

## **Minutes of the Pelagic RAC Executive Committee meeting 30 June 2011 at The Golden Tulip hotel, Leiden, Netherlands**

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### **Address:**

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### 1. Opening of the ExCom meeting

The meeting was opened by the chairman Iain MacSween at 14:50. He welcomed the participants.

### 2. Approval of the agenda

The agenda was approved without amendments.

### 3. Approval of the minutes of ExCom meeting on 12 April 2011

The minutes were approved without amendments.

### 4. Policy Statement on fishing opportunities for 2012

The chairman gave the floor to Kenneth Patterson to give a presentation on the policy document on the methods for setting the TACs for 2012. Kenneth Patterson noted that this annually recurring consultation now for the first time was held as a public consultation for the broader public as well. He explained that the new policy statement took a simplified approach in comparison to the previous one which included 11 categories. It also considered issues such as fuel costs and ecosystem implications and put more emphasis on data availability. Perhaps in the future the document would be split into one for autonomous and one for shared stocks. The autonomous stocks could then be discussed earlier in the year. It was also reflected that an increasing number of stocks was being fished sustainably. In short, the document proposed the following hierarchical order: (1) follow a LTM plan if in place, (2) use the ICES MSY framework or (3) reduce the TAC by 25% if not sufficient data was available to determine what the MSY TAC should be.

Gerard van Balsfoort expressed surprise over the rigorous 25% cut approach. With this approach a permanent measure would be put in place which would punish fishermen who were dependent on these stocks for their livelihoods, while the responsibility for data collection lay with Member States administrations. Also, the concept of MSY was not unambiguous which complicated the determination of whether stocks were being fished at MSY or not. It was for instance not clear what should be done if a stock was fished well below  $F_{MSY}$ . Reine Johansson remarked that the discussion on data availability was ongoing for decades and it was obvious that much more data was available than was being used and so a substantial part of the problem was with science which needed to develop appropriate tools to incorporate that data. This ultimately meant that part of the responsibility was with yet another party which the industry could have little influence on. Sean O'Donoghue asked whether a new version of the document would be drafted based on the input from the consultation, because if not it was not truly a consultation but merely a communication. Also, it was worrying if splitting the document would mean that discussion on the shared stocks would commence late in the year. He noted that the 'data problem category' was awkwardly defined by basing it on the stock size. There were examples of stocks that were managed effectively and sustainably for over 20 years, without using absolute information on the size of SSB. Some did not even fall under the obligation of the DCR. These stocks would now be victimised unnecessarily. Regarding the economic analysis he asked what was precisely meant with that. Christine Absil noted that she thought that in principle it was not a strange idea that industry should carry the burden of proof considering that this was often the case with environmental impact assessment in other (land based) industries.

Kenneth Patterson reiterated that indeed a new approach was taken especially aiming at improving the data situation. Although the financial means for ICES through the memorandum of understanding with the EC had been increased substantially since 2002 not much progress had been made. The EC was currently also discussing with the European Fisheries and Aquaculture Research Organisations (EFARO) how available resources could be used more effectively and efficiently. Past practice had shown that additional funding from the EU to National research institutes had not been effective because it would simply replace other funding, while not boasting the research output of the institutes. This should not happen. Hopefully EFARO would come back with a useful proposal. Considering that the responsibility was with the Member States the industry could indeed be victimised if Member States did not make the necessary efforts to protect the interests of their national industries. Even more so when a stock was shared between several states, in which case it was a joint responsibility where all industries would suffer the consequences if one Member State failed to perform. Finally, he mentioned that the consultation was of a true nature and all inputs would be taken on board. Postponing the shared stocks until later in the year had to do with enabling this to be linked to negotiations on transfers.

The chairman thanked Kenneth Patterson and others for their input in the discussion and proposed that the secretariat would draft a letter based on the issues raised, which could be agreed upon by the MT. The meeting agreed.

#### 5. Consultation on the functioning of the CFCA (annex 2)

The chairman informed the meeting that the RAC had received a questionnaire on the functioning of the CFCA. He had completed it and returned it to the CFCA on behalf of the RAC. There had been no questions specific to pelagic issues.

#### 6. Follow-up on April's debate on the PRAC's (future) function and effectiveness.

The chairman reported back from a meeting held on 4 May with Ms Maja Kirchner, which was to follow up on the discussion which had started at the beginning of the year initiated by the members' huge disappointment about last year's results of negotiations and December Council. The members had asked themselves the question whether it was worthwhile to continue with the PRAC if their efforts were so fruitless? Since then, the MT had had two meetings, one excellent meeting with Bernhard Friess (Director, Directorate C in DGMARE), and then a second meeting with Maja Kirchner (Deputy Head of Cabinet Commissioner Damanaki). Unfortunately the Commissioner herself had not yet agreed to a meeting. Also the meeting with Maja Kirchner had been reasonably positive. In any case, they had had a thorough discussion on the background for a number of recommendations that the RAC had provided, to provide some better understanding of what it was that the RAC member had been upset about. For instance, they had had a lengthy discussion on blue whiting and how the survey clearly had been compromised in 2010, but managers had nevertheless de facto closed the fishery after a very short negotiation with Norway indeed. They had explained her that it frustrated the RAC members very much that they had no access to that decision making process, and there also was no system in place to receive proper feedback from managers on how such issues had been considered. Maja Kirchner regretted that communication was not optimal between the Commission and the RAC and thought that this could perhaps be addressed.

The chairman continued by addressing a letter which had been sent by the EC to the NSRAC in, which proposed an enhanced involvement of stakeholder through the RACs during negotiations with third countries. He asked if an EC representative present at the meeting could elaborate on what this meant? Bernhard Friess explained that it would not allow for access to stakeholders into sessions which were now closed (such as coordination and negotiations) but that the initiative rather aimed at reducing the group of people to consult with outside of those sessions. This was clearer and easier for John Spencer to deal with. Gerard van Balsfoort responded that it was not really possible to

have one or two stakeholders represent the view of all. The Commission needed to realise that there were a wide range of stakes and priorities (e.g. in relation to transfers of fishing opportunities) which differed among countries within the EU as well. Reine Johansson suggested that the RAC should perhaps postpone any decision on this until it was clearer what would come out of the reform in relation to the future of the RACs. The chairman proposed to follow Reine Johansson's suggestion. The meeting agreed.

#### 7. Discards (Presentation by Gerard van Balsfoort and discussion)

The chairman gave the floor to Gerard van Balsfoort to give a presentation in his capacity as chairman of the Northern Pelagic Working Group (NPWG) of EAPO.

Gerard van Balsfoort started by explaining that the NPWG had taken an initiative to address the issue of discards among themselves. Although discard rates were low in most pelagic fisheries (1-4% in herring, blue whiting and horse mackerel; 20% in mackerel) they had discussed how they could be further reduced in the mackerel fisheries. The NPWG had organised three workshops dedicated to this issue in 2009 and 2010. The focus had been on by-catch of mackerel in the horse fishery and mackerel discards in the mackerel fishery, which both needed specific approaches. It should be noted that with current high recruitment levels and the enormous stock size, by-catch of (young) mackerel was unavoidable. Even the beam trawl fleet in the North Sea was hiring mackerel quota because they were by-catching it in their fishery. Nonetheless, a number of means for further reduction were discussed.

1. To establish a better communication framework among vessels to share spatial information on juvenile catches so that they could be better avoided. This had been implemented towards the end of 2010.
2. Trials had been conducted by Scottish skippers to use jigging equipment to sample catch composition before a haul. This had some potential, although it did not seem to work during the night. Similarly, sampling with a small cod end net had been tried.
3. Together with a manufacturer they had looked at the possible development of a selectivity grid to be used in the horse mackerel fishery.
4. Improve sonar equipment for better species identification.
5. In relation to showing that slipping and/or high grading had been limited to a minimum in recent years, a 100% observer coverage scheme was discussed, but found to be too costly. CCTV in the nets could be addressed in the future. They were currently working to establish a code of conduct to ensure and show commitment by all parties involved. Perhaps another possibility was to compare catch composition with a reference composition.

They had not discussed a total discards ban, since this was considered an unfeasible approach by the industry. He proposed that the PRAC would formulate a position on discards policy in the context of the CFP reform proposal. Reine Johansson felt that it was unavoidable that a ban would be implemented and it was good enter into discussion with the EC on how this could be realised, rather than to fight it. The NPWG engagement in this issue had remained internal discussions until now, and he welcomed the fact that the NPWG had decided to make this debate public. He also noted that Norway claimed that they because they had observers they did not need CCTV, while John Spencer seemed to be more in favour of using CCTV. This illustrated that there were several ways of achieving the same goals and so it was useful for the industry to propose their our plan. The chairman agreed and proposed to continue to investigate this and include the issue in the CFP reform response. The meeting agreed.

#### 8. GAP2 project

The chairman gave the floor to Aukje Coers to give a short presentation on the GAP2 project. Aukje Coers explained that this project was the follow-up of GAP1, in which the PRAC had been involved for the development of a proposal for a LTM plan for Western

Baltic herring. During the current project the group would focus on how to improve the knowledge base on which the performance of the management plan relied. A first meeting was planned in November 2011. She would notify the members in due time about the exact date. In addition, this research project aimed at conducting a meta-analysis on science-stakeholder partnerships. For this a steering committee was established, which should collect and analyse the experiences of the 13 case studies in the project. She had attended a first meeting in May, because the PRAC had been provided a seat on this committee, but a formal representative needed to be appointed by the ExCom. The chairman proposed that Aukje Coers would be appointed as representative of the PRAC. The meeting agreed.

## 9. Administrative matters

Aukje Coers continued with a short presentation on some administrative matters.

### *9.1 Financial report 2010-2011*

Aukje Coers explained that for the first time since the establishment of the PRAC the budget would be overshot this year. The main reason for this was an unexpected decision by the Dutch tax authorities to oblige the PRAC to pay VAT over the salary costs, which were paid through the Dutch Fish Productboard. This had led to the fact that the RAC was confronted with an additional cost of approximately € 18.000 mid-year. In addition, some meetings had turned out a little more expensive than estimated in advance (e.g. the horse mackerel FG meetings), which resulted in a total expected over-expenditure of approximately € 25.000. It should be noted that the expenditure of the current meeting was included as an estimate and so the result could turn out somewhat differently still. As the members were aware, the RAC had already invoiced the members for an additional contribution and so (part of) this overshoot on the original budget was going to be covered with that. The exact result would only be known precisely after the end of the year and the audit by the accountant and the Commission and would thus be presented at the General Assembly meeting.

### *9.2 Work programme 2011-2012 (annex 3)*

The secretariat was currently preparing the new agreement with the EC for the next year. Aukje Coers had drawn up a draft work programme, which had been distributed before the meeting. Sean O'Donoghue commented that overall he thought it was complete, but he suggested to remove discards as a separate issue, since CFP reform was on the list as well, and they had decided to address the topic there. Isabelle Viallon (EC) commented that the Commission was not specifically going to address Technical Measures in the upcoming year and so unless the PRAC intended to take its own initiative, there was no need to address it. The chairman proposed to remove the two items and add the North Sea herring management plan and submit it to the EC. The meeting agreed.

### *9.3 Budget 2011-2012 (annex 4)*

Aukje Coers presented a draft which the secretariat had prepared. This was based generally on the expenditure pattern in the previous year, while taking into account that Ludmilla van der Meer and herself would become employed by the RAC directly, meaning that the VAT over the salary costs was no longer an issue. She noted that the budget could of course still be amended mid-year. There were no questions. The chairman proposed that the secretariat would submit the budget to the EC as it was. The meeting agreed.

### *9.4 Preparation for elections at next General Assembly meeting*

During the upcoming General Assembly meeting (on 5 October in Amsterdam) elections would be held for:

- President / Chairman ExCom
- Chairman working groups (2x)
- Location of secretariat (confirm last year's decision)
- Members of ExCom
- NGO seat on the Management Team

Members were to announce their candidacy before the first of August. More detailed procedures would be communicated by e-mail in due time. A public announcement would also be made on the website so that all information would be accessible to people outside the RAC as well in case they would like to apply for a position. The chairman thanked Aukje Coers for the presentation.

#### 10. A.O.B.

There were no other business.

#### 11. End of ExCom meeting

The chairman thanked the participants and closed the meeting at 17:30 hours.