

# The North Sea Regional Advisory Council



## Third General Assembly Record of Meeting November 16th, 2006, Brussels, Belgium

Rapporteur: A D Hawkins

Agreed Record

### 1. Welcome & Apologies

- 1.1 The Chair of the General Assembly, Patrice Leduc, opened the meeting. The NSRAC was now two years old. The first year had been a year of discovery. There had been much curiosity about its work and many observers had attended its meetings. During its second year the NSRAC had taken on a full work load, including responding to the Commission and also preparing initiatives of its own. It had also presented plans for a Symposium on Cod Recovery. He thanked all those who had given their time to the NSRAC. All participants had done their best to pursue the interests of the communities living around the North Sea and to support those affected by the Common Fisheries Policy.
- 1.2 We had received news that Jan Willem Wijnstroom had been taken ill and could not attend. The Secretariat would send our best wishes to him and his family. He would be substituted by Jan Kappel. Apologies had also been received from Pierre George Dachicourt, Bertelsen Christensen and David Johnson of OSPAR.
- 1.3 Ann Bell, the Executive Secretary, asked all present to remember the families of those recently lost from fishing vessels in the North Sea.
- 1.4 Hugo Andersson, Chair of the Executive Committee, said that the General Assembly gave us a chance to look back and also look forward. The last year had been very busy. We had replied to the Commission with a number of recommendations and had taken many initiatives of our own. Our ambitions had been high, but it had become evident that our budget was simply not big enough, especially for the coming year. The Commission is looking at a proposal that the RACs should become 'bodies pursuing an aim of general European interest', which would allow better funding arrangements and make financial reporting easier. We should be grateful to those who had provided additional funding for our work.

- 1.5 2007 promised to be especially interesting. We had planned a Symposium on Cod Recovery. Later in the year the Commission would be reviewing the RACs and we would be able to reflect on whether we had the right system in place. During this meeting we would have to approve the Strategic Plan and agree changes to the Rules of Procedure. We had also invited nominations for the post of Vice-Chairperson of the ExCom, which would close during the meeting. Hugo then introduced Ole Tougaard, who would give a presentation on the new Community Fisheries Control Agency.

## **2. Presentation by Ole Tougaard on the Community Control Agency**

- 2.1 The purpose of the new Control Agency is to coordinate fisheries control and inspection activities by the Member States; assist Member States to cooperate in complying with CFP rules; ensure effective and harmonised application of CFP rules; ensure a level playing field in Community fisheries and combat IUU fishing. The legal basis for the new Control Agency is Council Regulation 768/2005. The Agency will be located in Vigo in Galicia but initially will be based in Brussels. It becomes operational on January 1<sup>st</sup> 2007. Its work programme was adopted on 27<sup>th</sup> October 2006. The Agency will employ about 50 people.
- 2.2 The Agency will coordinate controls and inspections by Member States; organise deployment of pooled resources based on a joint deployment plan; promote harmonised application of rules; develop control and inspection techniques; support the training of inspectors and facilitate the exchange of information. The Commission would continue to formulate policy; provide funding; verify the implementation of Community rules and negotiate agreements with 3<sup>rd</sup> countries and with Regional Fisheries Organisations.
- 2.3 The Agency would have an Administrative Board, an Executive Director and an Advisory Board. The Administrative Board would consist of one representative per Member State; and six from the Commission. Mr Harm Koster from the Commission had been appointed the Executive Director, and he would be independent from the Commission and Member States and responsible to the Administrative Board. The Advisory Board would be composed of representatives of the RACs. It would advise the Executive Director and would appoint one non-voting observer to the Administrative Board.
- 2.4 The priorities of the Agency would include North Sea cod, Baltic Sea cod, and blue-fin tuna in the Mediterranean. The Agencies work would be tailored to particular fisheries and/or regions. Implementation of its work would rest with an Operational Coordination Group, whose role would be political, and a Joint Deployment group, which would run joint operations.
- 2.5 Hugo Andersson thanked Ole Tougaard for his presentation and asked what the actual difference would be out at sea. The reply was that the Agency would aim to establish a culture of compliance. Community waters would become common waters from an inspection point of view. Barrie Deas thought that we all shared the objective of achieving better compliance. However, currently we had poor regulations which were often unenforceable. Would the Agency be able to advise the Commission when regulations were poorly framed? Ole Tougaard

thought that the Agency would tell the Commission where there were problems but ultimately the Commission was responsible for those regulations.

- 2.6 Michael Andersen asked about the role of Commission Inspectors. The reply was that they could not police; only inspect and report. The Agency would have no control over the inspection of landings. It could only offer advice. Commission Inspectors had no authority on shore, but they could inspect and report on National Inspectors. There was concern amongst General Assembly members over what a 'culture of compliance' meant. Ole Tougaard replied that in practice it meant a change in political will. The RACs could help by starting the process of better compliance. Some members thought that the Agency did not have any strong, new instruments or powers. The appearance of Commission Inspectors was always announced in advance and that would continue. Ole Tougaard replied that what was new was the existence of 50 new people able to do things which the Commission had been unable to do. Michael Park was concerned about inconsistencies in enforcement by Member States. Some were much less active in enforcement than others. How would the Agency deal with these differences? The answer was that the Agency would play a role in training inspectors. It could also talk to administrators to make sure that interpretation was the same in all Member States. However, the Agency would not be there to oversee control – it would have no authority over Member States but would be there to add value.

### **3. Report of the Demersal Working Group**

- 3.1 Barrie Deas reported on the work of the Demersal WG. The Group had experienced an active year, with many issues being raised. The Group was very diverse, with a wide range of interests. It had worked well during the year with the NWWRAC on a number of issues. Discussions had been dominated by cod recovery. The NSRAC had pressed for a review of the cod recovery plan and the Commission had agreed. The idea of the NSRAC and NWWRAC contributing to the review by holding a Symposium on cod recovery had emerged.
- 3.2 Support had been obtained from Defra for a Workshop on Maximum Sustainable Yield (MSY) and long term management plans, building on the work of the 2005 Schiphol Focus Group. A set of general principles for long term management plans had been laid down. The focus now was on 5 development groups which would prepare long term plans for specific fisheries.
- 3.3 The London meeting of the Demersal WG had decided that it was time to move forward from the frequent criticisms of the ICES stock assessments. A small WG will now develop constructive suggestions for improving the assessments and involving fishers to a greater extent in the provision of information and advice on the fisheries. New work had been initiated on gill netting. A paper had been presented at the last meeting and that would be taken forward.
- 3.4 The Flatfish WG had now been incorporated into the Demersal WG. This was a critical time for the plaice and sole fisheries. On *Nephrops*, there had been support for the elective use of devices to improve selectivity. During the year there had been good support from scientists. However, there was continuing

concern over their availability. The NSRAC could do much more if it was properly resourced. There was a need for full-time technical support, perhaps from a strengthened Secretariat.

#### **4. Report of the Spatial Planning Working Group**

- 4.1 Euan Dunn reminded the General Assembly that in Stockholm the NSRAC had agreed to produce maps of priority fishing interest in the North Sea. Defra had actively supported the work of the WG and a Workshop had been held in London in February, led by CEFAS. It had looked at the scope for a research project and set out plans for a programme of work. Fishers were comfortable for the scientists to collect together the data available and the fishers then to validate it from their own knowledge and data. The project would be an expensive one. At the June ExCom the NSRAC had agreed to the project going forward. CEFAS had now collaborated with fishers and scientists in five countries to present a project for funding. It had been submitted to the Commission and would begin next year if funding was obtained. Initially, two pilot fisheries would be considered with 100% funding from the Commission. The NSRAC would be invited to participate fully in the project.
- 4.2 The WG had also looked at interactions between wind-farms, fishing and other interests. A one day Workshop was planned for February to explore the concerns of fishers. Overall, Euan Dunn had been grateful for the support of all the participants and from particular Member States.

#### **5. Report of the Skagerrak & Kattegat Working Group**

- 5.1 Niels Wichmann, with support from other fishers, believed that there were quite healthy fish stocks in the Skagerrak and Kattegat. Discussion at the WG had focused on the Kattegat, where 3 countries (Denmark, Sweden and Germany) had fishing interests. The group had unanimously supported a proposal for exploring effort management in the Kattegat. Bi-laterals had been held between Denmark and Sweden, and meetings had been held with the Commission with the result that the Commission had produced 2 non-papers on effort management during the year, which specified particular levels of effort. The first paper had proposed that effort be set at 80% of the 2005 level. The second had proposed 75% of the 2006 level. Both proposals had now been taken off the table. It is still not clear what is being proposed in terms of kW days. The WG had decided to ask the NRAC to write to the Commission seeking the withdrawal of its proposals for 2007. The WG will meet in January/February to discuss further issues including the Skagerrak.

#### **6. Report of the Socio-Economic Focus Group**

- 6.1 Nicki Holmyard reported that the Focus Group had embarked one year ago on the task of developing a scoping study to consider tools for the NSRAC to provide balanced policy advice, taking account of socio-economic factors. The

project involved the collection of data from ports and communities. The study would consider fisheries dependency, the effects of imports and other factors which would be affected by changes to the fisheries. Sixty five different ports would be examined, looking at their reliance on fisheries and their resilience to change. The scoping study had been funded by Defra and the report had been examined by the Den Helder ExCom. Now, funding was needed for the project itself. Initially, a study of 3 UK ports might be embarked upon as a pilot study.

- 6.2 The WG had also developed a Socio-Economic protocol as a tool for use by the NSRAC and the Commission to evaluate advice on management measures. The protocol involved 4 steps. First it asked what positive benefits the advice might have. Then, what negative implications the advice might have. Whether the positive and negative aspects were acceptable and could be managed. Finally, what required to be done to ameliorate any effects? Where NSRAC proposals differed from the Commissions' this would also be flagged up. The Commission's own Economic Analysis Unit was also preparing a framework to look at economic and social impacts. One of the problems the WG had experienced was that much of the data available was not immediately accessible.

## **7 Formation of Development Groups**

- 7.1 Five development groups had been prepared to prepare long term management plans for the key fisheries. The cod/haddock/whiting development group was coordinated by Niels Wichmann and Barrie Deas. It had begun gathering data for discussion with stakeholders. Defra would fund CEFAS and the NFFO to develop a series of management options which could be brought to discussions with all interests. Currently, the WG was positioning itself to begin its work.
- 7.2 The flatfish development group was being coordinated by Nathalie Steins and Michael Andersen. They had prepared an inventory of the fisheries to be considered and had distributed it to interested parties. That would assist in defining the relevant fleets and the group would move on from there.
- 7.3 The saithe development group was being coordinated by Patrice Leduc. He had looked at those involved in the saithe fisheries but had not yet brought them together.
- 7.4 *Nephrops* stocks were in good health. Michael Park would coordinate the development group, the first step being to identify the fisheries and those who should participate in the discussions.
- 7.5 The monkfish development group was coordinated by Jacques Pichon of the NWWRAC. No report could be given as he was not present.

## **8. Comments on the STECF Working Group**

- 8.1 A report on relevant STECF activities was given by Hazel Curtis. The Commission had prepared a management plan for plaice. The NSRAC had asked the Commission for an impact assessment of the proposed measures and

the Commission had passed this task to an STECF WG. The WG had met in September. This was the first time they had attempted to carry out an integrated impact assessment and the necessary tools were not yet in place. The WG had not been able to reach any final conclusions but it had initiated a lot of analytical work, which had since made progress. The plenary meeting of STECF would normally adopt a WG report but in this case it had not. It had accepted that useful preparatory work had been done but said that the report needed further clarification and extension before it could be endorsed. The process had been especially valuable and in particular the WG had involved observers fully in its work. For the future, it was evident that an integrated full-feedback simulation model was required. This would take some time to develop and it would also need appropriate data.

- 8.2 In the meantime, ICES had come up with new assessments for plaice and sole. These were said to show a significantly worse position, requiring the development of a recovery plan rather than a management plan. The intention now was to put a recovery plan in place for several years until stocks recovered. That recovery plan was currently under consideration by the Commission.

## **9. Annual Report of the NSRAC**

- 9.1 The Rapporteur, Tony Hawkins, presented the annual report of the NSRAC. It had been a year of many meetings:-

Second General Assembly Stockholm October 2005

ExCom Stockholm October 05

Flatfish WG Brussels November 05

Demersal WG Brussels December 05

Demersal WG Gdynia February 06

Flatfish WG Gdynia February 06

ExCom Gdynia February 06

Workshop on Long Term Management Plans Edinburgh March 06

Workshop on Mapping Fishing Areas in the North Sea London March 06

Socio-Economic Scoping Study March 06

Skaggerak & Kattegat WG April 06

Demersal WG Den Helder June 06

ExCom Den Helder June 06

Scoping Study Plaice Box Proposal July 06

Joint WG Long Term Management Plans September 06

Joint WG Cod Recovery September 06

Joint Steering Group Cod Recovery Seminar Oct 06

Demersal WG London October 06

Third General Assembly Brussels November 2006

This list did not include Coordination Meetings with the Commission, or the various Inter-RAC meetings, or attendance at STECF Working Groups.

- 9.2 Tony Hawkins briefly reviewed the highlights of the various meetings and underscored the importance of the work being done by the Working Groups and the efforts of their Chairs. An especially important exercise had been the

Edinburgh Workshop on Long Term Management Planning. The Workshop had concluded that better governance was a pre-condition for the development of Long Term Management Plans. The process would have to be 'bottom-up' rather than 'top-down'. The RACs should formulate their own management plans, with help from the Commission & Member States. First, the key fisheries would need to be defined. Expert advice would be required to set out the options and then it would be important for fishers & other interests to choose the options and set objectives. Above all there must be extensive engagement with those who would be affected by the plans. Subsequently five development groups had been formed, and coordinators appointed, to take forward management plans for the main North Sea fisheries.

- 9.3 The poor quality of some stock assessments and the lack of data on by-catch & discards had been a recurrent theme during the year. Management of fisheries on important species like plaice, whiting, *Nephrops* & monkfish had been held back by lack of data and sometimes through lack of consistency in the assessments from scientists. Insufficient use was being made of fishers' knowledge. It had already been shown that the Scientist/Fisher Partnerships set up in a number of countries could provide good value for money. It was time to move forward and make real improvements to the assessments. It was clear that closer contact was required between fishers and scientists. Some progress had already been made. Stakeholders had been admitted as observers to ACFM for the first time and they had also been allowed to participate in STECF Working Groups, where they had played an important and positive role. Discussions with the Commission had resulted in improvements to the MOU with ICES. However, the reforms needed to go further. A small Working Group would be meeting in the New Year to consider the subject.
- 9.4 Another major development had been the proposal from the NSRAC that the cod recovery plan should now be subject to stringent review. The Commission had agreed to the review and as part of its contribution the NSRAC would be joining with the NWWRAC to hold a Symposium on Cod Recovery. A detailed programme had been developed by the Joint Steering Group, including presentations by international experts plus workshops to promote real discussion of the future management options for cod.
- 9.5 The report concluded with a presentation of the annual accounts by Ann Bell, the Executive Secretary. There had been a small under-spend over the past year, which would be made up as additional bills were paid. Next year, however, we faced a bleaker picture as the level of funding from the Commission reduced. The Commission had plans to deal with the evident deficiency in funding, but their reforms might not take place until part way through the year. The Secretariat was therefore proposing to reduce the number of ExCom and Working Group meetings. Funding would be found, however, to take forward meetings of the new Development Groups to enable them to make a start in preparing long term management plans.
- 9.6 In discussion, Barrie Deas pointed to the difficulties that would be faced if the number of ExCom meetings was reduced. Work done by the WGs and Development Groups would have to be approved through written procedures. Michael Park hoped that there would still be scope for representatives of the

NSRAC to attend ACFM and STECF meetings and was assured that every attempt would be made to fund these important activities.

## **10. NSRAC Strategic Plan**

- 10.1 Hugo Andersson presented the latest draft of the Strategic Plan, which he described as a 'living document' which would be presented for revision at each ExCom. One of the major strategic problems we faced was the reduction in funding from the Commission. We had already discussed how we would handle that, but he hoped that the problems would be overcome under the new funding regime being proposed by the Commission.
- 10.2 Representatives of the NSRAC had met members of the European Parliament's Standing Committee on Fisheries. However, he hoped we could arrive at a closer relationship. Konstantinos Kalamantis said that EBCD would be happy to facilitate contact with the Parliament.
- 10.3 Euan Dunn believed that the plan was an important mission statement for the NSRAC. He thought, however, that something had been lost in moving from our original mission statement. That had emphasised the ecosystem approach and the precautionary approach. Those words should be reinserted. He also regretted the statement that horizontal matters would be left to ACFA. The RAC had an important role to play in many of the horizontal issues. Barrie Deas agreed. He thought that the statement that the NSRAC 'shall refrain from preparing advice on short-term matters' was also wrong. There would be times when the NSRAC would have to prepare advice at short notice. Niels Wichmann would like to see a reference on page 4 to the obligation RACs had to report to ACFA. Nicki Holmyard said that the second paragraph under 'Vision' did not make sense. It had to be revised. Nathalie Steins wished to see mention of the evaluation of the RACs which would take place during 2007.
- 10.4 The Chair of the ExCom and Secretariat would revise the Strategic Plan along the lines suggested and bring the document back to the next ExCom meeting.

## **11. Changes to the NSRAC Rules of Procedure**

- 11.1 At the 2005 General Assembly a number of changes had been proposed to the Rules of Procedure for the NSRAC. A number of changes or addenda had now been proposed in paper GA3 and needed to be considered and approved by the General Assembly before the revised document was sent to the Commission for approval.
- 11.2 It had been pointed out by the Commission that addendum 2 was not consistent with the need for new members of the General Assembly to be approved by common agreement between the concerned Member States rather than by the Board of Directors. It was agreed that the addendum be modified to reflect this.

- 11.3 Addendum 6, on the Delegation of Powers, would be amended to accommodate the wishes of the General Assembly to be informed in advance and permitted to comment on meetings and decisions being engaged in by the Chairs and Vice-Chairs of the ExCom.

## **12. Membership**

- 12.1 The North east of Scotland Fishermen's Association had asked to join the General Assembly. The Chairman, Mark Dougal, pointed out that the Association was a PO, based in Peterhead. Membership of the Association was approved by the General Assembly and its members were welcomed to the NSRAC by Patrice Leduc.

## **13. Nomination of First Vice-Chairperson to the ExCom**

- 13.1 Gerard van Balsfoort had resigned from the NSRAC and as First Vice-Chairperson of the ExCom and a Director of the NSRAC Company. Gerard had sent his best wishes to the NSRAC. The General Assembly wished to record its appreciation of the excellent contribution Gerard had made to the work of the NSRAC.
- 13.2 Nominations to the post of First Vice-Chairperson of the ExCom had been invited from members of the General Assembly. Two nominations had come forward; for Nathalie Steins and Michael Park. After inviting further names the Chair closed the nominations. The election would be held at the ExCom the following day.
- 13.3 Both candidates gave brief descriptions of their backgrounds and their aspirations for the NSRAC.

## **14. Report of the NSRAC Directors**

- 14.1 A report from the Directors of the NSRAC Company had been provided, and the Company Directors had met earlier in the day. The main aim of the Directors was to handle the finances of the NSRAC and to get the accounts through the auditors. The report was approved by the General Assembly.

## **15. Summing up**

- 15.1 The Chair of the General Assembly, Patrice Leduc thanked everyone for participating in the meeting. Niels Wichmann announced that the venue for the next General Assembly would be Aalborg, Denmark, where an important fishing exhibition was being held. The provisional dates were October 15<sup>th</sup> & 16<sup>th</sup> 2007. He was thanked for this excellent suggestion and the meeting then closed.

## 16. Action Points

1. The Chair of the ExCom will revise the Strategic Plan along the lines suggested at the General Assembly and will bring the revised document back to the next ExCom meeting. (10.4).	ExCom Chair & Secretariat
2. Addenda 2 and 6 of the Rules of Procedure will be modified to reflect the views of the General Assembly, re-circulated to members, and passed to the Commission for approval (10.2; 10.3)	Rapporteur & Secretariat
3. The next meeting of the General Assembly will be in Aalborg, Denmark on October 15 <sup>th</sup> & 16 <sup>th</sup> 2007 (15.1)	Secretariat

## 17. In Attendance

Assembly Members	Observers
Christien Absil	Robert Alec-Yelin
Michael Andersen	Annemiek Bais
Hugo Andersson	Johan Bais
Ann Bell (Secretary)	Donald Anderson
Willem de Boer	Raymond Bisset
Derk Jan Berends	Dennis Clark
Peter Breckling	Hazel Curtis
Ben Daalder	Poul Degnbol
Barrie Deas	Mark Dougal
Euan Dunn	Søren Eliassen
Javier Garat	Bengt-Olof Eliasson
Matthew Gianni	Jenny Hatchard
Tony Hawkins (Rapporteur)	Dolores Hanratty
Nicki Holmyard	Gerd Koehler
Konstantinos Kalamantis	Petter Meier
Geert Meun	Malcolm Morrison
Jan Kappel	John Nichols
Flemming Kristensen	Steven Park
Patrice Leduc (Chair)	Maureen Rooney
Luc Mellaerts	Erling Skatoy
Michael Park	Johan van de Steen
Guus Pastoor	Barbara Strathern
Tom Pickerell	Michael Sutherland
Nathalie Steins	Despina Symons
Henrik Svenberg	Michael Topping
Pim Visser	Ole Tougaard
Joyce Walker (Secretariat)	Guy Vernaeve
	John Watt
	Niels Wichmann
	Hansen Black
	Anne Berg
	Julie Rigaud