



▶ Pelagic AC

Executive Committee

10th July 2020

10:00 – 12:30 (Amsterdam time)

Online Platform

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Participants

Jesper Raakjaer, chairman	University of Aalborg
Anna Gruszczyńska	Ministry of Maritime Economy and Inland Navigation
Anne-Marie Kats	Pelagic AC
Anton Paulrud	Swedish Pelagic Federation
Camille Gallouze	European Commission
Cannelle Beauchesne	European Commission
Despina Symons	EBCD
Eric Roeleveld	Jaczon
Erik Lindebo	European Commission
Esben Sverdrup-Jensen	Danish Pelagic Producers Organisation
Evelien Ranshuysen	European Commission
Gerard van Balsfoort	Pelagic Freezer-Trawler Association
Goncalo Carvalho	Sciaena
Jerome Jourdain	Union des Armateurs à la Peche de France
John Ward	Irish Fish Producers Organisation
Joost Paardekooper	European Commission
José Beltran	Organizacion de Productores de Pesqueros de Lugo
Justyna Zajchowska	Pew charitable trusts
Katrina Borrow	Mindfully Wired
Laurens van Balsfoort	Pelagic Freezer-Trawler Association
Linda Planthof	North Sea Foundation
Ludmilla van der Meer	Pelagic AC
Mads Larsson	AIPCE
Patrick Murphy	Irish South and West PO
Pascale Colson	European Commission
Sean O'Donoghue	Killybegs Fishermen's Organisation
Simon Bolger	Department of Agriculture, Food and the Marine
Soren Anker Pedersen	European Fishmeal and Fish Oil Producers
Stella Nemecky	WWF
Stavroula Kremmydiotou	EBCD
Wietze Kampen	European Transport Worker's Federation



1. Opening of the meeting by the chairman, Jesper Raakjaer

The Chairman opened the meeting at 10:07, welcoming all participants. He noted that the meeting would run for two hours 30 minutes, with a short break. Anne-Marie Kats provided some digital house-keeping to ensure all present were comfortable with use of the online platform.

2. Adoption of the agenda

The agenda was adopted without amend.

3. Actions from the previous meeting

The Chairman presented the actions from the previous meeting.

The first action was to keep the PELAC request for funding under the EMFF as a continuous action item for the Executive Committee.

The Ecosystem Working Group was to explore climate change as a key theme for work in 2020 and beyond. This was ongoing.

The next action had been to check with ICES expert groups to cover the different horse mackerel stocks. This had been completed by Anne-Marie Kats.

An ongoing action, being led by industry representatives within the Management Team, was to develop a template document for capturing stakeholder input into ICES advice.

Action items from the January MIACO meeting had been circulated to all members by the Secretariat.

A joint letter with BSAC had been sent to the Commission, requesting clarification on the extent to which the development of a rebuilding plan for western Baltic spring-spawning herring would be considered by ICES in the context of no EU-Norway agreement for the stock. This action was therefore complete.

An action to send a letter to the Commission to clarify the basis for North Sea and western horse mackerel TAC deductions was also complete.

Recommendations on pelagic discard plans had been completed and sent to the Regional Groups.

PELAC recommendations on fishing capacity had been shared with the Social Dialogue project in March of this year.

A letter sent from the Commission to the NWWAC, clarifying the 'unchanged status' of UK members in Advisory Councils, within the Brexit transition period, had been circulated to all members.

Fabrizio Donatella, of the Commission, had been invited to the October ExCom to provide and update on EU-Norway and Coastal State negotiations.

This concluded the update on actions, the majority of which had been completed.

4. Work programme 2020-2021

Anne-Marie Kats presented the PELAC work plan for the coming year. She noted that the AC was approaching the end of its financial year, and busy preparing the grant agreement for 2020-2021. She



shared the work programme for participants to see, and detailed key aspects. The programme requires ExCom approval to be finalized.

Kats said that over the next period it would be important to continue focused work in the LO, monitor choke situations and provide recommendations to Regional Groups to help alleviate those situations. The PELAC choke mitigation tool will be key to this. The PELAC will submit recommendations on pelagic and demersal discard plans.

The PELAC will seek to continue its collaboration with EFCA in this regard – even though discussions may be ‘uneasy’ at times, Kats felt this was an important relationship to maintain, moving forwards.

For the **Control Focus Group** the work programme contained plans to reconvene the Group, following a period of monitoring updates to the proposed Regulation. Advice will continue to be produced, based on recommendations agreed in 2019. The PELAC will additional follow-up with DG MARE and EFCA on the gramme size recommendation.

Kats detailed how multi-annual strategies will remain a cornerstone of the AC’s work. There will be a special focus on 6a, 7b-c herring, western horse mackerel, North Sea horse mackerel, southern horse mackerel and blue whiting.

TACS and other short-term management measures feature: the PELAC will continue to provide yearly advice for all stocks, and where appropriate offer advice on other legislation.

Work to support an ecosystem approach to fisheries management includes the reconvening of the Ecosystem WG, to hold frequent online meetings and produce advice on an issue-by-issue basis. Priorities in this regard will be collaborating with the NWWAC on work covering the impacts of seismic activities and wind farms on stocks in the NWW region. The group will also focus on climate change, plastics and circularity of fishing gear, cetacean bycatch and the EU’s ‘Farm to Fork’ strategy.

On regionalization, the PELAC will continue to work closely with the regional Member State groups. Anne-Marie Kats added that it can be ‘challenging’ to monitor activities across three separate MS groups – saying the Secretariat would ‘divide resources to the extent possible’.

The PELAC will continue collaborating with other ACs in light of Brexit and impending changes. Kats noted that the UK’s exit of the EU will impact on the PELAC’s functioning from 2021 onwards – with a significant loss of membership associated with the absence of current UK-based members.

Ongoing collaborative work around fisheries science will include continued engagement with ICES and national research institutes as well as participation in ICES workshops and ADGs. The PELAC will attend the MIAC and MIACO meetings in January 2021.

Anne-Marie Kats concluded by noting provisional plans for upcoming meetings – dates had been set for the next WGI, WGII and Executive Committee meetings: the 7th and 8th of October, with tentative agreement that these should be in-person meetings in the Netherlands. 2021 meeting dates were yet to be set.

Sean O’Donoghue thanked Anne-Marie Kats for her update. He interjected that he would like to explore an issue pertaining to the LO with the ExCom membership: he noted that the PELAC had



requested, from the regional Member State groups, the release of ‘additional information in relation to the [EFCA] joint deployment on mackerel, done in north-western waters in 2015/16 and 16/17’. EFCA will not release additional information to support the Executive Summary, which O’Donoghue characterised as a failure of ‘transparency and proper corporate governance’, given that the text contained claims that the catching sector ‘vehemently dispute’. O’Donoghue added that the NWWAC had written a similar letter to the MS, and received the same response. He proposed pushing the issue with support from another AC, and requesting help from the Commission. The Chair agreed this was an important point to pursue.

Gerard Van Balsfoort voiced his agreement, and suggested trying to ‘enter into a meeting’ with EFCA on the subject, alongside the NWWAC. Esben Sverdrup-Jensen similarly echoed Sean O’Donoghue’s sentiments, adding that the issue had been brought up at a number of meetings with the Scheveningen Group. He agreed that a meeting with EFCA and Commission representatives ‘at a high level’ should be pursued, as a joint endeavor with the NWWAC or solely as the PELAC. The Chair sought any objections to the plan, none were voiced. An action was taken that the Management Team set up such a meeting.

Goncalo Carvalho noted that Sciaena would support getting more transparency on the data behind the report – noting he would be keen to discuss the ‘angle and tone’ within the Management Team conversation.

Jose Beltran supported the meeting, and additionally reminded the Chair that the issue could be brought up directly with the Directors of EFCA at the next EFCA control meeting. The Chair thanked Beltran for this remark and agreed this advice should be taken on board.

5. Budget

Anne-Marie Kats moved on to an update on budgetary matters. She highlighted that DG MARE had organized an Inter-AC financial seminar in mid-June, which all ACs had attended. From this, she shared some key takeaways: ACs will no longer have to submit budget amendments, which used to be a requirement every year. There will now be more flexibility to shift money around between budget lines. Another key change was to the pre-financing mechanism: there will now be just one up-front payment, and no mid-term report on financing will be required. Finally, the Commission has re-established how they allocate funds to the ACs, with the positive result that there will be a 10.000 EUR increase in the yearly budget. However, this increase would be tempered by the loss of membership linked to Brexit. Kats also noted that there was a rule change with regard to use of AC ‘reserve’ funding – any un-used contingency funds would be re-allocated to cover exchange rate losses. Gerard Van Balsfoort commented that ‘if we lose the reserve if we don’t use it, it should be reduced down’.

One item Kats highlighted within the detailed budget shown was money allocated towards the renewal of the PELAC website – 6.000 EUR has been set aside to fund this. This was prompted by the NSAC launching a new website, which Kats noted she had been impressed by. Additionally, the PELAC’s scientific support budget was increased from 5.000 EUR to 8.500 EUR.

Sean O’Donoghue asked whether there was any spare budget available to contribute to the mackerel acoustic hindcasting work discussed during the previous days’ WGII meeting. Anne-Marie Kats noted that she fully supported the planned research, but that the full amount would be a significant outlay



for the PELAC. A contribution may be possible – Kats would check with the Commission regarding procedures for this possibility.

Moving on to discuss membership, Anne-Marie Kats again noted the impending loss of UK members from the PELAC – she commented it would be ‘sad to say goodbye after a long history of working together’. She then updated the Executive Committee that the PELAC would be welcoming three new members.

6. Proposal: amendment of PELAC Rules of Procedure

The Chair highlighted that the amended Rules of Procedure had been circulated to all members for consideration. The central issue behind the proposed amendments was, again, Brexit – the Chair questioned what the role of the PELAC would be when ‘all of a sudden’, a large proportion of stocks would be outside of the AC’s remit. The Management Team had discussed that a wise approach may be to wait a year and then re-examine the situation to see what changes to how the AC functions need to be made. One proposed amend from the Management Team was to extend the tenures of current Chairs to ensure continuity for the PELAC through a challenging time.

Jose Beltran commented that this decision had been taken within the context of the NWWAC – where NWWAC members had opted for an additional year to be added to Chair and Vice-Chair positions.

The Chair also highlighted that there was a proposed amendment to membership terminology regarding the categorization of members within the updated Rules of Procedure.

7. General elections in October - Information

The Chair explained that if any organisations want to join the Executive Committee, a motivation letter should be submitted to the Secretariat. The Management Team propose to extend the tenures of current Chairs by one year to ensure continuity for the PELAC particularly in light of Brexit but the Chair in light of our statutes encouraged anyone interested in applying for any of the three Chair positions within the AC to do so. The elections would be held during the PELAC’s October meetings.

8. Brexit discussion

The Chair moved on to a discussion of Brexit and its implications for the functioning of the PELAC. He said the UK has significant waters that will no longer be in the PELAC’s remit, and a large percentage of the TAC. The PELAC had been monitoring the situation and holding discussions since the Brexit vote, but the situation has been largely unclear across a period of years. This has now changed, and the UK will now exit the Brexit transition period at the end of 2020. 11 out of 12 stocks within the PELAC remit are shared with the UK – impacting on much of the PELAC’s work around multi-annual planning and shared scientific endeavours. The Chair added that ‘some way of retaining the involvement of UK stakeholders and government after Brexit is key’.

Other challenges include determining how the PELAC will work with the Regional Groups, how to maintain influence with the UK as a separate Coastal State, and how to safeguard long-term management strategies for stocks. The Chair questioned: whether the PELAC could expand its remit into other pelagic stocks in the North Sea, and further south; and whether the structure of the organisation could be adapted in order to improve the uptake of advice in this new future. He noted



one theoretical option could be to 'expand into a stakeholder forum that functions as an umbrella organisation for other, non-EU organisations – that could meet three times per year to discuss [fisheries] science'. He queried whether there was an option to re-shape PELAC Working Groups, or look towards the creation of a stakeholder Advisory Council within NEAFC.

At this point, the Chair opened the floor for comments and ideas.

Sean O'Donoghue shared that the NWWAC has been very active with the PELAC in considering Brexit implications. He noted that he Chairs the Brexit FG within the NWWAC, and that there is an upcoming inter-AC meeting on the subject scheduled for late Autumn, in Vigo. As a minimum, he stated, 'annex [three] in the CFP has to be changed'. O'Donoghue was keen to explore the NEAFC option.

Gerard Van Balsfoort agreed with O'Donoghue's analysis, adding 'I can't see that the ACs continue in their current format' and that he had already felt that the PELAC was 'hampered' on issues around shared stocks of blue whiting and mackerel, in the current Brexit context. He argued that the future of the PELAC was, to some extent, dependent on the 'willingness of the UK government and stakeholders to engage with us' and whether the 'outcome of Brexit delivers an acceptance by all parties that the outcome of the agreement will be balanced'. However, Van Balsfoort asserted he would rather put more effort into the outcome of the current negotiations at this stage, and focus on the future of the ACs at a later point.

Esben Sverdrup-Jensen agreed with the previous points, and emphasized the need for a legal framework for any changes of PELAC functioning to sit within, adding 'we need a change in EU policy to allow us to operate in a different manner'.

At this point, the Chair invited a Commission representative to speak. Joost Paardekooper took the floor. He stated he was 'not the right person to comment on legal status'. He said those present 'know the possibilities' within the current framework – and 'being bold', he stated this did not encompass a different structure that would encompass non-EU Member States. Future collaborations with the UK will have the same shape as existing collaborations with Norway. Whilst any kind of 'umbrella organisation' is not currently a possibility, he remarked 'you could think about making it a possibility'. A NEAFC AC would be 'out of [the Commission's] hands', but this could well be a structure to 'fill the gaps you think you're facing'. However, he shared his impression that 'any WG in the AC can be open to any number of observers...anyone who participates, even as an observer, can contribute at a technical level'.

Moving, he stated 'in principle the remit of the AC remains the same' and that the Commission are 'trying very hard in the negotiations to introduce cooperation at the level of developing multi-annual long-term management plans (LTMPs) for the different fisheries and stocks'. The PELAC will have a continued role in advising on these plans. Paardekooper commented 'you all have the right, and maybe even obligation, to think about how to develop some kind of stakeholder forum that includes the UK and other non-EU Member States. We don't have that concept in the law, I would say any good idea has the chance to be discussed. Don't feel held back by the fact it's an impossibility now'.

Paardekooper then provided a brief update on negotiations with the UK. In the area of fisheries, negotiations have been 'very difficult, so far'. The discussion was centered around how the UK sees itself as an independent Coastal State, and he remarked the 'UK still has not come forwards with



concrete ideas about how to give a stable shape to access'. Key issues include quota sharing and generating an 'ambitious level of convergence' around management approach – from the general approach (eg. MSY, PA), down to ensuring that TAC and quota negotiations always deliver a result 'rather than walking away'. He said the 'lean and light' agreement with Norway is 'heralded' by the UK as a model, but this overlooks the fact that the EU-Norway agreement is 30 years old, and has been built upon over the decades – a 'tradition' has had time to develop, in terms of consultation format, and this is not the case with the UK. Overall, he said recent meetings had included some positive elements and some disappointing elements – with many issues not dealt with, and not enough detail on areas like how to 'do cooperation on a day-to-day basis'. He concluded by saying 'we are in a world of uncertainty' and that there would be more rounds of negotiations across the Summer.

Sean O'Donoghue agreed that the Commission will have a 'key role' in developing multi-annual LTMPs with third countries, but feared the ACs may be sidelined within this process. He also asked a question around changes to Annex three of the CFP – if this would be required in light of Brexit, perhaps this was an opportunity for co-legislators to make other legal amends. Paardekooper responded that on pre-existing multi-annual plans for demersal stocks, the EU would have to re-consult with the UK. For widely distributed small pelagics, the EU will also have to 'engage in a new way in the Coastal States setting'. He remarked that the 'only stable situation is the mackerel – but even that could be destabilised'. He thanked O'Donoghue for highlighting the legal specifics within Annexe three and said that 'if there are adjustments to be made, we shall do it – but materially there will not be much difference' in that the CFP will still refer only to fishing activity in Union waters, and within that framework, for example, the NSAC scope will 'still be the North Sea'.

Goncalo Carvalho asked what benefit there would be in bringing together the most affected ACs and coming forwards in the 'next few months' with advice on the future of ACs within a post-Brexit scenario. Paardekooper responded that if ways could be found to deal with the problems identified, his personal view was that the Commission is 'open to looking at how to adjust things under the CFP'. There is a real need to find practical solutions. He said 'at a certain stage, then, the policy or legal framework can follow – we need convincing, and constructive means'.

The Chair thanked Paardekooper for his encouraging remarks, adding 'we are in limbo but need to be creative'. An action was taken to include this item on the next Management Team agenda.

9. Policy statement from the European Commission - Evaline Ranshuysen

Eveline Ranshuysen, DG MARE, presented a Commission communication entitled *Towards more sustainable fishing: State of play and orientations for 2021*, a policy statement which reports on specific aspects of the Common Fisheries Policy (CFP), as set out in the basic regulation. This includes progress towards fishing at MSY, the implementation of the LO, the state of the EU fleet and feedback on how Advisory Council advice has been taken into advice.

Key points from the update included:

- Progress towards the objective of fishing at MSY continues to be positive in the NE Atlantic. The Commission proposed TACs in line with MSY for all 78 stocks for which this advice was



available. As a result, in 2020, 99% of landings from the Baltic and North Sea, where stocks are managed by the EU, will come from 'sustainably managed fisheries'.

- In 2018, the overall biomass of quota species within EU-managed stocks was 48% higher than in 2003.
- The situation in the Mediterranean and the Black Sea remains troubling, with figures 'essentially unchanged' with regards to the low levels of biomass for many stocks. Both the lack of data for some stocks, and the lack of stability within the data for others, is highly concerning.
- In terms of the state of the EU fleet, capacity has continued to decrease – both in terms of gross tonnage and KW. However, the Commission has concerns that there is widespread non-compliance with declared engine power, leading to questions around the veracity of the data in this regard.
- The socio-economic performance of the fleet continues to be strong: with a net profit in 2018 of EUR 1.4 billion. Below this headline figure, there were significance variances in profitability by region – the Baltic, Mediterranean and Black Sea all show much lower profits.
- On the LO, it appears compliance overall is still low, and that there is a lack of accurate reporting of discards under exemptions – a cause for concern. Impacts on Member States' fisheries appears to be limited, despite strong initial concerns, and this is considered to be due to poor implementation. The Commission believes that stronger, modern methods should be used to monitor LO compliance.
- The Commission regrets that funding to research solutions to the LO has largely been dedicated to identifying new methods for securing exemptions, rather than improving overall selectivity of fishing. However, the proactive work of Advisory Councils in identifying and addressing choke species, including through MS quota swaps, was highlighted as one positive approach.
- On the role of Advisory Councils in 2019: 10 ACs submitted 72 recommendations to the Commission, covering a wide range of subjects. AC advice was incorporated into Multi-Annual Plans, discards plans and the new Technical Measures Regulation. AC input has also been highly useful in the context of Commission consultations.

Justyna Zajchowska requested information on mortality trends for stocks that don't have an MSY assessment, noting this includes 'important pelagics' like boardish and North Sea horse mackerel. Ranshuysen took the question on board, and said she would need to contact the regional units dealing with the specific TACs.

The Chair and Anne-Marie Kats noted that PELAC tradition is to submit questions and comments with October recommendations, however Pascale Colson and Eveline Ranhuysen confirmed they would check this query with regional units and ensure an answer is sent to the PELAC.

10. Co-signing of NWWAC advice on circularity of fishing gear and Single Use Plastics Directive



Anne-Marie Kats noted it has typically proven ‘difficult’ to agree on joint proposals from ACs, however with the proposed advice from the NWWAC on circularity of fishing gear there was no further scope for delay.

Linda Planthof interjected: she did not object to signing the advice *per se* but wanted to make a formal note of the process through which the advice was agreed. She said they were ‘asked to sign it without any possibility of providing input’. Goncalo Carvalho echoed this sentiment, as did the Chair – who agreed in future signing of joint advice should be approached differently, and thought-through carefully.

Esben Sverdrup-Jensen, Chair of WGI, reasserted that if anyone was uncomfortable with signing the advice, the process should not proceed. Anna Gruszczyńska had registered with the Secretariat that she would need time to consider the draft and could not agree to sign it during the day’s meeting. The Chair noted that ‘in principle’ the PELAC was in favour of co-signing the advice, but said that this needed to be checked with Gruszczyńska before this could be confirmed as the decision.

Anne-Marie agreed to circulate the draft advice for a final time to the full Executive Committee, immediately following the day’s meeting, for a ‘one day written procedure’. If any objections were registered, the advice would not be adopted and signed by the PELAC.

11. Advice from WGI and WGII

The Chair showed slides of recommendations to confirm from WGs I and II. For WGI this was as follows:

- Divert TAC recommendations to October 2020 meeting (agreed)
- Co-sign NWWAC advice on single-use plastics directive (as agreed above – pending final decision)

For WGII, this was as follows:

- Divert TAC recommendations to October 2020 meetings (agreed)
- Expedite one-week written procedure for approval of the WHOM rebuilding plan, with an online FG planned for 20th July and approval by 27th July.

12. AOB and conclusion of meeting

There was no further business. The Chair thanked everyone for their participation, noted that the next meeting would be on October 8th and ended the meeting at 13:00.



Action items

Action #	What	Who
1	Keep PELAC request for funding under EMFF on the agenda as a continuous action item – <i>carried forward</i>	Secretariat, chairman
2	Ecosystem working group to explore climate change as a key theme for work in 2020 – <i>carried forward</i>	Gonçalo Carvalho, secretariat
3	Develop a template document for the collection of stakeholder information in ICES advice, with input from the POs, to structure the new ICES procedure – <i>carried forward</i>	Management Team
4	PELAC to request a meeting with EFCA representatives and high-level Commission officials to discuss the detailed information behind the EFCA summary report on the joint deployment on mackerel in 2015/16 and 2016/17. Meeting to be sought in conjunction with the NWWAC if possible.	Management Team
5	Ensure the lack of transparency relating to the EFCA summary report on the joint deployment on mackerel in 2015/16 and 2016/17, is an agenda item at the next EFCA control meeting	Secretariat, chairman
6	Check with the Commission regarding procedures for funding the mackerel acoustic hindcasting work to be carried out by Paul Fernandes , which came out of the WGII meeting	Anne-Marie Kats
7	Ensure the development of advice on the future of ACs within a post-Brexit scenario is an agenda item for the next Management Team meeting	Management Team
8	Follow-up with the Commission (Evaline Ranshuysen, Pascale Colson) to ensure PELAC gets an answer to its questions regarding the mortality trends for stocks that don't have an MSY assessment.	Secretariat, Chair
9	Circulate the draft advice on circularity of fishing gear and Single Use Plastics Directive to the full Executive Committee for a final time. If no objections raised, co-sign the advice.	Secretariat

