

The North Sea Regional Advisory Council (NSRAC)

WG Skagerrak and Kattegat (6th meeting)

Minutes

October 21 2008, Fiskets Hus, Gothenburg, Sweden

Attending members:

Chairman Svend Erik Andersen, Danish Fishermen's Association
Niels Wichmann, Danish Fishermen's Association
Michael Andersen, Danish Fishermen's Association
Kim Kær Hansen, Danish Fishermen's Association
Lothar Fischer, Deutscher Fischerei Verband
Henrik Svenberg, Swedish Fishermen's Federation
Bengt-Olof Eliasson, Swedish Fishermen's Federation
Rapporteur Fredrik Lindberg, Swedish Fishermen's Federation

Attending observers:

Anne Mette Bæk Jespersen, Danish Directorate of Fisheries
Bent Pallisgaard, Danish Directorate of Fisheries
Jan N. Petersen, Danish Fishermen's Association
Bengt Kåmark, Swedish National Board of Fisheries
Karin Linderholm, Swedish National Board of Fisheries
Kenneth Gustafsson, Swedish Fishermen's Federation
Jan Andersson, Swedish Fishermen's Federation
Viking Bengtsson, Swedish Fishermen's Federation
Bertil Andersson, Swedish Fishermen's Federation
Alf-Åke Börjesson, Co-management initiative, Halland
Henrik Karlsson, Co-management initiative, Halland

1. Opening and introduction

The meeting of the WG was opened by the chairman Svend Erik Andersen, who welcomed members and observers to the same.

Hereafter the chairman of the WG Svend Erik Andersen informed the meeting that Niels Wichmann would chair the rest of the meeting.

2. Adoption of agenda

The WG adopted the agenda for the meeting as follows from these minutes.

3. Minutes from the WG meeting, May 8 2008

The minutes from the WG meeting, May 8 2008, in Frederikshavn, Denmark, was approved.

4. Kattegat RTC

By way of introduction the WG decided to split the questions related to the Kattegat and cod protection into three: i) Comments on the proposal from the Swedish Institute of Marine Research and the Danish DTU Aqua: 'Proposal for Marine Protected Areas in the Kattegat to promote the rebuilding of the cod stock'; ii) WG proposal 'Proposal for management of the fishery in the Kattegat, Real Time Closures'; and iii) How to act and communicate the results of the WG meeting in an optimal way.

i) Comments on the proposal from the Swedish Institute of Marine Research and the Danish DTU Aqua: 'Proposal for Marine Protected Areas in the Kattegat to promote the rebuilding of the cod stock'

The main outline of the proposal was presented for the WG.

The WG concluded, after a lengthy discussion on the several aspects of the proposal, i.a. that it

- is inferior, in that it focuses only on cod (even though other fisheries are mentioned, but dealt with in a not serious manner), something that does not fit an scientific institution;
- is not broad enough to constitute the basis for a management decision;
- lacks an impact analysis;
- likely has to do more with the Swedish environmental goals, that the Swedish Parliament is to review, than the CFP;

- has been hammered out by only Swedish and Danish scientist, without any involvement from German scientists and even without any involvement of, or even information to, the German government;
- is the result of a political agreement between the Danish and Swedish ministers to act in some way to protect the Kattegat cod;
- uses the term Marine Protected Areas (MPAs) without mentioning, even with a world, that if so is several procedural rules has to be followed; and
- does not take into account the existing management system.

Bengt Kåmark clarified that the proposal is only a scientific one, i.e. not a proposal from the management bodies. He also mentioned the fact that there seems to be some sort of agreement (though not written) between the Danish and Swedish ministers as to the need of some sort of action to protect the Kattegat cod. He also mentioned that the ministers will meet in the near future for further discussions on the topic.

Anne Mette Bæk Jespersen mentioned that the regulation in the scientists' proposal is intended to be national, i.e. not a regulation within the CFP.

The opinion of the WG was that the regulation on the protection of the Kattegat cod has to be placed within the framework of the CFP. The reasons behind this position were in principle two: i) since it is a common area a common regulation is proper; and ii) due to reasons of legal clarity.

ii) WG proposal 'Proposal for management of the fishery in the Kattegat, Real Time Closures'

Michael Andersen presented 'Proposal for management of the fishery in the Kattegat' (enclosed) for the WG.

Niels Wichmann stated that it is of utmost importance to have the regime stating 1 day = 2,5 days for the Kattegat thrown out, and that time now is ready for the governments to give responsibility in the hands of the fishermen (to set up and run a committee as outlined in the proposal).

Henrik Svenberg pointed out the fact that now three priorities are the ones important: i) to reach consensus on a common proposal from the WG; ii) that the proposal should be a valid alternative to 'Proposal for Marine Protected Areas in the Kattegat to promote the rebuilding of the cod stock'; and iii) that that proposal has to be such in nature that it is possible to have it in force from February 2009.

Lothar Fischer expressed his opinion that RTC is a good solution and that he is strongly against permanently closed areas.

After a lengthy discussion the WG decided to adopt 'Proposal for management of the fishery in the Kattegat, Real Time Closures'.

The WG also decided to include in the proposal that fishing using a sorting grid shall be excluded from the closures following from protection of juveniles, since that fishing does not catch any cod.

iii) How to communicate the results of the WG meeting in an optimal way

The WG concluded that the 'Proposal for management of the fishery in the Kattegat, Real Time Closures' has to be dealt with at the ExCom meeting in York, October 29 and 30.

The WG furthermore discussed how to spread information in an optimal way of the 'Proposal for management of the fishery in the Kattegat, Real Time Closures'.

5. Cod recovery (kW-days)

Svend Erik Andersen raised serious concern as to the consequences for the fishing in the Kattegat if the rumoured legislation is put in place.

Henrik Svenberg mentioned that discussions are going in Sweden as to what to do as to kW-days.

Lothar Fischer stated that discussions are ongoing and that Germany next year will introduce a kW-day order.

Bent Pallisgaard informed the WG on the fact that discussion will continue next week in the Council WG.

6. Technical rules

The WG discussed, from an overall perspective, the technical rules applicable for the Kattegat and Skagerrak area.

The opinion of the WG is that the rules applicable in the North Sea *per se* is not applicable in the Kattegat and Skagerrak area.

After a discussion on several aspects hereof the WG decided to constitute a focus group, consisting of two fishermen from Denmark and two fishermen from Sweden. The task of this focus group shall be to review in detail the technical rules applicable for the Kattegat and Skagerrak area and propose changes.

7. ICES advice 2009

Michael Andersen informed the WG of the relevant advices from ICES.

8. Swedegas/Gassco gaspipeline

A discussion took place as to the Swedegas and Gassco gaspipeline.

It was concluded that no fishing bans in this perspective are acceptable, except for during the construction phase. The need for a dialogue with the companies in question during the whole phase of construction was underlined, i.a. so that correct information can be received and spread during the construction phase of the project.

9. AOB

As to the message from the NSRAC Secretariat that funding for today's meeting cannot be guaranteed, the WG was of the opinion that this is most dissatisfying.

The WG concluded the need for at least two meeting in 2009.

10. Closing

Niels Wichmann thanked the attendants for the constructive meeting and declared it closed.

Gothenburg, October 21 2008

Svend Erik Andersen
Chairman

Fredrik Lindberg
Rapporteur