

Report of the First Meeting of the Executive Committee of the North Sea Regional Advisory Council (NSRAC)

**Chamber of Commerce, Boulogne
31st January & 1st February 2005**

Introduction

The Executive Committee (ExCom) was welcomed to the Chamber of Commerce by its President, Francis Leroy, who emphasized the importance of fishing to Boulogne. Pierre-George Dachicourt, President of the Comité National des Pêches Maritimes et des Elevages Marins, expressed his pleasure that the ExCom had decided to have its first meeting in Boulogne. If we looked at the port we would see that it was now truly European. He wished the ExCom success with its work.

The Chair, Hugo Andersson thanked the Chamber of Commerce for providing facilities for the meeting and for their warm welcome. He thanked the French fishers for providing an excellent lunch and for assisting with many of the practical details. This was the first meeting of the ExCom and he was delighted to see so many participants.

Adoption of the Agenda

The Chair listed the various documents prepared for the meeting. He then proposed that any observers who wished to speak should do this by sending a note to the chair. The NSRAC intended all its activities to be open.

A proposal that “agreement to the report of the previous meeting” should be inserted under Administrative Matters was accepted. The agenda was adopted.

Administrative Matters

The report of the Preliminary ExCom was agreed.

The Secretary sought approval for the composition of the NSRAC Board of Directors. It was agreed that the Board should consist of the Chair, the Vice Chairs, the Secretary and the Rapporteur.

The composition of the Executive Committee was discussed. There was a vacancy on the ExCom. The Secretariat had sought a consumer organisation to fill it, but had not been successful. In the meantime the European Bureau for Conservation and Development had applied to join. It was for the General Assembly to decide on membership and a revision of ExCom membership would be on its agenda in October. However, an interim arrangement could be made. The Commission confirmed that the vacancy did not have to be filled by a consumer organisation. Despina Symons gave a short description of the role of the EBCD. The ExCom agreed that EBCD should be granted interim membership.

There had been a query from the Commission and Member States regarding the membership of the European Fishing Tackle Trade Association (EFTTA). It was thought that the tackle makers could be represented adequately by the European Anglers Alliance. Fish processors and traders were only represented by one organisation. EFTTA had been informed of the query over their membership and they had been expected to attend the ExCom but in the event had not. A spokesperson on behalf of EFTTA made it clear that they would not vacate their seat voluntarily. It was decided that the question of EFTTA membership would be deferred to the next ExCom rather than a decision taken in their absence. However, ultimately, questions of membership were for the General Assembly to decide.

The Commission has been approached by another environmental NGO seeking membership. The status of this organisation was being investigated.

Working Procedures for the Executive Committee

The Secretariat had considered how observers, and especially those representing stakeholders, could participate. An open session had been placed at the end of this meeting. Proposals could be put from the floor, or in a short document presented in advance.

A protocol for observers had been investigated. The rules for OSPAR were not entirely appropriate – we would need to develop our own. It was emphasised that we did need a short statement about the behaviour of observers both inside and outside the meeting. A draft protocol would be produced for circulation before the next meeting.

The chair asked for powers to be granted to the Chair and Vice Chairs to take part in meetings with other organisations and to take interim decisions on behalf of the NSRAC. It was suggested that these decisions should really be taken by a bureau on which all interests and all nationalities would be represented. However, the chair pointed out that it was simply not possible to involve all interests. It was agreed that powers would be delegated but that all ExCom members would be consulted on the agendas in advance of any meetings. Full reports on such meetings would also be provided.

It was agreed that documents carrying the name of the NSRAC could only be issued by the Secretariat. Members of the ExCom could express in public their own opinions on the work of NSRAC, but could not claim to present the views of the NSRAC itself, or the views of other members. It was agreed that translations could be made of NSRAC papers by the individual members of ExCom, so that fishers in different Member States could be informed of its work. Press releases and other statements to the media could also be issued provided it was clear that they represented the views of the organisation issuing them and were **about** the NSRAC, rather than **from** the NSRAC. A draft media protocol would be circulated before the next Excom.

Funding

A bank guarantee was now in place for the NSRAC limited company, and money should soon be available from the Commission and Member States to pay for the NSRAC. Information was sought on the contributions to be made by members themselves. The ExCom was reminded that it had been agreed that members of the General Assembly should pay an annual fee of **€150**, and members of ExCom should pay **€600**.

Additional support from Member States

The NSRAC would have a number of Working Groups, and these would be costly. The secretariat hoped that Member States would be willing to assist with the funding for these, perhaps by providing meeting facilities and scientific and technical expertise. There was also the possibility of Member States seconding personnel to the NSRAC to assist with policy work or for their personnel to shadow the work of the NSRAC and assist with particular issues. The Member States were asked to consider these proposals. The RACs were expected to deliver quality advice and required support from the Member States.

The Board of Directors was asked to seek long term commitments from Member States to support the work of the NSRAC in future years, when reductions in Commission funding would take place.

The United Kingdom was happy to initiate a discussion of these financial issues amongst the Member States.

Translation & Interpretation

At the Edinburgh Preliminary ExCom it had been agreed that the working language of the NSRAC General Assembly and ExCom meetings would be English, with interpretation only in French and in the language of the host region. The Commission had provided limited funding for translation and it would be appreciated if not all countries represented would ask for interpreters at every meeting. It was agreed that the NSRAC would continue the policy agreed in Edinburgh but would leave open the possibility of translation into a specific language if required.

Coordination Meetings with the Commission (8th December, 19th January)

The Rapporteur, Tony Hawkins, gave a summary report on the meetings of the Board of Directors with the Commission in December and January. Both meetings had concentrated on procedural issues and full reports had been circulated to members and were available on the web-site. At the first meeting the Directors had spoken to Dr Joe Borg, the new Commissioner, who had expressed his support for the RACs and for stronger stakeholder involvement in the management of fisheries. He was considering alterations to the fishing calendar, to enable more time for consultation with the RACs and others. The priorities for 2005 had been discussed with the Commission and would be discussed later when Ernesto Penas gave an update from the Commission.

The position of the North Sea Commission Fisheries Partnership was touched upon, as additional funding for this organisation had been sought from the Commission. The partnership had been an important development which had led directly to the establishment of the NSRAC. Initiatives such as the annual Fishers' Survey, the Consultation Meetings with ICES and the joint Study Group for Fishers' Information should continue, as they were important for the NSRAC and for maintaining contact with scientists. The Secretariat was asked to prepare a paper on this important question to facilitate discussion by the ExCom at its next meeting.

Communication

It had been agreed with the Commission that the Boards of Directors of the RACs would meet with it every six months, at the turn of each Presidency, to consider future priorities. Each Board of Directors would then hold a liaison meeting with the relevant Member States. Timing of the meetings would need to be matched in with the consultation process. The Commission pointed out that it might be more efficient if the meetings with the Commission and Member States took place simultaneously. The Advisory Committee on Fisheries Management (ACFA) might also wish to participate.

A short meeting had been held with Mr Morrillon, the new President of the Parliament's Fisheries Committee . It would be important to maintain contact with that Committee, both to keep it informed of the NSRAC's activities and to allow the Committee to seek advice directly from the NSRAC.

Alan Simcock, the Executive Secretary of OSPAR, stressed the value of the NSRAC maintaining contact with the North Sea Ministerial Meetings. In 2006 the environmental impact of shipping and fishing is to be discussed in Sweden. Preparatory work will gain pace on April 27-28th this year with a meeting of North Sea senior officials. The chair of the North Sea RAC would be invited to attend a fisheries issues meeting in Stockholm on March 3-4. At its meeting in June the NSRAC might consider whether to present a paper to the further meeting of the senior officials, which will start to prepare the ministerial declaration. Indeed, the NSRAC could use this opportunity to take up the question of Member States' support for the NSRAC. It would be necessary to coordinate the activities of NSRAC and ACFA, as both would be involved in these discussions.

Flatfish Working Group

Nathalie Steins, the interim Flatfish Working group chair, summarised the advice presented by NSRAC to the Commission & Fisheries Council in November (see NSRAC paper entitled "*Initial advice to the European Commission concerning management measures for North Sea plaice*"). Nathalie Steins also considered the written response of the Commission (see Commission non- paper "*Response to the initial advice to the European Commission concerning management measures for North Sea plaice*"), which had been received for this ExCom meeting. Although she had not been able to discuss the subject within the Working Group, Nathalie knew that some members had been disappointed at the lack of impact of the advice from the NSRAC upon the Fisheries Council.

The following issues had arisen, and would need to be addressed:

- Had a decision to move from a precautionary approach to an approach based on Maximum Sustainable Yield (MSY) already been made? Or was there still room for debate?
- Did we accept that improvement of the scientific data was a subsidiary issue?
- How did we deal with the differences in perception over the evaluations (biological and socio-economic) prior to and after the implementation of management measures?

- Was the NSRAC only a contributor to the debate, or did the Commission want it to play a key role?
- So far, only limited support had been sought from scientists. Expert advice would be required if we were to consider harvest control rules.
- What was the timeframe for preparing future long term plans for plaice and sole?
- Was the NSRAC now expected to respond to the Commissions comments?

Ernesto Penas for the Commission hoped that the non-paper had clarified the issues. The Commission had tried to be more specific in its request for advice. It wished to examine the basic elements of a long term plan for plaice and sole. There were two points of agreement between the Commission and the NSRAC:

- A step by step approach was required. The objectives established by ICES could not be reached in one year
- A long term plan was needed

The most important and urgent thing for the NSRAC to concentrate on is the long term management objectives, and the measures and instruments needed to achieve these. The ICES advice had varied from year to year and the Commission also wished to set a warning level for Fishing Mortality (F), and to decide what should happen if the warning level was exceeded. In reaching conclusions it would be important to distinguish between the different fleets catching plaice and sole in the North Sea.

In response to the issues raised by Nathalie Steins, Ernesto Penas commented:

- There is a strong political commitment to the MSY approach by Member States, whether it is legally binding or not. The long term objective should be to fish at lower F levels as these will provide more stable and sustainable fisheries with high yields. This approach corresponds with the ecological, economic and social objectives of the Common Fisheries Policy (CFP).
- The Commission is doing its best to improve the acquisition of data and the quality of ACFM advice. But a lack of data does not mean that decisions should be delayed. Plaice and sole have been studied for decades and the advice will not improve overnight.
- There may be discrepancies in the perceptions of the annual assessments but ICES has consistently told us that fishing mortality is too high and certainly much higher than the level which will provide good and stable yields. We are losing good catches because of the high mortality.
- Formally, the Regulation says that the RACs have only an advisory role. However, the Commission will follow the advice of the RACs if it can. Whether it does will depend on the ability of the RACs to come forward with proposals which meet the objectives of the CFP. The NSRAC could set an example here.

- The scientific position was clear, as was the long term position of plaice and sole stocks. The Commission accepted that scientific back-up may be needed for discussions of management measures.
- Timing is important. If the NSRAC is able to produce good advice relatively quickly then the Commission is more likely to follow it. For example, industry advice on Celtic Sea cod had been followed by the Commission. The NSRAC could play a leadership role.
- On the time frame, the Commission is committed to preparing the main features of a long term plan before this summer. Developing a detailed plan would take more time. It would be sensible for the NSRAC to concentrate on the framework first, and then to consider the specific instruments and measures for the detailed plan later. A two step approach was needed.

Gerard van Balsfoort of the Netherlands industry pointed out that the Commission's approach based on high yields (MSY) essentially required a reduction in both the plaice and sole fleets of 50% or more. Although the fleets were prepared to accept reductions and to introduce new management measures, they could not accept management objectives leading to such large reductions year after year simply on the basis that remaining fishers would find themselves in paradise. This would mean a rather constant state of unrest for the industry and he questioned if the RAC should give advice on the basis of such management objectives.

Peter Breckling of the German industry asked whether the MSY approach could be applied to all the stocks simultaneously. Not all stocks could be above B_{Pa} at the same time. This would be beyond the capacities of the ecosystem. Science had to provide clear answers on this question. What had caused the reduction in growth of plaice in recent years and what does MSY really mean?

Michael Park of the Scottish industry believed that MSY was a laudable aim, but we would never be able to harvest fish at that level simply because other stocks would be subject to recovery plans.

Christien Absil of Seas at Risk stressed that the fisheries sector would have to get its act together if they were to come up with their own alternative long term plans. Reaching agreement amongst different fleet sectors would be difficult.

Niels Wichmann of the Danish industry thought the Working Group had done well to produce advice at short notice. The plaice issue was perhaps the most difficult to resolve because of differences between the fleets. If the Working Group was able to produce agreed advice from such diverse sources the Commission should try to follow that advice. Also, the process should not be rushed.

Pim Visser remarked that if measures were imposed without thorough analysis and support from the industry the ensuing changes would have a devastating effect and be irreversible (rather like operating without anaesthesia to come to a diagnosis). Not only fishers, but the whole economic sector would suffer.

Barrie Deas of the English industry believed that the NSRAC had to engage in a realistic dialogue with the Commission. Currently there was a wide gap. MSY was an enormous

issue which would have to be discussed at length. Perhaps we should concentrate now on resolving issues like discards, which would provide immediate and tangible benefits.

Luc Corbisier of the Belgian industry pointed out that much had already been done to regulate fisheries. MSY was a new god. However, we had to find a middle way which would take into account the impact upon fishers.

Ernesto Penas refuted the idea that MSY was a new god. He agreed that there would have to be a debate about MSY. He also agreed that it would not be possible for all stocks to achieve MSY status. The Commission would be looking at how MSY could be achieved in mixed fisheries within a complex ecosystem. The scientific advice to the Commission was that lower values of F would lead to higher yields. The Commission did not want to achieve a sudden reduction in F now. Rather, it was asking what the long term objectives should be. It had been said that the Commission was going too fast. In fact plaice had been defined as a recovery stock in 2003 but the Commission had still not implemented a recovery plan. It could not be accused of rushing things. However, if it did not do something soon we could face economic devastation if the stocks collapsed. The scientific advice was never perfect but we did have a clear diagnosis. The new European Fisheries Fund would provide a degree of anaesthesia if painful measures had to be adopted. On discards, the Commission wished to launch pilot projects this year, one of which would be in the North Sea.

Nathalie Steins for the Netherlands industry said that she found it remarkable that the Commission still referred to plaice as a recovery stock, which it no longer was. Moreover it had been stable for the last ten years. This is not to say that there are no management issues to be resolved. However, a large yield approach as currently proposed would not get the support of industry and would probably cause serious governance problems. We could certainly have a discussion of a long term management in the long term as the NSRAC had also advised, but what we needed to do was to follow Barrie Deas' practical suggestion of targeting discarding and adopting new technical measures to reduce fishing mortality. Some of the initiatives suggested by the Flatfish Working Group could be taken now.

Demersal Working Group

Barrie Deas, the chair of the Demersal Working Group reported that the Working Group had met in mid-November. It had benefited from having scientists present, as well as Dr Patterson from the Commission, and a discussion paper on closed areas had been available to it. The report of the working group was believed to have had some influence on the December Council.

The report had emphasized the uncertainty in the ICES advice and had pointed out that reductions in fishing capacity during 2004 had not been taken into account. It had argued that there was no justification for imposing a range of new measures. It had expressed particular concern over the Commission's proposals for closed areas. It had not been opposed to closed areas in principle but to their application without clear objectives. The Council had subsequently agreed that it was inappropriate to introduce closed areas.

Working group participants had agreed to a compromise text, but some outstanding disagreements had not been resolved. The report of the Working Group had therefore

been provisional. This position had highlighted the need for clear rules of procedure for NSRAC Working Groups.

Ernesto Penas had two areas of reaction: the recovery plan for cod and the future position for other species. On cod, the ICES advice had not really softened – the species was still close to collapse. A multi-annual recovery plan is already in place and every year there will be an attempt to take a further step towards recovery. The argument by the NSRAC that the steps taken during 2004 had largely met the objectives laid down in 2003 had been accepted by the Commission. The Commission also agreed that the proposal for closed areas had been developed in a rush. It had been proposed on two grounds. Firstly, any further restrictions in the number of days at sea would have been difficult to apply. Secondly, any further reduction in effort would not have targeted the species required. It was evident that previous measures had reduced the fishing mortality for haddock more than for cod. Closed areas might allow better targeted reductions of effort upon cod. However, time had not allowed full discussion of the proposed measures. The Commission recognised that the NSRAC was not opposed to closed areas in principle. It hoped to front-load discussions this year on closed areas and on Article 8 of the cod recovery plan (the application of Annex IV and related measures). The Commission aimed to conclude agreement well before the December Council.

Other stocks would be subject to the need for bilateral discussions with Norway with the aim of elaborating harvest control rules. Also, the Commission wished to apply long term management plans to a range of new species, including angler-fish in areas IV and VI, horse-mackerel, Norway pout and sandeels. It hoped to develop an overall framework for harvest control rules and would also consider further technical measures. Ideally the process would start with the mixed fisheries for gadoids. How do we continue to fish for haddock while restricting fishing on cod? It was difficult to anticipate the timing of these discussions.

Barrie Deas asked how the Working Group might take things forwards. The discussions on plaice had revealed a large gap between the Commission and the industry which was disheartening to everyone. The establishment of the NSRAC should mean that we could work together. Firstly, we need to agree on the state of the stocks, including the limits of our current knowledge and the imperfections in current data and models. We needed to proceed on the basis of agreed facts. Then we needed a framework which allowed us to work together, involving the Commission, industry, scientists and policy makers.

Nathalie Steins and Michael Park supported Barrie Deas's proposal. Michael was concerned however that a whole series of restrictions had now been placed upon fishers and were planned for the future. We now needed a period for calm reflection and evaluation of what has been done and its consequences.

In response to a question on whether the Commission had placed a contract to have the economic impact of the cod recovery plan evaluated Ernesto Penas explained that the Commission carried out regular surveys of fleet profitability. He would like the NSRAC to look at the results of the latest survey. A further more detailed study is also being commissioned.

Euan Dunn of BirdLife International also welcomed Barrie's constructive remarks. In relation to the Working Group reports themselves we needed to re-examine the

procedures adopted. The Flatfish report fully reflected the disparate views of all the participants, whereas the Demersal report did not entirely reflect the views of all stakeholders and also contained more emotive language. As the report was still provisional we should perhaps amend it to reflect all views. The report also needed to include a list of the references which contributed to it.

Barrie Deas said that the group had tried to reach a consensus. Inevitably, not everyone was happy with every aspect of the text. To finesse it we should perhaps add annexes reflecting any disagreements.

Arnold Locker of the English industry was not happy with the underlying science, and in particular he believed the three international research vessel surveys were flawed because of the unsatisfactory gears they used. It was important to get the right information on the table. The chair pointed out that this issue was being taken up by the joint Study Group between ICES and the Fisheries Partnership.

Michael Andersen from the Danish industry thought there was bound to be some disagreement with the compromise text. However, we should not change the document retrospectively. In order to gain agreement for the provisional report members of the Demersal Working Group were asked to send any final comments on the provisional report to the chair, but to exercise restraint. The final report could then be circulated to ExCom members for approval.

The chair asked whether the Flatfish and Demersal Working Groups could be combined. He had discussed this question with the two chairs who believed that they should continue as separate groups for now. We had been asked for advice on quite separate proposals. There was general agreement, however, that there was strong overlap in many fisheries and in some areas the cod recovery plan affected plaice more than cod. It could also be argued that there should be working groups for *Nephrops* and angler-fish too. In the longer term the ExCom agreed that the two working groups might come together to cover all the demersal species. This would reduce the costs. For now, when specific advice was being sought on long term management of flatfish, it would be better for the working groups to remain separate, but to coordinate their activities.

It was agreed that both the Flatfish and Demersal Working Groups would meet in May/June, or earlier if feasible. The Flatfish Working Group would need to await the production of a framework plan by the Commission on plaice and sole. Terms of Reference will be drafted by each of the chairs and presented to the ExCom for agreement. Draft rules of procedure for all working groups had already been sent out to ExCom members, who were asked to send their comments to the Rapporteur, whom would then produce a final version for circulation and approval. It was agreed that Nathalie Steins would chair the Flatfish Working Group and Barrie Deas would chair the Demersal Working Group. There would be open access to both working groups, with all interested members represented on each.

It was pointed out that there was tension between points 3 and 6 in the current draft rules of procedure for Working Groups. These points will be amended. From a legal standpoint it would also be necessary for the rules to refer back to the constitution of the NSRAC, particularly with respect to the expression of minority views. There should also be a clear separation of interest between the chair and the rapporteur of each working

group to promote transparency. It would not always be possible for the Secretariat to provide a rapporteur.

Pierre-George Dachicourt from the French industry was concerned that the Commission was paying too little attention to the working groups or to the interests of fishers. Fishers needed a much greater degree of certainty. People in the industry respected the environment and the fish stocks. The views of the professional civil servants should not dominate their lives.

The NSRAC Web-site

Michel Goujon gave a short presentation on the NSRAC web-site which would be up and running in a few weeks time at www.nsrac.org. Currently, reports were available on www.northsea.org, the web-site of the NSC Fisheries Partnership.

A description would be required of each member organisation to place on the web-site. The whole of the web-site would be open

Commission Update

Ernesto Penas described the Commission's programme priorities for 2005. Front-loading had been introduced in 2004 to prevent issues being bottled up before the December Fisheries Council. This year the Commission would be identifying issues related to TACs and quotas which were suitable for front-loading. These would include:

- the revision of management areas, where progress had been slow because of the implications for relative stability,
- certain allocation issues, which mainly affected the Baltic,
- re-arrangement of the timing of the TACs and quotas discussions, perhaps delaying the entering into force of TACs and quotas until February or March.

On the latter, the Commission might go for the early adoption of TACs and quotas for those stocks assessed by ICES in May/June, including the small pelagic species, *Nephrops*, and the deep-sea species. A paper would be produced on this issue.

Despite front-loading, there were many major issues to be resolved. The application of Article 8 (Annex IV) provisions and related measures could not yet be fully discussed and applied but might be considered for front-loading. The Commission might also be able to present proposals for the long term recovery plan for plaice early in the year. If front-loading of both these issues proved possible, then full policy debates on them might be held during the December Council.

There were some unfinished items from the December Council. Additional fishing days for otter trawlers were to be granted pending certain agreements for the fleets affected. Member States will have to apply for these additional days. An increase in the angler-fish TAC had been granted in recognition that the fishery is currently resulting in too many discards. However, there should be no net increase in effort. Ways of reducing effort would therefore need to be discussed. The TACs for sole in the Kattegat/Skaggeak would also need to be re-considered, depending on new scientific advice, together with the new procedure for the implementation of TACs for sandeels.

A major mistake had been made at the December Council. Under the Annex IV arrangements, as an alternative to a closed season for the Kattegat/Skaggeak, three extra days had been provided for vessels using 120mm square mesh panels. This provision had mistakenly been applied to the whole North Sea. The Commission would need to decide whether to remove this provision or let it remain.

Effort transfers from one area to another would be necessary under the cod recovery plan. Because the status of various cod stocks was different the Commission had wished to apply area-specific measures. The Council had decided to put all the areas together which means that effort may be transferred from one area to another. This flexibility might undermine efforts to conserve cod. This Commission would like to reopen a debate on this issue. It would be useful to have the view of the NSRAC on whether the flexibility had resulted in a transfer of effort to the North Sea.

Under Article 19 of the basic Regulation the Commission had to reconsider those closed boxes with access restrictions – the Shetland Box and the Plaice Box. A scientific evaluation had been prepared and will be made available to the NSRAC. The Commission now has to produce its own report, discuss it with others and then take an appropriate decision. The scientific advice is not particularly conclusive for either the Shetland Box or the Plaice Box, and the Commission will have to decide whether to produce an open ended report or to go for a particular option. The advice of the NSRAC would be helpful in resolving this choice.

As mentioned earlier, the Commission had a commitment to introduce an MSY approach. However, this would not be applied blindly. A discussion paper would be produced later in 2005 and a debate would be initiated. It was essentially a horizontal issue and it might be better to deal with it through ACFA, rather than the RACs.

The Commission had already spent a great deal of time discussing the reduction of discards. This year it would have the resources to develop a series of pilot projects. The process would be a bottom-up one, and the advice of the NSRAC would be sought in devising a suite of measures which could be adopted for the North Sea fisheries.

On technical measures, an initiative had been taken last year under the Irish Presidency to consider environmentally friendly fishing methods. The relevant Regulation for the North Atlantic, 850/98, would not be revised. The Commission would discuss technical measures extensively during 2005 and then prepare a new Regulation later in the year.

There were several items which might better be handled by ACFA, rather than the NSRAC, as they cut across the various RACs. These items included the Data Collection Regulation, The EU Marine Strategy, the European Fisheries Fund and the new Control Agency.

Michael Park opened the discussion by expressing his frustration at the mistake which had been made in providing more days at sea to vessels using square mesh panels. Fishers had been urging the adoption of this kind of measure as a means for reducing discards. Now there was a risk that it would be withdrawn. Moreover, the Commission had listed a range of other items which would inflict damage upon the industry. He reiterated his request for a period of calm and reflection.

Ernesto Penas replied that scientists were concerned over the current state of the fish stocks. They were not telling the Commission to wait and see.

Pim Visser of ports and auctions asked whether it would be possible at future ExCom meetings for the Commission to provide a short paper, listing their proposals, as a great deal of information was being imparted. The Commission would be happy to do this

Referring to the Commission's long term aim of introducing an MSY approach, and the problems this would present, Alan Simcock from OSPAR believed that this change involved complex scientific issues, some environmental and some fisheries-related. OSPAR was setting ecological quality objectives for the North Sea, and for fisheries this currently involved using B_{Pa} levels, as set by the fishery regulators. Any change in the approach for managing fisheries had implications not just for the fishery but for the setting of ecological quality objectives. Alan proposed that a joint scientific workshop should be held between the NSRAC and OSPAR to consider the broader implications of the change to an MSY approach, and to consider the other ecological issues arising, including the question of whether all stocks could be managed at the MSY level. He would come forward with a firm proposal for the June meeting of the ExCom.

Annual Work Plan for 2005

Euan Dunn, on behalf of the e-NGOs, had come forward with a paper proposing a new working group on Spatial Planning, which also introduced the idea of Strategic Environmental Assessment (SEA). Spatial Planning was now on everyone's agenda. Such a working group would enable the NSRAC and the fishing industry to develop a position on Marine Protected Areas (MPAs) and other spatial measures. As well as an initiative from OSPAR to establish a network of MPAs the Commission had also announced that it aimed to designate a series of MPAs under Natura 2000 provisions by 2008, with management measures being put in place by 2010. The Demersal Working Group had already adopted a commitment to look at closed areas. It would be important, however, for the new working group to look at both protected areas for fisheries management and areas designated for the protection of biodiversity.

OSPAR was also working on a network of managed areas for the North Sea. There were many different issues to consider. Alan Simcock had proposed that a joint meeting be held between OSPAR and the NSRAC working group, perhaps in early October. Alan could, if required, present a proposal to the June ExCom meeting.

There was support from all members on the establishment of a Spatial Planning Working Group. The NSRAC needed an integral vision of spatial planning, and would benefit from working with OSPAR. Unlike other users of the sea, fishers did not have exclusive access to fishing areas, and this issue needed to be discussed. It was important for all stakeholders to be involved in spatial planning for the North Sea.

The Rapporteur mentioned that the Commission, at the January coordination meeting, had suggested that the NSRAC should think carefully about the establishment of new working groups. It had suggested that closed areas should only be considered in the context of fisheries management measures, within the Demersal Working Group. The consensus of the ExCom, however, was that a new working group was needed.

Katie Bloxham said that spatial planning was an important issue within the UK. The UK government was willing to provide logistical support for the Spatial Planning Working Group, and would help to coordinate its work with the other Member States.

It was decided that the ExCom would take Euan's paper as a basis for the working group. Euan and Tony Hawkins were asked to prepare Terms of Reference, taking on board the comments of others. It was agreed that Euan Dunn would chair the working group. The offer from OSPAR for a joint meeting in early October would be taken on board.

Niels Wichmann of the Danish industry suggested a working group covering the Kattegat and Skaggeak. This proposal was agreed. There is a separate management regime for that area, which mainly concerns Denmark, Sweden & Norway. The working group would be co-hosted by Denmark and Sweden. Suggestions for a chair and Terms of Reference would be brought to the next ExCom meeting.

Calendar for 2005

Peter Breckling offered to host the next ExCom meeting in Hamburg on 29th and 30th of June. Members would arrive on the afternoon or evening of the 29th (Wednesday), and the meeting would occupy the whole of the 30th (Thursday).

The next General Assembly of the NSRAC will take place on the 20th and 21st October in Stockholm.

Chairs of the working groups should suggest dates for their next meetings, possibly in late May/early June. The meeting dates would be posted on the web-site. All members wishing to participate should contact the Secretariat.

Open session

Peter Caunter, a SE English fisher proposed an increase in the mesh size and minimum landing size for vessels fishing for Dover sole in the interests of sustainability. A paper describing Peter's proposals will be placed on the web-site. Nathalie Steins invited Peter to join the Flatfish Working Group to discuss his proposals. The working group was already planning to discuss this issue.

Annemiek Bais-Rienstra, the wife of a Netherlands fisher, said that to her as an observer our discussion seemed to be at a distance but it was of great importance to families, and family companies. The NSRACs discussions would affect real people.

Jan Kappel, spokesperson for the EFTTA, returned to Arnold Locker's remarks about the validity of the bottom trawl surveys. He pointed out that the trawls used by scientists were not designed to catch large quantities of fish but to obtain representative samples from a series of stations, providing a time series. Arnold Locker emphasized that the vessels carrying out the surveys had changed over the years but the gears remained the same. He believed that fishers were catching fish which scientists did not even know were there. Gerard van Balsfoort mentioned the Dutch F project, which aimed to scrutinise the assumptions made by scientists.

Jean Marie, an inshore fisher from France said that they were always blamed by the Commission for any decline in stocks, whereas many other factors including temperature, pollution and the industrial fisheries were also having an effect. He had invested all his savings in his fishing activities, but had to do what the Commission dictated. Instead of boxes to protect fish we needed closed areas to protect fishers.

Henri Carpentier, a scientist from IFREMER Boulogne, mentioned that for scientific surveys data were needed over many years. If gears were updated there were problems with the comparability of the data. He had been annoyed by the criticism of the stock assessments and emphasised the need for greater collaboration between scientists and fishers. We all had a common interest in obtaining sustainable fisheries in the future. Pierre-George Dachicourt added that to improve the ecology it was especially important to reduce discards.

Luc Corbisier was pleased that the Commission had attended the ExCom to discuss their future plans, but was concerned that the Commission still wished to steer the ship. It had paid little attention to the views of fishers and step by step had introduced stronger regulation. That was a sad state of affairs for fishers. Within the NSRAC we should steer our own course.

Ernesto Penas agreed that it was not only fishing which affected the fish stocks. However, the only thing the Commission could control was the fishery. He recognised that some measures were difficult for fishers to accept. We also had to take a balanced view of the industrial fisheries. They involved fishers too.

Any Other Competent Business

Jan Willem Wijnstroom of the European Anglers' Alliance believed that fishers and other stakeholders in the North Sea had much to learn from other more successful management systems. He suggested that experienced fishery managers from elsewhere should be invited to address the NSRAC. The Rapporteur reminded the ExCom that the Commission had already suggested that they might fund meetings with fishery managers from other countries or management organisations which had a structure which paralleled the RACs. It was agreed that the Secretariat would consider inviting an appropriate person to address the next General Assembly.

Several members mentioned that papers for the ExCom should be provided well before the meeting, so that members had a chance to read them. It was decided that all documents would be provided at least 10 working days before an ExCom meeting.

Hugo Andersson closed the meeting by thanking the interpreter, our hosts – the French fishing industry – for their kindness, the Commission and the Secretariat. We would meet again in Hamburg in June.

Action Points

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| 1. A draft addendum to the NSRAC "Rules of Procedure" to be | Secretariat |
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| produced to clarify ExCom procedures. | |
| 2. The issue of EFTTA membership to be discussed at the next ExCom. EFTTA to attend | Secretariat & EFTTA |
| 3. A protocol for observers to be produced and circulated for comment before the next Excom | Rapporteur |
| 4. A media protocol to be produced and circulated for comment before the next Excom | Rapporteur |
| 5. Members of the ExCom to be invoiced for their €600 fee | Secretariat |
| 6. A long term commitment to be sought from Member States to support the work of the NSRAC in future years | Board of Directors |
| 7. A paper to be prepared on the future of the NSC Fisheries Partnership for next ExCom | Secretariat |
| 8. A report on the profitability of different fleet sectors to be made available | Commission |
| 9. Reports on closed areas issued during the Demersal WG to be circulated to all members. Reference list to be added to all copies of the report | Chair of Demersal WG |
| 10. Chair of NSRAC to attend "fisheries issues" meeting in March and report back to ExCom on the role of NSRAC in relation to NS Ministerial Meetings | Chair of ExCom |
| 11. Flatfish WG to meet in May/June to consider a new Commission paper on the framework for developing long term plans for plaice and sole, to extend the advice on flatfish, to take a look at reductions in discarding and the adoption of new technical measures, and to consider the plaice box | Chair of Flatfish WG |
| 12. Terms of Reference to be drafted for Flatfish WG | Chair of Flatfish WG & Rapporteur |
| 13. Final comments on the provisional report of the Demersal Working Group to be sent to the WG chair, (exercising restraint). The final report then to be circulated to ExCom members for approval. | Members & Chair of Demersal WG |
| 14. Terms of Reference to be drafted for Demersal WG | Chair of Demersal WG & Rapporteur |
| 15. Demersal WG to meet in May/June to prepare advice on recovery plan for cod, long term management plans for other species and a range of additional issues including the Shetland Box | Chair of Demersal WG |
| 16. Draft rules of procedure for working groups to be refined and re-circulated for approval at next ExCom | Rapporteur |
| 17. Web-site to be set up | Secretariat |
| 18. Scientific report on closed boxes to be circulated to enable ExCom to provide advice on closed boxes with access restrictions | Commission & Secretariat |
| 19. Plans to be prepared for a joint scientific workshop between the NSRAC and OSPAR to consider the broader implications of the change to an MSY approach, and the ecological issues arising | OSPAR & Secretariat |
| 20. New WG on Spatial Planning to be established. Draft Terms of Reference to be prepared. Initial meeting to be held with | Chair of Spatial Planning WG, |

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| assistance from the UK | Secretariat, Katie Bloxham (UK) |
| 21. Prepare plans for a joint workshop between the NSRAC Spatial Planning WG and OSPAR to consider MPAs, to be held in early October | Chair of Spatial Planning WG, Secretariat, OSPAR |
| 22. Establish new WG for Kattegat and Skaggeak. Draft Terms of Reference. | Industry Members for Sweden and Denmark, Norway |
| 23. Secretariat to send out a reminder about the 3 WGs. Members wishing to participate in any of the 3 WGs to contact the Secretariat. | Members of ExCom |
| 24. Next ExCom meeting to be arranged in Hamburg on 29 th and 30 th of June | Secretariat, Industry Member for Germany |
| 25. Appropriate person to be invited to address the next General Assembly on management systems with similarities to RACs. Arrangement for next General Assembly in Stockholm on Oct 20-21 st to be made | Secretariat |