the vessels of the Member States establishing the closure. Some RTCs were established to protect juveniles. Others were intended to protect mature cod. In general, the NSRAC had recognised that RTCs could play a role in some circumstances. They were one of many tools in the management tool box.
- 8.2 A number of problems had emerged, especially in relation to the establishment of RTCs by single Member States, which did not always respect responsibilities to vessels from other Member States. There were also problems arising from the fact that vessels which did not catch cod were expected to observe RTCs which had been

¹ The joint Declaration presented to European Fisheries Commissioner Maria Damanaki stated that:

- Member states should take all possible steps to account for and manage catches by their fishing fleets - without the discarding of dead fish back in to the sea
- The 'catch less land more' trials by Scotland and others can reduce discards and increase revenue, while encouraging more sustainable fishing
- Effective fisheries management in the North Sea should be results-based, with states determining how to achieve shared objectives, in coordination with each other
- New models needed to be developed for regionalised fisheries management, rather than a one-size-fits-all approach.

set by catches from vessels which did catch cod. There was scope for wider derogation.

- 8.3 We now faced the problem that Norway was pressing for draconian RTC measures based on their practice in the Barents Sea – where fisheries do not have the same mixed characteristics and diversity as the North Sea fisheries. Norway wanted to change to a trigger level based on numbers of fish, rather than weight. They wanted the sample size to be reduced to 100 kg and the size of the area increased to 1,000 nm². This was a very extreme position. The Commission had indicated a willingness to accept larger size areas, and lowering the size of the catch on which the closure was based. Fishers could probably live with these changes.
- 8.4 It had emerged during the focus group that RTCs had encouraged fishers to adopt cod avoidance measures and to stay well away from areas which had been closed.
- 8.5 Could we now take the report of the focus group and turn it into advice to the Commission? There was to be an ICES WG on RTCs next year, and we should participate in that. However, there were wider governance issues which ICES would be unable to consider. We needed to raise a number of legitimacy issues with the Commission directly. Some vessels which did not catch cod were seeking derogations from the RTCs. It was pointed out that as the EU and Norway are currently discussing such issues we should send our advice to them quickly.
- 8.6 Peter Breckling thought that the paper did not properly represent the written views he had sent to the NSRAC. The major problem for German fishermen was the fact that a single haul with any demersal trawl could cause a closure for the whole demersal fishery in an area. That means in reality that one single haul with a demersal gear of 70 (or 90)mm with too many undersized fish had the potential to cause a closure of that area for 120 mm gears, which caught no undersized fish. That did not make sense. We had to take into account the selectivity of the demersal gears. Peter favoured benefits being awarded to fishermen using larger mesh sizes (120 or 130 mm) by allowing them to continue to fish in closed areas. This was especially important for the saithe fisheries. The rapporteur replied that Peter's views had been taken into account in the final version of the paper, but that version had not yet been placed on the website.
- 8.7 It was agreed that the RTC report should be simplified and converted into a position paper for sending to the Commission. It would need to be turned around quickly and the rapporteur agreed to have a draft ready for circulation and comment early in the new year.

9. Cod Recovery

- 9.1 The NSRAC had received a reply from the DG to its letter on cod recovery. She had recognised that there was uncertainty over the cod assessments. However, she had commented that this uncertainty should not be used as an excuse for inaction. She had repeated the point that there was a good correlation between fishing effort and fishing mortality on the cod stock. We had pointed out in our letter that this does not provide evidence of a causal link. We had also stressed the important role which had been played by capacity reduction, through the decommissioning of vessels, to the reduction in fishing mortality.

- 9.2 Arnold Locker drew attention to the paper submitted to the Demersal WG by Fred Normandale. This documented and highlighted the scale of the fleet reductions on the east coast of England over the last 20 years. Barrie Deas emphasised that the reduction in fleet capacity had preceded the reduction in fishing mortality. The effort regime had commenced in 2003 but the reduction in F had preceded that. He had produced a paper on cause or effect in effort control and this would now be circulated.

10. Long Term Management Plans

- 10.1 Michael Park described progress with the preparation of a LTMP for Nephrops. A draft plan had been produced from discussions with stakeholders. That had now been taken round the ports and subjected to comment by fishers. A meeting was being held with fishers in the Netherlands on Saturday December 4th and Michael Andersen would provide feedback reflecting the views of Danish fishers.
- 10.2 We now had to sit down and consider all the varied views which had been put forward and consolidate these into a LTMP which fishers could agree to. We should begin by setting out a programme for next year. We should prepare the new draft, perhaps by march, and then take it around the ports again. Further comment could then be incorporated into the plan. At some stage we would need to take the plan to STECF for evaluation. This was probably best done before it was presented to the Commission as the completed plan. It would then have to be translated into policy with the benefit of having the support of the fleet.
- 10.3 At the ExCom we had agreed that the Chair should write to the DG asking the Commission not to take action on Nephrops, especially in relation to management of the Functional Units, before our LTMP had been completed and submitted.
- 10.4 The rapporteur was asked to set out a timetable or programme for completion of the *Nephrops* plan. It was pointed out that there might be delays if the new draft had to be taken around all the ports again. That was a long process. It was suggested as an alternative that we should hold a single meeting at a central location at which the plan would be presented and the views of all interested parties sought. Louise Cunningham offered assistance in holding this meeting in Edinburgh.
- 10.5 For flatfish, a management plan was in existence and had recently been evaluated by STECF. The plan is precautionary and would be used in negotiation the position for North Sea plaice at the EU/Norway talks. There were a number of problems still to be resolved.
- 10.6 We had not made much progress in developing LTMPs for other demersal stocks. It had been suggested earlier that we should now look at the preparation of an MP for whiting. Could we work with scientists and come up with an appropriate plan which would resolve the problems with this species? As a starting point we could appoint a chair to take this initiative forward. After discussion it was agreed that Michael Park would chair the LTMP development group for whiting. Participation would be voluntary and those wishing to take part should submit their names to the Secretariat for a meeting early in the New Year.

11. Discards

11.1 Discards were a central issue for the Common Fisheries Policy. Barrie Deas said he had hoped to have a presentation from Andy Revill today but that will have to be postponed to the next meeting when we could focus on this issue. There will be major media focus on discards in January. It was an interesting question whether fully documented catches through catch quota schemes were going to replace the more theoretical idea of a discard ban – where we would not know how many discards had been created.

12. Any other business

12.1 Peter Breckling pointed out that recent changes within DG MARE had major implications for the NSRAC. We no longer have dialogue with the Commission. We are engaging in parallel monologues. There had been insufficient discussion this year of TAC and Quota proposals before the final proposals had emerged from the Commission. The Commission was drawing into itself to avoid confrontation with fishers. There had been discussions yesterday on the role that stakeholders can play. However, unless we have real cooperation from the Commission we would not make any progress. If, as the Commissioner has said, they are going to base all their decisions on science, then they did not need to consult stakeholders and did not need the RACs. Very important views expressed by fishers are currently being ignored. The Commission is issuing press released exaggerating the numbers of stocks which are over-fished. We now have to decide how we are going to deal with this problem of a change of culture within DG MARE.

12.2 Pim Visser agreed that relations with DG MARE had deteriorated and were currently very disappointing. The DG had said yesterday that she was impressed by the functioning of the RACs. However, momentum has now been lost. The NSRAC has been badly affected by interference with its administration, and in the meantime the Commission has been failing to deal with the important policy issues we have raised. He thought that this matter should be taken up by the ExCom however. It could not be handled by the Demersal WG.

12.3 Barrie Deas said that this dissatisfaction appeared to be the general view of the WG. The emphasis placed by the Commission on improving governance, transparency and consultation had started well; but it had now suddenly evaporated under the new Commissioner. The previous DG had failed to engage with the RACs and had not encouraged consultation and collaboration and there were signs that this pattern was being repeated. The current regime had lost something. What we could do as the Demersal WG would be to pass on our concerns about the direction of travel. We should write a letter expressing our anxieties and forward this to the ExCom for further discussion.

12.4 Niels Wichmann emphasised the broadness of this problem. Consultation was a problem for a number of groups, including ACFA. There was a need to address this issue before the CFP was reformed. He thought it might be a capacity issue; that the Commission is unable to cope with the work generated by the RACs. The answer to that problem is to provide regional groupings to promote consultation. There was also a question of the culture currently prevailing within DG MARE.

12.5 Peter Breckling concluded that we had a major problem which we would have to deal with. At a time when we were heading towards CFP reform it was important for the omission to receive feedback from the interested parties before ideas became fixed.

- 12.6 There was particular concern over the Commission's wish to follow ICES advice, when ICES itself was uncertain of its advice. We had to focus on that and communicate better with scientists. We could not afford to pay for scientific advice and we would have to get it through cooperation.
- 12.7 It was agreed that a letter should be drafted for the ExCom. However, in the meantime we could sound out the other RACs and see if they have the same perspective on this. There is a planning meeting for all the RACs on the 2nd December and Niels would take our draft letter to that meeting.
- 12.8 Niels Wichmann brought participants up-to-date over discussions with the Commission over the new Secretariat. The Commission was not happy with the proposed arrangements and has asked the Secretariat to submit to a public tender process which DG MARE could then respond to. It would then be for Aberdeenshire Council and the NSRAC to agree the details. Under this new arrangement the NSRAC and Aberdeenshire would decide how to fill the post of rapporteur, and how to handle remuneration for the various chairs. Under the new arrangements the NSRAC should insist that there be a single person within the Council to deal with the work of the NSRAC and another person to deal with expenses claims etc. We were also looking into the possibility of choosing a single central meeting place. Louise Cunningham volunteered Edinburgh for that purpose. The meeting then closed.

13. Action Points

<p>1. The WG will ask the ExCom to write to the Commission and to Norway welcoming the greater transparency this year in relation to the EU/Norway negotiations. We should invite them to take this process still further (4.3).</p>	<p>Secretariat ExCom</p>
<p>2. A short paper will be prepared for the Commission and Norway setting out the NSRAC views on whiting. It will emphasise that TAC reductions simply cause discarding in areas where whiting are abundant. It will emphasise the role that the regulations played in inducing discards for whiting and other species. It will point to the need for a management plan for whiting and seek cooperation in the preparation of such a plan (4.9; 4.10).</p>	<p>Rapporteur ExCom</p>
<p>3. The priorities for the NSRAC are being reviewed in January. The preparation of a management plan for whiting will be placed high on the list (4.9)</p>	<p>Directors</p>
<p>4. The NSRAC will write to the DG repeating its request to meet her to present our concerns about the current unsatisfactory position with respect to consultation on TACs and Quotas (4.14). The letter will be copied to Member States (4.15). It will raise the NSRAC's great concern over the new culture which had developed within DG MARE. The Chair will sound out the other RACs at the planning meeting on 2nd December to see if they have</p>	<p>Secretariat Niels Wichmann</p>

the same perspective on this (12.7).	
5. The NSRAC will consult further on the draft paper on MSY before submitting it to the Commission as NSRAC advice (5.6)	ExCom
6. The NSRAC will prepare a letter to the Commission welcoming the new approach by ICES towards the assessment of stocks using simpler models and pointing out that management needs to change too. The letter will point to wide range of innovative science being carried out by the fisheries science partnership projects now undertaken across the EU. It will also draw attention to the statement by Fisheries Ministers from the UK, Norway and Denmark calling for fundamental changes to fisheries management (6.3).	Rapporteur ExCom
7. The report of the RTC focus group will be simplified and converted into a position paper for sending to the Commission. It will need to be re-circulated quickly (8.7)	Rapporteur Members
8. A draft paper, drawing attention to the reduction in fleet capacity that had preceded the reduction in fishing mortality, will be circulated for comment (9.2).	Barrie Deas Members
9. A timetable/programme will be set out for completion of the <i>Nephrops</i> LTMP. A meeting will be held at a central location at which the plan will be presented and the views of all interested parties sought. A possible venue is Edinburgh (10.6).	Rapporteur Secretariat
10. Michael Park will chair an LTMP development group for whiting. Participation will be voluntary and those wishing to take part should submit their names to the Secretariat for a meeting early in the New Year (10.6).	Michael Park Secretariat

14. In Attendance

Chris Darby
Arianna Brogadia
Derk Jan Berends
Caroline Gamblin
Eamon Mangan
Leslie Tait
Pim Visser
Antoine le Garrec
Paula den Hartog
Bruno Dachicourt

Michael Andersen
Svend-Erik Andersen
Louise Cunningham
Mike Park
Edgar Goldmanis
Louize Hill
Robert Stevenson
Peter Breckling
Arnold Locker
Niels Wichmann
Peter Olson
Geert Meun