



Demersal Working Group Agreed Record of Meeting May 17th & 18th 2005, Glasgow, UK

Rapporteur: A D Hawkins

Paper for ExCom

1. Agreement of Terms of Reference

- 1.1 The draft ToRs were agreed. Following subsequent discussion at the Flatfish WG it was agreed that the rapporteur would modify the ToRs of both WG groups to ensure that they were consistent with one another. A new draft is now available for comment by June 4th. The ToRs will then be submitted to the ExCom in Hamburg in June.

Long Term Issues

2. Long term management objectives for demersal fisheries

- 2.1 The World Summit on Sustainable Development (WSSD) in 2002 agreed that to achieve sustainable fisheries, action is required to maintain or restore stocks to levels that can produce maximum sustainable yield (MSY). The contracting parties aim to achieve these goals for depleted stocks urgently and where possible not later than 2015. Thus, the European Commission and Member States are committed to fishing at lower fishing mortalities and lower fishing effort to provide greater security of the stocks. The Commission will be producing a non-paper outlining its intentions.
- 2.2 Many participants in the WG accepted the need to adopt long term objectives but had difficulty in accepting MSY as the long term target. There are other ways of defining long term objectives; for example in terms of stock stability or economic sustainability of the fisheries rather than yield for each stock. The concept of MSY is too abstract to apply in the context of mixed fisheries on inter-dependent stocks, especially at a time of environmental change. There is also concern that there has been an accumulation of management measures over time and that this accumulation may get in the way of adopting a longer term approach. The stock assessments themselves are very uncertain and delayed in time and it will be difficult to define when any target based on MSY has been reached. The

Commission and Member States are inclined to show concern over every blip in the assessments, and to react with short term measures which are not fully evaluated before new measures are put in place. A more stable and less reactive approach will be necessary. Finally, some North Sea stocks are currently being exploited beyond safe biological limits and the priority for them is not to maximise yields but to restore them to a sustainable state. What is needed for the North Sea is a new, more considered and careful approach, agreed with fishers themselves, which will result in more stable stocks that are less heavily exploited. Higher yields should then follow.

- 2.3 It was agreed that a paper was required for the NSRAC exploring possible long term objectives, describing what a sensible long-term management approach would look like and recommending how and on what time scale we could move towards such an approach within the North Sea. The paper should draw on experience in other fisheries and in other parts of the world. It should take fishers views into account and should be based on economic realities as well as sound science. The paper will be prepared by a small focus group, to be appointed by the WG chair in consultation with the chair of the ExCom and the Secretariat. It will report on the options for long term management of the North Sea fisheries to the next meeting of the Demersal WG and then to the ExCom.

3. Building a consensus on the state of the fish stocks & improving the fish stock assessment process

- 3.1 There has been a lack of confidence by fishers in the scientific advice on fish stocks, and a wish to improve the whole process of stock assessment. Over the last four years the North Sea Commission Fisheries Partnership has brought fishers and scientists much closer together and has made considerable progress in improving the stock assessments for the North Sea. It has challenged the assumptions made by both fishers and scientists. It has pointed to the poor quality of the data and has stressed that better data on both catches and effort is needed if there is to be confidence in the assessments. The Partnership has introduced an annual survey of fishers' views of the state of North Sea stocks and the information from these is now passed to ICES and used in the assessments. It has initiated a Consultation Meeting each year with the ICES Working Group carrying out the assessments with the assistance of scientists from outside the ICES system. The Partnership also sends observers to the ACFM meeting. It was agreed that it was important for all these activities to continue.
- 3.2 It is hoped that most of the activities of the Partnership can be undertaken in the future by the NSRAC. The work cannot be taken over straight away because of other pressures. Funding has been sought for a further year of work by the Partnership, and it is hoped that this will allow the Fishers' Survey, the Consultation meeting, and other activities to continue for the time being. The aim of the NSRAC should be to continue to promote close liaison with ICES through the Partnership but to take on board those activities itself, perhaps at the end of 2006. In the meantime, it would be appropriate for the NSRAC to formally widen its membership to include environmental and other stakeholders. A proposal that the Partnership

should facilitate dialogue between fishers the control and enforcement agencies was not supported.

4. Adoption of an ecosystem approach & the EU Marine Strategy

- 4.1 Discussion of the ecosystem approach took place on Day 2 of the WG when Eskild Kierkegaard of the European Commission was able to take part. The framework regulation of the reformed Common Fisheries Policy (Council Regulation (EC) 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the CFP) aims at a progressive implementation of an eco-system-based approach to fisheries management. A Communication from the Commission - *Promoting more environmentally-friendly fishing methods: the role of technical conservation measures* (COM/2004/0438 final) also underlines the importance of adopting an eco-system-based approach. Moreover, a number of actions have recently been taken under the framework regulation to prevent activities likely to damage the ecosystem. The use of drift nets has been phased out in the Baltic to protect harbour porpoises. Areas to the west of Scotland have been closed to trawling to protect coldwater corals. The Commission will continue to meet both ecosystem and fisheries objectives in all its future activities.
- 4.2 The EU Marine Strategy, being produced by DG Environment has yet to be published as a green paper. DG Fisheries is maintaining close contact with DG Environment on the relevant fisheries issues and will inform the NSRAC of future developments.
- 4.3 It is evident that the NSRAC will have to deal with wider ecosystem issues in the future and that it should seek to influence proposals on these issues as they develop. The NSRAC will maintain a dialogue with the Commission on the linking of fisheries and the ecosystem.

5 Technical and scientific support for the NSRAC

- 5.1 The issue of technical and scientific support was discussed at both the Demersal and Flatfish WGs and those discussions are summarised here. It was agreed that the NSRAC should be providing evidence-based advice to the member States and Commission rather than simply expressing views and opinions from stakeholders. Such informed advice requires scientific, economic and legal information to back it up. Much of the necessary information can be provided to the NSRAC by the Member States and the Commission and it is essential that there should be an open relationship between the NSRAC, Member State institutes, the Commission and ICES. We do not want to receive differing scientific information from the same sources. As a matter of principle, information already available should not be withheld but channeled to the RACs.
- 5.2 It became evident during the WG meetings that papers and oral contributions from experts will play an important part in formulating advice from the NSRAC. Already, the WGs have received considerable help and information from scientists working for different Member State institutes and from economists from the European

Association of Fisheries Economists (EAFE). The contribution of experts from the Commission and the comments of officials from Member States has also been crucial to the work of the WGs. Indeed, the attendance of these experts and officials is vital for the success of the WGs.

- 5.3 It is also evident that there will be occasions when the NSRAC will need new information on specific issues. The NSRAC will wish to ask particular questions, different from those sought from scientists by the Commission, and Member States. Some of this information might not be held already and might only be available from EAFE, ICES or other organisations at a price. The issue of the NSRAC commissioning its own information on specific topics has still to be resolved. The current level of funding will fund the participation of a small number of experts but it will not pay for the commissioning of new information, although Commissioner Borg supported additional funding for that purpose at his initial meeting with the NSRAC. The Secretariat will pursue with the Commission how the acquisition of specific information and specialist assistance might be funded.
- 5.4 The NSRAC is not an alternative to ICES. It was established by the Commission to provide advice based on the considered views of stakeholders at a high level. The NSRAC does not intend to present an alternative scientific view to be mediated through ACFM or STECF. However, it is considered important that the NSRAC should be invited to send observers to ACFM and STECF meetings and that the NSRAC should be provided with information on the questions put to those bodies. So far, the Commission has neglected to inform the NSRAC of the advice being sought from ICES and STECF. The NSRAC should certainly receive this information and should have been invited to attend the evaluation by STECF of closed areas under the cod recovery plan, and the planned discussions on the curtailment of fishing effort.

Immediate Issues

6. Cod

- 6.1 In Boulogne, the Commission had emphasised that they needed advice on pressure stocks provided in the context of the EU/Norway annual reciprocal agreement. The decoupling of cod from species like haddock and whiting is an especially important issue. The 2006 scientific advice on cod will be crucial, and confidence in that advice is likely to be an issue. Concern was expressed that the assessment of fishing mortality for cod in 2004 had been very uncertain, with caution flagged up by the assessment WG. The fishing mortality arrived at for cod had been unexpectedly high, leading to speculation on whether cod had 'disappeared' or whether the estimate was simply uncertain or inaccurate; yet ACFM and the Commission had insisted on the adoption of strong management measures as if the high F value was certain.
- 6.2 A key question for 2005 is the level of reduction in fishing effort already achieved and the resultant changes in fishing mortality for cod. A paper presented to the WG in 2004 had shown effort reduction was difficult to determine, but was likely to be somewhere between 20% and 65% for the UK fleet. We now need similar data

on the whole North Sea fleet to allow evaluation of the extent to which existing measures have achieved the reduction required. STECF has been asked to assemble effort data from the whole North Sea fleet. However, it will be difficult to take account of additional effort reduction through the increase in mesh size, which has certainly produced a great reduction in fishing mortality on haddock and whiting. Of course, any increase in effort through the adoption of twin trawls and other gear developments should also be taken into account, although most of these changes had taken place several years ago. It will be important for the NSRAC to scrutinise all the assumptions made by STECF in assembling the effort data. A representative of the NSRAC should therefore attend the STECF meeting.

- 6.3 Concern was expressed that proposals for further effort reductions are likely to be indiscriminate. The by-catch of cod in some fleets, like the beam-trawl fleet targeting sole, and the Nephrops fleet is not large. Why should they be caught under Annex IV? In response, scientists pointed out that the fleets themselves are large and that their effort does therefore need to be taken into account. The Commission had speculated that these fleets might be responsible for the 'disappearing' cod.
- 6.4 There was a view that cod was more abundant than the long term assessments were indicating. The surveys carried out by research vessels are considered by some to be seriously flawed, but rather than continue this old argument we need new, real time information on the abundance and distribution of cod, based on fishers' surveys. New surveys are to be carried out by the UK and Denmark, but it will take time for time series to build up. These new reference fleet surveys need to be extended right across the North Sea.
- 6.5 The Commission has said that it will return this year to the question of achieving further effort reduction through the imposition of closed areas. A paper from UK scientists and discussions at the Spatial Planning WG has already cast doubt on the efficacy of closed areas in achieving effort reductions. A serious problem arises from the displacement of effort into areas where juveniles are caught and discarded in large numbers. The displaced vessels may also damage the environment in new areas. Moreover, the closure of large areas for biodiversity and habitat reasons, as well as the installation of wind farms and other activities is already being planned for the North Sea and these closures need to be taken into account. Nevertheless the Commission is persisting with a proposal for further closures. STECF has been asked to assemble data on the spatial distribution of cod to aid with the identification of significant concentrations. It has also been asked to review the ability of closures and other management measures to achieve effort reduction. There is scepticism amongst fishers whether scientists are able to define areas of cod concentration with the methods available to them. If their analysis is based only on the landings then they are likely to identify all those areas where fishers are actually fishing. Yet those areas are largely determined by current management measures because restrictions in the time available for fishing forces fishers to operate in particular areas. If these areas are closed then there will be severe problems for fishers. Inefficiencies will be forced upon them. It would be better if the Commission was to set out clear criteria for the successful application of closed areas. It might be better to concentrate on closing nursery areas and areas where cod actually spawn.

6.6 It was concluded that though closed areas do not provide the best way of reducing effort they may serve some specific functions. It is important to define the circumstances in which they work, and those where they do not work. If closed areas are to be imposed it will be necessary to:

- define their purpose,
- set clear objectives,
- examine the areas, and adjacent areas, beforehand to assess their current state, and monitor any impact
- evaluate the success and benefits of the measures adopted,
- examine the practical impact and economic costs upon different fleet segments,
- and include provisions for opening the area once the objectives have been achieved.

In some circumstances other alternative measures may be more appropriate and these include the adoption of more selective fishing gears. Real-time area closures, which are imposed temporarily and then lifted, also have advantages.

6.7 It was agreed that the NSRAC Secretariat would prepare a paper on the criteria to be applied in the consideration of managed areas, setting a framework for the Commission to follow in putting forward any new proposals. The paper would be agreed at the next ExCom meeting in Hamburg in June and would make use of existing papers from CEFAS, DEFRA and RIVO. It was noted that similar discussions on criteria for managed areas had also taken place within the Spatial Planning WG. It was suggested that the demersal WG would concentrate on defining criteria for areas established for fishery management purposes, whereas the Spatial Planning WG would deal with areas managed to protect habitats, species and biodiversity.

6.8 The advice emanating from STECF on closed areas would also need to be considered carefully by the NSRAC, along with the Commission's reaction to that advice.

6.9 It was also agreed that a paper would also be prepared assessing the merits and effectiveness of real-time area closures, applying the criteria outlined above. This paper would be based on experience already gained by fishers from Denmark, Germany and the Netherlands in the application of real-time area closures and would consider closures to protect both nursery and spawning areas. An initial paper will be prepared by Danish fishers.

6.10 Technical measures such as more selective fishing gears have a role to play especially where fleets have a by-catch of cod. The Commission appears to be sceptical of the value of such measures perhaps because of fears about enforcement. It might accept proposals for their introduction but would also wish to impose effort controls. Valuable developments are currently taking place in the development of selective gears. Rather than a 'one size fits all' approach it is now realised that specific measures are required for particular fisheries. Much exciting work was being done in collaboration with fishers. Fishers themselves believe that technical measures are valuable but should be optional or elective.

- 6.11 STECF has been asked to provide advice on the extent to which cod fishers should be offered access to fisheries which do not target cod. In fact, there are few targeted cod fisheries. Mixed fisheries are being pursued, each with differing levels of cod by-catch. The best approach in these circumstances is to provide Individual fishers with incentives to reduce their impact upon cod, with clear by-catch limits. It was pointed out that such limits should not be set per haul, or per 24 hours or even per trip, but over a period of time to allow flexibility.
- 6.12 The aim should be both to rebuild cod stocks and to operate profitable fisheries. Annex IV applies old fleet characteristics which are no longer relevant. What is now needed are incentives for fishers to use particular fishing gears and operate in particular areas with the aim of reducing the by-catch of cod. How can these incentives be provided? It is evident that the Commission is willing to look at derogations and incentives under Annex IV but it is concerned that such an approach will lead to discards. It will be important for the NSRAC to engage with the Commission in promoting discard pilot projects. We should be discussing forward-looking derogations with the Commission to make vessels more viable but including safeguards against abuse. The NSRAC will produce a paper for the WG considering a range of elective options which include appropriate safeguards. A discard ban for vessels choosing particular options might be part of such a package. The paper will not commit the NSRAC to any particular approach but will seek options for further discussion. Member States are themselves investigating forward-looking derogations and Scottish officials have volunteered sight of the information they have already assembled.
- 6.13 In moving on to consider other fish stocks the WG remained aware that most of them are caught in mixed fisheries, and that decoupling the capture of these species from the capture of cod is an important aspect of all the North Sea fisheries.

7. Haddock

- 7.1 The spawning stock biomass of haddock is large and the fishing mortality low. The haddock is thought by some to be exploited at or below MSY! However, that is not the whole story. Although the stock is robust and it is now being exploited in a sustainable way it is based on a single year class from 1999. All annual recruitment since then has been low. Although there are many good sized fish remaining these are all there is; the stock will decline in the future. The rate of that decline will depend on how heavily it is exploited now.
- 7.2 The dependence of haddock on a single year class is not a new phenomenon. There has always been speculation over the reasons for it and the part played by other stocks (including whiting, which prey upon small haddock) and the environment. It seems that haddock recruitment is to a large extent independent of stock size – illustrating how difficult it is to manage fisheries. However, in the past, periods of poor recruitment have been shorter – 2 or 3 years rather than 6 years. No matter how good the recruitment is in future years there will inevitably be a period when there are reduced numbers of small haddock.

- 7.3 Fishers commented that the price of large haddock is currently low in the face of competition from imports. Scientists' advice is to keep effort on haddock low, as it is now, until a new year class comes through. The effort will almost inevitably remain low, as fishing for haddock will be greatly affected by the measures introduced to protect cod. Economics is likely to be an important factor in determining the appropriate level of fishing on haddock. It would be sensible for fishers to try to optimize their income from the remainder of the 1999 year class.

8. Whiting

- 8.1 There is a problem for scientists in assessing the state of whiting because of divergence in trends from north to south within the North Sea. However, it is difficult to separate effects arising from stock structure from those caused by the differing management regimes. Essentially, scientific surveys show healthy whiting stocks, but in the north very few whiting are being caught. Fishers are of the opinion that the lack of whiting in the catches is due to the large mesh size in use in the northern part of the North Sea. Fishers are concerned that the large stocks of whiting will prey voraciously upon small cod and haddock, preventing their successful recruitment. In the south, with smaller mesh nets, the fishery can target whiting.
- 8.2 Scientists are concerned that they are unable to collect enough data to estimate a TAC for whiting. ICES is trying to address this problem. The NSRAC could help by providing more information both on the spatial distribution of whiting and on discards in the various fisheries. Currently, discard data is taken only from the Scottish fleet, which is not targeting whiting. It was agreed that these difficulties should be addressed by a small focus group. Fishers, particularly from France and England where there are directed fisheries for whiting, are invited to take part. It is possible that surveys by commercial vessels under the UK's Industry/Science Partnership may provide useful additional information.

9. Saithe

- 9.1 The assessment of saithe stocks in the North Sea is also affected by a lack of information. Data are available on the landings, but no scientific surveys are carried out and no discard data are collected. Saithe is a difficult species to assess because of its schooling habit, which may result in CPUE being maintained at high levels even when the stock is declining. Surveys are made difficult by the young saithe remaining inshore.

10. Monkfish (Anglerfish)

- 10.1 The catch data for monkfish are poor in quality and insufficient to support a thorough assessment. There are no research vessel survey data as monkfish are not caught in the survey gear. The TACs have progressively become smaller and recorded landings have declined. However, the stock size may be much larger than the landings would indicate.
- 10.2 ACFM had suggested a period in which the TAC would not be restrictive, but effort would be maintained at the current level, during which all monkfish would be

landed. Such an experiment would provide better data on the actual catches. However, the Commission has been reluctant to risk any increase in effort and the Fisheries Council simply increased the TAC. This year, the WG would again be short of data. As an alternative, log-book data would be compiled, and a new survey aimed specifically at monkfish would be conducted. There is currently an EU/Norway WG looking at monkfish to decide if there is a common stock extending from the west of Scotland into the North Sea (which appears to be the case).

- 10.3 It was concluded that a better assessment is required for monkfish. The NSRAC would follow the advice of ACFM and would recommend that the Commission introduce a period without a restrictive TAC to enable scientists to assess the magnitude of the monkfish catch. Fishers should collaborate with scientists to enable a full programme of biological sampling to be carried out. In particular, fecundity data are required. Scientists emphasised that full effort limitation would need to be implemented, with no new entrants to the fishery. Effort limitation has already been the subject of a paper from the UK. The NSRAC Secretariat will produce a draft statement supporting this approach for approval by the ExCom at Hamburg and will make the draft available for the EU/Norway meeting early in June. It is understood that Norway wishes to reduce monkfish catches but it is believed that this may be because they want monkfish to become a further bargaining tool in their discussions with the Commission. There is support for the Norwegian position from the French government, which does not wish to manage the monkfish fishery through effort controls. However, the main French interest in monkfish lies outside the North Sea. The NSRAC paper will be drafted by Scottish fishers, in consultation with scientists and with English and French fishers. The paper will look closely at how effort limitation will operate, drawing on thoughts from the Member States concerned. It is recognised that the emerging North Western Waters RAC will also have an interest in this issue, and that the NSRAC will need to keep it informed.

11. Nephrops

- 11.1 The ICES Working Group on the Assessment of Demersal Stocks in the North Sea and Skaggeiak (WGNSSK) is looking at regional assessments for *Nephrops*. There are still reliability problems with the *Nephrops* landings data and the rather uncertain assessments are supplemented by underwater television surveys which count *Nephrops* burrows.
- 11.2 Fishers believe that there is an abundance of *Nephrops* and that there is scope for an increasing *Nephrops* fishery.
- 11.3 The WG decided to defer closer consideration of *Nephrops* until the autumn, when the results of new assessments will be available.

12. New Stocks

- 12.1 The new stocks which were increasingly abundant in the North Sea included sea-bass, squid and red mullet. A new ICES WG will meet in December, after ACFM, to consider these stocks for the first time. There is growing recognition of the importance of these species to the North Sea fisheries. ICES has also established a new WG on elasmobranchs (dogfish, sharks & skates) which will meet in June.

13. Sandeels

- 13.1 A new real-time monitoring regime now exists for sandeels. There has been a series of low year classes, resulting from a decline in recruitment which has been evident both outside and inside the sandeel box. The 2004 fishery was poor. There are no fishery-independent surveys for sandeels and a small fishery is allowed in the early part of the year to determine the level of recruitment. Depending on results the fishery may be fully opened, limited to 40% or closed.

14. Norway pout

- 14.1 There has been a steep decline in the abundance of Norway pout and there was effectively no directed fishery on this species in 2004. The latest surveys have confirmed a low abundance.
- 14.2 Danish fishers sought the support of the NSRAC in maintaining a small sentinel fishery of 10,000 tonnes to demonstrate whether the abundance of pout has been restored. Fishers were in general opposed to zero TACs.
- 14.3 Although the Danish proposal received some support, others opposed a sentinel fishery, as they believed the current surveys would indicate in due course whether there has been a recovery in the state of the stock. There was therefore no consensus for the adoption of the proposal.

15. Realignment of management areas with biological stock boundaries

- 15.1 The Commission has asked for advice from the NSRAC on the realignment of management areas and has produced a non-paper on this issue. The proposal to realign the boundaries is part of the front-loading of issues being embarked upon by the Commission. Where mismatch of the boundaries is occurring it contributes to non-compliance with the regulations and misreporting. It is a particular problem with the small pelagic fish (mackerel and herring), which inconveniently migrate across boundaries between management areas, but it may also be a problem with monkfish and saithe. A WG dealing with monkfish areas and the management of monkfish stocks will meet shortly.
- 15.2 There appears to be little interest in realigning management areas on the part of Member States because of the linkage of the boundaries with quota allocations under the principle of relative stability. However, the boundaries are crucial for the application of technical measures under Council Regulation 850/98.
- 15.3 It was accepted that the principle of realignment is sound, but that it needs to be applied stock by stock. It is evident that Council Regulation 850/98 needs revision and consolidation to simplify the rules affecting fisheries. Simplification of the rules is needed to make them intelligible to fishers and to the enforcement agencies. It is this issue, rather than the realignment of boundaries, that most concerns the NSRAC and the WG will return to it at its next meeting.

16. Discards

- 16.1 It is accepted that the issue of discarding is important, not least because of the bad reputation it has given fishers with the general public. It is high on Commissioner Borg's agenda. However, a blanket approach towards the problem is unlikely to be successful; the intention of the Commission to mount a series of discard pilot projects is the right approach. The Commission will soon produce a non-paper on discards and technical measures for the North Atlantic and North Sea and will provide funding for pilot projects. Moreover, the Commission is hoping eventually to produce a new technical measures regulation to replace 850/98. The proposed pilot studies may include discard bans, real-time area closures, effort control rather than quota management, technical measures, quotas for discards – a range of different approaches.
- 16.2 Discarding is often the result of the strict regulation of quotas, by-catch and minimum landing size. There is a likelihood of increased levels of discarding if the Commission implements its proposal for large closed areas in the North Sea, as fishers will be forced into areas containing juveniles. It is important for the Commission to consider the impact upon discarding of the measures that it introduces. Fishers have already taken steps to reduce discards and an important further step would be for all fleets to provide data on the level of discarding from their particular fisheries and for the data collected to be used in the assessments (there have problems with the data collected being misused).
- 16.3 The Commission believes that Member States can help to reduce discards through the local allocation of quotas. The WG agreed that much can be done at a local level to reduce discarding in particular fisheries, especially if the Commission can provide incentives to reduce discarding – perhaps by using Annex IV to introduce flexibility.

17. Preparation for the December Council & changes to the quota year

- 17.1 There is no doubt that the December Council has become too congested, largely because of the recently imposed need for extended discussion of recovery plans and long-term management plans. However, there will be problems in extending the quota year. Some of these are set out in a paper from the NFFO. If the year is extended by deferring decisions, the scientific advice will be out of date. There will also be problems for fishers. December is a month where fishing days may be lost through bad weather, and markets close for Christmas. Moving the end of the quotas year to February or March would mean that quota exhaustion might take place at a time when fishing opportunities were better. An additional key point is that there is no sign of support from Norway for such an extension to the year and a similar reluctance on the part of some Member States.
- 17.2 The WG concluded that one solution was for more front-loading to take place. The Commission aspires to achieve this and though it cannot yet produce a detailed programme it hopes to do so later in the year. It also hopes to deal earlier this year with some of the Annex IV issues. The Commission may be able to provide options for year-end flexibility for some fisheries, but could not do so for stocks shared with Norway (because of complications arising from Norway's application of a discard ban).
- 17.3 The WG agreed that the NFFO paper on *Changing the Quota Year* should be circulated and considered by the NSRAC. Comments should be sent to the chair

of the Demersal WG. There will be an opportunity to adopt a common view at the ExCom meeting in Hamburg.

18. The Shetland Box

18.1 The Commission is seeking the views of the NSRAC on the retention of the Shetland Box and has provided an extensive scientific review of the box, a non-paper of its own and comments from STECF. The general conclusion is that no clear conservation benefits have been demonstrated for the box. Nevertheless, STECF has commented:

- ‘the Shetland Box was in the past, and remains, an important area for demersal fish species and fisheries, now possibly more so now than at the time when it was established;
- removal of the Box and its access regulations could lead to an increase or redistribution of fishing effort into the Box;
- demersal stocks that the Shetland Box is designed to protect continue to require significant reductions in fishing mortality;

STECF recommends that the current regulation should be kept in place.

18.2 The conclusion of the Demersal WG was that the NSRAC should recommend to the Commission the temporary retention of the Shetland Box, pending closer evaluation of its conservation benefits. It is considered important that the purpose of the box should be clearly set out at the beginning of the period of evaluation and that the criteria to be established by the NSRAC for the evaluation of managed areas (para 6.7) should be applied. Indeed, the Shetland Box could serve as a pilot for application of the NSRAC criteria.

19. Any other business

19.1 It was decided that the next meeting of the Demersal WG would take place in late summer/early autumn. Mid September should be avoided.

20. Action Points

1. Comments on the new Terms of Reference for the Demersal WG will be accepted from WG participants before Friday 3 rd June (1.1)	Participants in WG
2. The Terms of Reference will be revised by the WG chair and rapporteur, agreed with Hugo Andersson and presented to the next Excom meeting in Hamburg in June 27-28, 2005 (1.1)	WG chair & Secretariat
3. A paper exploring possible long term management approaches will be prepared by a small focus group, to be appointed by the WG chair in consultation with the chair of the ExCom and the Secretariat. The focus group will report to the next meeting of the Demersal WG and then to the ExCom (2.3)	WG chair & Secretariat to establish focus group to prepare paper
4. The NSRAC to promote close liaison with scientists and with	Secretariat

ICES, initially through the North Sea Commission Fisheries Partnership, but will aim to take on board those activities itself, perhaps at the end of 2006 (3.2)	
5. The NSRAC to maintain a dialogue with the Commission on the linking of fisheries and the ecosystem (4.3)	Secretariat
6. The Secretariat to pursue with the Commission how the acquisition of specific information and specialist assistance might be funded (5.3), and to point out to the Commission that the NSRAC would operate more effectively if it was informed of the advice being requested from ICES and STECF 5.4).	Secretariat
7. The NSRAC to scrutinise assumptions made by STECF in assembling effort data for the North Sea. A representative of the NSRAC to attend the STECF meeting (6.2)	Secretariat
8. A paper on the criteria to be applied in the consideration of managed areas will be prepared, setting a framework for the Commission to follow in putting forward any new proposals. The paper to make use of existing papers from CEFAS, DEFRA and RIVO (6.7)	Secretariat to produce a paper for the next ExCom meeting
9. A paper assessing the merits and effectiveness of real-time area closures to be prepared, applying the criteria outlined in 6.7. The paper to be based on experience gained by fishers from Denmark, Germany and the Netherlands (6.9)	Secretariat & Danish Fishers
10. A paper discussing forward-looking derogations to the effort regime in the North Sea to be prepared considering a range of elective options with appropriate safeguards (6.12)	Secretariat with help from SEERAD to produce for next WG meeting
11. The NSRAC to consider improvements to the whiting assessments through the provision of information on spatial distribution & discarding. To be carried out by a small focus group including fishers from France and England (8.2)	Secretariat and chair of WG to establish focus group before next WG meeting
12. NSRAC Secretariat to produce a draft statement supporting the ICES WG recommendation for a period of fishing without a restrictive TAC for monkfish, to enable scientists to assess the magnitude of the monkfish catch. The statement to be produced for approval by the ExCom at Hamburg but with the draft made available for the EU/Norway meeting early in June (10.3)	Secretariat to prepare statement to be drafted by Scottish fishers, in consultation with scientists and English and French fishers
13. The WG to return to the subject of realignment of management areas with biological stock boundaries at its next meeting (15.3)	Secretariat
14. The NFFO paper on <i>Changing the Quota Year</i> to be circulated and considered by the NSRAC. Comments should be sent to	Secretariat & WG chair

the chair of the Demersal WG. There will be an opportunity to adopt a common view at the ExCom meeting in Hamburg (17.3)	
15. The NSRAC to recommend to the Commission the temporary retention of the Shetland Box pending closer evaluation of its conservation benefits The purpose of the box should be clearly set out at the beginning of the period of evaluation and the NSRAC criteria for the evaluation of managed areas should be applied (18.2).	Secretariat to draft text for submission to next ExCom meeting
16. Next meeting of WG in late summer/early autumn (19.1)	Secretariat

21. In Attendance

Barry Deas
David Wilson
Nicki Holmyard
Derk van Berends
Michel Goujon
Flemming Kristensen
Katie Bloxam
Borja Velasco
Michael Park
Nigel Proctor
Erik Lindebo
Dick Ferro
Helen Davies
Barbara Strathern

Ann Bell
Christine Absil
Fred Normandale
Harlay Xavier
Michael Andersen
Chris Darby
Liza Griffin
Peter Breckling
Bertie Armstrong
Coby Needle
Claire Pescod
Nathalie Steins
Paul McFadden
Tony Hawkins