



ExCom Record of Meeting February 17th & 18th 2009, Berlin, Germany

Rapporteur: Tony Hawkins

Draft for next ExCom

1. Introduction

- 1.1 Torstein Stein welcomed the ExCom to the Paul-Lobe House of the German Parliament on behalf of Norbert Kahlfuss. He encouraged the NSRAC to continue to provide meaningful advice to the Commission and Fisheries Council. Later, this warm welcome was also extended by Bruno Hoffstadt. Hugo Andersson, the Chair of the NSRAC Executive Committee (ExCom), thanked the German Ministry for hosting the meeting in Berlin.
- 1.2 Apologies had been received from Nicki Holmyard, Patrice Leduc and Niels Wichmann.
- 1.3 The report of the meeting held in York in October 2008 was adopted.

2. GAP1 Project

- 2.1 Doug. Wilson of the IFM Aalborg reported on a meeting of the GAP1 project led by CEFAS Lowestoft and attended by Barrie Deas and Euan Dunn of the NSRAC. The subject had been the participation of fishers alongside scientists in producing scientific evidence on fisheries issues. The project was about RACs building their own capacity and how they might work alongside scientists through various European funding schemes.
- 2.2 An essential feature of European funding was the issue of calls for proposals, which then had to be responded to. The Commission was keen to get more participation by the RACs and flagged up that the next call for tenders for research projects was due in June. It was likely that a call on 'results-based management' might be issued in the near future. Essentially, the NSRAC had to define the level and type of research it required, and then collaborate with scientists in obtaining funding and carrying out the work.

3. Report on the York ExCom

- 3.1 The rapporteur, Tony Hawkins, gave a brief report on the York meeting. There had been discussion of membership issues. One of these, the admission of the Belgian Foundation for Sustainable Fisheries (SDVO) to the ExCom had been deferred to the next General Assembly. An application had been received from FIPS (The global competition anglers' organisation) for membership of the General Assembly.
- 3.2 This and other matters reported on were scheduled for further discussion during the ExCom meeting.

4. Commission's report on the functioning of the RACs

- 4.1 Two reviews had recently been carried out by the Commission; one on ACFA and the other on the functioning of the RACs. The Commission was now awaiting comments from the RACs themselves. The NSRAC had planned to deal with these questions at this ExCom and had proposed that a small drafting group should meet beforehand to draft a response. In the event, that had not happened. There were a number of topics on which we wished express views; one of them being the provision of scientific advice to the RACs. However, the subject of a review had now broadened as a Green paper would shortly be produced on reforms to the CFP, and we would also wish to comment on the RACs in our response to that.
- 4.2 Isabelle Viallon said that the Commission would welcome a response from the NSRAC to the review released last June. The Commission would like to consider immediate improvements to the RACs before the Green Paper on reform of the CFP was discussed. The Parliament would be submitting its comments fairly soon.
- 4.3 It was agreed that this subject would be the focus of the June ExCom and that a small Focus Group would meet in the meantime to draft a first response to the Commission (see also para. 9.3).

5. An EMPAS project for the Netherlands North Sea

- 5.1 Ton Ijlstra, project leader on fisheries in MPAs, Netherlands Ministry of Agriculture, Nature and Food Quality, Fisheries Department, gave a presentation on Netherlands projects on MPA's in the North Sea. Proposals for N2000 sites were still at an early stage, and the Ministry wanted to involve the RACs in discussions on these areas. They were currently considering two areas within 12 miles; one close to the Voordelta – the Vlakte van der Raan - and the other in the North Sea coastal zone. There were also three areas in the Dutch EEZ; the Dutch part of the Dogger Bank, the Klaverbank and the Frisian Front area which would be designated a protected area for birds.

- 5.2 What were the threats in these areas? Fisheries do have an impact; both within the coastal zone (vessels <300 hp) and in the EEZ (vessels >300 hp). The Netherlands is not the only member state submitting proposals. Both Germany and the UK were proposing N2000 areas on their parts of the Dogger Bank. If you added all three of these areas together there was clearly a problem for fishermen. The member states concerned would try to adopt an integrated approach but it will be a complex process. It would be necessary to involve the coastal states, the flag states, ICES and the Commission.
- 5.3 A key question was how to involve stakeholders. Participation of stakeholders is necessary to provide and to improve of the quality of the data. Consultation is also necessary to gain a solid view of fishing practices. Moreover, stakeholders might have alternative views or favour solutions that may generate the same protection. The Dutch EMPAS project aimed to answer two questions:
1. To what extent do specific fishing activities significantly threaten attainment of the conservation objectives of the N2000 sites?
 2. What management measures would reduce these conflicts and how effective would they be at helping to ensure the favourable condition of these sites?
- 5.4 Initially, the Dutch Ministry had gone to ICES for help. The Dutch FIMPAS project was now under way: entitled Fisheries Measures for Marine Protected Areas in the North Sea. ICES would organise the process of acquiring the necessary knowledge. It would bring together the relevant stakeholders and report within a specified time limit. The end product would go to the EU in 2011/2012.
- 5.5 The end product will be a proposal to the Commission containing fisheries measures for MPA's which have been sufficiently validated with the input of all relevant stakeholders to guarantee its quality; have sufficient consent from all the partners involved; and fulfil all the conditions for a proposal as set out by the Commission in its document on fisheries measures.
- 5.6 In conclusion, the fishing industry will be affected by the Dutch and other N2000 proposals and also by other developments: wind farming, climate change, marine strategy directive, as well as CFP reform. The fishing industry has a key role in shaping its own future. FIMPAS will provide the platform to enable them to play this role.
- 5.7 Hugo Andersson pointed out that not only would the RAC have to deal with the Dutch, UK and German proposals. There would also be proposals from Belgium and Denmark. It would be difficult to continue to work separately with all these member states, as we were doing at the moment. How could we coordinate these discussions?
- 5.8 Several members of the ExCom welcomed this approach from the Netherlands but wondered how we could make consultation with the NSRAC easy and effective. Guidance from the Commission was that we had the right to respond to any management plan as soon as it was available. It would be best if we were presented with concrete management proposals at an early stage. However, an operational process was needed to facilitate consultation. There would certainly

be practical problems if all the member states came forward separately with their proposals. It would also be important for member states with adjacent EEZs to harmonise their procedures.

- 5.9 Pim Visser remarked that we had now received separate presentations from the UK, Netherlands and Germany. The NSRAC seemed to be the only link between these proposals. However, we had neither the money nor manpower to deal with all of them. How would we be able to coordinate proposals? Euan Dunn thanked Ton Ijlstra for his presentation. The NSRAC had seen these problems coming. We had established a Spatial Planning Working Group and held a workshop on MPAs. However, it was still not clear how we should deal with separate proposals coming in with separate timescales and differing approaches. The NSRAC will certainly have to play a key role. Mapping of fishing effort on the Dogger Bank SAC proposed by the UK, using VMS and logbook data, should emerge in April from the CEFAS-led Lot7 project and we will be invited to validate it. The Commission would be running bio-geographical seminars to ensure the coherence within a given region of the Natura 2000 designations proposed by different member states but it was not clear how that initiative would merge with our role.
- 5.10 Pierre-Georges Dachicourt emphasised that the NSRAC should only be dealing with fisheries issues. We did not want to expand our objectives too widely. Some of these initiatives could push fishermen out of their jobs. It was in the interests of fishers to protect their positions.
- 5.11 Cornelis Visser MEP mentioned that he had been involved with the Dutch Natura 2000 area in the Waddensee, where some protection for the mussel seed industry had been obtained. However, a single NGO had overthrown that protection by legal means. Perhaps we needed stronger guidance from the Commission on the implementation of N2000 areas.
- 5.12 Ton Ijlstra thought it would be unacceptable to the Commission to have three separate management regimes within the Dogger Bank. It would not be easy to achieve coordination but that was what the Commission guidelines required. If we were to avoid interventions by NGOs we had to have the right information. The mussel seed problem had arisen because of lack of knowledge. We had to avoid that.
- 5.13 Peter Hopkins thought there were two issues; the designation of sites and then the management of fishing at those sites. There had to be some coherence between member states in putting forward their plans. Once sites had been designated then DG Mare became involved in ensuring that management measures matched what was required. He thought that the need for coordination did not arise until after the sites had been designated.
- 5.14 Others disagreed. Peter Breckling thought there ought to be coordination between member states over the designation of sites. At the moment three separate member states had differences of opinion over the nature of a reef; they could not even agree on their habitat definitions! Different targets were being set and there were different approaches towards both designation and management. These differences had to be sorted out. There also had to be greater clarity about the nature conservation criteria for designating sites. Emiel Brouckaert was concerned

that there would be sufficient time for the NSRAC to reflect on the proposals coming forward. Ton Ijlstra pointed out that he had previously made an early presentation to the NSRAC on the Dutch Voordelta proposal. He was now providing advance information on other sites. In terms of coordination, the Commission's bio-geographic seminars were intended to achieve that.

- 5.15 Hugo Andersson thanked Ton Ijlstra for presenting the Dutch proposals at an early stage. He had concluded that there was a need for greater coordination between member states. Many different parties were currently involved in considering separate proposals. Ate Oostra thought that there was a clear capacity problem for the RACs. Member states needed to do their homework first. They should come forward with suggestions on the main threats to the conservation interests at these sites and how these might be dealt with. Michael Andersen pointed out that the NSRAC could waste a lot of time with these issues. The RAC had to play a coordinating role but the member states should assist with that role. We should invite the member states to forward their proposals to our Spatial Planning WG.

6. The Commission's new Control Regulation

- 6.1 Barrie Deas introduced the subject of the new control regulation. There had previously been two conferences on this subject, in Brussels and in Peterhead. The points we had made at those meetings had been comprehensively ignored. There was a real problem over the lack of dialogue between the Commission and the RACs on this issue. The Demersal WG had decided to divide its comments in two.
- 6.2 First, there was a need to emphasize the governance issues. We wanted to move away from a command and control approach towards self-regulation. We thought this should be a theme of the Green Paper; and that there should be strong emphasis on results-based management. We had agreed to set up a stand-alone Focus Group to develop this theme, its practicalities, and the mechanisms for achieving it.
- 6.3 Second, we should submit detailed comments on the proposals coming forward in the new regulation. The Commission's timetable was quite short and we should proceed by convening a drafting group to refine and polish our comments into a new paper. The composition of the drafting group was later agreed; it is to meet on 13th March in London.

7. NSRAC position paper on Technical Measures

- 7.1 Barrie Deas reported that following the last ExCom the Demersal WG had taken forward proposals for a response to the Commission's proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures. A position paper had been produced and submitted to the Commission. An additional position paper had also been prepared on the specific measures proposed for the North Sea.

- 7.2 The topic of technical conservation measures is one on which the RACs are expected to make an important contribution. A quick and closed decision by the Commission or by Council is not an especially participatory way of dealing with complex technical measures.
- 7.3 We had been especially concerned at the proposal that in future lower level decisions would be will be taken by the Commission using a procedure established under the Lisbon Treaty and known as "comitology". Committees would be established as forums for discussion, consisting of representatives from Member States and chaired by the Commission. The committees would enable the Commission to establish dialogue with national administrations before implementing measures. Our conclusion had been that 'comitology' on its own was not acceptable. Devolution of decision-making on technical measures should be accompanied by safeguards on democratic scrutiny.
- 7.4 However, we had given our support to the general approach of consolidation, clarification, simplification and regionalisation of technical measures. We had also welcomed the simplification of minimum landing sizes, but with some resistance to the removal of MLS for some species. We had expressed our reservations about the catch composition approach which we believed would not help to reduce discards.
- 7.5 Peter Hopkins reported that compromise proposals would be going in March to a Council Working Group. It was likely that decisions on regulation would go through the Regulatory Committee rather than the Management Committee which had the advantage that member states could refer particular issues to the Council.
- 7.6 Cornelis Visser MEP said it was interesting to sit in on this debate. The Parliament was considering amendments to the proposals which would be taken to the Fisheries Committee. The Committee would address the different issues at length. The topics which would be discussed would include the rules for Real Time Closures (RTCs), discards, the one-net rule, and minimum landing sizes. There would be a debate on March 2nd. The MEPs also had issues about the procedures for the approval of measures.
- 7.7 Danish fishers re-stated their view that decisions should be taken at a local level. They favoured an over-arching regulation with details being decided at a local level on questions like mesh sizes and minimum landing sizes which were fisheries specific.
- 7.8 Bruno Hoffstadt said that the Council Working Group was still discussing procedures and whether to use the Regulatory Committee or the Management Committee to take decisions. This was a key issue.
- 7.9 Pim Visser was pleased to hear these comments. He was not yet clear on what the position would be once the Lisbon Treaty had been accepted. What would the role of the Parliament be *vis a vis* the Regulatory Committee? No-one answered him.

8. TACs & Quotas: outcome of the December Council

- 8.1 Barrie Deas reported on the outcomes of the December Council, which had largely been driven by the EU/Norway talks. The NSRAC's comments beforehand had mainly had been concerned with cod recovery. We had given advice on a new cod recovery plan and had drawn attention to the need to incentivise cod avoidance.
- 8.2 A new plan from the Commission had introduced reductions in both quotas and fishing activity on cod stocks. The proposal also introduced a system of effort limitations for cod fisheries measured by kilowatt-day ceilings instead of the former 'days-at-sea' system. An intake of young fish into the North Sea had led ICES to forecast an increase in spawning stock in its latest advice. However, the recent high level of young cod taken as by-catch and discarded in this fishery remained a major problem. The revised recovery plan allowed greater flexibility in adjustments to fishing activity, while encouraging cod avoidance. For the North Sea stock, the EU agreed with Norway to a 30% increase in TAC, but this was to be accompanied by a ban on high grading, incentives for more selective gear, and a commitment to eliminating discards. A facility would be made available through which member states could "buy back" days at sea for its fleets through various cod avoidance measures.
- 8.2 The NSRAC Demersal Working Group had discussed Real Time Closures and the Scottish proposals for buying back days at sea. There needed to be further discussion on the position of fishers from other member states when RTCs were declared by another member state. The Working Group had also spent some time discussing the eliminator trawl. Member states have until May 1st to report to the Commission on how buy-back mechanisms would operate.
- 8.3 Skates and rays, and differences in the science had also been discussed by the Demersal Working Group and would be the subject of further discussions at the next Working Group meeting..

9. Report from the Secretariat

- 9.1 Membership issues were briefly discussed. FIPS/M had asked for membership of the General Assembly. It was already a member of the Baltic RAC and is an association which manages angling competitions. Peter Breckling pointed out that angling competitions are not possible in Germany and for this reason he could not support the application. Others had no objection and the FIPS/M is now a member of the General Assembly. There was still one seat in the 1/3rd group of the ExCom which needed to be filled. Consumer groups had been approached but without success.
- 9.2 Discussions with the Commission had focussed on the NSRAC budget and on the formation of a sister company. The Commission had queried the budget and it was still not agreed. A second budget had now been presented. Subject to several queries being answered on the budgetary year, the presentation, and the commitment by Aberdeenshire Council, the budget was now likely to receive approval. In the future a small budgetary committee will be set up to prepare the annual work plan and budget. The Commission had been asked for permission to change the budgetary year to come in line with the Scottish fiscal year. There

were queries about completion of the forms which members of the ExCom had to sign, and clarification was provided.

- 9.3 Discussion returned to the subject of a response to the Commission's review of the RACs. It was agreed that Guus Pastoor, Michael Park, Ann Bell, Christien Absil, Antoine le Garrec and Niels Wichmann would form a Focus Group to prepare a paper for discussion at the June ExCom. The Focus Group would prepare an initial response to be with the Commission by the end of March. The ExCom discussion would take the form of a workshop, led by a facilitator, to bring together views on the future of the RACs to feed into our response to the Green Paper.

10. ICES Benchmark Meetings

- 10.1 ICES had responded to criticisms from the RACs by inviting representatives to its Benchmark Workshops to review the assessments on gadoids and on flatfish. The cod/whiting meeting had taken place in January, and the flatfish meeting had taken place in February. From a stakeholder standpoint the meetings were too long. Michael Park had missed the first two days of the Workshop, when the scientists had been most receptive to stakeholders' comments. Subsequently attendance at the meeting had been less useful.
- 10.2 Scientists had tried to be transparent at the meeting. They had made it clear what sort of information they required from the industry and how it might be used. However, it was clear that the time of attendance was critical. Michael Andersen had also missed the start of the meeting and while he was present the scientists had been tinkering with their own assessments and were less receptive to new ideas. Barrie Deas agreed that the organisation needed to be improved to make best use of stakeholder participation. The first two days were the most important. They had discussed the relevance of the assessments, the need for more data, and how environmental changes could be brought into the assessments. It had been evident that new information was required from industry/science partnerships. There was also a need for annual regional fisheries reports which described the changes which had taken place within the fishing fleets. New CPUE data were required. Reference fleets, the annual fishers' survey and the interpretation of VMS data had also been discussed. The RACs now required feedback on what had transpired, in terms of taking stakeholders' suggestions on board.
- 10.3 Paula den Hartog had attended the flatfish meeting. She agreed that the first two days had been the most important. However, the expectations from the meeting had not been clear, and these will need to be spelled out in more detail in the future. More prior notice was needed and a clear timetable. Dutch fishers had presented their discard sampling results and had developed a proposal for commercial surveys in the future. Data had been brought to the table from different fleets. Greater use of CPUE data had been discussed and their comparison with existing methods.
- 10.4 Hugo Andersson agreed to discuss the issue of timing and prior preparation for the benchmark meetings with ICES and asked Peter Hopkins to take note of these comments. The reports from these meetings would take some time to be

issued as they had to go through a peer-review process. They would be distributed to ExCom members when they became available.

11. Update from the Commission

- 11.1 Peter Hopkins provided an update on Commission activities. The in-year revision of the sandeel quota was under way and would be completed by June/July. Exploratory fishing finishes on the 6th May, and a preliminary quota of 200,000 tonnes has been set, as the zero quota last year had led to difficulties for fishers. The in-year revisions for Norway pout and sprats would have to be completed by June, which would be a bit of a rush. Last year there had been an attempt to include the haddock and whiting by-catch assessments from the industrial fishery but this would probably not be attempted this year. Michael Andersen queried the timing for the revision of the sandeel quota and Peter Hopkins advised that the proposed TAC would be available shortly after the ICES advice in May. Michael Park said that Scots fishers did not like the level of haddock and whiting by-catch taken in the Norway pout fishery and would like steps to be taken to reduce that by-catch.
- 11.2 The annual Policy Statement was scheduled for the end of April. We had discussed Category 6 stocks (stocks whose state is not known precisely and where STECF advises on an appropriate catch level) at the Demersal WG and had considered the new catch options proposals. ICES advice would come to the Commission on 26th June for most North Sea stocks, and it was hoped that the implications in terms of the Policy Statement would be available by the end of June. The remaining advice would be available in October and the implications would be considered in the last week of October. Advice to the Council should be available by the 5th of November and the Commission's proposals would be available shortly after for discussion by Council on the 16-18 November with EU/Norway discussions taking place in parallel.
- 11.3 The flatfish management plan had to be reviewed next year (after 3 years). If stocks are in safe biological condition for two consecutive years this also triggers a review. The views of STECF would be sought on the effectiveness of the plan. It was hoped that this could be started before the advice was provided in June. The Commission would also want STECF to look at alternative scenarios and socio-economic impact assessments would then need to be done for those scenarios. The Commission would require NSRAC advice on procedures for going forward following those impact assessments. Any changes to the management plan would also need to be discussed with Norway. Pim Visser said that two and a half years ago we had joined the STECF Working Group looking at the flatfish management plan. The report from that meeting was still not approved. The Commission should enable the RACs to take a full part in discussions with STECF of any new management plan proposals. Peter Hopkins said that the Commission did want to involve stakeholders but doing this in a formal manner might give rise to problems. Isabelle Viallon said that the Commission's review of the RACs had identified relations with STECF as an issue which would need to be dealt with. The advice of the RACs was needed on this point. Christien Absil wanted to make sure that the ICES advice was suitably

precautionary, and also thought that an evaluation of sole would be needed this year for the evaluation of any flatfish management options.

- 11.4 The Commission also wanted to re-evaluate the plaice box and to model the consequences of different options. The closure was only a partial one and it appeared that the distribution of young plaice had now changed. It was hoped the results of a modelling study by contractors (from the National institutes of the Netherlands, Germany & Denmark) would be available by the middle of 2009. Willem de Boer asked that stakeholders should be involved in discussions of the plaice box and wished this point to receive strong emphasis. Peter Hopkins said that views on the plaice box from the NSRAC would be welcomed.
- 11.5 The Commission is committed to coming forward with proposals for mandatory Real Time Closures by the 1st September. There has already been one Working Group meeting with Norway and another would take place on the 23rd March, with another in May. The threshold levels for triggering RTCs would be looked at, together with the duration of closure and other practical aspects. The Commission would like input from the NSRAC on these questions. Pierre-Georges Dachicourt was concerned that the Commission and Norway would take decisions on RTCs which would result in them being established too close together, re-locating effort to other areas. Who would control and enforce these areas? Communications would need to be good, as the imposition of closed areas at short notice could create problems. It was agreed that there would be problems with mandatory RTCs, but these would be addressed by the Working Groups. Members asked whether RAC representatives would be allowed to attend the Working Group meetings but were told that this would not be possible.
- 11.6 Emiel Brouckaert asked for discussion of skates and rays to take place at the next Demersal Working Group and was assured that it would.
- 11.6 Isabelle Viallon drew attention to the planned release of a Green paper on reform of the CFP in April. It would raise a long list of questions and subjects for discussion. The RACs needed to think about the topics they would wish to raise and should organise themselves to respond.

12. Reports of Working Groups

12.1 The Demersal Working Group

12.1.1 The Demersal Working Group had met yesterday. It had discussed a number of subjects:

- Long term management plans, which would concentrate initially upon *Nephrops*.
- ICES Benchmark Meetings; we were seeking feedback from ICES on which of our suggestions had been heeded
- RTCs as part of the 25% buy-back; if RTCs were to affect other member states they should be involved in deciding on the criteria for triggering the closures

- The eliminator trawl
- Technical conservation measures; we had expressed our concern about governance issues with the proposed move to 'comitology'. The RACs must be involved in all decisions on technical measures
- Discards; we wanted to know where the Commission was on this initiative
- Option tables for Category 6 species; we thought as more differentiated approach was required
- The gloomy financial situation and falling prices for fish – largely as a result of cheap imports
- The new Control Regulation, which had invoked strong comment

12.1.2 With respect to commenting on the Control regulation, the WG had decided on a two-pronged approach. Firstly we would comment on the governance issues. We would be promoting the idea of self-regulation within an audited framework of results-based management. Secondly, we would provide detailed comments of specific points, merging the views of different parties through a drafting group which would meet in March.

12.1.3 On the CFP reforms after 2012, the WG had prepared a draft paper which would be refined and improved through written procedures over the next few days. It would be circulated to ExCom members for comment and would then be sent to the Commission for consideration, hopefully before the Green Paper was finalised. A Focus Group meeting will be held in April, to discuss self-regulation further and feed its deliberations to the next full meeting of the Working Group in May/June.

12.1.4 Peter Hopkins remarked that the Green Paper might be in its final stages of preparation and comments would need to be provided very quickly. Ate Oostra found the draft comments on reform of the CFP very constructive. It raised several points which the Commission should take on board. In response to queries on whether the NSRAC response should be delayed, Barrie Deas said that this was only the start of the process. It would help to make some strong points now. We could always enlarge upon them further when the Green Paper emerges. Hugo Andersson agreed, and the rapporteur agreed to send out a further draft response for comment before the end of the week.

12.2 **The Skagerrak and Kattegat Working Group**

12.2.1 There had been no further meeting since the York ExCom, but the proposal for a closer area in the Kattegat had gone one stage further. The Swedish & Danish governments were closing one of the most important fishing grounds in the Kattegat, as a cod spawning area. The NSRAC had sent a letter to both governments, but had not yet received the courtesy of a reply. The NSRAC had not even been formally informed or consulted on the closure. The closure is not total for all gears, and it is to receive an impact assessment after 3 years. Fishermen in the area simply did not know what to do!

12.2.2 A topless trawl was being developed which would release cod. German experiments had shown that almost 70% of the cod were released. This gear

might have application in the North Sea and might have some advantages over the eliminator trawl.

12.2.3 The issue of Marine Protected Areas was also rearing its head in the Skagerrak

12.2.4 There was general agreement that the Swedish and Danish governments should be reminded of their commitment to consult the RACs. How did the Commission view the coherence between these closures and the management plan for the cod in this area?

12.2.5 Peter Hopkins said that this joint proposal had been put forward to avoid compliance with the cod recovery plan. It had not yet been accepted as such by the Council, and there needed to be some assessment of its efficacy. The action was being taken under Article 46 of the basic regulation, and it would apply only to Danish and Swedish fishers. The Commission could not stop member states doing this. The closure would not apply to German fishers. The Commission would be looking at the proposal in terms of the overall need to achieve cod recovery in the Kattegat. The Commission would engage with the RACs if the measure was introduced as a cod recovery measure.

12.2.6 Euan Dunn asked that the agenda for the next meeting of the Skagerrak and Kattegat Working Group to be circulated in advance as agreed at the York ExCom, and not just on the NSRAC website where it could be overlooked. He had not seen the letter sent out by the NSRAC to the Danish and Swedish governments. Hugo Andersson said that the letter had been circulated. It said that we had not been asked for our opinion on this proposal and had not been given time to respond. Lothar Fischer emphasised that Germany had not joined in this agreement, and had not been invited to do so. The proposal came forward with no prior discussion. Although German interest in this area is small they would wish to retain their right to fish in the area.

12.3 **Spatial Planning Working Group**

12.3.1 The WG had met yesterday and had discussed one particular item; the development of a NSRAC response to the UK Special Area of Conservation (SAC) proposal for the Dogger Bank. The JNCC, advisors to the government on N2000 offshore proposals in the UK EEZ had consulted the NSRAC back in November. They had previously sought advice on strategic aspects. Now they had concentrated on the details. Once the formal consultation started (and it had still not begun) we had 3 months to respond.

12.3.2 The JNCC especially wanted information on fishing activities in and around the Dogger Bank. It also needed financial information to be able to carry out an impact assessment required under UK law. It wanted to know the number of vessels, the gears, the fishing days, information on seabed habitat, by-catches, where displacement of fishing might occur and its costs – ideally for the last 8 years. This is a challenging set of questions and it would take time to answer them.

12.3.3 Several discussion points had arisen:

- Wind-farms and the SAC
- The need for a data-base, to answer the UK, Dutch and German requirements for information on the Dogger Bank
- Better information on what is there
- Levels of discards in different areas

12.3.4 It would be very difficult to deal with some of these issues. Firstly, it was already clear that there was a need for coordination between the different member states on their proposals for the Dogger Bank. Secondly, a bio-geographic seminar was going to take place in Galway on the 23-25th March to discuss the coherence of these proposals. Thirdly, the Lot7 project would report soon on VMS and log book data (see 5.9, above). Those data would need to be validated by fishermen.

12.3.5 Bruno Hoffstadt asked whether proposals from other member states would also be discussed by the Spatial Planning WG. The answer was that all offshore proposals in the North Sea needed to be raised with the NSRAC. The North Norfolk & Saturn Reef sandbank SAC, not far from the Dogger Bank, is expected to come forward in future from the UK (who are still working on the proposal) and that would need to be discussed.

12.3.6 Peter Breckling pointed out that MPAs were only part of spatial planning. Germany was embarking upon an ambitious programme of spatial planning and presumably other member states would too. He said the NSRAC needed to consider these collectively. Euan Dunn replied that all member states had to address this under the Marine Strategy Framework Directive. For example, a new Marine Management Organisation had been set up in England to deal with this. There was no appetite for an overall marine spatial plan for the regional seas. Instead, member states were expected to do their own thing. However, we needed to know what was planned for the EEZs of all member states.

12.3.7 Jan Willem Wijnstroom asked what competence the Commission had in relation to access to areas around wind-farms and other offshore development. Peter Hopkins replied that the Commission only had exclusive competence with respect to fisheries.

12.4 **Socio-Economic Development Group**

12.4.1 A report had been received from Nicki Holmyard. Discussions were to take place with the Commission on the status of the Data Collection Regulation with regard to potential amendments. This will enable the Development Group to determine the type of qualitative socio-economic data that might be acceptable and useful to DG Mare, and to start the research process in collaboration with other EU member states to agree how such data might be collected.

12.4.2 A search is under way with IFM Aalborg and others for funding to develop and apply the Dataframe concept first established by the NS Women's Network. A current call for proposals by may provide a funding opportunity for this work. A consortium is putting together a programme of work that includes a revision of the Dataframe methodology, the implementation of baseline studies in 24 fishing

communities around the North Sea, followed by the provision of baseline data in a format relevant to NSRAC and other main users. If the funding bid is successful, work on this project would commence in September 2009.

- 12.4.3 It was agreed that an early meeting of the S-E Development Group is required to report back on these initiatives to the ExCom.

13. Long Term Management Plan for *Nephrops*

- 13.1 A meeting to discuss a long term management plan for *Nephrops* will be held in April/May, following the Benchmark WG on *Nephrops* in Aberdeen in March. Michael Park will await the report from the latter, and will then produce a scoping paper to assist the development of the plan.
- 13.2 Members asked whether an invitation had been extended to the RACs to send representatives to the Benchmark WG in Aberdeen on the 2-5th March. Ann Bell would contact ICES and ensure that an invitation was sent out to those who wished to attend.

14. Next Meeting

- 14.1 The next meeting of the ExCom will take place in Gothenburg on the 29th – 30th June. The 2009 General Assembly and associated ExCom will be in Leiden on the 15th & 16th October.
- 14.2 Hugo Andersson thanked the interpreters for their services and also Torstein Stein who had been an excellent host for the meeting.

10. Action Points

<p>1. A review of the RACs will be the focus of the June ExCom. A Focus Group of Guus Pastoor, Michael Park, Ann Bell, Christien Absil, Antoine le Garrec and Niels Wichmann will prepare a paper for discussion and will submit a preliminary paper to the Commission by the end of March (4.3 & 9.3).</p>	<p>Secretariat and Members of Sub-Group</p>
<p>2. Concern was expressed that the RAC had to play a coordinating role over the designation and management planning for N2000 sites in the North Sea. Member states should do more to assist with that role and should forward their proposals to the NSRAC Spatial Planning WG (5.15).</p>	<p>Secretariat and Member States</p>
<p>3. A drafting group will consider the papers prepared by members on the new Control regulation and merge them into a paper from the NSRAC. The group will be composed of Pim Visser, Jan Kappel, Barrie Deas,</p>	<p>Members of Drafting Group & Rapporteur</p>

Michael Andersen, Caroline Gamblin, Michael Park and Giles Bartlett together with the Rapporteur. The meeting will take place in London on 13th March (6.3).	
4. There will be further discussions on skates and rays at the next Working Group meeting (8.3 & 11.6)	Chair of Demersal W.G.
5. Stakeholders within the NSRAC emphasised that they wish to be involved in any discussions of the plaice box by the Commission (11.4).	Secretariat & Commission Representatives
6. The draft paper on reform of the CFP will be refined and improved through written procedures over the next few days. It will be circulated to ExCom members for comment and will then be sent to the Commission for consideration (12.1.3).	Rapporteur & Secretariat
7. A single-issue Focus Group will meet in April, to discuss self-regulation in relation to the reform of the CFP. It will feed its deliberations to the next full meeting of the Working Group in May/June (12.1.4)	Secretariat & Chair of Demersal W.G.
8. The agenda for the next meeting of the Skagerrak and Kattegat Working Group will be circulated in advance as agreed at the York ExCom. (12.2.6).	Secretariat & Chair of S & K W.G.
9. An early meeting of the Socio-Economic Development Group will be held to report back on various initiatives to the ExCom (12.4.3).	Secretariat & Chair of Development Group
10. A meeting to discuss a long term management plan for <i>Nephrops</i> will be held in April/May, following the Benchmark WG on <i>Nephrops</i> in Aberdeen in March. Michael Park will await the report from the latter, and will then produce a scoping paper	Secretariat & Michael Park
11. Ann Bell will contact ICES and ensure that an invitation is sent out to those who wish to attend the ICES Benchmark WG on ICES in Aberdeen on the 2-5th March (13.2)	Secretariat
12. The next meeting of the ExCom will take place in Gothenburg on the 29th – 30th June. The 2009 General Assembly and associated ExCom will be in Leiden on the 15th & 16th October (14.1).	Chair of Demersal WG & Secretariat

8. In Attendance

Hugo Andersson	Chair
Tony Hawkins	Rapporteur
Michael Andersen	
Michael Park	
Barrie Deas	
Willem de Boer	
Peter Breckling	
Pim Visser	

Antoine Le Garrec
Pierre-Georges Dachicourt
Giles Bartlett
Ate Oostra
Euan Dunn
Konstantinos Kalamantis
Caroline Gamblin
Dominique Thomas
Laurent Nicolle
Helene Syndique
Fredrik Lindberg
Henrik Svenberg
Svend-Erik Andersen
Fred Normandale
Emiel Brouckaert
Peter Hopkins
Christian Pusch
Hans Nieuwenhuis
Nigel Proctor
Ditte Degnbol
Isabelle Viallon
Christien Absil
Cornelis Visser
Jan de Bruine
Gordon Lyon
Doug Wilson
Piotr Stackowiak
Cora Seip
Paula den Hartog
Simon West
Colin Faulkner
Ann Bell
Malcolm Morrison
Joyce Walker
Lothar Fischer
Bruno Hoffstadt
Kai-Arne Schmidt
David Agnew
Thomas Borchers
Jan Willem Wijnstroom
Guus Pastoor

Executive Secretary
Secretariat
Secretariat