

# Review on the functioning of the Pelagic RAC

Response to the Commission's communication on the functioning of the RACs

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Second draft, prepared by the secretariat



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## 1. Introduction

The Pelagic RAC takes note of the Commission's communication on the functioning of the RACs and would like to provide the Commission with its own views regarding the functioning of the Pelagic RAC in particular. In addition it will take the opportunity to respond to some specific issues put forward in the Commission's document. The P-RAC furthermore takes note of the ACFA evaluation report, which it takes into account to a certain extent here as well. It should be noted that this paper is limited to the evaluation of the functioning of the P-RAC so far and does not go into future roles and possibilities for the RAC(s) after the CFP reform. The P-RAC will take the opportunity to address the latter issue at a later stage.

## 2. The Commission's document

The P-RAC is of the opinion that the Commission's document altogether is clear and correct, although it at the same time does not go into much detail and it has a limited coverage of topics. The P-RAC acknowledges that the Commission intended to review all RACs at once with this paper, and hereby limited herself in being able to make RAC-specific statements. For instance, the document does not provide much insight into the actual work that has been done by the RACs so far, in terms of recommendations that were provided and how these were dealt with by the Commission.

In relation to the Commission's request to provide input for improvement or clarification of certain provisions of the Council Decision establishing the RACs, the P-RAC would like to make a few suggestions, which are provided in annex 3. The P-RAC furthermore appreciates and fully concurs with the other concluding suggestions on a number of actions to be implemented in the short term to improve the RACs' functioning.

## 3. Membership

Since the establishment of the P-RAC, the membership of the General Assembly (GA) has decreased significantly in terms of the number of member organisations. Approximately 60 organisations initially signed up for membership at the first GA meeting, probably partly due to the fact that no fees were raised during the first year. When fees were introduced in the second year, quite a number of members withdrew. Then, when over the next few years the members became more acquainted with the way the RAC operated, more and more organisations trusted to be represented by umbrella organisations where they held membership. Currently, the P-RAC has 39 members in the GA. The membership in the Executive Committee and the Working Groups has been stable with around 18 and 20 members respectively. Since the start, the P-RAC has had

four NGO members, of which WWF and Seas at Risk have been, and currently still are, the most active ones in the Working Groups.

#### 4. Transparency

The P-RAC has had an open and transparent way of working. Meetings have all been open to observers and (meeting) documents have been available to all that requested them. The P-RAC has had a website from the beginning, on which agendas and minutes of meetings, as well as yearly reports could be found. The renewed website that was launched in January 2009 also provides a section on the recommendations by the P-RAC.

#### 5. Financial management

The P-RAC was very happy to see the RACs becoming bodies pursuing a public interest in 2006, giving them more financial stability. Then, during 2008, many changes were implemented, regarding the practical management of the finances as well as legal requirements. This had not been a smooth ride. For instance, the last conclusion in the Commission's document suggests that the RACs would be given the opportunity to work together with the Commission on guidelines for the financial management (since the Commission would be making a *proposal*). In reality, however, the secretariats of the RACs have experienced this process as an extremely strenuous one, and not one of open and equal dialogue. In addition, many changes were put in effect halfway into contract years, making it impossible for the RACs to take them into account and avoid problems. (It is very likely that the P-RAC will be left with a deficit of around 13.000€ after closing the account for its third year, due to the fact that the secretariat was not aware of the rules that would apply on deficits of income from members, at the time that the contract was signed.) The difficulty the secretariat has experienced in finding out exactly which rules apply in what order and how they should be interpreted has led to much correspondence between the P-RAC secretariat and the Commission that could possibly have been prevented. This burden weighed heavy on the P-RAC secretariat (as it has similarly on other RAC secretariats). In 2008, much more time was spent on these administrative matters than ever before, which could consequently not be spent on other matters, such as preparing for meetings. Lastly, the P-RAC secretariat feels that there is room for improvement on the provision of information on these kinds of matters. No doubt, through that, much time and effort could be spared for both the secretariats as well as for the services of the financial unit of DG Mare.

## 6. Output during the first three years

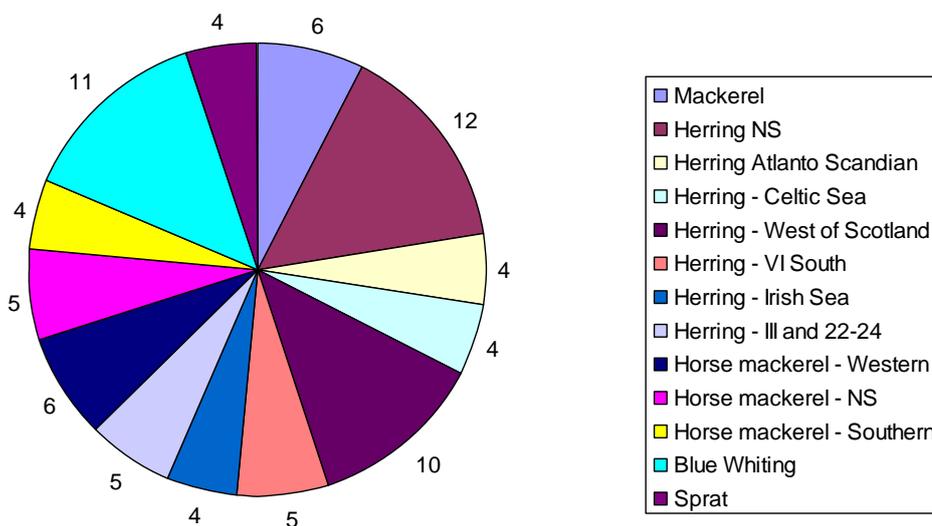
The P-RAC was inaugurated on 16 August 2005 and in effect is now operating in its fourth operational year. On 4 September 2008, the fourth General Assembly meeting was held and the opportunity was taken to look back on the first three years to discuss the functioning of the P-RAC. The information provided in this section provided on the output of the P-RAC, cover that first three year period, until 16 August 2008.

### 6.1 Output in terms of meetings held

Altogether, the P-RAC held 41 meetings of its own in its first three years (see annex 1). Without exception, the 23 Working Groups meetings, during which the core work of the P-RAC was done, were well attended by an average of approximately 33 participants. NGO's have participated in almost all meetings and scientific experts have provided presentations many times. In addition, DG Mare representatives have attended many of the WG meetings as well. The 11 Executive Committee meetings held have been attended by 27 participants on average. They have been relative short and efficient meetings, mainly due to the fact that consensus could be reached during the Working groups meetings.

### 6.2 Output in terms of recommendations made

On 16 August 2008, the total output of the Pelagic RAC stood at 102 recommendations<sup>1</sup>, of which 80 had been stock specific (see figure 1) and 22 had been on horizontal issues.

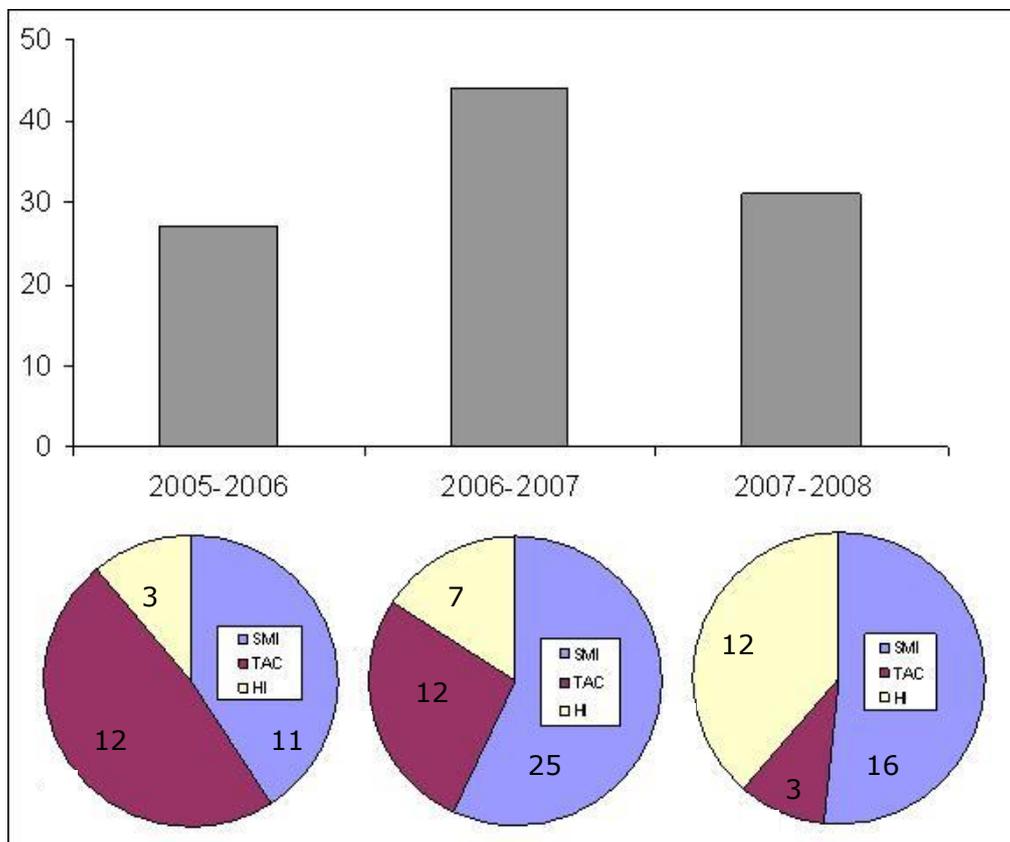


**Figure 1:** Number of recommendations per stock`

<sup>1</sup> Note that one could count the number of recommendations in a number of ways. In this case, recommendations on several stocks, provided to the Commission in one letter, were counted separately. In contrast, annex 2 only provides an overview of all the letters sent (which thus groups the recommendations).

Only once, namely when making a recommendation on the North Sea herring TAC for 2007, a majority and minority advice was provided on behalf of the industry and other interest groups respectively. On the 101 other decisions on recommendations, unanimity had been reached. It shows from figure 1 that North Sea herring (12), blue whiting (11) and West of Scotland herring (10) have received most attention in terms of number of recommendations made, specific to these stocks.

Figure 2 shows the number of recommendations provided per RAC year. It can be seen that the number of recommendations first increased from the first to the second year and then decreased again in the third year. This can be put in better perspective when zooming in and looking at the 'type' of recommendations. The number of recommendations exclusively commenting on the next year's TAC decreased from 13 to 3 over the three years, whereas the number of recommendations on stock management issues (SMI), incorporating all recommendations that were more elaborate than solely providing a TAC advice, increased from 11 to 16 recommendations. The number of times recommendations were provided on horizontal issues (HI) increased from 3 to 12. Note that specifically these horizontal issues generally incorporated elaborate recommendation papers (e.g. responses to consultations on the discards regulation, the control regulation, and Natura 2000 plans).



**Figure 2:** Number of recommendations per year and per type

## 7. Recommendations made

The P-RAC has provided input in response to most consultations by the Commission, Member States or other parties. Occasionally, it has decided not to provide input. Two examples of such occasions were:

- When MSC made a request for input during a certification process. The P-RAC declined, because there was a conflict of interest.
- When the Scottish 'House of Lords European Union Committee' made a request for input for their review of the progress of the Common Fisheries Policy since it was reformed in 2002, the P-RAC decided not to provide input, since there was only one month to respond and this was a topic too vast, making this task unfeasible.

In addition, so far, the P-RAC has not dealt with market mechanisms as such, but instead has kept a focus on stock management issues taking both a short-term and long-term approach. The Commission states in its document that RAC's *"should, rather than to engage in a discussion on TAC figures for individual stocks, have a systematic discussion concerning the principles contained in its annual Policy Statement on fishing possibilities, [...] because this would only divide RAC members and undermine their legitimacy"*. At the same time, however, the Commission has repeatedly urged the P-RAC to provide input on the quota allocation for horse mackerel stocks, which would very likely result in exactly that. (The P-RAC therefore declined the invitation to provide input, because it regards that purely political issues like these do not have a place in a RAC.) In conclusion, it seems that the scope of the RACs is not always altogether clear.

### **7.1 Recommendations on Short-term management**

The P-RAC has provided advice on the TACs and quota each year, because it feels that taking short-term decisions are important in addition to making long-term plans, since the former are likely to have implications in the long-term as well. In addition they are important in periods of transition from a year-to-year management situation into a long term management regime. And even after the implementation of long term management plans, year-to-year decisions still need to be made, and this will therefore remain an important and relevant part of the management always.

## **7.2 Recommendations on Long-term management**

The P-RAC has invested much of its time and effort in considering long-term management issues<sup>2</sup>. While doing this, it has received much needed help from the scientific community. ICES representatives have provided presentations at P-RAC meetings numerous times to explain the ICES advice and have been very willing to join in debates in order to come to a thorough understanding of difficult issues. The P-RAC has also been blessed on numerous occasions when scientific experts from national institutes on a voluntary basis attended meetings to make valuable contributions during discussions of often complex nature. Especially the iterative process of developing a management plan for Western horse mackerel, where stakeholders of the P-RAC worked together with a group of scientists from four different research institutes<sup>3</sup>, was an extremely positive one. Even though the Commission expresses repeatedly that RACs should focus on the development of long term management plans, the Commission's communication does not go into this issue much. It mentions that "*Some RACs have submitted particularly well-grounded advice on long-term management plans, and the Commission has taken these recommendations into account*", but the latter has not always been the case in the eyes of the P-RAC. This was particularly true for a number of recommendations made on the West of Scotland herring management plan.

## **7.3 Recommendations on horizontal issues**

The number of recommendations on horizontal issues, such as discards or technical measures, in response to a consultation by, amongst others, the Commission have increased significantly over the three operational years (from 3 to 7 to 12, see figure 2). The P-RAC has tried to make thorough, detailed recommendations as often as it could, sometimes prepared by a focus group. The increased number of these consultations has had a major influence on the workload of the Working Groups. The P-RAC feels that it is therefore becoming increasingly important to consider the scope and workload of the RACs in relation to the resources provided.

## **7.4 Data collection issues**

The P-RAC has made a number of attempts to address data collection issues. The members have experienced in the past years that for several stocks, but especially for the NEA mackerel stock, different perceptions of the stock status exist. For NEA mackerel this regarded the perceived development of the SSB as well as the height of unaccounted

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<sup>2</sup> Most prominently time was invested in: Blue Whiting (revision mp), NEA Mackerel (revision mp), Western Horse Mackerel (development mp), Herring - North Sea (revision mp), Herring - VIa North (development mp).

<sup>3</sup> See: A new scientific initiative with the Pelagic RAC to develop a management plan for western horse mackerel (ICES CM 2007/O:20)

mortality. The P-RAC has addressed this problem, by trying to come up with ideas for the way that fishermen's data could be incorporated into the assessment. So far these attempts have failed, mainly due to the fact that no clear consensus (between stakeholders and scientists) was reached on the format in which data should be delivered. In addition, arrangement based on which the P-RAC collaborates with scientists has its limitations, because as soon as some in-depth work needs to be done by the scientists to bring the discussion forward, the P-RAC has no means to make this happen and is thus completely dependent on the initiative of a third party to finance this. The P-RAC furthermore would like to note that it finds the fact that ICES has opened up its benchmark process to stakeholders, a very positive development. It is worried, however, that problems as described above may prevent this from being actually effective. Initiatives such as having scientists analyse commercial fleet data, in order to determine the information that can be retrieved from this, are deemed very important<sup>4</sup>. In cases where scientific data from surveys is scarce, which is the case with several small, but not less important, pelagic stocks, this might be a serious innovative way to solve a problem in a situation where available resources are scarce. Currently, however, the resources of the RACs do not allow them to play a more prominent role in this.

#### **7.4 Socio-economics**

Up until now, the P-RAC has not separately addressed, nor integrally incorporated, socio-economics in its recommendations. Considering that the basis for establishing regional councils was to enable an ecosystem approach while taking into account the three P's of sustainability, people, planet, profit, the P-RAC feels that it is, so far, not succeeding in this. The question of how to incorporate a socio-economic angle, has lingered above the heads of the members for long. Unfortunately, the Commission has not been able to provide some structured guidance on this, despite several requests. The P-RAC is currently seeking the advice from experts in order to come to a solution to this problem.

#### **8. ACFA and the RACs**

The P-RAC would like to note a few recommendations from the ACFA evaluation report<sup>5</sup>, that are relevant in the context of the functioning of the RACs as well. The first recommendation in the report states that a clear definition of the role and objective(s) of ACFA is much needed. The P-RAC feels that the same may be true for the RACs. The increasing workload may eventually limit the quality of advice by the RACs. Providing detailed, well based recommendations (both taking into account scientific biological as

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<sup>4</sup> Possibly, the fact that the RACs have recently been made aware of the possibility to make recommendations on research priorities for specific studies to be financed under the DCR, could form part of the solution for this.

<sup>5</sup> See: Mid term evaluation of ACFA Final Report

well as socio-economic data) on stock specific as well as horizontal management matters seems unfeasible for the RACs in their current form, with their current resources. The P-RAC requests the Commission to thoroughly consider the roles, objectives and scope of ACFA and the RACs in relation to each other.

## 9. Cooperation with third countries

In general, the members of the P-RAC feel that being inclusive, by involving all relevant stakeholders is an important ingredient for successful management. The RACs being EU bodies brings about a major limitation, namely that stakeholders from third countries (i.e. coastal states) do not have a formal status in the RAC. The P-RAC has taken several initiatives in order to strengthen the collaboration with these stakeholders, but so far, this has not yet led to the desired results, which has caused the Working Groups to be left with a fair amount of frustration from time to time. The P-RAC will continue to welcome representatives to participate as observers in its meetings, but fears that this problem will remain as long as these stakeholders cannot have a formal status in the RAC as a full member.

## 10. Conclusions

The first three years of the P-RAC's existence have been dynamic in the sense that the RAC has had to deal with many changes (e.g. changes in the legal and financial framework and changing membership). At the same time, the work load for the RAC in terms of the number of times that the RAC was consulted increased significantly and also covered an increasing range of topics. Up until now, the P-RAC prioritised in favour of dealing with the biological side of stock management issues, the development of long term management plans and detailed responses to a number of horizontal issues such as control and technical conservation measures.

Overall, the P-RAC has been rather productive in providing thoroughly considered, science based, unanimous recommendations. The recommendations as such have not always been effective in terms of obtaining the desired result, however. Negotiations on a political level have lead to the occurrence of the P-RAC advice not being (fully) taken on board (despite the Commission being supportive of the views of the P-RAC), e.g. with the RACs recommendation on the revision of the long term management plan for NEA mackerel. Occasionally, access to the process was problematic, because of the lack of a legal framework providing the possibility to formally cooperate with the relevant parties (e.g. the near impossibility to be involved in the process of revising the long term management plan for blue whiting).

Up until now, the P-RAC did not achieve to incorporate socio-economic considerations in a quantitative way in its recommendations. Decisions on the

incorporation of a 15% or 20% IAV restriction rule in a management plan, were based on gut-feelings rather than scientific data providing insight in the social or economical consequences. It is the RAC's understanding that STECF, constrained by time and resources and because of the lack of available tools (models) to make proper analyses, finds the integration of biological and socio-economic assessments unfeasible. The P-RAC hopes to be able to start some case studies on this in order to learn about possibilities to change the way socio-economics are being dealt with.

The P-RAC furthermore sees challenges in finding creative solutions for long-term management of stocks where (very) limited scientific data are available. The RAC believes this can be done, mainly by trying to facilitate a role for the industry to collect and provide useful commercial data for incorporation in the stock assessment and by 'thinking outside the box', as was done with the development of the horse mackerel management plan.

## Annex 1: Overview of meetings

<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Participants</b>
General Assembly	Hotel Schiphol A4, Amsterdam, Netherlands	5 Sep 2005 (half day)	53 participants from: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Belgium, Norway (and international organisations).
Executive Committee	Hotel Schiphol Amsterdam, Netherlands	5 Sep 2005 (half day)	53 participants from: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Belgium, Norway (and international organisations).
Working Group I	Dorint Novotel Hotel, Badhoevedorp, Netherlands	4 Nov 2005 (half day)	34 participants (including 3 scientists from ICES) from: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Working Group II	Dorint Novotel Hotel, Badhoevedorp, Netherlands	4 Nov 2005 (half day)	34 participants (including 3 scientists from ICES) from: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Working Group I	Hotel Eurovillage, Brussels, Belgium	13 Feb 2006 (half day)	43 participants: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Working Group II	Hotel Eurovillage, Brussels, Belgium	13 Feb 2006 (half day)	43 participants: Netherlands, Denmark, France, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Executive Committee	Hotel Eurovillage, Brussels, Belgium	14 Feb 2006	18 participants (plus observers): Netherlands, Denmark, France, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Executive Committee	MAPA (Ministerio de Agricultura, Pesca y Alimentación), Madrid, Spain	13 March 2006	26 participants: Netherlands, Denmark, France, Germany, Ireland, Poland, Portugal, Sweden, Spain, UK, Norway (and international organisations).
Working Group I	Hotel Schiphol A4, Amsterdam, Netherlands	21 June 2006 (half day)	32 participants: Netherlands, Denmark, France, Poland, Germany, Ireland, Sweden, Spain, UK, Norway (and international organisations).

Working Group II	Hotel Schiphol A4, Amsterdam, Netherlands	21 June 2006 (half day)	32 participants: Netherlands, Denmark, France, Poland, Germany, Ireland, Sweden, Spain, UK, Norway (and international organisations).
Executive committee	Scotland House, Brussels, Belgium	5 July 2006 (half day)	29 participants: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, Norway (and international organisations).
Working Group I	Hotel Eurovillage, Brussels, Belgium	12 Sep 2006	30 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, UK, Norway, EC (and international organisations).
General Assembly	Hotel Schiphol A4, Amsterdam, Netherlands	18 Sep 2006 (half day)	24 participants from: Netherlands, Denmark, France, Germany, Ireland, Poland, Sweden, Spain, UK, Norway (and international organisations).
Executive Committee	Hotel Schiphol Amsterdam, Netherlands	18 Sep 2006 (half day)	27 participants from: Netherlands, Denmark, France, Germany, Ireland, Poland, Sweden, Spain, UK, Norway (and international organisations).
Working Group I	Scotland House, Brussels, Belgium	3 Nov 2006 (half day)	29 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, EC, (and international organisations).
Working Group II	Scotland House, Brussels, Belgium	3 Nov 2006 (half day)	29 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, EC, (and international organisations).
Executive Committee	London, UK	15 Nov 2006 (half day)	33 participants from: Netherlands, Denmark, Germany, Ireland, Poland, Sweden, Spain, UK, EC, Norway, Iceland (and international org's).
Working Groups & SAFMAMS	Edinburgh, UK	6 Feb 2007	33 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, EC, Norway (and international organisations).
Working Group I	Edinburgh, UK	7 Feb 2007 (half day)	32 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, EC, Norway (and international organisations).
Working Group II	Edinburgh, UK	7 Feb 2007 (half day)	32 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, Spain, UK, EC, Norway (and international organisations).
Executive Committee	Hotel Schiphol A4, Amsterdam, Netherlands	21 Feb 2007 (half day)	25 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Poland, Sweden, Norway, and international organisations.
Focus Group	Radisson SAS Hotel, Dublin, Ireland	20 April 2007	12 participants from: Netherlands, Ireland, Denmark, France, UK.

Working Group I	Renaissance Hotel, Brussels, Belgium	16 May 2007 (half day)	36 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Sweden, Norway, EC, and international organisations.
Working Group II	Renaissance Hotel, Brussels, Belgium	16 May 2007 (half day)	36 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Sweden, Norway, EC, and international organisations.
Working Group I	Hotel Schiphol A4, Amsterdam, Netherlands	27 June 2007 (half day)	32 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Poland, Sweden, Norway, EC, and international organisations.
Working Group II	Hotel Schiphol A4, Amsterdam, Netherlands	27 June 2007 (half day)	32 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Poland, Sweden, Norway, EC, and international organisations.
Executive Committee	Scotland House, Brussels, Belgium	13 July 2007 (half day)	13 participants from: Netherlands, UK, Ireland, Spain, France, Germany, Denmark, Sweden, Norway, EC.
Working Group I	ICES headquarters, Copenhagen, Denmark	03 Sep 2007	[Morning - herring] 32 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, UK, Norway, EC (and international organizations). [Afternoon - mackerel] 12 participants from: Netherlands, UK, Denmark (and international organizations).
General Assembly	Hotel Schiphol A4, Hoofddorp, Netherlands	25 Sep 2007 (half day)	29 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, UK, Norway, Spain, Poland, EC (and international organizations).
Executive Committee	Hotel Schiphol A4, Hoofddorp, Netherlands	25 Sep 2007 (half day)	29 participants from: Netherlands, Denmark, France, Germany, Ireland, Sweden, UK, Norway, Spain, Poland, EC (and international organizations).
Working Group I	Mayfair Cavendish Conference Centre, London, UK	24 Oct 2007 (half day)	29 participants (including invited and observing organizations) from: Netherlands, Denmark, France, Ireland, Sweden, UK, Norway, Spain (and international organizations).
Working Group II	Mayfair Cavendish Conference Centre, London, UK	24 Oct 2007 (half day)	29 participants (including invited and observing organizations) from: Netherlands, Denmark, France, Ireland, Sweden, UK, Norway, Spain (and international organizations).

Executive Committee	Selfridge Hotel, London, UK	14 Nov 2007 (half day)	30 participants (including invited and observing organizations) from: Netherlands, Denmark, France, Germany, Ireland, Sweden, UK, Norway, Spain, Poland, EC (and international organizations).
Focus Group	Hotel Schiphol A4, Hoofddorp, Netherlands	31 Jan 2008	10 participants from: Denmark, Ireland, UK, Netherlands (and international organizations).
Working Group I	Hotel Schiphol A4, Hoofddorp, Netherlands	12 Feb 2008 (half day)	26 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland (and international organizations).
Working Group II	Hotel Schiphol A4, Hoofddorp, Netherlands	12 Feb 2008 (half day)	26 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland (and international organizations).
Working Group I	Hotel Schiphol A4, Hoofddorp, Netherlands	29 April 2008 (half day)	37 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland, Germany, EC, Norway (and international organizations).
Working Group II	Hotel Schiphol A4, Hoofddorp, Netherlands	29 April 2008 (half day)	37 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland, Germany, EC, Norway (and international organizations).
Working Group I	Hotel Euroflat, Brussels, Belgium	30 June 2008 (half day)	32 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland, EC, (and international organizations).
Working Group II	Hotel Euroflat, Brussels, Belgium	30 June 2008 (half day)	32 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland, EC, (and international organizations).
Executive Committee	Hotel Schiphol A4, Hoofddorp, Netherlands	14 July 2008 (half day)	18 participants (including invited and observing organizations) from: Netherlands, Denmark, France, UK, Spain, Sweden, Ireland, Germany, Poland, EC, (and international organizations).

## Annex 2: Overview of recommendations<sup>6</sup> provided by the P-RAC

2005-2006:

Date	To	Recommendation	Response	Consultation document
21-10-2005	EC	<a href="#">Pelagic trawl cod-ends</a>	<a href="#">22-02-2006</a>	<a href="#">31-08-2005</a>
25-11-2005	EC	<a href="#">TACs and quota 2006</a>	-	-
30-03-2006	EC	<a href="#">Scientific issues - all stocks</a>	<a href="#">24-04-2006</a> <a href="#">29-06-2006</a>	-
06-04-2006	EC	<a href="#">Dioxin and dl-PCB regulation</a>	<a href="#">01-06-2006</a>	-
26-04-2006	EC	<a href="#">MoU between EC &amp; ICES</a>	<a href="#">15-06-2006</a>	-
14-07-2006	EC	<a href="#">Scenarios North Sea herring</a>	<a href="#">07-09-2006</a> <a href="#">18-09-2006</a>	-
24-07-2006	EC	<a href="#">MoU between EC &amp; ICES</a>	<a href="#">30-10-2006</a>	-
01-08-2006	EC	<a href="#">LTMP - herring VIa North</a>	-	-
10-08-2006	EC	<a href="#">Consultation procedure</a>	-	<a href="#">31-05-2006</a>

2006-2007:

Date	To	Recommendation	Response	Consultation document
25-09-2006	EC	<a href="#">Stock-recruitment - NS herring</a>	-	-
25-09-2006	ICES	<a href="#">Stock-recruitment - NS herring</a>	<a href="#">06-10-2006</a>	-
25-09-2006	Ministry Norway	<a href="#">Stock-recruitment - NS herring</a>	-	-
11-10-2006	EC	<a href="#">TACs and quota 2007 &amp; MSY</a>	<a href="#">30-11-2006</a> <a href="#">22-02-2007</a>	-
17-11-2006	EC	<a href="#">TACs and Quota 2007 &amp; MSY</a>	<a href="#">30-11-2006</a>	-
20-11-2006	EC	<a href="#">Technical conservation measures</a>	<a href="#">22-05-2007</a>	<a href="#">21-07-2006</a>
22-02-2007	EC	<a href="#">Removal Butt of Lewis Box</a>	<a href="#">15-03-2007</a>	-
22-02-2007	EC	<a href="#">Blue whiting &amp; timing Coastal States</a>	<a href="#">15-03-2007</a> <a href="#">19-04-2007</a>	-
22-02-2007	EC	<a href="#">LTMP - NEA mackerel</a>	<a href="#">15-03-2007</a>	-
22-02-2007	EC	<a href="#">Questions to ICES - NS herring</a>	-	-
27-04-2007	EC	<a href="#">Questions to ICES - NS herring</a>	<a href="#">25-05-2007</a>	-
06-06-2007	ICES	<a href="#">Reference points - NS herring</a>	<a href="#">06-07-2007</a>	-

<sup>6</sup> This table provides an overview of all recommendation letters sent. Note that many letters contain recommendation on several issues. The hyperlinks navigate to the relevant document on the P-RAC website: [www.pelagic-rac.org](http://www.pelagic-rac.org).

06-07-2007	EC	<a href="#">Sprat</a>	<a href="#">19-07-2007</a>	-
16-07-2007	EC	<a href="#">Discards</a>	<a href="#">23-07-2007</a>	<a href="#">28-03-2007</a>
16-07-2007	EC	<a href="#">Irish SACs</a>	<a href="#">14-09-2007</a>	-
23-07-2007	ICES	<a href="#">Blue whiting</a>	<a href="#">07-08-2007</a>	-
24-07-2007	EC	<a href="#">LTMP - Western horse mackerel</a>	<a href="#">16-08-2007</a>	-
06-08-2007	EC	<a href="#">Rights-Based Management</a>	<a href="#">07-09-2007</a>	-

2007-2008:

<b>Date</b>	<b>To</b>	<b>Recommendation</b>	<b>Response</b>	<b>Consultation</b>
26-09-2007	EC	<a href="#">Policy statement 2008</a>	<a href="#">06-11-2007</a>	-
08-10-2007	EC	<a href="#">TACs and quota 2008 - herring stocks</a>	<a href="#">18-12-2007</a>	-
26-10-2007	EC	<a href="#">TAC 2008 - mackerel</a>	<a href="#">06-12-2007</a> <a href="#">18-12-2007</a>	-
06-11-2007	EC	<a href="#">SACs</a>	<a href="#">20-12-2007</a>	-
21-11-2007	EC	<a href="#">TACs and quota 2008</a>	-	-
03-12-2007	DEFRA	<a href="#">Biodiversity in Lyme Bay</a>	-	-
13-02-2008	House of Lords	<a href="#">Review CFP</a>	-	<a href="#">18-01-2008</a>
19-02-2008	EC	<a href="#">Action Plan for Sharks</a>	<a href="#">06-03-2008</a>	<a href="#">11-12-2007</a>
19-02-2008	EC	<a href="#">LTMP Blue whiting</a>	<a href="#">10-03-2008</a>	-
12-03-2008	JNCC	<a href="#">SACs UK</a>	<a href="#">05-09-2008</a>	<a href="#">20-12-2007</a>
06-05-2008	EC	<a href="#">Reform control regulation</a>	<a href="#">06-06-2008</a>	<a href="#">20-02-2008</a>
14-05-2008	Morten Vinther	<a href="#">Blue whiting juvenile protection</a>	-	-
03-07-2008	EC	<a href="#">Discards</a>	<a href="#">21-02-2008</a> <a href="#">29-08-2008</a>	<a href="#">23-04-2008</a>
03-07-2008	EC	<a href="#">LTMP - blue whiting</a>	<a href="#">10-07-2008</a>	-
16-07-2008	EC	<a href="#">LTMP - herring VIa North</a>	<a href="#">28-07-2008</a>	-
16-07-2008	Member states	<a href="#">LTMP - herring VIa North</a>	-	-
16-07-2008	French Presidency	<a href="#">LTMP - herring VIa North</a>	-	-
23-07-2008	French Presidency	<a href="#">MPAs in French waters</a>	-	<a href="#">29-04-2008</a>
23-07-2008	French Ministry	<a href="#">MPAs in French waters</a>	-	-
13-08-2008	EC	<a href="#">TACs and quota 2009</a>	<a href="#">21-10-2008</a>	-

## Annex 3: Amendments to the council decision establishing the RACs

### Article 4

3. The general assembly shall appoint an executive committee of up to 24 members. The executive committee shall manage the work of the Regional Advisory Council and adopt its recommendations.

*Comment:*

*The Commission has opened the floor for debate whether the maximum could be amended to 30 seats. In line with the Commission's preference, the Pelagic RAC feels that the number of seats should be kept at 24, but RACs could introduce in their internal rules of procedure a system of rotation between organisations from the same group of interests, so that a greater number of organisations could occupy a seat on the Executive Committee over the course of time. First of all, there is a risk that an increase in the number of seats in favour of the catching sector would de facto diminish further the influence of other interest groups, as they already have problems filling the seats allocated to them, due to lack of resources. Second, increasing the number of people entering the debate on any particular issue would decrease the likelihood of reaching consensus decisions. This may decrease rather than increase the effectiveness of the RACs. (see also principle N°4 on the first page of the Council Decision).*

### Article 5

"3. In the general assembly and executive committee, two thirds of the seats shall be allotted to representatives of the fisheries sector and one third to representatives of the other interest groups affected by the Common Fisheries Policy."

*Comment:*

*Following the Commission's suggestions, the general assembly could be removed.*

### Article 7

"5. The Member States concerned shall provide the appropriate support, including logistical help, to facilitate the functioning of a Regional Advisory Council."

*Comment:*

*This article needs clarification. The article suggests an obligation by the Member States, but practice shows that it is unclear what is meant. The Commission*

*should, together with the Member States concerned, and through consultation of the RACs, come to an agreement on a common procedure.*

#### Annex I

Table defining the scopes of the different RACs [...]

Pelagic stocks (blue whiting, mackerel, horse mackerel, herring)	All areas (excluding the Baltic Sea and the Mediterranean Sea)
------------------------------------------------------------------	----------------------------------------------------------------

*Comment: 'Pelagic stocks' should be replaced by 'pelagic fleet' and the list of species should be amended to include Norway pout and sandeel. We acknowledge that the NSRAC has an interest in these stocks and may want to provide advice on these species occasionally. We feel that this remains a possibility provided for in article 8 and the Pelagic RAC is naturally willing to collaborate with the NSRAC. 'Reversing' reality in this way will keep the floor open for both RACs to provide their views, while the net result will very likely be that the Commission will, altogether, receive more advice on these particular stocks.*

#### Annex II

"The eligible costs shall consist of the costs necessary to ensure the normal operation of the Regional Advisory Councils and enable them to pursue their aims. Only the actual expenses will be subject to the Community contribution, which will be granted on condition that the other sources of financing have been allocated."

*Comment:*

*The latter sentence should be amended to reflect that in no case should the Commission, with its contribution, compensate for deficits in other sources of financing, instead of prescribing that the Commission will penalise the RAC through reduction of its agreed contribution in the case of a deficit in other sources of income. In addition, the chairman fees should be added to the list of eligible costs.*