



**ExCom Meeting  
CNPNEM Paris  
27<sup>th</sup> June 2011**

**Rapporteur: Tony Hawkins**

**Revised 8<sup>th</sup> August**

## **1. Introduction and apologies**

- 1.1 Niels Wichmann welcomed participants to the meeting, which was being held at CNPNEM Headquarters through the kindness of Pierre-George Dachicourt. The agenda was adopted. Apologies had been received from Arianna Broggiato and Giles Bartlett.
  
- 1.2 The rapporteur summarised the action points from the previous meeting in March, which had been a very busy one. The Chair, Vice-Chairs and WG Chairs had not yet met to prioritise the NSRAC Work Plan but this was in hand. A new Calendar of Meetings had not yet been placed on the NSRAC website but the information was listed under meetings. Lack of contact between the NSRAC and Parliament had been identified as a problem and the Chairman had written to the Fisheries Committee, but a reply had not yet been received. We had publicised initiatives taken by fishers to reduce discards by preparing a report. Material had been forwarded to the Secretariat by a majority of members and the report added as an annexe to a new position paper on discards. The Rapporteur had drafted the position paper and Kenn Skau Fischer had then included additional comments from members. The paper was sent off following a deadline for comment of the 10<sup>th</sup> June. Members had been reminded to ask their administrations to provide information on the whiting fisheries for the next meeting of the Whiting Development Group. However, nothing had yet been received (although Caroline Gamblin pointed out that France had prepared material). The lack of information was holding up progress in preparing whiting management plan – which now had some urgency. A position paper relating to the review of the Cod Recovery Plan had been prepared, commented upon by members, and submitted to the STECF/ICES meeting that had taken place in Hamburg last week. The paper would appear as an annexe to the STECF/ICES review. Pim Visser would report later today on the formation of a Brown Shrimp Focus Group. A Position Paper setting out the NSRAC position on Maximum Sustainable Yield had been sent earlier to the Commission, Member States, ICES and members of the Fisheries Committee and a reply had been received which would be discussed later. A Position Paper on Real Time Closures had been sent earlier to the Commission, Member States, ICES, members of the Fisheries Committee and to Norway and a reply had been received

from the Commission. As the reply had not been very encouraging an additional letter had been sent to the Commission on this subject at the end of May. A letter had also been sent to the Commission following the Director General's earlier letter on whiting and a reply had been received which we would discuss later. A letter had been sent to the Commission on increased transparency in EU/Norway negotiations and a reply had been received which would be discussed later. A letter had been sent to the Commission stressing that the fishing industry is strongly against the setting of individual Total Allowable Catches (TACs) for *Nephrops* Functional Units in the North Sea Zone, and attaching our LTMP for *Nephrops* as work in progress. A holding reply had been received. NSRAC representatives had met with ICES and representatives of the NWWRAC on March 31st to set up Task Forces to identify data deficiencies. Considerable progress was being made on this initiative. The NSRAC had agreed to participate in the MYFISH project on the future of MSY, which had now been successful in obtaining funding. Resources had been included to allow NSRAC to liaise with the project. The NSRAC had also agreed to participate in a project aimed at developing a sustainable fishing plan for the Farne Deeps *Nephrops* fishery. A planning meeting would be held later this week to take the project forward. Funding will be available for fishers to attend meetings. Financial matters and other administrative matters would be discussed later at this meeting.

## **2 Presentation from the Commission**

- 2.1 Kenneth Patterson explained that he could not reveal detailed information on the reform of the Common Fisheries Policy as the Commission's plans were still under discussion. The proposals would be published on July 13<sup>th</sup>. The intention was to introduce measures for the transfer of quotas and fishing rights, which would reduce fishing capacity and reduce discards. More responsibility would be devolved to Member States. The obligation to introduce Maximum Sustainable Yield (MSY) would be implemented. New arrangements for agreements with Third Party States would be proposed. A new European Fisheries Fund would be announced at the end of November. Revision of technical measures would not take place until after the CFP reforms had been introduced.
- 2.2 On MSY, Kenneth was asked whether the MSY commitment related to B-MSY or F-MSY. He replied that B-MSY was the political objective but that objective would be achieved through F-MSY. In terms of strengthening the role of stakeholders, the RACs would be retained and their role enhanced. There was also intention to revise the common market arrangements and strengthen the Producer Organisations. It emerged during discussion that there would not be a scoping paper on technical measures going out to consultation this autumn.
- 2.3 Kenneth Patterson gave a presentation on the current consultation on Fishing Opportunities. The Commission is consulting the sector, the public, and Member States on methods for setting TACs. This is the sixth consultation of its kind. It showed the Commission's commitment to openness about working methods and objectives and the Commission's fairness in applying the same methods to all fishing sectors and all Member States. There was an urgent need to move to MSY and to

solve the problem of poor data. Working methods should be simplified. The Commission intended to follow scientific advice to achieve MSY. This would help to reduce discards. Other measures to reduce discards were to be brought in later. The resultant reduction in fishing intensity would reduce impacts on the marine environment, lower fuel costs and CO<sub>2</sub> emissions by the fleets, and allow stocks to rebuild so that yields could increase. Fisheries would become more profitable – many fleets are now fishing at a loss. Where data submitted by Member States were inadequate, this needed to be urgently redressed. In the meantime, quotas needed to be reduced until sustainable fishing levels were known. Links to a ‘traffic light’ system indicating stock status were to be provided. There would be an earlier presentation of proposals for exclusive EU stocks. Proposals for stocks shared with Norway and other coastal states would be dealt with separately.

- 2.4 More stocks were now being fished with sustainable yields. There are also fewer stocks for which scientists advise there should be no catch. The percentage of stocks outside safe biological limits was falling slowly but many stocks are still outside safe limits. Unfortunately, monitoring of stocks by Member States was not good and was not improving. More scientific advice was now being obtained for the Mediterranean and that would need to go further. In terms of economic analysis 30% to 40% of the EU fishing fleet had negative long-term profitability : their income is not enough to cover all their expenses. Some 10% to 20% of the EU fishing fleets had negative cash-flow: their income was not enough to cover short-term operational costs such as fuel and labour. In general Member States were not supplying sufficient data on the economics of their fleets. More also had to be done to meet international commitments. At the UN World Summit on Sustainable Development, at Johannesburg, in 2002, Member States had agreed to rebuild stocks to MSY levels by 2015. The Commission had now decided that we needed urgent action to reach that target from 2012. ICES and STECF were advising the Commission on how to reach MSY fishing conditions (through the ICES MSY Framework).
- 2.5 The Commission’s working method would be to implement all long-term and specific international agreements as based on scientific advice. They would use ICES and STECF advice when proposing TAC levels where data were adequate. The advantages of moving to MSY in 2012 were being considered. Where data were not adequate Member States should improve the information available. TACs should be reduced by 25% while information is being obtained on sustainable levels of fishing. Scientific agencies should work on estimating sustainable exploitation rates. New working methods for data-poor situations must be developed.
- 2.6 The Commission has launched a public consultation procedure that will remain open until 20 July. The stakeholders are being consulted through the RACs and the Advisory Committee for Fisheries and Aquaculture. Member States will be consulted at the Agriculture and Fisheries Council on 28th June. The Commission will receive scientific advice beginning in June and will prepare TAC proposals beginning in September. There will be a meeting to discuss the science in September.
- 2.7 Anyone may comment on these proposals, which represent a new policy direction. The mailbox for comment is:

- 2.7 Niels Wichmann thought that we would need to produce a written response from the NSRAC to the Commission. In general the proposals were very negative. Participants then commented on the proposals. Issues that were raised included:

Was it the case that every stock not being fished at MSY levels would now have its TAC reduced by 25%? Or did this just apply to stocks without analytical assessments? Is it 25% per year? Had the Commission re-defined 'overfishing'? Kenneth Patterson replied that the Commission was not changing its definition. It will be the same definition that ICES set out when it first provided advice on MSY: overfishing means that the current estimate of fishing mortality rate is higher than the MSY fishing mortality rate. The 25% reduction in TACs is for stocks for which the data are poor; for where there are no data on their state. The 25% cut will be implemented each year for as long as there are no data. It is of great concern that we have continued to manage some stocks with inadequate data, including a lack of data on landings. We have to reduce the exploitation level for such stocks.

Would forced reductions in fishing intensity really reduce discards, and what is fishing 'intensity'? Surely reducing TACs for some of the species caught in mixed fisheries would simply increase discarding? Shouldn't decisions for by-catch stocks be taken fishery by fishery? Kenneth replied that reducing intensity would be achieved by reducing fishing mortality. The point that reducing TACs caused discarding was often raised, but contrary arguments have also been put. With reduced TACs Member States can target fisheries to reduce discards.

We need a clear answer on how species like turbot and brill will be treated. They are caught in the mixed fisheries and they fetch a high price. They are in a healthy state, but their TACs have been set too low because scientific data on them are poor. As a result expensive fish are being discarded. Kenneth pointed out that the Netherlands had previously argued, when TACs for the plaice fishery were low, that these species were caught in a targeted fishery. The argument now was that they were caught in mixed fisheries. Better scientific data were required for these species.

For 5 years we had determined TACs for 11 categories of stocks. It will do harm to abandon some of those categories. Have they now disappeared? Yes.

Where there are poor data for non-quota species like gurnards if an impact assessment suggests that they are in a poor state will there be legislative measures to enable something to be done? Kenneth replied that existing technical measures exist to allow action to be taken.

Why has the Commission itself done nothing to improve data provision? The NSRAC and the NWWRAC had taken up the issue of poor data provision with ICES and were making progress. The NSRAC had carried out its own stock surveys with input from fishermen. Scientists often had the data but lacked the resources to analyse the data. We should emphasise that the RACs were doing all they could to improve the stock assessments – without significant support from the Commission. Kenneth shared the concern of NSRAC members over the poor quality of the scientific advice. He wondered whether the advice was getting poorer or whether it was simply becoming

more realistic. Scientists might now be admitting to uncertainties. The Commission had tried to improve data collection but the resources for this came from Member States. The Commission will target Member States that are not providing data. The Commission had also tried to start a discussion on how to manage stocks for which data provision was poor but did not get a positive response to its suggestions.

Isn't it grossly unfair to penalise fishermen by reducing their fishing opportunities when it is Member States and their scientific institutes that are responsible for the lack of data and analytical assessments for some stocks? Surely the cat is being punished for crimes committed by the dog! Kenneth replied that it is in the interests of Member States to work with fishers to support their national industries by providing better scientific data. The Commission does not like to interfere in these arrangements

How will it be possible to reach MSY by 2012 within the current framework? Significant changes will be necessary to achieve this new target. Shouldn't ICES scientists have been informed, before they produced their advice, that the criteria were to be changed? A number of scientists are unhappy with this new position. Kenneth replied that the Commission was not able to 'leak' its proposals in advance to scientists. Scientists would now be able to send in their comments.

These changes smack of shock therapy by the Commission. Member States and fishers are not being permitted to move slowly towards the MSY target. Kenneth emphasised that these were not shock tactics. Progress had been very slow and it was therefore time for a new approach.

How will the Commission weight contributions from the wider public, which can be very volatile and uninformed? Kenneth thought that the Commission would make its own judgements of the comments received. Consultation has only just opened and the Commission has not yet been deluged with outrageous comments.

Would there be a meeting with fishers in September to discuss the TAC allocations? There are no plans for this at the moment.

- 2.8 Niels Wichmann thanked Kenneth Patterson for his presentation. He emphasised the need for members to send their comments on these proposals to the Secretariat as soon as possible and no later than the 5<sup>th</sup> July, so that a collective response could be prepared by the 8<sup>th</sup> and circulated to members for further comment. The final response will have to be submitted by the 20<sup>th</sup> July. Of course members would also wish to make their own submissions.

### **3. Reports from Working Groups**

#### **3.1 Skagerrak and Kattegat WG**

- 3.1.1 Kenn Skau Fischer reported that the WG had met on the 7th April. The meeting had considered Cod avoidance in the Kattegat; plaice in the Skagerrak; *Nephrops* in the Skagerrak and Kattegat; and Natura 2000 issues. On the first of these there had been consideration of whether the cod stock in the Skagerrak is separate from that in

the North Sea. On *Nephrops*, the WG had decided that additional consideration should be given in the NSRAC Long Term Management Plan to special circumstances in the Skagerrak and Kattegat.

- 3.1.2 The WG will meet again on Friday of this week. One new item is the introduction of a new fishing regime in the Skagerrak and Kattegat as a result of negotiations between Norway, Sweden and Denmark. Meetings were taking place later this year to discuss technical measures and access to different waters. A discard ban will probably be introduced.

## 3.2 Spatial Planning WG

- 3.2.1 Much has happened in recent months. Three Natura 2000 sites are planned for the Dogger Bank by the UK, Netherlands and Germany. There are also proposals from Forewind for a very large wind farm development on the northern half of the UK sector of the bank, and oil and gas exploration licenses have been issued for the southern half. A FIMPAS 3 workshop in January had looked at a coherent strategy for managing fishing across all three N2000 areas and preparatory steps had been taken in developing this. A FIMPAS 4 workshop is planned for September. The NSRAC had been asked to develop a management plan (zoning proposal) for the fisheries in these conjoined areas.

- 3.2.2 In parallel, with a view to proposing its Dogger Bank SAC to the Commission in mid-2011, the UK (Defra) had asked ICES for scientific advice on fisheries issues on the UK sector of the Dogger Bank, with a focus on:

Gathering information on ecology-fisheries interaction

Gathering information on fishing activities

Best available science

Advice on management options in conformity with EC guidance

Advice on displacement

Basis for UK management proposals to be made coherent with NL and GER approach

- 3.2.3 In March the Brussels meeting of the SPWG had agreed a course of action for the NSRAC. A series of questions would be drawn up to put to an Inter-Governmental meeting (Copenhagen, May 16) of the Member States concerned, including Denmark. A second SPWG meeting had been held in London in May, with Forewind the developers of the wind farm site, to learn more about that development. It had been agreed that the NSRAC would accept the task set it by FIMPA to try and put a fisheries management plan forward for the N2000 areas, and we had enlisted the help of the MASPNOSE project to facilitate this process. Since then a Focus Group had met and it had finalised the list of questions for the Intergovernmental meeting. It had also agreed the future tasks and timelines for the preparation of the

management plan. A MASPNOSE-led workshop was then held at Schiphol to agree the format and outline of a management plan for fisheries within the N2000 areas. A second 'map-table' workshop will be held in August 30-31 to finalise the proposals for a fisheries management plan. Then FIMPAS 4 will take place in Dublin on Sep 26. By November/December it is intended that joint proposals will be submitted to the Commission from the Netherlands, UK, Germany on fishery management measures to be taken under CFP for the combined Natura 2000 area. We would like to influence that process and the Commission has signalled that a fisheries management from NSRAC with its consensus be a persuasive submission.

- 3.2.4 However, there has been no feedback from the Intergovernmental Meeting. In addition, communication from FIMPAS has gone quiet. It is not clear how the NSRAC and FIMPAS processes will be aligned. We are looking for agreement on a management plan that will be acceptable to Member States. The development of that plan will be a severe test of our ability to reach consensus but we have begun the dialogue and there is goodwill from most parties to achieve that consensus.
- 3.2.5 Peter Breckling was not sure that his members would be happy with the outline plan or willing to participate in this process. He would like to go back to them to seek their views if he is to engage in a dialogue. Euan urged Peter to participate. If we could not agree on the outline for the plan how could we hope to agree the management measures? So far there had been constructive discussion between the UK, Netherlands and Denmark in the Focus group but German input had been missing.
- 3.2.6 Ken Patterson clarified the procedures. In December a joint proposal for managing fisheries on the Dogger Bank Natura 2000 sites is to be submitted under the CFP. However, currently the Lisbon Treaty requires lengthy consultation and discussion on fisheries management measures proposed by Member States under Natura 2000. It is hoped that CFP Reform will introduce provisions for fast-tracking such proposals.
- 3.2.7 Bruno Hoffstadt outlined the state of play of the German N2000 proposals in their EEZ. Germany had designated 10 sites in 2004, 4 of them in the North Sea. Now, scientific proposals had come forward for managing the fisheries in N2000 sites and these were out for consultation. On 13<sup>th</sup> July there will be a national stakeholder conference to consider the proposals. Then on 13<sup>th</sup> October there will be an International stakeholder conference and Germany would invite the relevant RACs and representatives of the fishing industries. The Dogger Bank is one of the North Sea sites and the conservation objectives were aimed at conserving sandbanks and harbour porpoises. Currently, to protect the sandbanks the proposal is that 50% of the area should be subject to experimental closure to all bottom trawling gears. To protect porpoises there were two alternatives: year-round exclusion of gill nets from the area, or all gill nets to carry pingers year-round. All this is summed up in a paper that is already published in German and will soon be posted in English. Germany wishes to coordinate with the other States declaring N2000 areas on the Dogger Bank and is a member of the International Steering Group. However, political agreement has yet to be reached at a national level and will not take place until after the consultation currently in progress.

- 3.2.8 Peter Breckling said there were errors in the current German proposals. He was not convinced that there was a need for hurry in developing a management plan. Pim Visser was disappointed in the message coming from the German Government. All of a sudden we get blunt proposals coming forward at a time when we are seeking consensus. We have to find common ground and the NSRAC is the best forum to achieve that. Bruno emphasised that the current proposals were not those of the German Government. They were proposals produced by scientists that had been put out to consultation. It is possible that these proposals will not go forward in the way they are drafted as they stand also for consideration under the CFP. He liked the word 'incentive'. All participants were invited to put forward their own proposals, and an international stakeholder forum had been set up to handle this.
- 3.2.9 Euan expressed his concern. FIMPAS had set out to be an integrated process involving the NSRAC. The Commission has said that the NSRAC would have to be consulted and that if it could reach a consensus on a management plan then it would be difficult for the Commission to reject it. However, it was no becoming less clear what support or interest there was from Member States in recognising and coordinating with the initiative FIMPAS conferred on the NSRAC to come up with a trans-boundary fisheries management plan. Our work may be wasted if this integration is not forthcoming. The danger is that each Member State will adopt its own plan.
- 3.2.10 Niels Wichmann thanked Euan for the immense amount of work he had put into the work of the Spatial Planning Working Group. The work had shown that the NSRAC took these matters seriously. We would be discussing the outline management plan later in the meeting.

### **3.3 Demersal WG**

- 3.3.1 The WG had met on the 5<sup>th</sup> May, with most of the issues revolving around position papers. A report had been received from TNO, an independent Dutch standards institute, on the performance of the Omega gauge for measuring mesh dimensions. The gauge is accurate and fit for purpose but because the material being measured is a flexible textile there is variation in the measurement depending on the procedure followed. Paula den Hartog had produced a position paper for approval by the ExCom.
- 3.3.2 STECF with ICES was reviewing the cod management plan. We had agreed a paper by written procedure and had submitted it to STECF. We were also hoping to capture a snapshot of different fishers' views on the plan and present these to STECF. A position paper had also been prepared on discards. Comments had been received and that had now been submitted to the Commission with a review of measures already taken in different member States. On data deficiency problems, the NSRAC and the NWWRAC had met with ICES to identify the stocks to be addressed, the deficiency problems, who is responsible, and how the deficiencies might be addressed. This initiative was important in view of the presentation made by Kenneth Patterson and we would need to maintain the momentum.

- 3.3.3 On Real Time Closures we had written again to the Commission emphasising the need to get the balance right between Member States declaring closures and fishers then observing them.

## **4. Reports from Focus Groups**

### **4.1 Cod Recovery**

4.1.1 A meeting had taken place last week in Hamburg with STECF and ICES to discuss the retrospective review of the cod management plan. Barrie Deas, Caroline Gamblin and Michael Park had attended for the NSRAC. Both the NWWRAC and the NSRAC had submitted papers and these would be incorporated into the final report. There was a difference in emphasis between the 2 RACs. In our view, the plan had not delivered a reduction in fishing mortality on cod. We had focused on design flaws within the plan. Reductions in the number of days at sea had depended on when Member States had carried out their decommissioning plans. A relationship had been assumed between effort and fishing mortality. Broad measures had been applied across varied fleets and very few vessels had actually had to constrain their effort and those that were constrained were not necessarily catching cod. The restrictions in both TACs and effort had not taken account of biological realities. The discussions with STECF had been very constructive. It was acknowledged that any reductions in F had taken place before the effort regime had been put in place. Tighter landing controls and decommissioning had been the most effective measures. Articles 11 and 13 of the recovery plan had been intended to develop better incentives for avoiding cod but had not been effective. The STECF report will now be finalised and sent to the STECF plenary and then to the Commission. It is a backward looking review and its main impact may be to show that the Commission's plan has not been effective. We may have a role to play in terms of developing future plans.

4.1.2 There were several comments on the paper which had been submitted to STECF. Peter Breckling noted that fishers had predicted the impact of some of the cod recovery measures; they were not 'unforeseen'. Ate Oostra thought that the paper could have been improved by removal of some of the comments about the Commission's attitude to discards. Barrie Deas pointed out that there had been full discussion of the paper before it had been submitted and a clear deadline had been set for receipt of written comments.

### **4.2 Whiting LTMP Development Group**

4.2.1 Michael Park pointed out that we had identified a lack of information on the whiting fisheries in different Member States as a problem in developing a management plan for whiting. We had asked for that information but it had not been received (except as Caroline Gamblin pointed out for France, which had compiled the information and was ready to present it). He thought that members should now write to their Member States asking for that information to be provided. Or, through Kenneth Patterson, it might be provided by STECF. Isabelle Viallon asked for more details on what was to

be provided. Michael Park said that the main requirement was for data from the different national fisheries in the North Sea. Much of this would be in the STECF database but we would need to seek from each Member State a breakdown of landings, catches and discards by gear type. We would also need information on the economic importance of whiting in the different fisheries, and information on the mix of species in the catch. We also needed information on effort by gear type. It would also be useful to match fishing opportunities (in terms of quotas) to landings and discards. Where is there mismatch between the two? In addition it might be useful to look at international quota swaps and PO swaps across countries. Martin Brebner will now resubmit a request to Member States for the information. Members of the ExCom from the key Member States were asked to do what they could to obtain the data from their officials.

4.2.2 The rapporteur reminded the ExCom that a whiting management plan was being developed by the EU and Norway. The most recent letter from the Commission on whiting had said that it would like to consider representations from the NSRAC on a management plan for whiting after it receives ICES advice on this subject in July, but before it engages with Norway in September. This is important, as it is likely that a plan will emerge from the EU/Norway discussions and this may be our only chance to comment. If we are to prepare our views on a management plan for whiting then we need to move quickly. Barrie Deas said that there was now a free meeting date on the 21<sup>st</sup> July in Amsterdam. We should produce a list of the key people in Member State institutes and invite them to supply information on the whiting fisheries to that meeting.

### **4.3 Nephrops LTMP Development Group**

4.3.1 The developing LTMP for Nephrops had been sent to the Commission, with a letter requesting that Commission plans to set TACs for the individual functional units should be put on hold. In the meantime we were developing the alternative option of sustainable fishing plans for the functional units. A grant had now been received from Defra to aid the development of such a plan for the Farne Deeps fishery, and it included funding for holding meetings with fishers. A meeting is being held later this week to plan the project.

4.3.1 Danish and Swedish fishers would like to see the sections of the LTMP relating to the fishery in the Skagerrak and Kattegat to be modified to reflect the differences there. (Note: any changes proposed to the draft should be sent to the rapporteur, as new text or as track changes).

### **4.4 Brown Shrimp**

4.4.1 This Focus Group will be established once it is clear what the different Member States wish to do. The immediate need is for discussion with governments.

### **4.5 Flatfish**

4.5.1 No meeting of the Flatfish Group has been held.

## **5. Position paper on the Omega Gauge**

5.1 As reported earlier, a report had been received from TNO on the performance of the Omega gauge for measuring mesh dimensions. The gauge is fit for purpose but there is variation in the measurement depending on the procedure followed. Our draft position paper points to the high probability of legitimate nets being rejected under current protocols and emphasises that more consistent measurements are obtained if a higher pressure of 300 Newtons is applied. Repeated measurements of the same mesh also help consistency. The paper sets out our proposals and is to be sent to the Control Agency in Vigo. Isabelle Viallon suggested that if the paper was suggesting a change in the legal framework of the current regulations it should be sent to the Commission. It was pointed out, however, that when we previously raised the issue of the gauge with Brussels they had referred us to Vigo. It was decided that we would send the position paper to both Brussels and Vigo.

## **6. Position Paper on Management of Fisheries on the Dogger Bank**

6.1 Euan Dunn said that the FIMPAS initiative, and the work of the Spatial Planning WG, were aimed at developing a coherent fisheries management plan which could be applied to all of the N2000 areas on the Dogger Bank. A meeting had been held, under the auspices of the MASPNOSE project, to prepare an outline of such a management plan. The resulting position paper that had been prepared and circulated set out the purpose and scope of the plan, introduced the goals and objectives and spelled out the role of the NSRAC. It then listed the various items that would need to be considered by the plan.

6.2 Bruno Hoffstadt commented on German participation in this process. German officials appreciated the work that had been carried out but they had not been able to take part in meetings with others until their own internal consultations had been completed. They had now produced a scientific paper that was out for consultation (see 3.2.7). Stakeholders were invited to comment. The German Government is on board for cooperation and will bring its own ideas forward in due course. However, Germany had a whole system of 10 marine N2000 sites and would like to have a package applying to all of these. A joint management scheme for the Dogger Bank would be welcome, as it would facilitate observance, control and enforcement.

6.3 Euan thanked Bruno for clarifying the German position. The NSRAC process would carry on, and he hoped it would be able to reach a consensus. Any consensus would provide a valuable imperative, which would hopefully influence the parallel political discussions. In view of the latest revelations it might be difficult to follow the FIMPAS timetable however. Were NSRAC members happy with the outline plan?

6.4 Emiel Brouckaert could not sign up to the outline plan as he had not yet had a chance to read it. Peter Breckling was not willing to agree to it today, and wished to agree it by written procedure. We could perhaps set of target for comment of the 13<sup>th</sup> July. Christien observed that the paper was only about the procedure to be followed and the topics to be addressed, not the actual measures themselves. Pim Visser supported her. His industry was enthusiastic about the procedures being adopted, aimed at reaching a consensus. This paper was not controversial; it simply gave an outline of the participative procedure. Caroline Gamblin said that not everyone had been informed of the meeting that drew up the outline and requested to be informed of future opportunities to participate, including the August workshop. Euan Dunn noted this for attention and also conceded that the time for ExCom to respond to the outline plan had been short, depending as it did on the outcome of the recent Schiphol meeting, and he understood that some would therefore need more time for reflection. Niels Wichmann suggested that we try to agree the outline by a deadline of July 20th. Comments should be sent directly to Euan.

## **7. Position Papers on Cod Recovery, the Nephrops draft LTMP and Discards**

7.1 These topics had already been discussed fully.

## **8. Position Paper on Real Time Closures**

8.1 A Position Paper on Real Time Closures had also been prepared and sent to the Commission and Member States. We had received a letter from Lowri Evans at the end of April. She had pointed out that a preliminary finding from STECF was that there are few benefits from RTCs in terms of reductions in fishing mortality. Further attempts were being made to evaluate the efficacy of RTCs. She had mentioned the need to harmonise RTCs especially with Norway, although that was one of the issues that the NSRAC had expressed fears about. The NSRAC had been critical of RTC schemes being imposed by Member States without consultation with others and we had emphasised that such RTCs would not work unless all fishers observed them. She agreed that there was a need for dialogue between Member States.

8.2 The Director General had rejected our proposal of derogations from EU RTCs for vessels that did not catch cod. Moreover, she did not support incentives to encourage fishers to observe RTCs. She was not willing to fund an additional research project on RTCs.

8.3 We had replied to her letter at the end of May, pointing out that a reduction in fishing mortality should not be the only criterion by which RTCs should be judged. Protection of nursery areas was important in reducing discarding of juvenile fish. And protection afforded to aggregations of fish in the act of spawning may also yield major benefits, without either being registered as a reduction in fishing mortality. We had re-stated our concern that vessels from Member States may currently fish in RTCs declared by other Member State. We also re-stated our view that all fleets potentially affected by Member State RTCs should have an opportunity to have their voices heard on the

design of the RTCs and the criteria used to implement them. We had also argued there is no reason why derogations should not be allowed in RTCs for fishing gears that can be shown not to risk damage to fish stocks. We were unhappy that the ICES Study Group set up to consider RTCs would not be meeting until 2012.

- 8.4 Pim Visser commented that the Dutch beam trawl fleet was complaining that it was expected to observe RTCs although the vessels concerned were not catching cod. Kenn Skau Fischer drew attention to new proposals from Norway to redefine RTCs in the Norwegian sector of the North Sea. Huge areas are to be closed if any juvenile fish are caught. Norway was holding public hearings on these new proposals. Emiel Brouckaert asked whether the NSRAC could produce a paper on the Norwegian proposals. Niels Wichmann thought it should. Michael Park said that Scots fishers had already met the Norwegians to discuss the strong measures being proposed. There is also an assumption under Norwegian law that if a fisher is forced to discard fish it is because he has taken insufficient action to avoid catching them. Pim Visser wondered if the NSRAC could participate in the hearings but Niels Wichmann thought we should do so as individuals and associations as the NSRAC would probably not hold a consensus view.

## **9. Position paper on Maximum Sustainable Yield**

- 9.1 The NSRAC had submitted a detailed position paper on MSY to the Commission and had received a response at the end of May. The reply had included a lot of padding material but had ended up by saying that the Commission intends to take the new form of ICES advice, based on MSY, into account in coming forward with its proposals to meet international requirements on MSY, as this reflects the best available science. The Commission had agreed that there were problems with defining MSY within mixed fisheries and in dealing with ecosystem issues (two of the points we had raised). The letter ended by saying that the Commission wished to discuss and take up these issues through its consultation on Fishing Opportunities.
- 9.2 Barrie Deas said that the Commission letter had not addressed the core issues that we had raised. We should reply to the points they had now emphasised and raise again the difficulties with mixed fishery aspects. It was agreed that a reply should be sent.

## **10. EU/Norway issues**

- 10.1 A letter had been sent to the Commission by Niels Wichmann on behalf of the NSRAC which welcomed the increased transparency in EU- Norway negotiations. It noted that in recent years there had been a progression from these meetings being completely closed to the introduction of plenary sessions open to a wide range of stakeholders. We now sought a more central role for the NSRAC. It was important that the Commission officials dealing with the negotiations should be made aware of the NSRACs interests. If consulted sufficiently in advance we could provide a summary of our views for them.
- 10.2 The Commission had replied on the 10<sup>th</sup> June, proposing that each RAC should in the future nominate three representatives to assist with the consultations. Those

representatives should not just be fishers representatives but should include NGOs and representatives of civil society. The Commission was seeking a joint response from the Pelagic RAC, Long Distance RAC and the NSRAC.

- 10.3 Barrie Deas said that we should be careful as this proposal might reduce transparency of the negotiations. The closed nature of the EU/Norway discussions had sometimes worked to the disadvantage of stakeholders. Recently, the head of delegation had been more open and had allowed stakeholders into the negotiations, with large numbers participating. If, instead of a broad group, representatives were slimmed down to three from each RAC, then representation would be more limited. That might be the intention of this proposal. Niels Wichmann agreed. Recently, anyone with a legitimate interest had been allowed to participate. We could only agree to this new proposal if that position was maintained. Michael Park concurred. This proposal was probably intended to make representation more formal. He had doubts about accepting the proposal. What was important from the NSRAC's point of view was that it should be able to put its views to the negotiating team before the meetings took place. Guus Pastoor said that if we were to send three people what mandate would they have? They could not represent the views of all those participating in the RAC. Antoine Le Garrec agreed that individuals could not easily represent the RAC. Ate Oostra pleaded that we should see the glass as half full, the RACs were recognised as prime interlocutors by the Commission. Isabelle Viallon said that different RACs had requested different things and it was difficult for the Commission to manage representation. Kenneth Patterson added that the intention was to put representation in good order. The primary bodies representing stakeholders are the RACs and the Commission would like the RACs to play a stronger role.
- 10.4 The general consensus of the meeting was that we should remain with the current position, where all organisations with an interest were allowed to attend the negotiations and could be consulted by the EU delegation. If the RACs send representatives it would not necessarily improve our influence upon the process. We were not being offered a higher level of representation than we already had. The current weakness is that we have not been able to submit our views on the targets of the negotiations in advance. Niels Wichmann said that all the players were content with the current position. There were few advantages from what the Commission was proposing. Barrie Deas added that currently stakeholder participation is not difficult to manage. Stakeholders are very patient but speak when they are invited to do so by the EU delegation. What we should now be aiming for, and what should have been clearer in our letter, was that we wished to spell out our priorities prior to the negotiations, and we should be able to present them to the Commission in a well-argued paper. The chairman concluded that we should leave this issue open at present and members should consider what would be in the best interests of the RACs. We should consult with the other RACs and reach a decision at our next meeting in Boulogne.

## 11. CFP Reform

11.1 The Demersal Working Group had recommended that a Focus Group should convene to collate and present the views of the NSRAC on emerging proposals for CFP reform. Kenn Skau Fischer had been nominated to chair the group. Pim Visser, Ate Oostra, Michael Park, Guus Pastoor, Barrie Deas, Peter Breckling, Peter Olsson, Emiel Brouckaert and Caroline Gamblin volunteered as members. The ExCom approved the setting up of the Focus Group. Other members wishing to participate should contact the Secretariat or Kenn.

## **12. Discussions on the N2000 proposals for the Klaverbank**

12.1 Euan Dunn reported that all discussion of the proposal to site a Natura 2000 area on the Klaverbank had been through FIMPAS, the project managed by the Dutch Government. A proposal for a management plan had come from fishers, and a counter proposal had come from Environmental NGOs. The FIMPAS Steering group had since proposed a compromise that suited neither stakeholder group. A draft letter addressing the stakeholder concerns on the outcome and process was approved by ExCom and will be sent from the Chair of NSRAC to Ton IJlstra as head of the FIMPAS Steering Group.

## **13. Administrative Matters**

13.1 A mid term report had been drafted which summarised all the NSRAC activities. A finance paper had spelled out future expenditure, which was within projected margins except for the legal fees likely to be incurred in putting work for the NSRAC out to tender. Contracts will need to be let soon for the rapporteur and the Secretariat contract will be subject to its first annual review. In addition, revisions to the Chairman's contract may be required to resolve outstanding issues over the inclusion of travel costs.

13.2 Niels Wichmann reminded the ExCom that a deficit had accumulated of 120k Euros. This had resulted from expenditure during the early years of the NSRAC not being passed by the Commission. Activities had been undertaken in the first years, when the NSRAC was the only RAC, which were believed to be eligible for reimbursement, but some of them were not. The position had been discussed further with the Commission, which was willing to accept that 25% of member contributions could be used to pay off the deficit. This would take 17 years! We were now seeking specific payments toward the deficit. It was proposed that members of the ExCom pay 2k Euros per seat occupied towards the deficit. This would raise 38-40k Euros. Members were asked to consider this proposal and give their decision within the next two weeks. Ate Oostra expressed doubts on the proposal and suggested that the Commission might try to be more helpful in considering the currently accepted level of expenditure as a budget against which temporary economies could help to recover the deficit from the past.

13.3 We will have to consider whether to go ahead with the regular North Sea Stock Survey. Currently we only have income until November. The invoice for conduct of

the survey would come in after that. Did we wish to continue with the survey? The ExCom strongly endorsed the conduct of the survey.

- 13.4 We had been invited to participate in the GAP 2 project to be funded by the EU. It is relevant to our business and our participation will be funded. On that basis it was agreed that the invitation would be accepted.

## 14. Any Other Business

- 14.1 Karsten Kristensen asked whether there would be an opportunity to discuss the system for reimbursement of expenses. This would be placed on the agenda of the next meeting.

- 14.2 The next meeting of the ExCom will take place at Boulogne sur mer on the 11-12<sup>th</sup> October.

## 15. Action Points

1. The Chair, Vice-Chairs and WG Chairs have still to meet to prioritise the NSRAC Work Plan (1.2).	Chairman
2. A new calendar of meetings has still to be placed on the NSRAC website (1.2).	Secretary
3. A written response will be prepared from the NSRAC to the Commission's paper on Fishing Opportunities. Members should send their comments to the Secretary no later than the 5 <sup>th</sup> July, so that a collective response can be prepared by the 8 <sup>th</sup> and circulated to members for further comment. The final response will have to be submitted by the 20 <sup>th</sup> July (2.8).	Members Secretary
4. A request will be re-submitted to Member States for information on the whiting fisheries. Members are asked to do what they could to obtain the relevant data from their officials (4.2.1).	Members Secretariat
5. The NSRAC will prepare its views on a management plan for whiting before September. The Whiting LTMP Development Group will meet on the 21 <sup>st</sup> July in Amsterdam (4.2.2).	Michael Park Members
6. A position paper on the Omega gauge was agreed and will be sent to both Brussels and Vigo together with the TNO Report (5.1).	Secretary
7. Members will consider and comment on the outline of a	Members

management plan for the Dogger Bank by July 20th. Comments should be sent directly to Euan Dunn (6.4).	
8. The NSRAC will consider producing a paper on the Norwegian proposals for RTCs in the Skagerrak and Kattegat (8.4).	Chairman
9. The NSRAC will reply to the Commission's letter on MSY, raising again the difficulties with mixed fishery aspects. (9.2).	Rapporteur Members
10. We will consult with the other RACs over the Commission's proposals for representation of the RACs at the EU/Norway negotiations and discuss again at the next meeting (10.4).	Chairman Secretary
11. A Focus Group will be formed on Reform of the CFP, chaired by Kenn Skau Fischer. Prospective members should contact the Secretary or Kenn (11.1).	Kenn Skau Fischer
12. A draft letter addressing the stakeholder concerns on the outcome and process of consultations on the Klaverbank N2000 area was approved by ExCom and will be sent from the Chair of NSRAC to Ton IJlstra as head of the FIMPAS Steering Group (12.1).	Euan Dunn Chairman
13. It is proposed that members of the ExCom pay 2k Euros per seat occupied towards writing off the NSRAC financial deficit. Members were asked to consider and give their decision within the next two weeks (13.2).	Members
14. The North Sea Stock Survey for 2011 was agreed (13.3).	Secretary
15. NSRAC will participate in the GAP 2 project (13.4).	Secretary
16. The system for reimbursing expenses will be discussed at the next ExCom (14.1).	Secretary
17. The next meeting of the ExCom will take place at Boulogne sur Mer on the 11-12th October (14.2).	

## 16. Attendance

Forename	Surname	Organisation
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Christien	Absil	Seas at Risk
Svend-Erik	Anderssen	Danish Fishermen's Association
Martin	Brebner	NSRAC - Secretariat
Peter	Breckling	Verband der Deutschen Kunner und Kustbfischer EV
Emiel	Brouckaert	Rederscentrale CV
Pierre-Georges	Dachicourt	Comité National des Pêches Maritimes et des Elevages Marins (CNPMEM)
Willem	de Boer	Stichting van de Nederlandse Visserij (Observer)
Barrie	Deas	NFFO
Paula	den Hartog	Stichting van de Nederlandse Visserij
Euan	Dunn	Birdlife International
Caroline	Gamblin	Comité National des Pêches Maritimes et des Elevages Marins (CNPMEM)
Tony	Hawkins	NSRAC – Rapporteur
Bruno	Hoffstadt	Germany - Member State
Anne-Marie	Kats	Dutch Fish Federation (Observer)
Karsten	Kristensen	European Transport Workers Federation
Antoine	Le Garrec	UAPF
Fredrik	Lindberg	Swedish Fishermen's Federation
Arnold	Locker	NFFO (Observer)
Eamon	Mangan	France – Member State
Peter	Olsson	Swedish Fishermen's Federation
Ate	Oostra	EUCC - The Coastal Union
Michael	Park	SFF
Guus	Pastoor	AIPCE
Kenneth	Patterson	European Commission
Kenn	Skau Fischer	Danish Fishermen's Association
Isabelle	Viallon	European Commission
Pim	Visser	Stichting van de Nederlandse Visserij

Niels	Wichmann	NSRAC - Chairman
Jan Willem	Wijnstroom	European Anglers' Alliance